

# Village of Deer Creek

101 W. First Ave. PO Box 38  
Deer Creek, IL 61733

**Tuesday November 15, 2011**

**Regular Meeting Minutes**

**President and Board of Trustees**

## MINUTES OF THE REGULAR MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF DEER CREEK HELD AT DEER CREEK VILLAGE HALL.

Village President Jim Hackney called the meeting to order at 7:00 p.m.

### **I.) ROLL CALL:**

**Present:** Trustees Tony Berardi, Phil Calhoun, Karl Eschelbach, Grant Hackney, Mark Rich.

**Absent:** Trustee Mike Wallace.

**Also Present:** Clerk Lori Lewis, Chief Jim Edwards, PWS Mike Carr and Attorney Pat McGrath

### **II.) APPROVAL OF CONSENT AGENDA:**

Trustee Eschelbach moved and Trustee Rich seconded the motion to approve the Consent Agenda as presented.

#### **On roll call the vote was:**

**Ayes:** 5 – Berardi, Calhoun, Eschelbach, Hackney, Rich.

**Nays:** 0 – None.

**Absent:** 1 – Trustee Wallace. There being five affirmative votes...**Motion Carried.**

**III.) PUBLIC COMMENT:** Chuck Schrock from Goodfield Disposal was present to discuss several issues. First, he informed the board that he cannot pick up electronics of any kind starting January 1, 2012. There will be drop sites for these items including one in Goodfield. Chief Edwards noted that Any Color in Goodfield will take electronics and Jeff Rogers will also take them.

The second item discussed was his request to increase monthly pick up fees by \$1. Currently he is at \$10 per month and the new rate would be \$11 per month for garbage pick-up. His last increase was in 2003. This item will be placed on December's agenda for action.

Travis Langenbach was present with his family to request the village consider ways to control the leaf burning within the village. His wife, Lynn, has asthma and their son has breathing difficulties also which make it impossible for them to go outside in the fall. Possible considerations were discussed: specific days for burning, no burning, or village pick up of leaves. This item will be placed on the agenda for further discussion next month.

Bob Cloyd addressed the board regarding the village's intent to begin billing him again for each of his storage units. Each unit is fitted with bathroom facilities and running water. The village code provides that a water and sewer bill is required to be paid for each "family unit" within the village whether or not water is used. When this property was constructed, water meters were put on each unit and each unit was billed for service. Several years ago, after the loss of two businesses in this facility, with no renters and use only by Mr. Cloyd, he requested and was granted the approval to pay a single bill as an individual unit. At this time, six units are again rental units with water and sewer available; therefore, Mr. Cloyd has been informed that he will be responsible for six bills. The board was asked by Mr. Cloyd to consider allowing him to shut the water off to the units that do not need it and only have it turned on when he has renters that want to use water. This is not the way the village code is written; therefore, cannot be allowed at this time. As written in the code, new services or if water service is "disconnected" from the village water system, a \$1000 tap-fee is charged to reconnect it. No monthly minimum bill is generated. If water is shut off for non-payment, a \$50 reconnect fee is required to turn the water back. If water is shut off at

the request of a property owner, for a period of time (for instance, they leave for the winter) there is no charge to shut off or turn on the water and the \$20 minimum monthly bill is generated and required to be paid. Mr. Cloyd questioned the definition of a “family unit”. This was explained by Attorney McGrath. Mr. Cloyd also offered that there are seven electric services and 6 gas services on this property. The board can discuss further, but at this time the village code needs to be adhered to as all property within the village is treated in this fashion.

**IV.) REPORTS:**

- A. **Public Works Superintendent** – Report on file.
- B. **Planning/Zoning Board of Appeals** – No meeting minutes available.
- C. **Police Chief** – Report on file.
- D. **Engineer** – The final bill for the water tower has been submitted for payment.
- E. **Attorney** – Attorney McGrath discussed the tax levy including information regarding the handling of the Street & Bridge money by the county and the reduction in the EAV this year. Last year’s levy was \$61,000 and the board will recommend an increase less than 5% and increase through the uncapped line items.

**V.) OLD BUSINESS:** The final engineering bill for the water tower grant has received. The close-out hearing will be held during the regular board meeting in December. PWS Carr reported that he checked on the tiles at the detention pond and found two 6” tiles tied into the 12” that are plugged at both ends. He has been unable to locate the larger tile yet.

**VI.) NEW BUSINESS:**

Trustee Eschelbach moved and Trustee Rich seconded the motion to accept and authorize the village president to sign the annual agreement with Tazewell County Animal Control for services for a fee of \$696.

**On roll call the vote was:**

**Ayes:** 5 – Berardi, Calhoun, Eschelbach, Hackney, Rich.

**Nays:** 0 – None.

**Absent:** 1 – Trustee Wallace. There being five affirmative votes...**Motion Carried.**

Trustee Hackney moved and Trustee Calhoun seconded the motion to approve the renewal of the Class “C” and “D” liquor license for Nana’s Pub Inc. for a term of one year commencing December 1, 2011 and expiring November 30, 2012 as recommended by the liquor commissioner and the police chief.

**On roll call the vote was:**

**Ayes:** 5 – Berardi, Calhoun, Eschelbach, Hackney, Rich.

**Nays:** 0 – None.

**Absent:** 1 – Trustee Wallace. There being five affirmative votes...**Motion Carried.**

Trustee Eschelbach moved and Trustee Berardi seconded the motion to approve and authorize the village president to sign the agreement for audit services with John Grimes, CPA in the amount of \$3275 for one year.

**On roll call the vote was:**

**Ayes:** 4 – Berardi, Calhoun, Eschelbach, Hackney.

**Nays:** 1 – Rich.

**Absent:** 1 – Trustee Wallace. There being four affirmative votes...**Motion Carried.**

Trustee Eschelbach moved and Trustee Rich seconded the motion to approve and authorize the village president to sign the 2012 Contribution Renewal to the IL Municipal League Risk Management Association in the amount of \$16,453.

**On roll call the vote was:**

**Ayes:** 5 – Berardi, Calhoun, Eschelbach, Hackney, Rich.

**Nays:** 0 – None.

**Absent:** 1 – Trustee Wallace. There being five affirmative votes...**Motion Carried.**

The board reviewed the contract for recycling with Midland Davis. This is a two-year contract, rates remaining the same as they have been: \$200 per pickup for co-mingled and \$125 per pickup for newspaper. Glass is not accepted. New to this contract is the addition of monthly payments to the village “based on the high side of the Official Board Market Yellow Sheet less \$80.00 nt.”

Trustee Calhoun moved and Trustee Rich seconded the motion to approve and authorize the village president to sign the agreement with Midland Davis Corporation for recycling services.

**On roll call the vote was:**

**Ayes:** 3 – Calhoun, Eschelbach, Rich.

**Nays:** 2 – Berardi, Hackney.

**Absent:** 1 – Trustee Wallace. There being three affirmative votes...**Motion Carried.**

The board continued discussion regarding the water service at Mr. Cloyd’s storage facility. Attorney McGrath reminded the board that the village-owned utility is not governed by the ICC or anyone other than the village. The rules are made and enforced by the village only. Also, having required minimum billing for each property/unit within the village helps with proper budgeting in the water and sewer department.

**VII.) CALENDAR ITEMS:**

|                       |             |                           |
|-----------------------|-------------|---------------------------|
| Zoning/Planning       | No meeting  | 6:00 p.m. at village hall |
| Committee Meetings    | December 19 | 6:00 p.m. at village hall |
| Regular Village Board | December 20 | 7:00 p.m. at village hall |

**Other Calendar Items:**

|                      |             |                              |
|----------------------|-------------|------------------------------|
| Light Up the Park    | November 27 | 6:00 p.m. at Mischler Park   |
| Breakfast with Santa | December 10 | 9 to 11 a.m. at village hall |

**VIII.) ADJOURNMENT:**

There being no further business to conduct, Trustee Hackney moved and Trustee Calhoun seconded the motion to adjourn.

The board unanimously approved the motion by voice vote and the meeting adjourned at 8:27 p.m.

Respectfully Submitted,

Lori Lewis  
Village Clerk