

Village of Chadwick
225 Main Street
PO Box 385
Chadwick, IL 61014

Meeting Minutes of the Board of Trustees

August 7, 2017 at 7:30pm

The Village Board of Trustees met in regular session at 7:30 being called to order by Village President Kim Hinrichs.

The meeting was opened with Roll Call. Board members present Lief, Maddalone, Morgan Nelson, Newstrand and Williams. Village President Kim Hinrichs presiding over the meeting.

Pledge of allegiance was led by the Village President Kim Hinrichs.

Hinrichs stated that there would be no swearing in of the Treasurer or Clerk tonight due to the Village Attorney being absent.

Williams motioned to go into executive session per 5 ILCS120/2 Sec2 C11 Livestock Ordinance and Land. Lief Second.

Hinrichs stated that the agenda needed to be followed. Williams motioned to suspend the the rules under 1-615. Williams stated that rules of order may be suspended at any time (other than those prescribing by statute) by consent of the majority of the members present at any meeting at any meeting.

Hinrichs appointed Phil Jensen to be the Chadwick Village Attorney. Morgan motioned to appoint Phil Jensen at the Village attorney. Maddalone seconded. Leif stated that the board needed to talk with Jensen before hiring. Roll call taken:

Ayes: Morgan and Maddalone

Nays: Leif, Nelson and Williams

Abstain: Newstrand

Hinrichs then appointed Phil Jensen as interim Village Attorney. Jensen stated that Hinrichs has the power to appoint and if her appointment is not confirmed she has the power to appoint an interim attorney until a replacement is found and approved by the village. Jensen stated he is only the interim and that the process should be completed. Jensen stated his role is the Village Attorney, not the board's and not the Village President's. Hinrichs stated that Jensen is not her attorney. Jensen suggested to have a time to collect resumes and go through the process. The Chief Executive Officer appoints but the statute is very clear that it should be with the advice and consent of counsel.

Williams then asked about the two motions that he has already made. Jensen stated that he believes that agendas can be modified to accommodate guest. It would have been improper to go into executive session with counsel. Lester Weinstein stated that members of the board invited him to discuss possible, probable and existing litigation. He stated it would be inappropriate to discuss issues since Jensen has no background on the issues and Mitchell is not available.

Jensen stated that it would be a violation of ethics to have an executive session without a village attorney. Newstrand stated that he would like to know what is going on with the litigation. Jensen stated that there was suit filed because of an ordinance violation. Weinstein stated there was a trial and a finding of guilty. It was appealed and is on appeal. He also stated his clients purchased land owned by the village and they did not get what they had paid for. Williams withdrew his motions to go into executive session. Leif withdrew second.

Newstrand asked that Dave Lourie be moved up on the agenda. Lourie represents Test Inc. They oversee water and sewer operations. They work with municipalities, schools, the IEPA and IDPH. A quote was handed out for review. His company can do operating reports, lab testing and EPA reports. Lourie stated that he has handed out three quotes addressing water, sewer and COIRC services. Hinrichs stated at this time the Village does not have a licensed operator at this time and that she received a call fro Mark Britten at the state. Hinrichs stated that when Bregman left she was unaware that she needed to call the EPA informing them of the changes. Britten stated she needed to have someone in place by Wednesday morning at 8:00am they would be shutting off the water. Hinrichs then went to Thomson and talked with Jeff Ashby and Jeff Balk and they called and talked to Britten. Britten then stated as long as Ashby and Balk came to Chadwick and ran the numbers and everything was okay that he would back off ,which they did. Questions were asked if the rates would go up. Lourie stated that was between the village and its consumers. Newstrand motioned to hire Test inc. to take over the village's water and sewer operations. Nelson seconded. Hinrichs stated that she has another proposal that is substantially more. Newstrand amended his motion to hire Test Inc. for 1 year subject to his signing a mutually agreeable Independent Operator Agreement effective immediately. Williams seconded. Lourie stated he would not charge for August. Roll call taken on amendment:

Ayes: Newstrand, Williams, Leif, Maddalone, Morgan and Nelson

Nays: None

Roll Call taken on original motion:

Ayes: Newstrand, Nelson , Leif, Maddalone, Morgan, and Williams

Nays: None

Newstrand motioned to approve the agenda. Leif seconded. Roll call taken:

Ayes: Newstrand, Leif, Maddalone, Nelson, and Williams

Nays: Morgan

Newstrand motioned to approve the July 3, 2017 minutes. Williams second. Roll Call taken:

Ayes: Newstrand, Williams, Leif, Maddalone, Morgan and Nelson

Nays: None

Leif motioned to approve the July 11, 2017 minutes. Williams seconded. Maddalone stated that at the meeting the President had to leave and the trustees appointed Holland as the President pro tem. Jensen stated that by state statute the Mayor pro tem has to be an elected official. Williams state that he had called the Illinois Municipal League and was told that it is not uncommon for a Clerk to be Mayor pro tem and all the board needed to do was ratify the meeting. Jensen stated that the statute states it has to be an elected official and that he did not believe the meeting was illegal as long ans there was a quorum and it was properly posted. Jensen stated that the mayor pro tem does not give up there voting power.

Roll call taken for approval of July 11, 2017 minutes:

Ayes: Leif, Williams, Nelson, and Newstrand

Nays: Maddalone and Morgan

Williams motioned to make Newstrand Mayor pro tem hence forth. Leif seconded. Roll call taken:
Ayes: Williams, Leif, Maddalone, Morgan, Nelson and Newstrand
Nays: None

A list of bills was presented for payment:

Mark Hinrichs	858.30
Mark Hinrichs	852.65
Randy Craft	1,073.55
John Looney	863.35
Amanda Promenschenkel	487.30
Hayen Electric	130.00
Randy Craft (reimbursement)	19.28
Automatic Controls	40.00
Milledgeville Elevator	84.53
Chadwick Oil	259.35
Nicor	317.78
JoCarroll	365.54
Mt Carroll Home Center	10.99
Carroll County Review	76.50
Web Listing Inc	80.00
Kunes Country	62.39
Mediacom	168.31
Frontier	82.28
Lyons Lab	400.26
Moring Disposal	2,711.70
USPS – Box rent	70.00
Nancy Gable	315.00
USA Blue Book	359.35
Cardmember Services	339.74
Mayor Association	125.00
MSA	41,750.00

After review Leif motioned to pay the following bills:

Mark Hinrichs	858.30
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Randy Craft	1,073.55
John Looney	863.35
Amanda Promenschenkel	487.30
Hayen Electric	130.00
Randy Craft (reimbursement)	19.28
Automatic Controls	40.00
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Chadwick Oil	259.35
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Nancy Gable	315.00
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Cardmember Services	339.74
Mayor Association	125.00

Payroll to be paid upon finance committee initialing payroll. Newstrand second. Roll call taken:

Leif motioned to amend motion to include paying JoCarroll upon verification of amount due. Newstrand Second. Roll call taken:

Ayes: Leif, Newstrand, Williams, Maddalone, Morgan and Nelson
Nays: None

Roll call taken on motion to approve bills including amendment:

Ayes: Leif, Newstrand, Williams, Maddalone, Morgan and Nelson
Nays: None

Hinrichs thanked Randy Peterson, Brad Aude, Bernie Wiersema and the entire Fire Department for helping during the flooding. Kim and Mark Hinrichs and Morgan were out until 2:30 Saturday morning working to prevent back up into peoples basements.

No treasures report this month.

Leif motioned to purchase a lighted sign for the outside of the police station with cost not to exceed \$300.00 including installation. Newstrand second. Roll call taken:

Ayes: Leif, Newstrand, Williams, Maddalone, Morgan and Nelson
Nays: None

Williams motioned to raise Liquor License fee based on attorney fees in FY18 upon renewal. After discussion. It was stated that it is hard to charge when you don't know what the attorney will charge. Williams withdrew his motion.

Morgan stated that Peerless does not repair pumps. Peerless does the well system. Mississippi Valley repairs pump and are scheduled to rebuild the pump but is currently on hold due to the weather. The manhole cover at the pond has been taken care of. The rings for the manholes in the waterway are not available do to the age. Morgan said the waterway will continued to be mowed.

Morgan stated that he has not heard from Bonnell or Monroe trucking in regards to the box for the red truck. He stated that Eastland Fab would build a box but we are still waiting for a price of the salt spreader from Boss. Newstrand would like to know how much the box will cost and the cost of the salt spreader. Information is needed about how much money is in the line item.

Newstrand asked that if someone is interested in an open position if it had to be posted. Jensen stated that it would not need to be posted. Robert Kepler stepped up and introduced himself. He stated he was from Morrison and is retired from the state and the National Guard. He stated that he has experience with streets and alleys and can trim trees and has no problems with cleaning village hall and restrooms. Leif motioned to Hire Robert Kepler for a part time maintenance position starting at

\$14.00 per hour with a 90 day review starting September 5, 2017 for up to 20 hours per week with more as needed if board approved. Williams second. Roll call taken:

Ayes: Leif, Williams, Maddalone, Nelson and Newstrand

Nays: Morgan

Looney asked what the status of the police chief position was. It was stated to add it to the agenda for the meeting.

Leif asked if any trees had been taken down. Not at this time. Nelson asked about the low branches. Leif stated that the Village needs to put an ad in the paper for tree removal. Newstrand stated it could be discussed in committee.

Nelson motioned to have the Treasure provide balance sheets, general ledgers, and budget vs actual for last 30 days and fiscal year and put into monthly packets. Newstrand seconded. Roll call taken:

Ayes: Nelson, Newstrand, Williams, Lief and Morgan

Nays: Maddalone

Leif motioned to approve the budget that has been posted for 30 days. Nelson second. Maddalone asked about amending the budget and stated he objected to things in the budget. Roll call taken:

Ayes: Leif, Nelson, Newstrand, Williams and Maddalone

Nays: Morgan

Williams stated that Promenschenkel had to spend funds to get Quickbooks payroll set up. Williams motioned to ratify the approval given to Promenschenkel for the expenditure. Newstrand second. Newstrand then stated that the Village has spent \$146,000.00 to WIPFLI for the last two years and wanted to make sure everything was back in the village. Hinrichs stated that they still have the paperwork to complete the audit but everything else is back. Roll call taken:

Ayes: Williams, Newstrand, Leif, Maddalone, Morgan and Nelson

Nays: None

Williams motioned to separate water works and sewer fund revenues into 2 different accounts. He also stated per code the garbage fund should be separated as well. Newstrand second. It was stated that it can be done within the accounting program not to set up separate bank accounts. Roll call taken:

Ayes: Williams, Newstrand, Leif, Maddalone, Morgan and Nelson

Nays: None

Williams stated that he spoke with IML Risk Management and filed a claim for the \$13,334.41 that Hinrichs authorized without Board approval. Williams stated that if it is covered under Hinrichs's bond IML may send out an investigator and that Williams should make Hinrichs aware of the possibility. Jensen then stated that IML should not have been contacted without board approval, that contacting them on his own was dangerous because he only has power as a group not individually. Williams stated that he did not act as a board he acted as an individual. After discussion Jensen stated he would look into the issue and advise accordingly. Williams state he just wanted the money back that was given with out board approval.

Updates to the Employee Handbook were discussed. It was stated the handbook was handed out weeks ago and everyone should have had a chance to review it. Hinrichs stated that Jensen should have a chance to review it. Leif stated she had a few questions about the updates. After discussion it was decided that updates would be made and Nelson would send it out by the end of the week. It will be

put on the next committee agenda.

Williams made a motion for all village keys to be returned and remain at village hall and implement a key sign in/out sheet. Nelson second. It was stated that one board member should not be the holder of the keys. If he is out of town there is no access. Agendas should be put in the kiosk without having to tape it to the outside of the kiosk and ask permission to put it inside.

At 10:30 Morgan left the meeting.

The chemical rooms need to remain secure as well as the file cabinets. Nelson stated that each board member used to have a computer icon so they can access their email and Hinrichs has changed that. Jensen stated that if historically the board has been able to use the computer to check emails they should be able to continue to do so. In reference to the keys Jensen suggested to have a key sign out log in place and utilized. Roll call taken:

Ayes: Williams, Nelson, Newstrand, Leif and Maddalone

Nays: None

Absent : Morgan

Williams motion that the Clerk has access to the kiosk, files and computers to due Clerk duties. Leif second. Roll call taken:

Ayes: Williams, Lief, Maddalone, Nelson and Newstrand

Nays: None

Absent : Morgan

It was discussed to update the Village Code Book . Jensen stated that it would be good practice to do a comprehensive review every 5 years. Hinrichs stated that at other meetings she has been to, that they review a chapter every month. It was decided that it would be discussed at committee meeting and brought to the full board. Leif motioned that over the next 10 months to go over the Village Code Book as a committee as a whole and at the September meeting go over chapter 1. Newstrand Second. Roll call taken:

Ayes: Leif, Newstrand Williams, Maddalone and Nelson

Nays: None

Absent : Morgan

Williams motioned to make an addition to the code book Section 1 Chapter 6 to set forth the process of agendas for all committee, regular and special meetings of the Village of the Board of Trustees. Jensen stated that setting the agenda is a legislative act and in the vast majority of municipalities under 500 the Mayor with the assistance of the Clerk sets the agenda for the meetings and the committee chairs set the agenda for the committee meetings. With that said, anything that could be considered village business, at the request of Aboard member, should be put on the agenda. Leif second. Jensen stated that the code should be written prior to the meeting and sent out in agenda packets for board review before the meeting. Jensen stated the Chairman of the committee set the agenda for the committee but all agenda items should go on the agenda. Williams withdrew motion. Leif withdrew second.

Williams handed a FOIA request to Hinrichs. Jensen asked why this was happening in a board meeting. Williams stated so he could have it in the minutes. Hinrichs stated that things with peoples names and addresses on it are not to leave village hall.

Under restructuring of committees a list of committees was presented for review. Jensen stated that

there should not be an elected official that is not on a committee. There are currently 6 committees. The village code reads the mayor can appoint members of all standing committees in the absence of specific direction of the board. The board has given direction. Leif states she would like to have each person be a chair of a committee. Jensen asked that Hinrichs to review the committees and appoint chairs within a week from today.

Newstrand motioned to restructure committees as presented. Nelson second. Leif asked that each board member is a chair for a committee. Hinrichs can choose who she wants as chair. Jensen suggested Hinrichs gives substantial deference to who she chooses as chair. Roll call taken:

Ayes: Newstrand, Nelson, Williams and Leif

Nays: Maddalone

Absent: Morgan

Jensen stated that he believes that the July 11, 2017 meeting was legal because it was posted and a quorum was present. He also expressed concern about the signatories on accounts. Hinrichs by law needs to be a signatory on all accounts. No checks should be signed without going through the warrant process and the finance committee. Hinrichs stated that she would like to appoint herself, Newstrand and Promenschenkel as signatories on the accounts. Jensen stated Hinrichs should not sign her husbands checks.

Leif would like to know who is suppose to be forwarding information to Rita Barnett to update the web site. The Village has 7 days to have approved minutes posted. Newstrand stated at a previous meeting it was stated that the Treasurer would be updating it.

Leif also brought up the village internet service. The village should be receiving free JC WIFI at the village hall, fire station, police and the library. Nelson will forward the contracts to Jensen for review.

Leif would also like to discuss prices on advertising in news papers. If the village utilizes the Mirror Democrat for advertising it is also put in the Dispatch which is a free paper.

Williams stated that he had instructed the employee to clean the village hall and the restrooms and Hinrichs gave a written reply that states once again per village code book all orders to all village employees come from the Village President. It was stated that within the code book it contradicts itself stating the employees answer to the Village President and/or the Village of A Whole. Jensen stated the code book needs to be reviewed and corrected.

Questions were brought up about the Ash trees that were planted by the Lyons Club. Jensen stated he did not know how it would be that someone plant a tree on village property and still maintain ownership of the trees. Newstrand stated the Village is not planning to remove young healthy trees.

Meeting to adjourn at 11:43 pm