

Village of Caseyville

909 South Main Street
Caseyville, Illinois 62232

Phone: 618-344-1234
Fax: 618-394-1234

REGULAR BOARD MEETING MINUTES

March 1, 2017

LEN BLACK
Mayor

ROB WATT
Village Clerk

WALTER ABERNATHY
Trustee

JOHN BUCKLEY
Trustee

JACKIE MITCHELL
Trustee

MATT MODROVSKY
Trustee

G.W. SCOTT, SR.
Trustee

BRENDA WILLIAMS
Trustee

BRIAN RADER
Supt. of Public Works

FRANK MOORE
Chief of Police

Call to Order:

The regular meeting of the Village of Caseyville was called to order at 7:00 P.M. by Mayor Leonard Black. The meeting was held on Wednesday, March 1, 2017 in the Council Chambers at 909 South Main, Caseyville, IL 62232.

The meeting opened with the Pledge of Allegiance and silent prayer.

Roll Call:

John Buckley, Brenda Williams, Wally Abernathy, Matt Modrovsky, G.W. Scott, Jackie Mitchell

Board Members absent: None.

Others Present: Mayor Leonard Black, Clerk Rob Watt, Chief of Police Frank Moore, Superintendent of Public Works, Brian Rader and Village Attorney, Tom Zurliene

Minutes:

A motion was made by Wally Abernathy, seconded by Matt Modrovsky, to approve the minutes for the Regular Board Meeting held on February 15, 2017.

No further questions on the motion.

Voting on the motion: All Yeas, No Nays – Motion Passed.

Before the Board went into Citizen's Input, Mayor Black to recognize the efforts of Matt Modrovsky and Rob Watt put into organizing a community-wide cleanup. He also thanked the Citizens of Caseyville that came out to clean up the Village. Matt Modrovsky mentions that there were 25 people and that all of those people deserve a hand not just two human beings. He mentions thank you to all of those people and that they know who they are.

Mayor Black mentions that McDonald's had a ribbon cutting ceremony for the \$850,000 remodeling they just completed. He mentions what is good about it is that the VFW 1117 had their Veteran's down there dressed on their red coats and they raised the flag. He mentions that it is something that we all should be proud of. He mentions that he would like to thank the VFW for participating in that.

Mayor Black mentions that he never had so many phone calls as he did on the food wagon. He mentions that he wants to say publically, as Len Black not the Mayor, he hopes maybe the Board would maybe want to reconsider that and that's his opinion.

Citizen's Input:

- Mr. Brad Vanhooose comes before the Board to ask Clerk Watt a couple of questions. He mentions he has in front of him and copies of a request for public information request dated December 18th, 2016. He mentions in the request he asked for a number of issues but the one that he asked for that was the most important was the complete file regarding the incident surrounding former Officer Scott Miller. He mentions he filed this on December 18th and on December 28th he received a response from Clerk Watt's office basically denying the request saying it was voluminous and shows the letter to Clerk Watt. He mentions then on December 10th he received from this from Leslie Crane that his request is ready for pickup. He mentions when he did go down and get it, the complete file, according to the Caseyville Police Department was this right here and shows a single sheet of paper. He mentions considering all of the Police Officers he saw on the scene that day he was amazed that there was on report. He mentions when he found out that this entire matter had been handled by the Illinois State Police (ISP), he contacted them. He mentions he has their response from a Nancy Essum and he will try to summarize here. He reads off what is on the response letter to include the date of the request, the subject being Officer Miller's full report, the fact that the ISP denied his request and read off the exemptions that Officer Essum used in the letter. He mentions that if we were having an ongoing investigation he would think that the Caseyville Police would have turned over to you, Mr. Watt, that there was an on-going investigation correct? He mentions then they wouldn't have had to give him that. Clerk Watt mentions if that's all the information we got, we talked to Frank, and that is all that we had officially in our report that they turned the whole investigation over to the State Police. Mr. Vanhooose mentions that you are maintaining is, and Chief Moore is here and he can answer. He mentions that the Caseyville Police Department only has one piece of paper on file. Chief Moore states that he doesn't have any comment on an on-going investigation,

especially one referred to the State Police. Mr. Vanhooose states ok. He mentions well you could have just turned his request down by saying it was an on-going investigation. Chief Moore mentions what we have was turned over to you. Mr. Vanhooose mentions so you didn't know at the time that there was an ongoing investigation. Chief Moore mentions that's up to them. Mr. Vanhooose states no and mentions that what he is saying is that your department did not know that there was an on-going investigation. Mr. Vanhooose mentions that the other thing that he brought up tonight was that he had obtained, quite by accident, a couple of years ago, a bunch of phone numbers. He mentions in the phone book what happened to be one of the Caseyville Officers Woodrow Hall. He mentions when he types his phone number into Facebook he came up with all these drugs, guns and cash on a Facebook page with his personal cellphone number attached to it. He mentions he doesn't know if that is within the code of their social media policy but it looks like evidence to him. He mentions the most concerning part, and he did turn this information over to the FBI, was that there was an AK-47, shown here in this picture, he has right here, a bayonet on Arms Trader from an AK-47 assault rifle for an AK-47 that is listed for sale under that Police Officer's personal cellphone number. He mentions along with the other end to an assault rifle. He mentions that maybe stop his questions and explain why that would be. Mayor Black mentions that Mr. Vanhooose is about at his five minutes so kind of speed it up. Mr. Vanhooose mentions he is giving you a chance to answer and that he has asked this question a number of times and mentions ok.

- Ms. Shawna Herndon came before the Board to find out what the process would be to get the Ordinance of a massage parlor changed to a massage therapy service. She mentions she is a licensed massage therapist and has been in practice for over 6 years. She mentions she currently have a traveling massage where she goes to 1 or 2 clients homes to perform massage therapy services. She mentions what she would like to be able to do is eventually open up a business within town. She mentions she would just like to know what the steps would need to be in order for that to happen. Attorney Tom Zurliene mentions that is an awfully big question. He mentions if you are talking about starting up an LLC or are talking about starting up something else. Matt Modrovsky mentions he thinks she is referring to us changing an Ordinance. Ms. Herndon mentions because currently massage is listed as a massage parlor underneath a sex trade act which that is not true. She mentions that massage therapy has come a very long way to gain the right mission and now states that it needs licensing requirements. Wally Abernathy asks Ms. Herndon if she talked to Mike Mitchell and she mentions that she had not. Wally Abernathy mentions that's who he recommends she talk to and his is

in on Tuesdays and Thursdays from 9am to 1pm. Ms. Herndon mentions that her current understanding is that as a massage parlor it is zoned as industrial and she would like to see it zoned as a business and not under industrial. Mayor Black mentions he is like Wally Abernathy and that she should start out with Mike Mitchell first and go from there. Ms. Herndon states ok and then thanks the Board. Kent Luebbers mentions that they have a hearing on this subject next Tuesday. Wally Abernathy mentions to Ms. Herndon that it is going before the Planning Commission next Tuesday.

- Ms. Pat Watkins comes before the Board to let them know that she has been receiving some of the letters from Caseyville Water Service Line responsibility. She mentions she received several of these that comes with a brochure telling her what her responsibility is to the Village of Caseyville for paying for different water lines responsibilities. She mentions she has had several calls from older people in town asking if she knew anything about it so she said she would come before the Board and ask. She asks does the Village of Caseyville are you actively asking people to take care of their own water lines or is this a scam. Mayor Black mentions he thinks it's a scam more or less. G.W. Scott mentions that we do not have anything to do with that and that's an outside company that is trying to get you to sign a contract at so many dollars a month. He asks Ms. Watkins how many times you are going to replace your water line at your home, never. Ms. Watkins mentions that any time she wanted some service the Village has been more than responsible to take care of it. G.W. Scott mentions that we have nothing to do with that and if you want to get with Brian Rader he can explain it even better than he can. Brian Rader mentions that it seems like that comes out once a year and explains it is an insurance program somebody has just in case you are paying a certain amount of dollars a month and explains what it would be for. Ms. Watkins mentions this is the fourth one she has received and that is why she thought it was a scam. She mentions that some of the older people in town see this and they just automatically pay, they just don't pay attention to anything that is going on. She mentions she is going to call these people back and tell them not to worry about it.
- Ms. Phyllis Scott comes before the Board to clear up something. She mentions that everybody in town kind of think or believes that there isn't a Lion's Club anymore in town. She mentions they are still and there are only 6 or 7 of them in the Lion's Club. She mentions that they still do meet once a month and really doesn't do any fundraising. She mentions about the only thing they do is Candy Day and they really have done that the last couple of years because you get out on the highway and a lot of them are afraid to get out on the highway. She mentions she is not afraid to get out there but she is not going to

get out there by herself. She mentions she is thinking that when the Lion's Candy Day comes along maybe they can get some volunteers to help them raise a little money. She mentions the only thing they are really doing is eyeglasses for kids in school and even older residents that they have to meet the income guideline and everything. She mentions at Christmas time they do is get families that they give grocery store gift cards and for the kids they give toys and clothing. She mentions they are still active and tonight she just stuck out a box where they collect used eyeglasses also. She mentions that Mayor Black said they could put a box down here. She mentions that there are very few businesses they can put them in not like the past. She mentions that if anyone has used eyeglasses there is a box out here that they could put them in. Mayor Black mentions he did tell Ambur to put it on the sign out there and she is supposed to put it on the sign. Ms. Scott mentions anything that anybody can do to help would be appreciated. She mentions that don't want to give the Lion's Club up but she would hate to say that the Chamber is gone and that they would like to keep the Lion's Club going. She asks for the school, have we sent a letter out to them yet? Mayor Black mentions he doesn't know and asks if anyone knows. John Buckley mentions to Attorney Tom Zurliene that they were going to have him do it so it's legal. Tom Zurliene states ok. John Buckley mentions he has all the information he will need. Tom Zurliene mentions he will give John Buckley a call some time tomorrow. John Buckley mentions that fine and that he has all the stuff here that we are going to do and mentions 6:30am to 9am and 3-5pm that they were going to have the cones out there. Matt Modrovsky asks Ms. Scott what day is the candy drive that she will need volunteers for and she tells him it's either in August or October. She mentions that the Lion's Club does meet the last Tuesday of the month and they have been meeting down at the VFW. She mentions they do have the Lion's Club behind the barber shop, which is one lot, for sale right now. She mentions we don't actually meet there anymore they just go to the VFW have supper and then the meeting. She mentions that's why she thinks everyone thinks there is no Lion's Club because it is for sale but there isn't enough of them to take care of the building and everything. John Buckley asks if she would care if we put on the marquee or something for a while just to let people know. She mentions that would be fine. John Buckley mentions that it is hard to read a lot of things as you drive by and explains how the announcement will look on the marquee and how it would be good for visibility. Ms. Scott mentions if anybody is interested in joining please come to the meeting to see what they do and go from there.

Old Business:

Brenda Williams makes a motion to revoke the Mayor's veto but Attorney Tom Zurliene interrupts. He explains that how this works is first, when this veto comes automatically back to the Board for a motion to reconsider. He mentions so majority passes the motion to reconsider. He mentions then there is a motion to revoke to veto and that needs two-thirds approval which is essentially the same 4 votes. Brenda Williams mentions he is saying that you have to vote twice and Tom Zurliene mentions yes. Brenda Williams mentions that she is not quite sure and Tom Zurliene mentions you need a motion to reconsider Resolution 1701A. Brenda Williams mentions she doesn't want to make that motion and she doesn't want to reconsider. She mentions that she is misunderstanding she guesses. Tom Zurliene goes over the voting procedures again. Brenda Williams asks what does he mean so you need to either have a majority of yeas so you could revoke it is that what he is saying or no's to revoke it. Tom Zurliene mentions that you have to get a majority to do the motion to reconsider and gives an example how the motion is done. He mentions if you get a majority then you do a motion to approve the Resolution notwithstanding the veto. He mentions so the first one is just to pass the normal Resolution 1701A again, essentially. He mentions the second one is to get two-thirds to override the veto. Matt Modrovsky asks if any of this matters since the case is closed. Tom Zurliene mentions like he said at the last meeting that the Resolution is basically trying to change the Court's order. He mentions you can try to do that. John Buckley mentions that we already have it on there he guesses. Wally Abernathy mentions the check has been cashed. Mayor Black mentions that it's all over, isn't it. Tom Zurliene states yes. G.W. Scott mentions null and void and don't do nothing. Tom Zurliene mentions then you would, if that's the stance, the you would vote down the motion to reconsider. Brenda Williams asks what happens if you vote it down. Tom Zurliene mentions if you vote it down, then it's done. Brenda Williams asks what happens to Resolution 1701A then. Tom Zurliene mentions then it's vetoed. Brenda Williams asks then what does that recall. Brenda Williams mentions if you veto it then it makes it active, right. Tom Zurliene states no and mentions if you veto it then it's done, you're vetoing it, that you're getting rid of it, it's not a Resolution anymore. John Buckley mentions that we can vote on it are we going to have to come back later then and try and take the check back from him. He mentions that we have been playing games with this for 3 years now and his thing is let's just put it to a vote and then the veto because he doesn't trust anything that has gone on. Brenda Williams mentions that she didn't understand why we weren't told the first time we revoked it. John Buckley mentions that is the question he would ask too. Tom Zurliene asks Brenda Williams what she means by the last time you revoked it. Brenda Williams mentions the last time and that this is the second time that we are revoking this. She mentions it has

already been revoked once and we didn't have to go through the reconsideration process that you are stating. Tom Zurliene mentions he can't speak to what happened last time that he can only speak to this and wasn't at the last meeting you had. Brenda Williams mentions she knows but his Law Firm was and they didn't say you had to do this. Tom Zurliene mentions he doesn't have the same memory as his Law Firm, states he wasn't here and he doesn't know what to tell Brenda Williams. He mentions he can just tell he what the Stature says and can tell you that, like he said earlier, the Resolution is, we can pretty much argue over all of this and it almost doesn't matter either way because you are trying to overturn a Court's order which you can't do anyway. Brenda Williams mentions that we're not that's what this says but Resolution 1701A does not. Tom Zurliene asks does not what. Brenda Williams mentions this is not what the agreement was. Tom Zurliene mentions that there is an order entered by the Court settling the matter, right and is told correct by Brenda Williams. He mentions that this Resolution tries to pass another settlement agreement which was the order entered by the Court, ok. He then mentions changing what the Order says that the Court entered. Brenda Williams mentions so if we don't revoke it then this Tom Zurliene mentions that is something you can't do, you can't change a Court Order that is something that only a Judge can do or an Appellate Court. Matt Modrovsky mentions he thought we stated that the Judge gave us the second set of documentation. He mentions we had a Special Meeting and we tabled it because we were waiting on the Judge to give us copies of that settlement. He mentions so we had a settlement back from May of 2016 and then December or January we had the Special Meeting that the Judge McGlyn was sending us a new documentation. Tom Zurliene mentions here is what happened, on December 21st, 2016, the Judge entered an order saying everything was done. The Court, 30 days go past and no one challenges that order. He mentions so that's a binding order, it's not appealable anymore. He mentions that there is nothing you can do unless there is some unknown new evidence that appears, ok. He mentions so that order is final and so the Resolution was passed after this. He mentions changing the settlement agreement which has already been approved by the Court, you can't do that. Matt Modrovsky mentions what if the Judge gave us copy one but Tom Zurliene states the case is closed. Matt Modrovsky asks how we got copy 2 from the Judge. Tom Zurliene asks a copy of what. Matt Modrovsky says the new settlement agreement that we voted on after. John Buckley mentions this is the settlement agreement that he got dated December 21st is what we voted and then that's where the 1099 were taken out of it. He mentions it is right here, the whole, this is from the Court. Tom Zurliene states, yes, that's it. John Buckley mentions this is what we voted and this is what he vetoed. Tom Zurliene states no, no, no and mentions that Resolution 1701A, and asks to see what John Buckley has. Jackie Mitchell mentions it was about just a date and John Buckley mentions it was his retirement date. Tom Zurliene

mentions that there was a date made that changed. John Buckley mentions that is when he retired. Tom Zurliene states yeah and mentions, after looking at what he got from John Buckley, that this is not it. He mentions this is a different settlement agreement that the Court didn't enter. John Buckley mentions that is the one he received from the Court there. Tom Zurliene mentions this is not the one that was entered by the Court. He asks John Buckley for another settlement agreement that he had that is date April 21st, 2015. John Buckley and Tom Zurliene go through all the agreements that John Buckley has. Tom Zurliene finds the settlement agreement that was entered by the Court and reads Section 12 of that agreement. John Buckley mentions that they changed it but Tom Zurliene mentions that is the one the Court entered so that's a binding order. He mentions it wasn't appealed. He mentions he can tell you what he knows, what he knows of law, and how Court Orders work. John Buckley mentions that all he knows is that the checks are cashed and deposited. Mayor Black states then it's over with. John Buckley mentions if it is over with it then why was it vetoed. John Buckley mentions why would the Mayor veto again if the checks were cashed that night we voted we said that the checks are cashed, their deposited, the settlement is over and why would we continue of this charade all the time. John Buckley mentions because Bob Romanik wants it. Tom Zurliene mentions he would advise the Mayor to veto it because the Resolution defies a Court order and to violate a Court Order you could potentially be held in contempt. He mentions it was the right thing to do. John Buckley mentions why are debating it. Brenda Williams mentions we are debating it because Mayor Black vetoed it. John Buckley states yeah. He mentions that his point is there has been so much deceptive stuff over this and games played in 3 years on this little project here, a vendetta, that we are skeptical about every move we make on it. He mentions we want it done, as a Board, a majority of us voted numbers of times to end this so we quit spending \$150,000 plus in lawyer expenses between Gilbert and Tom Zurliene's firm, which he is not blaming you. He mentions we talk about deficits, we just had a TIF meeting here, we want to know where they are, here is where it is, in the Alvarez lawsuit for no reason. He mentions this should have been settled a long time ago. He mentions this stuff started before he was on the Board, it's carried on now for vendetta purposes is all and, this will be on the radio show tomorrow and he doesn't care, go ahead send it in. He mentions because that is what it is, a vendetta and its hurting people of this Village. He mentions the only thing it is doing is hurting the people of the Village for the taxes that are having to spend for something like this that could have been settled. Mayor Black mentions this could have been settled months ago. John Buckley mentions why do you keep vetoing it then. Mayor Black mentions because he was advised to on that 1701A. A small back and forth starts between the Mayor and John Buckley. Matt Modrovsky mentions we have a motion on the floor.

Mayor Black asks what we are doing and Brenda Williams mentions that she made a motion to revoke it. Tom Zurliene mentions that you have to do a motion to reconsider Resolution 1701A by Statute.

- Motion was made by Brenda Williams, seconded by John Buckley, to Reconsider Resolution 1701A.

No further questions on the motion.

Voting on the motion: G.W. Scott - **Yea**, Jackie Mitchell - **Nay**, Wally Abernathy - **Yea**, John Buckley – **Yea**, Brenda Williams – **Yea**, Matt Modrovsky – **Nay**

4 Yeas, 2 Nays – Motion Passed.

Brenda Williams mentions that she is making a motion to revoke the veto. Tom Zurliene mentions yes and in order to do that you have to make a motion for the approval of Resolution #1701A notwithstanding the Veto. He mentions if you read under Old Business and reads over what it says. Jackie Mitchell asks does this mean we are going to have to go back to Court because it changed that date. Mayor Black states no and mentions because it is over with and that it's done.

- Motion was made by Brenda Williams, seconded by John Buckley, to approve Resolution 1701A notwithstanding the Veto.

Matt Modrovsky asks by voting for this is going against the Judge's order. Tom Zurliene states yes. Brenda Williams mentions wait a minute, what does Tom Zurliene mean going against the Judge's order because this is revoking Resolution 1701A but that's not what the Judge approved. Tom Zurliene mentions that the Judge approved an order, ok. He mentions that 1701A changed that order which is something that you can't do. He mentions that's it, ok. He mentions that if you approve this, you are approving 1701A which changes the Judge's order. Matt Modrovsky mentions we voted for it and we voted to change it. Jackie Mitchell mentions but it didn't happen. Tom Zurliene mentions that right now you are voting now to override the Veto. Matt Modrovsky mentions that somehow we ended up with a new document that was a year after the fact and that somebody generated that. Tom Zurliene states yes. Matt Modrovsky mentions allegedly it was Judge McGlyn and Tom Zurline states it wasn't Judge McGlyn. Matt Modrovsky mentions allegedly that's what was instructed as. Tom Zurliene states that's not correct. Mayor Black mentions what happens if it passes. Tom Zurliene mentions probably nothing but the Village is potentially liable. Matt Modrovsky states absolutely. Wally Abernathy mentions it's a done deal.

No further questions on the motion.

Voting on the motion: G.W. Scott - **Yea**, Jackie Mitchell - **Nay**, Wally Abernathy - **Yea**, John Buckley – **Yea**, Brenda Williams – **Yea**, Matt Modrovsky – **Nay**

4 Yeas, 2 Nays – Motion Passed.

After the vote, Brenda Williams mentions we are not going to file anything on it. John Buckley mentions that the taxpayers don't have to pay anymore legal bills on a lawsuit for 3 and a half years.

- Motion was made by Wally Abernathy, seconded by John Buckley, to approve the \$350.00 payment to Alfredo Pina contingent upon the signing of a release.

Wally Abernathy mentions that he was not told to get that to start. He mentions that he was told that if it was approved it would have been a Special Events permit. Mayor Black mentions did we get the contingency on the release from his Attorney. Tom Zurliene mentions he hasn't sign it. Small discussion on whether or not he signed. Tom Zurliene mentions he will sign it whenever he comes. Brenda Williams and Wally Abernathy both mention that the payment is contingent upon the signing of the release.

No further questions on the motion.

Voting on the motion: All Yeas, No Nays – **Motion Passed.**

New Business:

- Guest Speaker Mr. Bob Stephens, Caseyville Cemetery Association hands out a packet to the Board to understand while he is talking about it. He mentions that he has two other members of his group here tonight, Dick Koblutz and Tim Massey. Mr. Stephens gave a brief history of the Caseyville Cemetery. Mr. Stephens mentions that they have 3 things tonight that are kind of out of their control that they need the Village's help with. He has the Board look at the first page of the packet he handed out that is a picture of the cemetery and informs them that the cemetery is surrounded on 3 sides by a steep wooded area and on the 4th side by Hollywood Heights Road. He mentions that they cannot expand. He mentions that they have graves left but they are getting short on it. He mentions about 4 or 5 years ago he talked to Mayor George Chance and found out that they had a lot of graves that were purchased way back when that were never used. He

mentions how much the original graves went for, people had a lot of kids back then so they bought a lot of graves. He mentions then they moved away and never heard of them again. He mentions we have a 157 lots that are under this condition and totals about 700 graves in those lots. He mentions when George passed it on to the Attorney at the time, copy of letter is in the packet, it's rather simple to reclaim these graves but you have to do it because they are not the owners of it. He mentions what they are asking tonight is if the Village would be willing to post this in the newspaper for this list of people with the Attorney to have the legal description. He mentions if a year shows up and nobody comes to claim these graves they can be resold. He mentions that would be a big help to the Village. He mentions a present day grave prices of about \$300,000 worth of graves here. He mentions that is money that could come to the Village if we sell them graves. He mentions this is the first thing they are asking. He mentions to post in the paper, have the Attorney do it and we would wait a year. He mentions he doubts any one is going to come forward because these things are so old. He mentions they have to be older than 50 years and some of these are 150 years old which is well within the range of what is acceptable for declaring them as being abandoned. John Buckley mentions that there are a couple of burial sites up there that were my wife's family can we talk about those too. He asks are those, can you recall, because it has been a year or two. Mr. Stevens states no and mentions they are too new and they are not in this. John Buckley asks if he can recall if they are in his father-in-law's name under Jim Woodcock. Mr. Stephens mentions they are in the Woodcock name. Mr. Stephens mentions this is their first request and is the Village willing to do that. After a brief discussion that Board agrees to just post it. Mr. Stephens mentions that if anyone does show up and wants to pay the perpetual care fee they can reclaim themselves if not after a year the Village can resale them. Wally Abernathy asks if you have to notify each family or just put it in the newspaper and for how long, a week, month, etc. Mr. Stephens mentions it has to be posted in the newspaper and asks Attorney Tom Zurliene what is the legal requirement. Tom Zurliene mentions that's he doesn't do Estate law but he will look into it. John Buckley mentions it says one year and Mr. Stephens adds it is one year after the date it is posted. He mentions he doesn't know how many times it needs to be posted.

Mr. Stephens mentions that the black box on the cemetery image is their trouble are and explains because it has now grown to be woods and it is shadowing that particular box which grass will not grow in there. Mr. Stephen's explains the issue with this area in detail to include the grass being dead, washing away of soil, and undermining some of the stone bases. He mentions we need to come up with a solution. He mentions, from the picture, that there are a grouping of

trees that could easily be removed. He mentions that would free up some of the property to not shade it so much. He begins discussing property further back that has large, hanging limbs which he thinks would be nice to cut down too in order to get more daylight on that property. Mayor Black asks Brian Rader if his guys can assist. Brian Rader mentions that they looked at that area and cannot get the equipment back there to cut them down. He mentions it would be best to hire a professional company to take care of that due to liability issues. Mr. Stephens mentions once these are cut down then they would need to bring some dirt in and put some straw blankets or something on it until it takes effect. Mayor Black asks Mr. Stephens if he has money in his fund. Mr. Stephens states not that kind of money and explains how they get their money and how they spent the money that was donated from the history books that were sold. Matt Modrovsky mentions to get some proposals and we will see. John Buckley asks about the headstones that were moved due to this issue. Mr. Stephens explains the issue with these undermined headstones people are complaining about. Matt Modrovsky asks do we need to remove these headstones to add soil underneath them and is told by Mr. Stephens that you shouldn't have to. John Buckley asks if that is a bigger flow problem that is creating that issue. Mr. Stephens you are getting the bigger flow because you are creating a ditch under it and it a small part of the cemetery but it's critical. John Buckley asks if we need to put dirt farther away and then also around the headstones and slope it so it doesn't go by them, is that what is happening. Mr. Stephens explains the size of the area and it mentions it definitely needs to be fixed. It is mentioned that Brian Rader needs to go up there and look at the issue. John Buckley asks if we can do the dirt around there then and Brian Rader mentions yes. The Board discusses how to do it properly.

Mr. Stephens moves on to talk about the headstones, how they are still people's personal property and that people get upset over any damage to them. He mentions over the last 4 or 5 years equipment has hit them at different times and he mentions the stones in the handout that have been knocked off of their bases. He mentions we need the city workers to go up there and straighten them out to way they should be. Mayor Black mentions we can get the summer guys to help and MR. Stephens mentions there are 70 stones, mentions the sealer when they were put up, and can look at the photos on where they need to be matched up to the original setting.

Mr. Stephen mentions they just spent \$1200 to have the cemetery sprayed 2 times a year (Spring/Fall) and pay someone to cut the grass every year. He mentions he wants to thank the workers because it

looked really nice, better than it has for a couple years. He details the work that they did.

- Mr. Henry Siekmann of Scheffel and Boyle came before the Board to go over the Annual Financial Report of the Village for the year ending May 31st, 2016. He mentions in general, it was a flat year. He mentions some of the funds had deficits and some had pluses and minuses. He mentions the only real significant thing he guesses you can say is we finally paid off or liquidated the amount due to Charter Cable and it came in with a large amount. He mentions that Charter Cable never told us what the amount was but we have been paying down on it and what happens was we had a large liability on the Village and it didn't show up. He mentions now you are starting to get your checks back and so he had to write that down about \$200,000 but that happens. He mentions the Water Fund had an operating income of about \$92,000 for the year and it had a net income of \$256,000 because of some transfers in and out of that particular fund for the year. He mentions the Water Fund was doing ok and it collected \$3.4 million and expended \$3.3 million. He mentions the Police Pension Fund was \$2.3 million, which is a fiduciary fund which doesn't count for the assets of the Village. He mentions but because you are indirectly in charge of the tax levy and those particular items is included and is mandatory and included in your financial statement. He mentions the General Fund had a little bit of a deficit of about \$408,000 for the year before that prior period adjustment of \$178,000. He mentions in net it went down to right at \$225,000 you went in the hole in the General Fund. He mentions there was a deficit of \$21,000 in TIF 1, TIF 2 you had a deficit of \$135,000 and the IMRF fund went up \$18,000. He mentions the big money fund is TIF 2 for which you had \$2.3 million in it. He mentions the General Fund had a deficit of \$257,000, TIF 1 had a deficit of \$125,000. He mentions that this was the first year that you had to do, what's called, the Illinois Municipal Retirement which is liability for your pensions. He mentions they put it in here because basically you're regular IMRF Fund, which there are three. He mentions you are in your regular IMRF fund which covers your employees, you are a little in your Schlep IMRF which takes care of the Sheriffs and Police items that are not included in the Police Pension Fund. He mentions there is a real small one called the ECO which is the Elected County Officials for which we do not have any liability in those funds but the IMRF does maintain it. He mentions that in the big IMRF Fund your net financial liability is \$1.3 million over the next few years that you got to take care of that. He mentions part of that liability is for the Water Fund and explains how. He mentions the rest of the funds are in pretty good shape and the deficits a little bit. He mentions the Police Protection and discusses the funds underneath it, DUI and DEA. He mentions the liability insurance went

in the hole for \$46,000 and the Hotel/Motel Fund went up about \$130,000 before any inter fund transfers. He mentions we did a very good job of allocating these expenses between the two and gives examples. He mentions they did give the Village a clean opinion and didn't see any problems, the documentation was there and the accounting was good. He mentions the Management Letter and goes over it in detail, to include due to and due from funds, watching ourselves on the appropriations ordinances, with our transfers with approval from the Board, the great job we did on the handwritten checks, and watch out on our IMRF and Social Security Levy. Matt Modrovsky mentions you can't run a business in the negative. Mr. Siekmann agrees and goes over how well we do certain things and mentions that John Buckley mentioned about having tough years with unusual expenses which we do not have room for which hurt a Village. He mentions those are things that are hard to budget for. John Buckley mentions on the transfers that he didn't understand. He mentions it says that not all of your fund loans and transfers were approved by the Board. He mentions what kind of transfers were there. Mr. Siekmann mentions that most of the time and gives an example of a transfer that could have been an error or being done do not make it to the minutes as far as you guys saying this is a transfer that you might not know about it at the time. He mentions it may come back as an operating expense and they come along and say this is not right. He says we have better recognition of our transfers than in years past. Matt Modrovsky mentions that he has talked to Leslie to make sure there is a paper trail on all transfers to know exactly where, why and how. Brenda Williams mentions it is kind of hard to get Board approval on some of those. Mr. Siekmann mentions that he understands but as long as it's put in the minutes and as long as you can acknowledge it which is the main thing. G.W. Scott asks for clarification on the Charter Cable issue. Mr. Siekmann lets him know we aren't paying that anymore and we are getting money now to the tune of \$30,000 to \$40,000 a year. Brenda Williams asks if he has a list of those funds that he thinks needs to be write off. He mentions there are a bunch in there that can be written off and give an example of one and explains permanent and partial transfers, and raising levies to pay them off which we don't normally exercise. He mentions that the Board lists them and then acts on them. G.W. Scott asks if we are holding our own on the Police Pension fund. Mr. Siekmann states that you didn't hit the level, and did the same in prior years, to the levy recommendation of the State that they asked for so we kind of drifted down on that. He mentions this is an actuarial, this is just how much cash you got and doesn't really determine how short you are on that. G.W. Scott mentions that the taxes that they raised was supposed to go into those. Mr. Siekmann states they did. Brenda Williams mentions we were so far behind in it and John Buckley mentions that it did not

get paid into. Chief Moore asks Mr. Siekmann what happens at \$2.5 million as it pertains to being more aggressive in investing and generating more funds. Mr. Siekmann agrees and then explains the difference between a fixed fund and equity fund and the risks for each. John Buckley mentions that is discussed in our finance meetings is that we are so far behind other places with our tax levies as far as, I'm not in favor of it, but it had to be done for the Police thing because it was never getting paid into and money was being robbed for other things. He mentions we do not have what they have for sales revenues or anything else. He mentions on the other hand if we attempt to raise those a percent or so then we get caught in a what are you doing. He mentions so we can't find a way to get more revenue. He mentions we are in trouble because when we try to raise revenue people get upset even though we live here and don't have a choice either. He mentions it's either do things and get us closer to what cities are for taxes or we won't survive. He asks what other recommendations as financial do you see. Mr. Siekmann mentions it is exactly like a business that has to raise revenue or cut costs which he doesn't want to say but that's part of the deal too. G.W. Scott mentions that the representative from the State came here and told us either you bring that pension fund up to where it is funded or they will come in here and do it for us. John Buckley mentions they would shut us down and take it out of the General Fund is what they said. Mr. Siekmann mentions that the other side of the coin is that take care of your truth in taxation because that is factor too. Mr. Siekmann mentions the wonderful job Leslie Crane and Ambur are doing and that it is baby steps to get there. John Buckley mentions we have some things go on to include the new housing development going which we will start seeing more of that in another year.

Administrative/Communications & Technology

- Motion was made by Jackie Mitchell, seconded by G.W. Scott, to approve Keri Cary to be compensated as Office Manager retroactive from September 26, 2016 – November 1, 2016.

Brenda Williams mentions that Denise Logan didn't retire until October and she was the Office Manager up until then. Wally Abernathy asks if she was here or did she take sick leave. Brenda Williams mentions that October 7th is her official retirement day. Jackie Mitchell mentions she thinks that Denise took a lot of vacation prior to the retirement and she wasn't there several month before that. Brenda Williams mentions she was still getting paid. Mayor Black adds as an employee and Brenda Williams states yes. Brenda Williams mentions it should really start at pay ending 10/21. She mentions she is assuming that the 7th may have been the last day in

that payroll cycle and the very next payroll she should have received that two weeks of Office Manager pay. Wally Abernathy mentions do we want to amend the motion. G.W. Scott mentions amend it to October 7th. Jackie Mitchell mentions she amends he motion to October 7th. Mayor Black mentions wait a minute and asks when. Brenda Williams mentions to Denise's official retirement date. Tom Zurliene mentions was she in the office at the time. Jackie Mitchell states no and mentions she left the office on September 26th. Brenda Williams mentions she was still getting paid regular salary up to that day. John Buckley mentions vacation or not she was still being paid. Jackie Mitchell mentions Keri Cary was still doing the job. Tom Zurliene asks was Keri doing the job of Office Manager while she was gone. Jackie Mitchell states yes. Brenda Williams mentions then again you can't have two Office Managers. Jackie Mitchell mentions she would prefer to give it to her if we can because she was doing the job. John Buckley mentions she wasn't supposed to take over until Denise retired that was part of it. Jackie Mitchell mentions that she took over because Denise couldn't be there. Mayor Black mentions that John Buckley is technically right. John Buckley mentions she's still not and Jackie Mitchell mentions that somebody had to do it. John Buckley mentions somebody still has to do it here too and we are talking about the same difference here as retirement date. He mentions once again, she retired on that date which is her retirement date. You can't pay for somebody to be Office Manager and have two Office Managers when the thing was supposed to be at the end and when she retired whether or not she is there. He mentions Denise takes vacation all the time we didn't give her separate pay all the time when she was gone. He mentions he sees no reason to do that from then other than from the time she retired until there. He mentions when Denise takes off Keri didn't get paid extra. Jackie Mitchell state no, she didn't. John Buckley mentions that there is no reason because Denise took her last two weeks before she was officially done that we should pay for that. Jackie Mitchell mentions she is just saying she was doing the job and in her opinion she would pay her. She mentions to put it to a vote she guesses. Mayor Black asks how do we amend that, can we do that or do we table and come back next meeting. Jackie Mitchell mentions she wants to table it. Brenda Williams mentions did we tally it up in the difference of what the days were. Jackie Mitchell mentions it was September 26th. Brenda Williams mentions she knows but she was talking October 7th and it can't be 5 days. Jackie Mitchell begins tallying. Mayor Black mentions do they just want to table that and come back. Jackie Mitchell mentions however the Board wants to do it. John Buckley mentions whenever somebody leaves she wasn't paid Office Manager during the year. Jackie Mitchell mentions she wasn't the Office Manager then. John Buckley mentions she wasn't the Office Manager then because it was supposed to take effect in October

when she retired. John Buckley mentions every time Denise left did she do Denise's job. Jackie Mitchell states no and mentions that is a different situation. John Buckley asks why she started doing it then. Jackie Mitchell mentions nobody else was doing it and that attendance needed to be tracked and various other items needed to be done. John Buckley mentions we were all worried about a retirement date before and the legalities so. Jackie Mitchell mentions if it was the correct retirement date and it was the wrong retirement date. John Buckley mentions this is not her correct office time either. Jackie Mitchell states yes it is and mentions that's when she started doing the job. John Buckley states ok and mentions and does not believe that though. Jackie Mitchell mentions as far as that retirement date goes, that retirement date was wrong. Jackie Mitchell mentions it was not correct. John Buckley mentions this is not but Jackie Mitchell mentions that she is not talking about this but she is talking about the date you are talking about and that it was wrong. Mayor Black mentions let's move on and how are we going to do this now. He asks Jackie Mitchell do you want to do it like it is on here, do you want to amend the date. Jackie Mitchell mentions to keep the dates. Mayor Black asks how the Board feels, do they want to amend the date, pay her or what. Brenda Williams mentions that she thinks it should be after October 7th. Mayor Black asks G.W. Scott if he has an opinion and asks do we want to table it or do you just want to pay her. G.W. Scott mentions if that was Denise's last day and if the 7th was her last day then she gets paid that. Mayor Black mentions he agrees and that he thinks that the 7th is when she retired and was employed until the 7th. Jackie Mitchell states ok and mentions let's do the 7 and not argue over something so minor. A discussion starts over whether you can change the date or not. After the minor discussion, Tom Zurliene mentions he would be more comfortable if it was tabled. Mayor Black mentions just in general, does everybody want to go on with the current date or come back with it. He asks Jackie Mitchell if she wants to pay from the date that's on the agenda and asks Matt Modrovsky how he feels. Matt Modrovsky mentions that you have to look at the person we knew was retiring so if Matt Modrovsky was retiring and took vacation from June 1st to July 1st, we still need to fill that occupational role. He mentions that you are going to compensate that individual based on that role because we knew Matt Modrovsky was going to retire. Mayor Black mentions what he is saying is we should pay her from September. Matt Modrovsky mentions whatever the dates were. Mayor Black asks how much money we are talking about. He is told about \$32 and the Board discusses this. John Buckley asks what is the involvement between the September 26th and October 7th because that is the point though. He mentions what are we looking at a day, two days or was there vacation or something. Brenda Williams mentions 8 days.

No further questions on the motion.

Voting on the motion: All Yeas, No Nays – **Motion Passed.**

Public Works/Building

- Motion was made by G.W. Scott, seconded by Wally Abernathy, to approve Resolution #1709 – Resolution in Support of Program Year 2017 Community Development Block Grant (CDBG) Application for Sterling Place Water Main Replacement and Authorizing Application Costs not to exceed \$75,000.

No questions on the motion.

Voting on the motion: All Yeas, No Nays – **Motion Passed.**

- Motion was made by G.W. Scott, seconded by Matt Modrovsky, to approve Resolution #1710 - A Resolution Authorizing the Purchase of a Challenger ST Stahl Utility Body for an F-Series Truck for a Total Cost of \$10,533.

No questions on the motion.

Voting on the motion: All Yeas, No Nays – **Motion Passed.**

Planning/Zoning

- Motion was made by Wally Abernathy, seconded by G.W. Scott, to approve Resolution #1711 - A Resolution to Approve Phase II Storm Water Permit Implementation.

No questions on the motion.

Voting on the motion: All Yeas, No Nays – **Motion Passed.**

- Motion was made by Wally Abernathy, seconded by Matt Modrovsky, to approve Ordinance #1706 - An Ordinance Establishing the Caseyville I-64 Business District; Approving a Business District Plan; Authorizing the Imposition and Collection of a Sales Tax Within Such Business District; and Approving Certain Actions in Connection with the Establishment of Such Business District.

No questions on the motion.

Voting on the motion: All Yeas, No Nays – **Motion Passed.**

Correspondence: Clerk Rob Watt did not have any correspondence for this meeting.

Approval of Bills:

A motion was made by Matt Modrovsky, seconded by Jackie Mitchell, to authorize the expenditures of the bills in the amount of \$57,168.17 and the money drawn from the proper accounts, when the funds become available.

No further questions on the Motion

Voting on the motion: All Yeas, No Nays – **Motion Passed.**

Chief of Police – Chief Frank Moore had nothing for the meeting.

Superintendent of Public Works - Superintendent Brian Rader updated that Board on the 89th Street Project. He let them know that they had a meeting with AT&T and the contractor. He said they will begin tomorrow to move the poles, finally, so that the project can proceed. He mentions he feels confident that the work will get done.

M.K. Dashke – M.K. Dashke was not present for the meeting to give an update.

Village Attorney – Attorney Tom Zurliene had nothing for the Meeting but mentioned we are moving forward on some demolitions and on annexations. He mentions if anybody has any other homes they are concerned about that pose a public safety issue or anything like that to let him know and he will check them out.


Adjournment

There was no additional business to bring before the Board. A motion was made by Brenda Williams, seconded by John Buckley, to adjourn the meeting.

Voting on the motion: All Yeas, No Nays – **Motion Passed.**

Meeting adjourned at 8:22 p.m.

Respectfully Submitted by



Rob Watt
Village Clerk