

BOARD MEETING

MINUTES

-Village of Brighton Board Meeting

206 S. Main

Brighton, IL 62012

Monday August 01, 2016 7:00 PM

1. Pledge of Allegiance:
2. Roll Call: Mayor Schafer called the meeting to order at 7 pm. (Present) - Trustee: Kent Scheffel, Bill Oertel, Chris Seniker, Paige Beilsmith, Mike Roberts. Jamie Boyd. Also in attendance: Public Works Manger Ron Smith, Treasurer Laura Doll, Village Clerk Billie Laubscher an Attorney Robert Watson
3. Review Minutes and Approval: Mike Roberts made a motion to accept the minutes and place them on file, 2nd by Bill Oertel. Voice Vote: All ayes, no nays. Motion Carried.
4. Treasurers Reports (Village and Water): Jamie Boyd made a motion to approve the treasurer's report, 2nd by Kent Scheffel. Voice Vote, All ayes, no nays. Motion Carried.
5. Review Bills and Approval: Kent Scheffel made a motion to approve the bills and charge to appropriate accounts, 2nd by Bill Oertel. Roll Call: All ayes, no nays. Motion Carried.
6. Hours by Employees: Review only
7. Audience Comment:
 - A. Brad Winn, 210 North Street, Brad Winn requested the public works department to investigate the recent flooding experienced by him on his street. He stated it was the third time he and is neighbors experienced trouble. Last time was in December. It started as storm water then became waste water. He's been there 10 years
 - B. Addie Crafton on W. Center Street: experienced rain water in her basement.
 - C. Anna Street Resident – said he had water in his basement.
 - D. Another resident in the area said that he had a black-flow preventer and the pressure builds up so much that I flexes the plastic on the backflow.
 - E. A resident from 508 W. Center stated he had to use extra pumps to dump out 6 inches of water because of the field behind him. He further commented that he had to previously pay \$15,000 to repair his basement.
 - F. A discussion was then held concerning the formation of a sewer district which would generate money in the form of a tax, and then funds would be available to repair the drainage system of the Village. At present time, the Village just does not have funds available to assume and pay for re-building the system
 - G. It was further mentioned that the City of Jerseyville was able to obtain a grant; however the grant required that Jerseyville put in matching funds which they were forced to borrow.
 - H. In discussing the Belvedere Subdivision drainage problems, the Village has tried to take steps to alleviate the problem in that area; however, certain easements must be obtained and the landowners involved are not willing to provide any easements to the Village.
 - I. One of the visitors asked if it possible to borrow money among the funds owned by the Village of Brighton to fix the drainage problems. It was then explained that this not a viable solution to obtain money.
 - J. Bruce Muensterman of North Street was present and commented on the fact that the drainage in the area where he lives has just been getting slower and slower. It was his opinion that there are illegal connections of sump pumps into the sewer system. It was then

discussed that the Village has used the camera system throughout the Village where these issues are prevalent.

- K. The Mayor said the Village makes every effort to use all the sources of revenue available to it, but that at the present time, it has no borrowing power or funds available for repayment of any loan.
 - L. Dawn Billbruck, a resident of W. Center St. spoke about the field behind her house and the fact that it appears that the entire field is being drained into the yard adjoining it along Center Street. She asked if we've made all these improvements especially on W. Center, why doesn't the owner build his own ditch on the field? She asks the Village call this landowner and request their help.
 - M. Trustee Chris Seniker offered the suggestion that the public works department, along with its manager, Ron Smith, would work with the citizens to address some of their issues. He stated that there are things that can be done and that Brighton will continue to take steps to move as much water out of way as possible. Village can jet out storm sewer line, and look at some of elevations. Some of the problems are that the RR has cut all the vegetation off causing mud and other problems. He doesn't know why Georgene Acres has a problem with brand new sewer system that has no problems at all but for a few homeowners. If there are residents that are pumping storm water into the sewer, then this will take years to fix. Why don't we all work together, with Ron Smith our Public Works Manager, and our public works department and work with what we have. At 7:54 pm Mayor asked if there are any other audience comments:
 - N. Erik Benefiel asked if there was any progress on the derelict properties. Mayor photographed over 30 different problems. We don't have an ordinance in place regarding the garbage truck since there is not ordinance that says you can't take work vehicles home. He has talked to Sanders Waste, and they are working on this. Another problem is the dump. He has personally seen a commercial truck loaded taking limbs to the dump. It is completely full now. We are up against some of the problems. Chris Seniker said they have brought the dumpster ordinance up in their meeting, and have it ready for Attorney Watson to review.
8. Correspondence: SWHS After Prom Thank you. Jamie made a motion to accept correspondence and 2nd by Bill Oertel. Voice Vote: All ayes, no nays. Motion Carried.

Committee Reports:

- 1) Clerk Committee- No Meeting
- 2) Economic Committee – 07/05/2016 Meeting Minutes: Roberts made a motion to accept the Economic Committee minutes, 2nd by Jamie Boyd. Voice Vote: All ayes, no nays. Motion Carried.
- 3. Committee to Review Executive Session Minutes: Release on following Minutes: Oertel made a motion to accept the committee review and release the minutes, 2nd by Jamie Boyd. Roll Call: All ayes, no nays. Motion Carried.

Date	Description	Action (released/ close)
08/05/2013	Police Chief and Treasurer Compensation Package	RELEASED
11/04/2013	Personnel with possible Vote	CLOSED
12//02/2013	Personnel with possible Vote	CLOSED
01/13/2013	Personnel with possible Vote	CLOSED
06/02/2014	Drainage of W. Center St	RELEASED
07/01/2014	Personnel Matter	CLOSED
07/06/2015	Collective Bargaining	RELEASED
08/03/2015	Collective Bargaining	RELEASED

08/20/2015	Collective Bargaining	RELEASED
05/02/2016	Personnel Matter	CLOSED
06/06/2016	Personnel Matter	CLOSED

- 3) **Park Committee-07/07/2016 Meeting Minutes:** Chris Seniker made a motion to accept the Park Minutes, 2nd by Kent Scheffel. Voice Vote: All ayes, no nays. Motion Carried.
- 4) **Planning Commission-No Meeting**
 - **Action Item:** Public Hearing on the Comprehensive Plan for Wednesday, Aug. 17 7:00 PM. This will be open to the public for the comprehensive plan. Do you have any questions for Kent?
- 5) **Public Safety Committee 07/18/2016 Meeting Minutes**
 - **Action Item:** Lester Levertt not here. Mayor will talk with him next week or two. The officers need to move forward.
 - **Action Item:** Ordinance pertaining to Dumpsters Seniker made a motion to approve subject to legal review by Attorney Watson, 2nd by Roberts. This ordinance is for more for a small dumpster for trash ordinance. Roll Call: All ayes, no nays. Motion Carried.
 - **Action Item:** Magnetic Mic Approval: Chris Seniker made a motion to purchase 4 magnetic mic, 2nd Beilsmith. Roll Call: All ayes, no nays. Motion Carried.
 - **Action Item:** Police Vests, Mayor approved on executive decision since our bullet proof vests were used from Il State Police over 10 years ago to order these vests. This is a safety measure. Chris Seniker made a motion to purchase 4 vest, 2nd by Bill Oertel. Roll Call: All ayes, no nays. Motion Carried.
 - Bill Oertel made a motion to approve the minutes and place them on file, 2nd by Roberts. Voice Vote, All ayes, no nays, Motion Carried.
- 6) **Public Works Committee-07/25/2016 Meeting Minutes**
 - **Action Item:** Fire Hydrant Replacement 7224 Montclair was hit several years ago. It's approximately \$2,500 to replace. Mike Roberts made a motion to approve the replacement of 7224 Montclair, 2nd by Chris Seniker. Roll Call: All ayes, no nays. Motion Carried.
 - Chris Seniker discussed the new truck has fuel tank has a rubber lining, and it's stripped out and it has gotten into the fuel system. We have had the fuel tested. They are saying not under warranty with 2500 miles on it. It could be up to \$10,000. Kent Scheffel made a motion to truck repaired with Attorney Watson looking into the warranty, 2nd by Oertel. Roll Call: All ayes, no nays. Motion Carried.
 - Chris Seniker made a motion to approve the minutes and place them on file, 2nd by Paige Beilsmith. Voice Vote, All ayes, no nays. Motion Carried.
- 7) **Zoning Committee-07/19/2016 Meeting Minutes** Bill Oertel made a motion to approve the minutes and place them on file, 2nd by Jamie Boyd. Voice Vote, All ayes, no nays. Motion Carried
 - **Action Items:** Approval of Permits

Old Business:

New Business:

- 1) Reminder: Budget Meeting Thursday August 4, 6 PM, Boyd cannot attend.
- 2) Reminder: Planning Commission Public Hearing on Comprehensive Plan August 17, 7 PM
- 3) 111 Boker Street culvert, homeowner Dianna Hirschbery presented a request stating that there was a culvert on her property, but when waterlines was put in, resident thinks Haier damaged it. Mayor and Board talked about this culvert is an old style of clay, before Village started installing culverts. It's highly unlikely that it was ever put in by the Village of Brighton. However, it is damaged and no longer drains water. We don't have anything as ordinance on replacing these culverts. This is on South side of street. There is no prove that Haier damaged this. Ron discussed that he seen no signs in culvert. You can see in the picture where the path where they put the waterline in is right beside the culvert that homeowner dug up. We can't prove that Haier damaged this. So do we pay for the culvert and we do the work and this includes the asphalt or do we want to pay for the culvert and have them do the labor. Chris asked why would be put a culvert in with no ditches on either side of road and on personal property, we have specs that must be adhered to.

Chris Seniker and Board doesn't think we should touch home owners personal property. Attorney Watson asked if they wanted to know what the past policy had been? He then discussed that in the past when the houses were built by the homeowner, they were to put the first culvert in to city spec of 12" metal. Chris Seniker asked if we could cut some ditches as we have cut ditches this past year. Years ago there was ditches in Belvedere which doesn't have enough drop to the highway. But it did help. Paige suggest the homeowner pay for the cost and pay the Village to install it. It was discussed that 111 Boker does not have a culvert installed other than the old remnants from the old clay tile. Dianna Hirschbery stated that since the new waterlines, it seems to be flooding more. Since this was South side of street, we can't prove that Haier damaged it or not in any way. Seniker made a motion made a motion to purchase one culvert since we don't know if Haier damaged it, not the labor, nor the asphalt since it appears Haier could have hit that line or could not have hit it, 2nd by Oertel. Roll Call, All ayes, no nays. Motion Carried. The work will be oversighted with Public Works, Ron Smith. Dianna Hirschberg then asked if she could have a second culvert for additional property to the street. The post office trucks run over the culvert at the Church. This is on the South side and private property of the Church. Chris Seniker asked if Nathan Hindley was planning on cutting this ditch on Church property? Chris stated it's not his job to cut city ditches, that is public works job. This is not his responsibility to cut any ditches in this Village. Bill Oertel said if homeowner puts the culvert in, then it will be responsibility of Village to clean it. But as far as putting a ditch, the Village employees will do this, it is not anyone else's responsibility. Board discussed with consensus that 1 culvert would be provided as motion stated, no other asphalt or rock or culvert.

- 4) Resolution 802 Transfer from Brighton Water O&M fund \$43,700 To Village of Brighton Parks Fund, loan for Schneider Parking lot. Chris Seniker made a motion to accept Resolution 802 Transfer from Brighton Water O&M to Village of Brighton Parks Fund, paying it back in 1 year, 2nd Mike Roberts, Roll Call, All ayes, no nays. Motion Carried.

UPRR Counteroffer Update, a week ago and approval if needed, accept \$28,000 and waive the perpetual lease agreements we have been paying on at approximately \$6,000 per year and any new leases in the future. Initial offer was \$2,000 per year on fixed rate. A week ago, negotiator said Union Pacific sent this: On a final note in order for UP and the Village to reach a settlement UP would be willing to waive the annual fee if the Village is willing to accept UP's offer of \$28,000 as a total payment and not continue to push to be reimbursed for attorney's fees. This offer is above fair market value for the property plus the Village would be receiving an additional annual benefit of savings of over \$6,500/year from what the Village is currently paying in license fees. Would the Village be willing to accept this offer?

Mayor would like to accept this offer with Board Agreement with no fines or fee's from this point forward. The \$6,500 per year was not a fixed amount but variable with us paying the legal fees. Attorney Watson would like to convey the property with quit claim since the title work was previously done. A quit claim deed means that we do not guarantee what we own, but that everything we own we are conveying. Scheffel made motion provided we counter with Attorney Watson said the counter offer will be \$28,000 and no current or future license, quit claim deeds, they will keep Railroad right away thru town mowed, 2nd by Oertel Roll Call: All ayes, nays, Motion Carried.

- 5) Repeal Ordinance 801 Reinstate with Ordinance 803 Approving Agreement with Millstone Weber for Repair of Village Streets. Millstone Weber is the contractor for the Railroad. Ordinance 803 changes that previously the Village did all the labor and they pay the Village or they could do it. Kent Scheffel made a motion to approve Ordinance 803, 2nd by Chris Seniker; Roll Call: All ayes no nays, Motion Carried.

Executive Session: (if needed)

Problems:

1. Derelict properties per email 07/07/16- there are no ordinances for commercial vehicles or commercial buildings. Mayor drove around and photo'd many derelict properties in town which included trash, weed nuisances. We do have weed nuisances and we have to address this. We have ordinance if no current license tag on a vehicle, it's considered derelict subject to fine. We don't have a commercial ordinance and no way to monitor this. We have three separate issues, derelict property, cars and commercial buildings. We have no code on buildings, which is something we need to address. As far as the cars, yes, Officers can go around and ticket these. We have a solution

for the buildings, which would be an outside codes enforcer, this could eliminate the nuisances. Do we give three chances and then ask Attorney to step in? What happens then? Attorney said on derelict vehicles, we can remove. We can enforce if license over 30 days or inoperable. The problem is we know there's a car, that it hasn't been moved, that's derelict, we know it hasn't been moved, and we know it's sitting on property, what we don't know is who owns it. Chris Seniker asked if Attorney Watson could call surrounding communities and see how they handle derelict properties. Attorney Watson thinks a lot of this could go thru Zoning. Mayor said there's more than just vehicles, there's hot tubs with weeds, a porch with 25 black garbage bags. The whole town is full of it. There's a truck in town with no back end, no tires on back. We have to decide as Board to work on the Ordinances and make them tougher. What do we want to do as a Board, do we need to rework the ordinances. Attorney Watson suggest letting him check around some. Would occupancy permit help on properties sold? This would not fix the long term now, this is only when property changes occupancy.

2. W. Center drive was addressed by Mayor calling Dave Ahlemeyer. Mayor talked with him this past month regarding the repair of the side walk. There's a temporary road causing a water drainage issue. He did not get any date or time from Ahlemeyer. Mayor asked if Board wants to give a time frame 30 days to fix the problem of the sidewalk and curb. Yes, Board wants to give 30 days to fix the property. Chris Seniker asked if we could put a lien on the property if Village has to fix this side walk? At this time no provision in ordinance to put a lien on things fixed by Village however, we do have weed nuisance which is also in the state statutes that a lien can be put on.
3. Standing Water across from Cracked Egg is a problem. Mayor will talk to the Union Pacific Railroad regarding the drainage there. At this time, we don't know where the RR will put the ditch?

Adjournment: 9:56 PM Bill Oertel made a motion to adjourn, 2nd by Jamie Boyd. Voice Vote, All ayes, no nays. Motion Carried.

Minutes submitted by Village Clerk, Billie Laubscher.