

## 2021-08-24 REGULAR MEETING MINUTES

The Ladd Village Board met in regular session on Tuesday, August 24, 2021, in the Village Hall. President Frank Cattani called the meeting to order at 6:30 pm and led the pledge of allegiance to the American flag.

Roll Call: Present: Trustees Jim Manning, Dave Margherio, Jan Martin, Dan Nelson, Molly Thrasher, Mike Urbanowski. (6)

In attendance: Attorney Pat Barry, Clerk Bezely, Engineer Adam Ossola, Asst. Police Chief Randy Dean, Superintendent, Doug Englehaupt. Attorney Colin Barry.

Margherio Motion/Nelson Second to accept the August 10, 2021 meeting minutes as presented.

Ayes: Manning, Margherio, Martin, Nelson, Thrasher, Urbanowski - Motion carried 6-0

Urbanowski Motion/Manning Second to authorize payment of the bills in the amount of \$347,758.96

Ayes: Manning, Margherio, Martin, Nelson, Thrasher, Urbanowski - Motion carried 6-0

Manning Motion/Thrasher Second to accept the Treasurer's Report for July 2021.

Ayes: Manning, Margherio, Martin, Nelson, Thrasher, Urbanowski - Motion carried 6-0

Correspondence: Bezely mentioned several residents contacting her about not being able to hear the outdoor warning sirens. Bezely stated that she's aware they are to warn people to get inside when a storm is coming. Most people don't know this. They expect a siren when a tornado has been spotted. They also expect it to ring steady until the coast is clear to come out of their storm shelter area. The council will consider this and it can be revisited in the future.

Public Comment: Attorney Barry reviewed the Public Comment rules which were established per ordinance on 6-25-2019. John Kraft, one of the directors of the Edgar County Watchdogs, spoke first. He stated he first heard of Ladd after hearing of the disgusting use of the 6 letter "N" word by the Mayor at a meeting several times. He then read a newspaper article where a trustee said it was just a slip of the tongue. That it rolls off a lot easier and it is easier to say that particular word. He stated that both should resign and walk out now if this is the way they think. He stated his other issue was he was forwarded a check of payment from when the mayor was a trustee in 2019, he did work for the Village and was paid. His company had a check written to them. He asked if any other trustees and the mayor have done work for the Village and were paid for it above and beyond what they get paid for being a trustee or the mayor. Mr. Kraft told them they cannot do that. He asked them to stop immediately. He told them that this includes working for someone else that pays you to do the job. He stated you can't have your wife or daughter own the company and be paid by the Village. Kirk Allen, cofounder of the Edgar County Watchdogs. He stated that in regards to the public comment policy he understands that you don't have to answer but he asked if there were any Veterans in the audience. He asked what the last three words of the pledge were. Justice For All was stated. Mr. Allen stated that you treat everyone equally, this is what our 14<sup>th</sup> amendment is about. You apply the laws equally without favoritism and nepotism. He stated he hopes this is what they find as they sift through all of the communications they've had in the last two weeks about the ongoings here in this community. Dennis Schroeder, a Ladd resident, was at the meeting in support of the Mayor. He stated he's lived in Ladd since the 1970s and has known Franks since the 1970s. He stated that Mayor Cattani is definitely not a racist. He stated that the media stuff has got to

stop. Jim Piacenti, a Ladd resident, told the audience he wanted to put things in perspective. He stated the Village President did not call anybody a racial slur. He simply stated a historical fact about a local creek during a board meeting. Certain individuals are now calling for his resignation. There have been others who have done far worse things and have been allowed to keep their positions. Piacenti stated the lawyer and the radio personality that are calling for his resignation are two examples. He stated that if you don't believe what he says just google their names. Why are their lapses of judgment forgivable while our Mayor's is not? Mr. Piacenti quoted a bible passage "let he who is without sin cast the first stone" and stated that this applies here. He stated he supports our Village President 100%. Mary Coutts, a Ladd resident stated she was keeping it very short and simple but to the point. Mrs. Coutts stated I support our Village President. Bob Coutts, a Ladd resident stated that he supports the Village of Ladd and its trustees. He also stated he does not support racial slurs whatsoever. He stated that after talking with people he doesn't feel this was intended as a slur whatsoever. He stated in his opinion, he feels the Mayor is very capable of doing his job.

Committee Reports: Nelson & Margherio spoke on a request for sidewalk replacement at 224 N Bureau Avenue. They agreed that 4 squares need to be replaced. There are 2 that go through the driveway and one additional square on each side of the driveway squares. A call will be made to the homeowner to see if that is doable. Otherwise, they approve of 4 squares being replaced. Margherio brought up that Hildi Luther Grivetti requested to host a women's pickleball league on Tuesday nights from approximately 5-7 pm. She will give preference to the Ladd residents. She's asking to reserve the two courts for this league. Bezely explained that perhaps the reservations could be done like the park shelter reservations are done. Names are placed on a calendar and if other people call then they're told the court is reserved. Margherio also mentioned that the Economic Development Committee met and it was a very positive meeting. They plan to have an open house on a Saturday in the Fall to allow people to look at the commercial buildings available in town. People can come and tour these buildings.

Engineer's Report: New Business – Consider final pay request and final change order for MFT Seal Coat project. Ossola told the board that the final numbers were a little heavy on the rock and a little light on the oil compared to the original quantities. Ossola stated the total net change was a deduct of \$3,459.10 which would bring the total of the final contract to \$101,635.60 which is their final pay request.

Manning Motion/Martin Second for final pay request and final change order for the MFT Seal Coat Project in the amount of \$101, 635.60

Ayes: Manning, Margherio, Martin, Nelson, Thrasher, Urbanowski - Motion carried 6-0

Superintendent's Report: Hydaker-Wheatlake Electric Distribution Upgrades: Englehaupt told the board that he still has not received any cost estimates. This will be placed on the next agenda.

Police Chief: None

Inspector's Report: None

Village Attorney: Western Avenue discussion of findings of the survey. Attorney Barry stated the Village Engineers completed their research and a plat of survey. They did discover another plat showing Western

Avenue being 54 feet wide east to west which was recorded back in the 1870s as was the first plat they discovered. With this information in mind, they completed the plat of survey. There is great detail which shows where pins have been found. It also shows power poles there too. Essentially it puts the west line of Western Avenue right at the section line which is what all the deeds suggest and right beyond the power poles and at the fence of the farm field. Attorney Barry stated he would share this with Mr. Kirkman's Attorney, along with copies of the plats that were found. They also discovered a deed from the Guglimetti family to the Village of Ladd giving them the shaded portion of Western Avenue, essentially in front of their house and in front of their farm operation at the northern end of Western Avenue. It is now our opinion that the Village of Ladd owns Western Avenue at 54 feet in width from Cleveland Street all the way out to the former Chicago, Milwaukee, and St. Paul Railroad right of way. The Kirkman's did acquire the railroad right of way from the railroad but it stops at the section line, so it stops at the western edge of Western Avenue. Attorney Barry stated he will give a copy of this deed to Mr. Kirkman's attorney as well. Attorney Barry stated that the Village of Ladd owns all of Western Avenue as it presently sits and has for probably 100 years from Cleveland Street all the way up to the former railroad right of way. This is the finding of our engineers and also Attorney Barry's findings as well.

Attorney Barry stated that in addition, the Village received a request from Mr. Kirkman to restrict parking on the western side of Western Avenue. Previous boards have heard this request several times and denied it in the past. Attorney Barry told Mr. Kirkman's Attorney she could renew the request before this new board and she did so before she left the last meeting. Attorney Barry told the council that this request is before them tonight. He stated if anyone cares to entertain a motion to restrict parking on the western side of Western Avenue...Attorney Barry then let Attorney Ajster know that no one will be recognized during the course of the meeting. Attorney Ajster stated that she was on the agenda. Attorney Barry stated then she should have spoken during public comment. Attorney Barry told Attorney Ajster that she will not be recognized during the meeting. She argued with Barry stating she sent an email requesting to be on the agenda. It was stated she was not on the agenda and should have spoke during public comment. Attorney Ajster was disruptive and was removed from the meeting by police officer, Randy Dean.

New Business: Safe Routes to School Grant – Bezely told the board she spoke with NCICG about help to apply for the Safe Routes to School Grant; along with Adam Ossola's help doing the engineering, and the Ladd School supporting surveys and other information that would be in our favor to help get the grant. The application fee is \$2,500.00. This is billed out whether the grant is awarded to Ladd or not. They will handle the surveys for the teachers, student's parents, etc. Bezely stated they would be looking at obtaining \$250,000.00 for sidewalk replacement, and some traffic calming devices in the school zone. Bezely stated it is an 80/20 grant so the Village would be responsible for 20% also.

Martin Motion/Manning Second to allow NCICG to write the application for the Safe Routes to School Grant.

Ayes: Manning, Margherio, Martin, Nelson, Thrasher, Urbanowski - Motion carried 6-0

CD Renewals – Bezely explained to the board that 5 CDs will be coming due in September. She explained the information provided on the renewal certificates that includes account balances along with scenarios of expenses needed in those accounts. The renewal terms and rates. Treasurer Koch reviewed each CD and the board decided on terms and rates.

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Manning Motion/Nelson Second to renew Ladd 125<sup>th</sup> CD for 36 months at a rate of .40% and to renew Audit, IMRF, Social Security, Garbage Fund CDs for 12 months at a rate of .30%.

Ayes: Manning, Margherio, Martin, Nelson, Thrasher, Urbanowski - Motion carried 6-0

New Sick Time Ordinance for Full-Time Non-Union Employees – no action taken. Attorney Barry stated he is waiting to finalize the union sick time policy then we will have the language verified and plan to write the non-union policy. Attorney Barry stated he hopes to have this ready for the next meeting.

Approve Union Contract – no action taken. Attorney Barry received the contract and needs time to review it and then get back to Jed. He will let him know if there are any questions or changes. Once he gets Pat's approval that these are the changes that are necessary he will revise the contract and get it to Attorney Barry. He hopes this will all occur between now and our next meeting. Attorney Barry states we will hopefully approve the union contract at the next meeting.

Announcements: Bezely told the council she received information from Hall High School Principal, Adam Meyers, that he has created a new group for students wanting to do community service. He told Bezely he has 40 students signed up to be Hallunteers and offered their help with any Village project that might be needed.

Urbanowski Motion/Manning Second to adjourn regular session and move into executive session in accordance with 5ILCS 120/2 (c) (11) meetings to consider the appointment, employment, compensation, discipline, performance, or dismissal of specific employees at 7:04 pm

Ayes: Manning, Margherio, Martin, Nelson, Thrasher, Urbanowski - Motion carried 6-0

After announcing the return to regular session a Roll Call was taken: Present: Trustees Jim Manning, Dave Margherio, Jan Martin, Dan Nelson, Molly Thrasher, Mike Urbanowski. (6)

Martin Motion/Margherio Second to adjourn.

Ayes: Manning, Margherio, Martin, Nelson, Thrasher, Urbanowski - Motion carried 6-0

The meeting adjourned at 7:49 pm

Rhonda Bezely, Village Clerk