

*not p.d. meeting*Brighton, Ill.
March 15, 1976

A special meeting of Village Board was called for 7 pm Mon. evening, Mar. 15 in Brighton Municipal building. Mayor Ahlemeyer called meeting to order. Clark called roll of trustees.

Present: Little, Carr, Birk, Markwardt, Wooldridge, Wild
Absent: None

Ahlemeyer explained the reasons for calling this meeting were:

1. To pass a resolution accepting & authorizing the execution of a grant agreement between village of Brighton and EPA.
2. To decide on wage increases for police, street superintendent, and custodian,
3. Set up appropriations budget for fiscal year 1976-77.

Ahlemeyer read letter from EPA explaining resolution and grant. Clerk read resolution. This is only Step 1 which is engineering only. After discussion, Markwardt made motion to accept resolution as read. Carr seconded. Roll call vote, carried unanimously. It was decided that finances should be considered before acting on next stage. Engineer should be notified to start on this.

Wages: Birk made motion to raise each police, Gene Rubemeyer and Bill Broyles, 8% of Rubemeyer's salary, which would be \$66.32, plus court time of \$4.00 per court call-out on off duty hours only, not to exceed 25 trips per fiscal year. Wooldridge seconded. Roll call vote, carried unanimously.

Wooldridge made motion to raise salary of George Farmer, Street Supt., \$100 per month. Carr seconded. Roll call vote, carried unanimously.

Carr made motion to give Alma Jones \$35.00 per mo. raise plus two weeks vacation, based on her present salary. Wild seconded. Roll call vote, carried unanimously.

It was decided that the following holidays be observed by clerk, Street Dept. and Water Dept. employees:

New Years Day	Labor Day
Good Friday	Thanksgiving Day
Memorial Day	Christmas
July 4	

Wooldridge made motion to this effect. Carr seconded. Roll call vote, carried unanimously.

Appropriations: Figures were set up for 1976-77 fiscal year. Treasurer to work with Atty. Watson on this.

Markwardt made motion to adjourn. Adjourned 10:30 p.m.

Luella Craven
Village Clerk

Brighton, Ill.
March 30, 1976

A special meeting was called for Tuesday, March 30. The meeting was called to order by Mayor Ahlemeyer at 8:30 p.m. in the Brighton Municipal building.

Clerk called roll of trustees.

Present: Carr, Birk, Markwardt, Wild, Little

Absent: Wooldridge

Present from Water Board, Warner, Scheffel, Bott, Powell also present was Atty. Watson, Don Whiteside and Willard Rodgers.

Ahlemeyer explained that the Water Board was asked to attend because some of the problems concern them. He also explained the following reasons for this meeting:

1. To meet with Sunnyaire developers Don Whiteside, Willard Rodgers and Gene St. Cin to discuss blacktop streets, curb & guttering and deposits required to guarantee streets in front of each house.
2. To authorize attorney to proceed with lawsuit against St. Cin on contract with village.
3. To approve MFT Maintenance for 1976
4. To discuss George Farmer's vacation.

Ahlemeyer summarized Item #1. There have been two ordinances passed dealing with streets in subdivisions. One was passed in 1965 stating that certain requirements have to be met regarding streets. Prior to this, there was a regulation stating specifications of streets. Since 1965, there has been an ordinance, probably in 1972, which updated the 1965 ordinance. Since Sunnyaire area was platted in 1967 it would come under the 1965 ordinance. After some of this area was platted several houses were started, and instead of our asking for a bond to guarantee street, we let the subdivider give us a fee as assurance that streets would be put in as per specs. This was by Beckham and St. Cin and there had been no problem to that point.

However, since that time, the area has changed hands (parts of it) and several more houses have been constructed, and we are reaching a point where we have to insist on a guarantee that the streets will be in and no houses should go in without bond to guarantee blacktop, curb, guttering, etc. Recently, several more houses were constructed and they needed water, so a price of \$600 was arrived at to deposit and guarantee proper streets. After checking with our engineer, we find this figure would not come close to putting in streets, etc. and he has given us the following figures:

1. Concrete, curb & guttering, 1' @ \$5.50 ----- \$5.50
2. Stone base course, 6" thick 0.56 T. at \$6.00 - 3.36
3. I-11 Bitum. Concrete, 2" thick, 0./19 T. \$18.00- 3.42
4. Excavation, average depth 10", 0.47 cu.yd. \$2.00- .94

Total per ft. \$13.22

Since some of the streets are presently in various stages of completion and a uniform cost per ft. will not apply, Sheppard broke the figures down, for instance, if the curb & guttering is already in place, but no other improvements completed, the remaining front foot cost would be \$13.22 minus \$5.50 or \$7.72. Ahlemeyer stressed that we are concerned that there are not several houses built and no streets completed. He asked the trustees what route they preferred, collect enough money to assure that curb and guttering goes in or a flat amount of bond to be given to guarantee this.

Carr felt we should stick with our original ordinance to have bond or security put up to guarantee streets would be put in correctly, and this based on cost of streets at time they are put in.

Birk asked what would happen if only three houses were built on a street and \$1000 per lot put down - who would pay for the balance of the street? Ahlemeyer said there should not be water hookup unless enough money is put down to put in street. This has nothing to do with tap on fee. Birk felt the street should be guaranteed 100% instead of built to certain houses and quit.

Little felt the builder is responsible, knows the ordinance and if they are not willint to abide by it they should not build.

Markwardt felt that a deposit should be set at such a point that we do get the streets in and this should be in form of a bond.

Wild asked if we accept bond for street and it isn't put in, are we responsible for putting it in if the contractor defaults. The answer was that the bonding company will pay us and the bond should be enough to put streets in. Bonds provide for a 2-year term so we could figure some inflation in the bond. He is in favor of bonding to cover entire street on per lot basis.

Powell said we generally get kickback when we do favors and felt bond or fee should be for whole street.

Warner felt that bond is the best way to go. He said there have been problems with different houses being occupied and arrangements not made also, there has been trouble with vacant lot ownership and the whole Sunnyaire deal. The Water Dept. will stand behind village board in hookups.

Scheffel stated that EPA made a survey of Sunnyaire last week.

Ahlemeyer mentioned that the reason he had notices sent to developers was to make them aware of the total problems and to be sure they heard all dialogue pertaining to this. He then asked them to comment. Neither Whiteside nor Rodgers had any comments at this time.

Ahlemeyer asked Atty. Watson for guidance and recommendations. Watson pointed out that the ordinance does say certified check or bond and we have had it on Avalon and now have a

bond on one of the streets in Briarwood. Certified check was expensive so we took money for three lots in Sunnyside. Whiteside has had application in for a bond for a couple of months and since bonds are sometimes hard to get, this is the reason we are trying to set a per foot figure. Ordinance is clear, and if we want to stick with it, the only alternative is reinforce it. Mr. Shakofsky did the same thing in Belvedere and his money was returned when he put the streets in and after the village accepted them. He explained that certificates of deposit accumulate interest, and they are returned to the builder when streets have been accepted, so there is no loss to the subdivider. After the streets are in, the builder maintains them for two years, then, if satisfactory, village accepts them.

Ahlemeyer again stated that the figure of \$600 set now is not a realistic figure and as there is a possibility that a house will be built on every lot, according to the engineer, we cannot put in a street for this money. Should we say no more water goes in until a bond is put up or a more realistic figure, probably \$1200, be set?

Carr suggested that we arrive at a figure for a bond now before water is put in, and before streets. Watson said engineer would have to estimate cost of each street as the streets are at different stages of construction. This should cover costs of all streets in Sunnyside that are uncompleted, by street. Whiteside suggested a figure of \$900. He only lacks 90' of curbing on the street that he is building on.

Rodgers said when he obtained the lots he didn't know about the ordinance and he feels he is being tagged for something that St. Cin should have taken care of years ago. He also feels that he is not a subdivider just because he picked up the lots from a holding company.

Carr made motion to suspend or table any further action on the per lot deposit or bond or certified check per ordinance #292 until Monday night, April 5, and no water to be connected in areas without bond or certified check pursuant to ordinance #292 until decision relating to said ordinance is made on April 5, 1976. Birk seconded. Clerk was instructed to get in touch with Sheppard and have him get measurements and have a figure for the April 5 meeting, by street, per foot, for each street on entire unfinished portion of Sunnyside. Roll call vote, carried unanimously.

#2 - Lawsuit against St. Cin. Atty. Watson said all negotiations that were going have collapsed and the original complaint will have to be amended. Carr made motion to authorize Atty. Watson to proceed with lawsuit. Markwardt seconded. This is covering two contracts on file. This on part of sewer that is not completed according to negotiations - in Sunnyside. Roll call vote, carried unanimously.

In answer to question by Wild, Atty. Watson said this lawsuit covers cost of what it will take to put the sewer in, and Ahlemeyer said he was basically concerned in the 27 houses that need sewers. Watson said it would cost approx. \$12,000-\$13,000

to complete and the lawsuit would take several months to a year, and he feels the village should go ahead and put the sewer in. Plans are already drawn up and approved by EPA. There is nothing for the engineer to do now unless he wants them advertised for bids. We can only recover what we spend. Watson suggested the village might want to do this with some city personnel and some help that might make the cost more reasonable. Warner thought before we proceed any further, he would like to have the original negotiating committee get together again for one session of details. Some of the original 27 houses have been serviced. A date will be set April 5.

Clerk is to write Sheppard to see if the permit with EPA on sewers in Sunnyside is still valid, and if so, for how long.

#3 MFT Maintenance. _____ made motion to accept engineer's figures on MFT Maintenance for 1976. Little seconded. Roll call vote, carried unanimously.

#4 George Farmer's vacation _____ made motion to let Farmer take pay instead of vacation, as requested. Markwardt seconded. Roll call vote, carried unanimously.

Little made motion to adjourn. Adjourned 10:00.

Lucella Craven
Village Clerk