



# Village of Caseyville

909 South Main Street  
Caseyville, Illinois 62232

Phone: 618-344-1234  
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## REGULAR BOARD MEETING MINUTES

September 7, 2016

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, September 7, 2016 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, G.W. Scott, Matt Modrovsky, Jackie Mitchell

Board Members absent: None

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

### Minutes:

A motion was made by Wally Abernathy, seconded by G.W. Scott, to approve the minutes for the Regular Board and Closed Session Meetings held on August 17, 2016.

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

### Citizen's Input:

- Ms. Karen Massey came before the Board to ask the Board for payment for the damage she had to her property from a tree that was on Village property. She stated that after the tree limbs fell on her house the day after the Village came and cleaned up the limbs and trimmed the tree back. She took this as an indication that the tree belongs to the Village. She reiterated her request

and stated if anyone had any questions to go ahead and ask. After much discussion including that her homeowners insurance should pay for it not the Village, insurance deductibles going up from \$500 to \$1000 and what the actual extent of the damage was, Brian Rader was asked to submit this claim to see if the Village Insurance will cover it, if not, it will be brought back to the Board for a decision on what to do.

- Mr. Bruce Cohen came before the Board to discuss turning the old Buzzcuts at 502 South Long Street, for which they own, into a small lounge with 4-5 gaming machines in it. He discusses the formality of getting a liquor license and that the only alcohol will be wine and beer, no hard liquor will be on-hand. He states that this will not be a tavern or a bar. He states that there are a lot of venues with machines but none that offer to their demographic, the older/elderly crowd. He states that these persons do not want to go to a tavern, bar or gas station but prefer a quiet, upscale establishment to socialize and play the machines. He states the machines in the establishment are the high-end variety and that traffic will be light and will not interfere with residents. Adam Delberto explains the financials for the business and how it benefits the Village and the State. He states based on the location that it could generate \$3000 a month for the Village and \$15,000 a month for the State. He also states that he is the one that will be providing the machines for the business and usually only cater to this type of establishment and clientele. He passed around some pictures of an establishment they currently run for the Board to look at. Mr. Cohen gives a run down on backgrounds of all persons involved in the business. He states that he knows the location was an issue when they called but believes that where this is going to be located is going to draw those that they are looking for. The long discussion ensued including if they had licenses for the machines, current revenue the Village receives from gaming, what they think the Village will add to that, whether the estimates of \$3000 is accurate, where there other locations are, restrictions for this are different in our area than other areas, how many machines will they have, the type and seating at the machines, what are the opening and closing times, and what the next step in the process. They are asked to talk to Zoning Administrator Mike Mitchell to see what happens next.
- Vern Wherle came before the Board to give kudos on how smoothly the fireworks and picnic went.

- Candi Eaves comes before the Board to discuss an issue she had at her property with two females. She wanted to know if a police car has been sent over to the Harts' residence after the meeting she had with the Mayor and Chief Frank Moore. A long discussion ensued that included the fact that the Hart girls have warrants, a police car not being sent to their residence, establishment of where the Harts actually live, since they have warrants that they could be picked up, did the Mayor follow up with the Chief of Police, the police checking out some houses, Candi Eaves wanting times when the Police were there and needing a FOIA to get the information and the Mayor Black admitting he did not do anything on his part. A long discussion ensued that included a detailed accounting of the incident that involved the two girls asking for a gas can from her Husband Brian Eaves, the girls noticing the two motorcycles and race car in the garage while he looked for the gas can, asking for gas money to put in the gas can, if they have to return the gas can and then leaving after the dogs are let out by her daughter. Another long discussion ensued that included not going into the 911 call, reiterating the Hart girls having warrants and arresting them, it is not police procedure to send Caseyville Police Officers out of the Village for warrant violations, clarifying that Mr. Eaves wanted to see an officer on all 3 calls he made and it being addressed to the 911 call center, Mayor Black stating that she should talk to John Buckley since he is the Chairman and John Buckley reading that the Chief of Police reports to the Mayor and not the Chairman of the Police Committee, John Buckley stating that he told Ms. Eaves on where she needs to go to get this resolved to include going to Centcom and FOIAing the information, Candi Eaves not getting the information but is waiting for Brenden Kelley to approve the request, the fact she got to listen to her husband calling Cencom, not hearing calls from Cencom to Caseyville Police or Police to Cencom and what are the Police doing now or will she have to wait until they kill her husband,

**Old Business:** None.

**New Business:**

- Mr. Hirenkumar P. Patel, New Owner of Rodeway Inn came before the Board to request that they approve his business license for the Rodeway Inn. He states that they have complied with

everything the Village asked and that they passed all the Fire Inspections. He states that if anything is missing he will not hesitate to comply with them. A discussion ensued that included if the inspections by Village inspectors, the fact that the French Village Fire Department has been down to inspect and the Rodeway Inn passed their inspection, Ambur Petty having the listing of all the rooms that have passed, Pete Patel not being a part of the LLC and Mr. Patel has documentation to prove that fact, the fact that who is going to pay the fines that have accrued since they have not gotten their license being decided in Circuit Court, Attorney Brian Manion looking over all the documentation to ensure Pete Patel was no longer a part of the LLC nor was he getting paid back by the LLC, the fact the hotel is now owned by Mr. Patel's LLC, going over the list of concerns that Chief Frank Moore had with the hotel, Chief Moore stating that the Hotel is a lot better than before, going over the restrictions in the Resolution for approval of the Business License, the fact that locks are on the outside doors that need keys, the derelict car on the property, the fact that the current owner is violating our ordinance and how does the Board know he will follow through on these items now, the fact that the Village can revoke the license at any time for any violation listed in the resolution and that Mr. Patel will try his hardest to ensure he complies with anything the Village requires, a confirmation that the fines for operating without a business license are being handled tomorrow in Fairview Heights, who adjudicates these agreements and if one is agreed upon yet, if fines are still being assessed, the plan for the citations and fines if the Board approves the Business License, consolidation of all the citations and being assured they will be taken care of, Rodeway Inn re-applying with Choice Hotels and needing prove they can get a Business license for this application, and what happens if Choice Hotels does not approve Rodeway Inn's application.

- Motion was made by Matt Modrovsky, seconded by Wally Abernathy, the approval for Woody's Pub and Grill to hold a Fall Blues Street Festival on October 1<sup>st</sup>, 2016.

No questions on the motion.

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

- Motion was made by Wally Abernathy, seconded by John Buckley, to approve Ordinance #1617 – An Ordinance to Amend Section 4(F)(5) – Class “E” Licenses of Ordinance No. 1043 for Special Event Liquor licenses.

Wally Abernathy asks does the Village have to amend this Ordinance and can't they just use the VFW liquor License. Attorney Brian Manion states that they cannot use the VFW liquor license because the vendors will be selling alcohol. The only way they can do it is if the VFW buys the liquor from them and then sells it. He states that in his discussion with Mr. Jim Bivens is that they do not want to do it that way but wanted the wineries to sell and serve the alcohol. That is why this ordinance was re-tooled to accommodate them.

No further questions on the motion.

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

**5 Yeas, 1 Nay – Motion Passed.**

**Administrative/Communications/Technology:**

- Motion was made by Jackie Mitchell, seconded by G.W. Scott, to table hiring the next candidate on Employment List to fill Retiree Position effective October 3, 2016.

No questions on the motion.

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

**Finance/TIF/Grants/Insurance:**

- Motion was made by Wally Abernathy, seconded by G.W. Scott, to approve Ordinance #1618 – An Ordinance to provide for the Amendment of the Municipal Utility Tax, Providing for a Method of Collecting Taxes for the Privilege of Using Electricity based upon Kilowatt-Hour Usage of Individual Customers.

Matt Modrovsky states that combing 18 and 19 long term for the first year will generate \$140,000 estimated tax. To determine per

household it is depending on kilowatts per hours used, no average per house but it is a significant increase from the old ordinance which was 2% and is now 6%. Matt Modrovsky is asked if he makes a motion and he says someone can. Matt Modrovsky states that he is voting no due to the fact we are in a financial crunch and passing the buck to the customer is not the right way to go about things. He states that the Board needs to solve their spending habits prior to raising taxes.

No 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**

- Ordinance #1619 – An Ordinance Establishing a Simplified Municipal Telecommunications Tax Rate Change failed for a lack of a motion. Jackie Mitchell asks what the rate increase will be and is told by Matt Modrovsky that it will be 6% and he has the documentation if someone wants to look at it. The discussion moved to how much that will cost the customer on their phone bill and what each Board Members is paid, the fact that the taxes haven't been raised in 10 years, that there are underlying issues other than raising taxes to spend, that there will be expenses as a part of that \$140,000 that need to be taken care, what will need to happen after next year and the fact that it is currently 3% and moving to 6%. John Buckley asks what Matt Modrovsky's recommendation to solve the issue is. Matt Modrovsky states you have to cut your costs somewhere. John Buckley states he understands that and that Matt is Head of Finance and they have beat this budget 100 times so what is his recommendations for this. Matt Modrovsky states that the Budget is set and that the Board increased the revenues and they have a positive cash flow. Candi Eaves mentions that the Village has increased her electric bill and now you want to increase her cell phone bill.

**Public Works/Building:**

- Motion was made by G.W. Scott, seconded by Wally Abernathy, to approve Resolution #1639– A Resolution Authorizing the

Purchase of a Lawnmower from ERB Turf & Utility Equipment, Inc., for \$11,800.

No questions on the motion.

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

- Motion was made by G.W. Scott, seconded by Wally Abernathy, to approve Resolution #1640– A Resolution Authorizing Execution of an Intergovernmental Agreement between Fairview Heights and the Village of Caseyville for 89<sup>th</sup> Street Improvements.

Brian Rader states that Fairview Heights has reimbursed \$20,000 for the engineering costs and that they are giving \$200,000 for construction.

No questions on the motion.

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

- Motion was made by G.W. Scott, seconded by John Buckley, to approve Resolution #1641 – A Resolution to Authorize the Village to Accept the Conveyance of Lions Club Park from the Caseyville Lions Club, to authorize the Purchase of Title Insurance from Illinois Title & Escrow, LLC, and to authorize the Payment of any Outstanding Real Estate Taxes.

Brian Manion give information on this to include Title Insurance being about \$350 and the taxes owed will be around \$300-\$400. John Buckley states that Lions Club actually does pay taxes on that and asked if they were tax exempt. He is told they are not tax exempt and had to pay taxes but once the Village owns it will be tax exempt. It is established that this is just for the park only and not the Lions Club building.

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 Jackie Mitchell, to approve Resolution #1642 – A Resolution to Authorize the Village to Issue a Business License with restrictions to Balagamuhki, LLC, doing business as Rodeway Inn.

Before the approval of the Rodeway Inn Business license, the floor is open to the applicant or anyone in attendance to ask questions concerning.

Attorney Brian Manion states that the only open item is the Hotel/Motel taxes that have been delinquent needed to be paid off as part of the agreement with the States Attorney that included the restriction list. Mr. Patel stated they are paid up for May and June and still need to pay July. Candi Eaves asks if he is the same Patel that bought the property across the street from Rodeway Inn and building another hotel. She is told no and that is someone different. She asks if the Board is aware of this and is interrupted by Attorney Brian Manion who states that questions need to be relevant to the for or against the Rodeway Inn business license application.

No questions on the motion.

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

**5 Yeas – 1 Nay – Motion Passed**

**Correspondence:** Clerk Rob Watt read an e-mail from Towerco asking for the Board to accept an option that they provided to either pay \$150,000 for a permanent easement for their tower or amending the current lease to add 20 years. It is asked how much is the current payment on the lease is and is stated it is \$1200. The options are discussed to include if there is an escalator and it is mentioned that they Village is better off with the lease and that Brian Manion will look it over.

Brenda Williams reads a letter from the Caseyville Grade School asking for a donation from the Village to help the Teachers pay for a



Spirit and Pride T-Shirt for all the kids in the school. She states that they mention that not all students can afford it. A discussion ensues to include if it the donation is being asked of the Board or the Village, if it is legal for the Village to donate to the school, how much is the school asking to be donated, the fact they have already asked the businesses in town for donations and clarification that the school is trying to raise \$2000 and not asking the Village for a \$2000 donation. Due to the fact that a decision cannot be made tonight it will be discussed at the Committee 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 \$148,656.32 and the money drawn from the proper accounts, when the funds become available.

Before the vote, Mayor Black asks about a \$5000 check he signed for the Caseyville Fire Department. He is told that comes out of Hotel/Motel and is for their advertising for the Caseyville Fireman's Picnic and Parade.

No questions on the Motion

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

**Chief of Police** – Chief Frank Moore mentions the car chase from St Louis squad car and a suspect that ended up in State Park, that Officer Gary Crowe made the catch out of 30-40 other officers. He mentions that the Police and Fire Board did their search and came up with a hiring list, including background checks, psychological tests and written tests. He introduces Eric Nesbitt as the person at the top of the hiring list and gives his background. Mr. Nesbitt speaks to the Board and those in attendance. Chief Moore states that he has talked to Jon Vieluf about setting up a meeting to finalize the hiring at a Police and Fire Board meeting. Brenda Williams states that the Board needs to give the Police and Fire Board approval for the hire and that is not on the agenda for tonight. A discussion ensues on when the approval for this hire might have been made, the fact that a new hire was hired and then quit, the impression that the approval was already given in May, wanting to make sure we do this legally, the fact that the Academy is not paid for by the Village, the Clerk will look over meeting minutes to ensure this was not already

approved, did there temporary hire already filled, if Chief Moore knows of any Officers wanting to leave Caseyville, can the new officer legally be trained and if it needs to be approved can be put on the agenda for next time and setting up a Special Meeting on Monday, September 12<sup>th</sup>, 2016 at 4:15 to make that approval, if needed.

**Superintendent of Public Works** - Superintendent Brian Rader gave an update on the 89<sup>th</sup> Street Project. He also stated that the road-oiling will begin 22-23 September. He asked if the Village needs insurance for the Lion's Park since they will be maintaining it. He is told yes and he will check on it. He mention the Insurance brought in sheets on all of their properties and vehicles for

**M.K. Dashke** – Not in attendance.

- Pat Watkins came before the Board to ask if the Library can get assistance in helping changing out their U.S. Flag on their flag pole. She states that it is tattered and is pretty high up on the pole. Brian Rader states that he will get with Pat Watkins to determine a good time to help with this issue. She states that she has the Flag and other items to put it up.

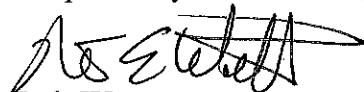
### **Adjournment**

There was no additional business to bring before the Board. A motion was made by Brenda Williams, seconded by Wally Abernathy, 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