

Village of Deer Creek

101 W. First Ave. PO Box 38

Deer Creek, IL 61733

Tuesday September 18, 2007

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 7:03 p.m.

I.) **ROLL CALL:**

Present: Trustees Karl Eschelbach, Mark Killion, Mark Rich, Mark Smith.

Absent: Trustees Jim Andrews and Wes Burr.

Also Present: Clerk Lori Lewis, PWS Francis Wort, PWA Mike Carr, Chief Jim Edwards, Attorney Mark McGrath.

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

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

On roll call the vote was:

Ayes: 4 – Eschelbach, Killion, Rich, Smith.

Nays: 0 – None.

Absent: 2 – Andrews and Burr. There being four affirmative votes...**Motion Carried.**

III.) **CITIZEN'S REQUESTS:** Dexter Litwiller was present to voice his concerns over the Labor Day Street Dance. He requested that next year the band be faced to the south rather than directly toward his house. He also suggested the possibility of making it a daytime event, for example running noon to 8 p.m. The committee and business owners will be discussing future events and this will be taken into consideration.

IV.) **ADDITIONAL REPORTS:**

A. **Public Works Superintendent** – Report on file. PWS Wort reported that with a pedestal-type water tower a fence is not required. He also reported that according to the village engineer, a 250,000 gallon tower would more than likely not be approved by the EPA because the water would not be cycled through often enough.

B. **Zoning Board of Appeals** – Did not meet.

C. **Police Chief** – Report on file.

1. The board discussed the township building. It was reported that a reversionary clause in a property deed is only valid for up to 40 years; therefore it is the interpretation of the village attorney that the property can be transferred from the township to the village.

Trustee Killion moved and Trustee Rich seconded the motion to adopt Ordinance 531 approving the acquisition of the Deer Creek Township Hall and authorizing the president and clerk to sign the intergovernmental agreement with the Deer Creek Township transferring ownership of the Deer Creek Township Hall to the Village of Deer Creek.

On roll call the vote was:

Ayes: 4 – Eschelbach, Killion, Rich, Smith.

Nays: 0 – None.

Absent: 2 – Andrews and Burr. There being four affirmative votes...**Motion Carried.**

The village clerk will submit the necessary documents to the township clerk for their action.

Trustee Rich moved and Trustee Eschelbach seconded the motion authorizing the remodeling of the township building at a cost not to exceed \$6500 for materials when the required paperwork is signed and returned to the village from the township, to be paid with TIF funds. The garage will not be built at this time.

On roll call the vote was:

Ayes: 4 – Eschelbach, Killion, Rich, Smith.

Nays: 0 – None.

Absent: 2 – Andrews and Burr. There being four affirmative votes...**Motion Carried.**

Trustee Eschelbach moved and Trustee Rich seconded the motion authorizing the purchase of a used squad from the Missouri State Police at a cost of \$13,250, to be selected by Chief Edwards and Trustee Eschelbach, to be financed as recommended by the police committee (this recommendation is on file).

On roll call the vote was:

Ayes: 4 – Eschelbach, Killion, Rich, Smith.

Nays: 0 – None.

Absent: 2 – Andrews and Burr. There being four affirmative votes...**Motion Carried.**

The proposed changes to the village code will be tabled until next month. It was recommended by the attorney to increase all fines within the code to \$750 (from \$50 to \$750) in order to be fair with the assessment of any local fine.

- D. **Engineer** – The engineer reported that there appear to be varying opinions on the Aquastore storage tanks. The Public Works Department will talk to communities that have this type of storage tank and see if they would be willing to talk with the committee.
- E. **Attorney** – The committee will need to make recommendations regarding the tax levy for this year. Attorney McGrath explained the various options and reported that Woodford County voted against placing tax caps on the ballot again.

Trustee Eschelbach moved and Trustee Rich seconded the motion authorizing the village attorney to prepare the tax levy and to increase last year's levy by no more than 5%.

On roll call the vote was:

Ayes: 4 – Eschelbach, Killion, Rich, Smith.

Nays: 0 – None.

Absent: 2 – Andrews and Burr. There being four affirmative votes...**Motion Carried.**

Attorney McGrath offered information to the board about Business Development Districts which would allow the village to collect up to 1% additional sales tax from businesses located within the district and these funds generated can only be used within this district for improvements. It lasts 23 years and can only be put into place in April and November. This will not be recommended at this time.

V.) **OLD BUSINESS:** None.

VI.) **NEW BUSINESS:**

Trustee Eschelbach moved and Trustee Killion seconded the motion authorizing the village clerk to sign the Rural Development Statement of Budget, Income and Equity.

On roll call the vote was:

Ayes: 4 – Eschelbach, Killion, Rich, Smith.

Nays: 0 – None.

Absent: 2 – Andrews and Burr. There being four affirmative votes...**Motion Carried.**

Trustee Eschelbach requested that Amanda Meredith be removed from the Planning Commission. This is an appointed position and she can only be removed before her term expires if she resigns. Trustee Eschelbach recommended the appointment of Daniel Atherton for a five year term to the Planning Commission.

Trustee Smith moved and Trustee Killion seconded the motion to appoint Daniel Atherton to the Planning Commission for a term of five years as recommended by the Planning Commission chairman.

On roll call the vote was:

Ayes: 4 – Eschelbach, Killion, Rich, Smith.

Nays: 0 – None.

Absent: 2 – Andrews and Burr. There being four affirmative votes...**Motion Carried.**

It was reported that Mr. Reliford, principal at the Intermediate School, would like to make Green Street (between Logan and Perry) a one-way street in the morning between 7:30 and 8:15 and in the afternoon between 3:00 and 3:03. This is the time that the crossing guard is working and when the busses and students are arriving and leaving school. The school has been given the authority to do this in order to make this a safer area for children.

Chief Edwards reported that Officers Rutledge and Haines will be leaving at the end of this month. It was requested that Assistant Chief Tibbs attend meetings occasionally.

Attorney McGrath informed the board that the money that was intercepted by the state needs to be paid back to the General Fund from the Water Fund.

CALENDAR ITEMS:

Zoning Board	October 2	7:00 p.m. at village hall
Planning Commission	October 8	7:00 p.m. at village hall
Committee Meetings	October 15	6:00 p.m. at village hall
Regular Village Board	October 16	7:00 p.m. at village hall

ADDITIONAL CALENDAR ITEMS:

Halloween Parade	October 27	3:00 p.m., line-up at 2:30
Trick-or-Treat	October 31	5:00 to 8:00 p.m.

VII.) ADJOURNMENT:

There being no further business to discuss, Trustee Killion moved and Trustee Smith seconded the motion to adjourn.

The board unanimously approved the motion and the meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Lori Lewis
Village Clerk