



Village of Caseyville

909 South Main Street
Caseyville, Illinois 62232

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

REGULAR BOARD MEETING MINUTES

June 18, 2014

LEN BLACK
Mayor

ROB WATT
Village Clerk

WALTER ABERNATHY
Trustee

RICK CASEY, JR.
Trustee

KERRY DAVIS
Trustee

G.W. SCOTT, SR.
Trustee

RON TAMBURELLO
Trustee

BRENDA WILLIAMS
Trustee

BRIAN RADER
Supt. of Public Works

Call to Order:

The regular meeting of the Village of Caseyville was called to order at 7:01 P.M. by Mayor Leonard Black. The meeting was held on Wednesday, June 18, 2014 in the Council Chambers at 909 South Main, Caseyville, IL 62232.

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

Roll Call:

Trustees present: Kerry Davis, Wally Abernathy; Ron Tamburello, Brenda Williams, G.W. Scott, Rick Casey, Jr..

Trustees Absent: None

Others Present: Mayor Leonard Black, Superintendent of Public Works, Brian Rader, Police Chief Scott Miller, Village Attorney, Michael Gras and Clerk Rob Watt.

Minutes

A motion was made by Wally Abernathy, seconded by Ron Tamburello, to approve the minutes of the Regular and Special Board Meeting held on May 21, 2014.

Voting on Motion: all yeas, no nays - **Motion Passed**

Old Business:

➤ None

Citizen's Input:

➤ Mr. Vernon Werhle spoke to the Board about the problems with the barricades along the parade route. The main concern was that the barricades would not allow people to get down the streets. G.W. Scott stated that Brian Rader would take care of this issue.

- Ms. Doris Pierce spoke about the issues that C.O.W. has been having getting their meetings and other announcements on the marquee. She said she understood that the process was that approval was needed by the Mayor and the Clerk before it got back to the girls in the office. She asked if there was a way to make this easier. She believes that anything that deals with organizations in the Village, like C.O.W., the Fire Department, Police Department, etc., should not have to go through so many people to be approved. Mayor Black explained that they were trying to get things under control because everyone was putting stuff on the marquee. Clerk Rob Watt stated that he thought it would make sense that for Village organizations that the person running the marquee should be able to make that decision to put it on there. Any event that is not in that group should go through the approval process. Brenda Williams stated she would look into it to resolve this issue.

- Mr. Jimmy Alvarez spoke to the Board about his FOIA request that he submitted for closed session meeting items which was denied. He tells the Board that in the letter that if the Board so authorizes it they can be released. He is now asking if the Board will release those records to him at this time. Brenda Williams states that if those records are part of litigation then they cannot be released. Mr. Alvarez states he understands that but the action has already been taken so it doesn't matter. He asked what he is referencing and he states the FOIA Statute. He is told by Attorney Gras that there are some matters that need to be closed and the litigation depends on what stage. He continues that he wasn't at the meeting that he is asking the minutes from so he is not aware of what is going on. Brenda Williams states that they have to be approved by the Attorney and Clerk. During this process the Clerk and Attorney listen to the tapes to ensure that there is not any litigation. After that is accomplished, the Board votes on them to be released. Mr. Alvarez asks if the Board will review them in six months but is told that the Attorney and Clerk will. Mr. Alvarez asks if the Resolution will be done for releasing them and is told yes and that they would go into the regular meeting books. Mr. Alvarez then states that the Board is not going to release the records to him at this point in time and refers back to the letter he received. Attorney Gras states he has never seen the letter he is talking about so Mr. Alvarez brings it to him. Attorney Gras reads the letter and states that he will have to look into it further. He states also that he doesn't know what issue we are referring to. Clerk Watt states he will get Attorney Gras the meeting video so he can review it.

- Chief Miller brought up the fact that Officer Singleton and Paco assisted in a traffic stop where \$100,000 was found. He stated the Village will get 10% of that.
- MK Dashke briefed the Board on the Fishing Derby. She went over the winners, the sponsors and other items that were part of that fun-filled day. She stated there was a picture in the BND and online.

New Business:

- Mayor Black postponed the Proclamation that Jun 18th, 2014 be known as Jim McQuary Day to the July Meeting because most of the firemen are down working on the picnic and they wanted to make sure they were here for that.

Finance/TIF/Grant/Insurance

- Motion was made by Brenda Williams, seconded by Wally Abernathy, to approve putting TIF Assistance Projects on hold until we get TIF Records back and our TIF Attorney has time to go over them.

No questions on the motion.

Voting on the motion: G.W. Scott - **Yea**, Rick Casey, Jr. - **Nay**, Wally Abernathy - **Yea**, Ron Tamburello – **Yea**, Brenda Williams – **Yea**, Kerry Davis – **Yea**

5 Yeas - 1 Nay - Motion Passed.

Police:

- Motion was made by Brenda Williams, seconded by Rick Casey, Jr., to approve Resolution #1424 – Approval to Purchase Police Car Camera Systems for New SUVs.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

- Motion was made by Brenda Williams, seconded by Kerry Davis, to approve Resolution #1425 – Police Car Radar Systems for new SUVs.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed.**

- Motion was made by Brenda Williams, seconded by Kerry Davis, to approve Resolution #1426 – Approval to Purchase Caseyville Police Department Camera System for \$7,239.26.

Kerry Davis asked Brenda Williams to let the crowd know how we are paying for this. She explains that we are paying for this from the insurance money we received for hail damage to the police vehicles that was not spent. She states that all of the items tonight will come from that insurance money.

No further questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed.**

- Motion was made by Brenda Williams, seconded by Wally Abernathy, to approve Resolution #1427 – Approval to Rent Mobile Surveillance System for the Caseyville Picnic at \$400 and that the funds be paid by the Village of Caseyville and not the Fire Department.

Brenda Williams informed the Board that this was supposed to be split between the Fire and Police Departments. Due to the picnic not generating enough funds, the Fire Department could not pay their \$200. She asked the Board if they still wanted to do this. It was stated that this was a recommendation from the Police Department and would still be a method of deterrence. The \$400 would be for both days.

No further questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

- Motion was made by Brenda Williams, seconded by Rick Casey, Jr., to allow the Caseyville Police Department to conduct a surplus vehicle auction on E-Bay.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

- Motion was made by Brenda Williams, seconded by Kerry Davis, to table the approval to give permission to the Police and Fire Board to hire a new Police Officer when eligible officers are available.

No questions on the motion.

Voting on the motion: G.W. Scott - Yea, Rick Casey, Jr. - Nay, Wally Abernathy - Yea, Ron Tamburello – Yea, Brenda Williams – Yea, Kerry Davis – Yea

5 Yeas - 1 Nay - Motion Passed.

- Motion was made by Brenda Williams, seconded by Ron Tamburello, to table the approval to hire Ryan T. Parker and Brandon M. Shellenberg as part-time Police Officers.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed.**

- Motion was made by Brenda Williams, seconded by Rick Casey, Jr., to table the approval of all military leave without pay.

Brenda Williams assumes that each Trustee received the letter she got and apparently whoever put it in there, whether it be the Mayor, that Mr. Romanik has been fed the wrong information. She wants to explain this issue to the Board. She states we have a police officer that is going on military leave and she was under the impression that we would have to pay his salary and time and a half for another officer to cover his shifts while he was on military leave. At the time, she thought there was no way that the Village could afford that so she asked the attorney at the time, Mr. Gilbert, to research this for her. She was sent an e-mail stating we did not have to pay him. She tells the Board that she brought it up at Committee a couple of weeks ago and that Mr. Gras would get with Gilbert to get the information and let her know. She was told again that we did not have to pay. Then Leslie got the Illinois statute and showed it to Mayor Black. Mayor Black faxed it to Mr. Gras who, in turn, called Brenda Williams stating that the Illinois Statute said we had to pay him. She stated that she was looking at the Federal and not the Illinois Statute. She states Federal tells you that you don't and the Illinois Statute states you do. Mr. Gras explains this issue concerning Federal and the Illinois Statute in detail as it applies to the Village paying the salaries for those that need military leaves. Brenda Williams states that she just wanted everyone to know that she did not make this decision and that she waived on the attorneys.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed.**

- Sergeant Frank Moore, who was not in attendance, received his 20-years of service award.

Public Works/Building:

- Motion was made by G.W. Scott, seconded by Brenda Williams, to approve the use of the Caseyville Community Center by the Illinois State Police for their event on September 16th, 2014.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

- Motion was made by G.W. Scott, seconded by Brenda Williams, to approve Resolution #1420 – Approval to Purchase Property at 12 Lucinda Court.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed.**

- Motion was made by G.W. Scott, seconded by Kerry Davis, to approve Resolution #1421 – Approval to Purchase Property at 8718 Garden Avenue.

There was an explanation on what we are doing with these properties. Questions concerning ownership, how was the teardown being paid for, what is our procedure now to avoid buying the property from under this, property taxes and maintenance arose. These were answered by stating that we are buying the property and since we own the property we can sell them at any time to recoup our money. It was also stated since we own it we do not pay taxes.

No further questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed.**

- Motion was made by G.W. Scott, seconded by Brenda Williams, to approve Resolution #1422 – Accepting a Bid for the Long Street Bridge Water Line Project.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed.**

- Motion was made by G.W. Scott, seconded by Kerry Davis, to approve the hiring of two grass cutters out of the Hall.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed.**

- Motion was made by G.W. Scott, seconded by Brenda Williams, to accept the resignation of Jesse Carlton effective June 27th, 2014 and to allow the Public Works Superintendent to advertise the position in the paper for two weeks.

Mayor Black asks where we are we going to advertise this at. Brian Rader states that he will advertise it in the paper, the ERTC at SIUE and at Rural Water.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed.**

Planning & Zoning:

- Motion was made by G.W. Scott, seconded by Kerry Davis, to approve Resolution #1423 – Resolution #1423 – Resolution Authorizing the Issuance of a Business License to Green Forest Vapor Shop, LLC.

No questions on the motion.

Voting on the motion: G.W. Scott - **Yea**, Rick Casey, Jr. - **Yea**, Wally Abernathy - **Yea**, Ron Tamburello – **Nay**, Brenda Williams – **Yea**, Kerry Davis – **Yea**

5 Yeas - 1 Nay - Motion Passed.

Ordinances:

- Kerry Davis wanted to have the Board review and reconsider the Lease Agreement between the Village of Caseyville and Madco Soccer Club, LLC., d/b/a Gateway FC. He points out that last year we received a check for \$4600 from the gentleman who farmed it. The lease agreement states that we are paid \$300 a year by the Soccer Club and the Village will also spend \$38,500 in TIF money to upgrade the property for the Soccer Club. He states we have already paid \$18,000 to a contractor who enlarged the detention pond which was built to accommodate the storm water from Village Hall and its neighboring properties. He states the enlarging of the pond is not a bad thing seeing as it avoids flooding for properties in TIF 2, the Schaefer's development, Gaeschel's development and properties on Parkdale. He states that it seems like the public money we are spending should get

to a public park or public field and not a private organization. What he is asking the Board is that there is an out clause in the contract that the Village can terminate the contract with 60 days' notice. He would like to make a motion that the Village begin termination and notify the Madco Soccer Club, LLC., d/b/a Gateway FC. He continues that this is a company that you have to pay to play and the fields are used by permit only. In addition to this, the Board passed a Resolution that gave the Soccer Club \$20,000 in Hotel/motel funds to upgrade some problems they had on the soccer fields and the roadway. He states that when it is all said and done, the Village will have \$60,000 tied up in a private business and doesn't know how we are going to get this back. Rick Casey, Jr., asks Kerry Davis if he really doesn't see how we are going to get this back. He asks Joe Reiniger how many people he brings in over a weekend. Mayor Black states that Kerry Davis has the floor and that we will have time for discussion. Kerry Davis states that if we take that \$300 a year for that \$38,000 it will take the Village 125 years to recoup its investment. He says he understands that people play soccer and may visit the establishments in Caseyville but \$60,000 is a lot to pay to have someone buy ice cream or a tank of gas. What he is saying is that we terminate the lease and reevaluate the situation. If we want to find a place for our kids to play soccer for free. Make it a public soccer field. Let's take this money and make a ball diamond out there or maybe a sports complex. He wants the Village board to do the right thing and not spend TIF money or hotel/motel funds to benefit a private company. He states that he makes a motion to terminate the lease with Madco and it is seconded by Wally Abernathy.

Mayor Black asks if there are any questions on the motion. G.W. Scott asks if we are going to sit back down with Mr. Reiniger to re-work this out? Mayor Black asks G.W. Scott., that we didn't get all the property but a little less. G.W. Scott states that he didn't know. Kerry Davis states that the check we got in January was for \$4,600. Mayor Black states that wasn't for the all the property the soccer field was using. Rick Casey, Jr., asks if we got \$4600 for the 11 acres we lease out and is told yes. He states that is an impossible farming number and asks Brian Rader if he knows but he doesn't. Mayor Black states that figure is nowhere near what it should be and Kerry Davis says he can show him the check. Discussion continues on how much acreage that would pay for.

Joe Reiniger steps to the podium and discusses that there is 11 acres but only 5 acres that could possibly be farmed. He states that he doesn't know if this is personal, which Kerry Davis says it is not, but he is trying to give back to the community and he wants to have tournaments back there. He states that the \$300 was what he was told

was paid by the farmer and is willing to pay more but can't afford \$4600 for two soccer fields built. He mentions that he not only brings in folks but he also saves the Village money by maintaining the fields. Kerry Davis mentions making it a public soccer field and that Madco could rent from us. Mr. Reiniger states that they would need to rent the fields all the time and that we would be a cost burden to them. He states that if he cannot do it here he would have to find somewhere else to play. He mentions that he does collect fees but it's not to make anyone rich. His fees are either at or well below the fee rate for this area. He states that he appreciates the TIF funds because it has brought them up farther than they would have if they had to raise the funds by other means.

Kerry Davis states that the Village is reviewing their TIF funds, getting a new TIF attorney and he wants to make sure that we can use TIF funds for this project. He is willing to terminate this contract and renegotiate a better deal for the Village. Mr. Reiniger has some issues. He is laying new grass that he has paid for and is ready to have the contractor plant what is he supposed to do it. He wants an agreement like the 10-year agreement he has with the Church. He doesn't want this to be an issue if a new Board is elected and they want to terminate the contract. Kerry Davis mentions that we can renegotiate a new lease that benefits the Village, Madco and we have a place for the public to play soccer.

There is back and forth on what TIF is supposed to be spent on and some examples of how it has been used in the past.

Ron Tamburello asks that we have a meeting to discuss the numbers and renegotiate if we need too. He believes that this would be a way to hear what he needs and what the Village needs in the lease to make it beneficial for both.

The discussion moved to public use of the fields. Mr. Reiniger is open to allowing public use if he knows in advance. He does mention that he would have to maintain the fields at a cost to him.

The liability issue is brought up because Mr. Reiniger covers insurance for the fields and if someone gets hurt he would be responsible for it.

Kerry Davis mentions that he is asking for the termination which gives Mr. Reiniger 60 days to do what he needs to do. During that 60 days, we can negotiate some common ground so that public grounds can be used for soccer that the public can participate in. He states he doesn't understand why that part is a big problem.

Mr. Reiniger states that he has extra goals that he will donate to the Village so they can put those in the Caseyville Park for kids to play soccer.

Mr. Reiniger wants to clarify that he is able to proceed with the planting of the grass. Kerry Davis states that he can but during that time in the future they will negotiate the provisions for public use of those fields. He states that at some point the public has to be considered when you are spending TIF funds on a project like this.

Rick Casey, Jr., asks if this is such a hot issue why we have not applied for a grant from St Clair County. He states that we have paid \$90,000 for a piece of property that we paid additional fund to tear it down. He states there have been worse uses of money. He goes on to state the \$225,000 CD in hotel/motel that was cashed but he could not track it down. It went into the General Fund and disappeared. This instance was wrote up by the Auditor which we have to pay that back into the General Fund. He states that there have been plenty of misuses of money around here if you want to go into it. He continues with what benefits Mr. Reiniger and his soccer fields bring to the Village, why we have the \$300 lease payment, what property the \$4600 payment was for and that no other businesses are wanting to come here. He tells the Board that the TIF money has to be spent by statute and if it isn't that it should have been given back to the taxing bodies. He goes into the TIF reports that are filed to the Comptroller. He makes a statement about the investigation we have concerning TIF funds that obviously they haven't found anything wrong with the reports they get. These reports are filed for every year he knows about.

The fees were discussed. Brenda Williams asked about if there were grants or scholarships. Joe Reiniger goes over the process on how they can take money off their fees. He states that his goal is to keep those fees as low as possible. Brenda Williams asks about the \$20,000 from the hotel/motel fund that he was supposed to have signs up. He stated all he need is what they wanted on the sign then he would pay to get them made.

Kerry Davis asks the Attorney if he can look over the contract to see if we can find a way to make it feasible for both the Village and Madco. Brenda Williams asks if they should have the new TIF attorney look it over and she is told yes. She mentions that they have a TIF meeting at 2pm on 19 Jun and they would discuss it with him then.

Kerry Davis withdraws his original motion and Wally Abernathy seconds it. He states that the Board will have the TIF attorney look it

over to determine how both parties can modify the existing contract to the advantages for both parties.

Mr. Reiniger asks that his main concern is amending the term length of the lease. He asks that it coincide with the lease agreement he has with the Church.

It was agreed that Mr. Reiniger could proceed with planting his sprigs for the soccer field.

- Motion was made by Kerry Davis, seconded by Wally Abernathy, to have the TIF attorney review the contract with Madco Soccer and the Village of Caseyville and work out how both parties can modify the existing contract.

No further questions on the motion.

Voting on the motion: G.W. Scott - Yea, Rick Casey, Jr. - Nay, Wally Abernathy - Yea, Ron Tamburello – Yea, Brenda Williams – Yea, Kerry Davis – Yea

5 Yeas - 1 Nay - Motion Passed.

Committee Reports:

- **Finance/TIF/Grant/Insurance Committee Meeting** – Chairman Brenda Williams called for a meeting on June 19th, 2014 at 2pm.

Chairman Brenda Williams discussed the letter from the Caseyville Fire Department requesting \$5,000 from the Village. The Board was ok with it and she asked it be on the next Board Meeting Agenda.

- **Public Works** – Chairman G.W. Scott mentioned the \$30,000 Park Grant the Village is receiving for an Outdoor Fitness Area in the Caseyville Park.

Correspondence:

- None

Approval of Bills:

- A motion was made by Brenda Williams, seconded by Wally Abernathy to authorize the expenditures of the bills and the money drawn from the proper accounts, as funds are available.

No further questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

The closed session for this meeting did not take place because the grievance hearing was postponed. .

Adjournment

There was no additional business to bring before the Board. A motion was made by Ron Tamburello, seconded by Rick Casey, Jr., to adjourn the meeting.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed.**

Meeting adjourned at 8:32 p.m.

Respectfully Submitted by



Rob Watt
Village Clerk