

## May 23, 2023 ~ REGULAR MEETING MINUTES

The Ladd Village Board met in regular session on Tuesday, May 23, 2023, in the Village Hall. Village 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 Dave Margherio, Jan Martin, Dan Nelson, Brad Nicholson, Andy Ruggerio, and Molly Thrasher

In attendance: Clerk Bezely, Police Chief Frund, Village Treasurer Koch, Atty. Pat Barry, Engineer Adam Ossola

Martin motioned/Thrasher second to accept May 9, 2023, regular meeting minutes as presented.

Ayes: Margherio, Martin, Nelson, Nicholson, Ruggerio, Thrasher - Motion carried 6-0

Ruggerio motioned/Margherio second to authorize payment of the bills in the amount of \$111,578.92

Ayes: Margherio, Martin, Nelson, Nicholson, Ruggerio, Thrasher - Motion carried 6-0

Martin motioned/ Nelson second to accept the Treasurer's Report for April 2023.

Ayes: Margherio, Martin, Nelson, Nicholson, Ruggerio, Thrasher - Motion carried 6-0

Correspondence: None

Public Comment: None

Committee Reports: Trustees Nelson & Margherio reported to the council that this sidewalk could use replacement. Nelson signed the request to approve sidewalk replacement at 335 W Walnut Street. They also spoke on 201 S Bureau Avenue trees he requested be revisited in the Spring. After a lengthy discussion, it was felt that they all have life but if they are considered dangerous we need to consider removal. Village President Cattani will speak to Superintendent Englehaupt regarding his opinion on the tall white birch tree that is minimally leafed out this year. He will also discuss removing any dead parts of these trees.

Engineer's Report: New Business: Amendment #3: Ossola reported we need to pass amendment #3 for the Alley Water Main Project. The rates in the agreement must be updated to the most recent rates. The not to exceed number will remain the same just need to bill with the current rates.

Martin motioned/Nelson second to Approve amendment #3 for our Engineering with Chamlin & Associates, Inc.

Ayes: Margherio, Martin, Nelson, Nicholson, Ruggerio, Thrasher - Motion carried 6-0

Final Change Order and Final Pay Request for Superior Excavating: Ossola stated that the change order was a decrease of \$28,759.86 this was to balance out the work they actually did compared to what was in the original contract. The council was invited to look through the list included in the change order. The project is complete and the final amount due is \$272,987.59.

Nelson motioned/Thrasher second to Approve the Final Pay Request of \$272,987.59 & Final Change Order of a Decrease of \$28,759.86 to Superior Excavating for the Alley Water Main Project.

Ayes: Margherio, Martin, Nelson, Nicholson, Ruggerio, Thrasher - Motion carried 6-0

Superior has agreed to fill in the ruts we asked them to. They are planning to do this tomorrow. They also brought in gravel to clean up the area by the park.

Superintendent's Report: Not in Attendance

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Police Chief: Chief Frund told the council he fined the owner of the old furniture store \$200.00 as directed at the last meeting. Payment for the 1<sup>st</sup> fine was received. Frund stated that the vest grant has opened up and he needs a new vest that is in compliance. The camera grant has come through and he will need to order the cameras, pay for them, and then be reimbursed by the State of Illinois. His squad does not have a camera in it. Body cameras are mandatory so we need to get them also. Ordinance violations are being handed out and taken care of by the residents. Frund has touched base with those kids that have motorized bikes. Cattani asked the council how they want the Police Chief to continue to fine the owner of the old furniture store. The council agreed that we need to continue to double the fine until action is taken. The maximum fine is \$500. Atty. Barry reminded the council that this fine can be issued daily. Cattani stated that he had an inquiry about the building and he gave the interested party the phone number for the selling agent, Ellen Credi.

Atty Barry stated he researched if we can take the money out of the garbage fund to demolish this building and it can be. It can also be taken out of the electric fund.

Building Inspector: Not in attendance

Village Attorney: Atty Barry mentioned that he and Colin have investigated tree planting licensing applications. He mentioned the council can set the application fees and this would also include the types of trees allowed on the berm. Doug would be contacted to J.U.L.I.E. the property. The clerk's office needs to administer the application to the resident. We need direction from a tree expert to tell us which trees could be included in the allowable tree list. We want options so that if there is an epidemic in a certain tree species we won't have lots of cost involved in removing the trees infested. Margherio mentioned having a nursery we direct the residents to purchase the trees so that we know this is being done properly. Cattani stated we need to put some thought into this and decide what we would like the application fee to be and what the allowable trees would be. It was suggested that we contact Morgan Wilson for the names of trees he would suggest and to also possibly be our preferred nursery.

Atty Barry mentioned that he and Colin are also looking into a Raffle Ordinance for the Village of Ladd. The state gaming law states that people cannot hold a raffle unless we have a Raffle Ordinance which authorizes someone to get a permit to hold a raffle in our town. We need to decide how much to charge for the application fee and also how much you want the raffle to get up to. If it's a 50/50 and it's approved for \$100,000.00 but they have collected \$500,000.00 it is a problem and would not be authorized. Atty Barry stated you want to set the limit high enough to accommodate anything you might decide to approve in the village. The Village of Ladd cannot participate in a raffle, it is absolutely forbidden for the Village to run a raffle. We can partner with a not-for-profit that can run the raffle. An authorized not-for-profit agency can run the raffle and donate the money to the village for our protection. The Village can sell these tickets for an authorized agency but they must be on the list of authorized agencies. The council will consider these decisions and talk about them at the next meeting. Margherio suggested that the limit should be set at \$1,000,000.00 and an application fee of \$25.00. A 501C3 or an Authorized Not For Profit would be allowed to apply for a Raffle License.

Atty Barry updated the council on the contract from Republic Services. They removed almost everything Atty Barry had a problem with. They removed that they can unilaterally increase fuel costs to the Village. They also removed the line about the Village being responsible for the cost of damaged containers. They added that they will pick up recycling but haven't stated how often. Atty Barry will ask them to add that recycling will be picked up every other week. Ruggerio asked if residents can opt out of getting a recycling cart and the council felt that Mr Pozzi stated people don't have to take recycling carts. Nicholson stated that residents should get something in writing stating they didn't take both carts. Atty Barry will prepare to have the garbage contract on the next agenda.

Unfinished Business: None

Discuss Erecting Stop Signs on W. Pine & W. Elm: After a discussion where the stop signs should be placed. Margherio asked Chief Frund where he thinks they should be located. Frund felt that Central Avenue splits the blocks in half from Main to Western. State statute designates the speed limit in town to be 30 mph. East Cleveland Street is designated as 25 mph. The yield signs should be removed once the stop signs are installed. Atty Barry will get an ordinance written up. Chief Frund is going to decide which intersection a stop sign should be erected on Chicago Avenue in the North/South position. He will let Atty Barry know so it can be included in the ordinance being prepared.

Martin motioned/Nicholson second to Erect a stop sign at W Pine & Central Ave in an East/West direction And a stop sign at W Elm & Central in an East/West direction.

Ayes: Margherio, Martin, Nelson, Nicholson, Ruggerio, Thrasher - Motion carried 6-0

Replacement of Server in Clerk's Office: Bezely explained to the board that a couple of weeks ago they found the server off. They plugged it directly into the wall outlet instead of the battery back up and it did work but was making an odd sound. Dale came and looked at it and found 1 of the fans was not working. The last server was purchased in 2014 and cost \$12,094.06. Dale said 9 years of life is excellent for a server. He agreed with the approaching 10-31-2023 end of life for the operating system we might consider replacement now. He provided a cost to replace the server of \$3,900.00. The council was pleasantly surprised with the new server price. The warranty is assumed at 1 year. Bezely will check with Dale.

Thrasher motioned/Martin second to Replace the Server in the Clerk's Office for \$3,900.00.

Ayes: Margherio, Martin, Nelson, Nicholson, Ruggerio, Thrasher - Motion carried 6-0

Discuss adding Class A Liquor License: Margherio asked if just because we are adding a liquor license does that automatically allow a video gaming license. Atty Barry stated that yes, if someone has a city and state liquor license then they are allowed to apply for a video gaming license. Atty Barry stated you can control the number of video gaming licenses we allow in town. Our current ordinance doesn't have that in it but we can change it to include a maximum number of video gaming terminals we allow in Ladd. The request was made by an interested party to purchase a building next to the Yoga studio on Main Avenue and offer a convenience store. The potential owners already have 351 mini-mart and want to open a similar location in Ladd. They would like to have video gaming machines and this requires a Class A liquor license. They are very interested in purchasing this property from Todd Schmollinger and opening it in Ladd. Discussion ensued. Margherio requested that the interested party attend the June 13, 2023 council meeting to discuss the new business with the council. They can also present the revised entrance drawings or any changes possibly being made to the building to the council so they can be discussed since the council controls Main Avenue. President Cattani sat down with Todd Schmollinger regarding changing the entrance to this building to accommodate ADA compliance. The front door of this building is approximately 12 inches off the sidewalk. Cattani and Schollinger discussed this in detail. No decision was made. Bezely will invite the owner to the next meeting along with the potential buyer.

Announcements: Englehaupt stated they will repair the sidewalk square that was broken at 421 E Cleveland Street. There are 3 weeks between meetings. Jimmy's Wood Fired Pizza requested parking his pizza truck in the 336 S Main parking lot whenever they have an event. The council feels that since Jimmy is one of the owners of the brick-and-mortar building @ 336 S Main they are in favor of allowing this. Bezely asked the council for direction on disconnecting services on foreclosures vs. vacant homes due to a resident passing away or the resident being moved to a nursing home. Bezely gave several scenarios and the council discussed this with Atty Barry who also interjected his knowledge. It was decided that Bezely is doing things correctly if a house is in foreclosure and the electric meter has been disconnected for non-payment no other services are disconnected until Bezely receives a call to shut off service. Bezely would not disconnect any other services unless told. Except when pipes burst in the winter due to no heat (generally gas is disconnected for nonpayment also). This is an issue for the Village to have water running

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into a home and no one knowing or taking care of it. Therefore, at this point, the Village will shut off water and all other billing for this property. When a house is empty due to the death of the resident or the resident being moved to another location. We will only disconnect what the owner of the property requests be turned off. Billing for water debt is to be turned off if water is requested to be disconnected along with sewer billing. Storm sewer debt billing is to be left on unless electric is also turned off and it is the only billing. Reconnection of a requested disconnection of a meter requires a \$50.00 reconnect fee. Thrasher asked about the foreclosures in town and if the Village ever gets their money. Atty Barry stated that we rarely get money from a foreclosure. The buyer of a foreclosed home will be responsible for any reconnection fees for water & electric reconnection after buying the house. We need to continue to bill these foreclosures until we've been told to shut off services. The property at 234 N Lincoln Ave had the grass cut by the Village workers. Margherio asked if we will get paid for this. Atty Barry stated not likely due to the foreclosure process.

Martin motioned/Thrasher second to adjourn.

Ayes: Margherio, Martin, Nelson, Nicholson, Ruggerion, Thrasher - Motion carried 6-0

The meeting adjourned at 7:41 pm

Rhonda Bezely, Village Clerk