

VILLAGE OF WAPELLA

Village Hall
312 Main Street – P. O. Box 148
Wapella, Illinois 61777

BOARD MEETING – MINUTES May 20, 2015

Regular Meeting

7:00 pm

I. CALL TO ORDER & ROLL CALL

President Rich Karr called the meeting to order.

Roll Call:

Name	Title	Status
Nancy Falk	Trustee	Present
John Goergen	Trustee	Present
Suzanna Holland	Trustee	Present
Mandy Huff	Trustee	Present
Rich Karr	President	Present
Rusty Karr	Trustee	Present
Rosalie Summers	Trustee	Present
Steve Mahrt	Village Attorney	Present
Kim Yearry	Clerk	Present

II. APPROVAL OF MINUTES

1. Village Board – Regular Meeting – April 21, 2015

Result:	Approved
Moved:	John Goergen
Seconded:	Rosalie Summers
Ayes:	Nancy Falk, John Goergen, Suzanna Holland, Mandy Huff, Rusty Karr, Rosalie Summers
Nays:	None

2. Village Board – Special Meeting – April 24, 2015

Result:	Approved
Moved:	John Goergen
Seconded:	Mandy Huff
Ayes:	Nancy Falk, John Goergen, Suzanna Holland, Mandy Huff, Rusty Karr, Rosalie Summers
Nays:	None

III. MOTION TO APPROVE UNPAID BILLS

Rich Karr asked for a motion to approve all unpaid bills.

Result:	Approved
Moved:	Rusty Karr
Seconded:	Mandy Huff
Ayes:	Nancy Falk, John Goergen, Suzanna Holland, Mandy Huff, Rusty Karr, Rosalie Summers
Nays:	None

IV. DEPARTMENT REPORTS

A. Streets

Rusty Karr stated most of the potholes in town are filled. Edging has been done around sidewalks.

B. Health and Safety

Suzanna Holland indicated that the mulch is supposed to be delivered May 27, although it could vary by a day or two. Town cleanup is set to go. The garage sales are two weeks preceding town cleanup. The down payment for the community center roof has been mailed. They should begin work in a week or two.

C. Water

Nancy Falk indicated she spoke with the resident who had an issue with his water bill, and the situation has been remedied. Mandy Huff spoke with Clyde Leggett and the three of them need to work on a budget.

D. Zoning

Willie Strange indicated that a few people in town did not request permits but want to build sheds and a front porch on their house. Willie asked if we should ask them to pay the price of the permit. Rusty Karr and Suzanna Holland mentioned that a fine had been established for this scenario. Rich Karr stated that he would get the ordinance and it should detail the fine, and then take the ordinance to the homeowners. Willie asked if he should request the homeowners pay the fine. Village Attorney Steve Mahrt added that some municipalities double the permit fee if you start work without first requesting a permit. He stated it would be outlined in the ordinance, and action would depend on the enforcement philosophy. There was discussion regarding the shed and if it is considered a permanent structure. Also, in regard to the front porch, Willie indicated there was already a cement porch for the home, and a wooden deck with a roof was erected over it. Rich Karr asked Willie to provide the homeowners a copy of the ordinance.

E. Finance

Rosalie Summers stated that financially the Village is in good shape. She also mentioned the Water Project Fund now has enough money in it so that we don't incur a service fee. It has the remaining funds from the CD that was cashed in order to pay the third \$40,000 installment. The loan extension for the water tower project still has a \$40,000 balloon payment. We've made one payment on that. In the General checking account there is \$65,445.02 and in the Park checking account there is \$45,330.12. Other assets include a CD at Lincoln

for \$40,702.59, and another at Dewitt Savings for \$52,431.89. None of that is restricted or assigned. There is a Police CD at Dewitt Savings that is restricted for police in the amount of \$18,105.84. Total assets are \$229,004.46. Liabilities are payroll withholding, medicare, social security, etc., as well as wages. The antivirus for the computer has not yet been purchased, but should be before the next meeting.

V. PUBLIC COMMENT

Ed Fleck, as a member of the zoning and review board, spoke about the Cale Price trailer and detailed the history of the issue.

VI. PROCLAMATION BY PRESIDENT

Rich Karr read a proclamation that established the month of June 2015 “Thank A Veteran Month” and further established June 14, 2015 as “Flag Day” and “Thank A Veteran Day” in Wapella, Illinois. Mark Lane, a resident and veteran living in Wapella, was present at the meeting and was recognized for his military service by the board and members of the audience. Rusty Karr mentioned that all American flags presently being flown on Main Street will remain up for the month.

VII. NEW BUSINESS

A. New Trimmer

Rusty Karr stated that one of the current trimmers is old and no longer works properly. There is a need to purchase a larger commercial unit with an interchangeable weed eater. The 110 unit cost \$727.00 and the 130 unit is \$30.00 more. Attachments will need to be purchased as well. Motion made to purchase the 130 unit with 3 attachments not to exceed \$800.00.

Result:	Approved
Moved:	Rusty Karr
Seconded:	John Goergen
Ayes:	Nancy Falk, John Goergen, Mandy Huff, Suzanna Holland, Rusty Karr, Rosalie Summers
Nays:	None

B. Cale Price Property

Village Attorney Steve Mahrt sent Cale Price a letter informing him of the zoning board’s action and attempting to enforce its decision of denial of special use. His attorney responded and raised concerns. In reviewing the zoning ordinance, Attorney Mahrt concluded that there is no provision in the zoning code to grant the special use request or deny the special use request for a mobile home. The ordinance provides for the special use of a mobile home park. The code indicates that a dwelling is a building used as a residence that does not include a mobile home. What is the definition of “mobile home.” The zoning code states a mobile home on a permanent foundation with wheels, tongue and hitch removed shall not be construed or constitute a mobile home. It appears from the zoning code that once the hitch is off and the mobile home is affixed to a foundation, it is no longer a mobile home, but considered a dwelling, and residential dwellings are allowed in the R1 zoning district. It is his opinion that a mobile home affixed to a foundation with the hitch removed and the wheels off would be allowed in the R1 district under the current code. The state does have requirements pertaining to anchoring or tying down mobile homes. Contacting the state revealed that a licensed installer needs to install a mobile home and affix it to a foundation. Once it has been installed by licensed installers a placard is placed to show that it has been properly installed. The state also allows

individual mobile home owners to install their own mobile homes. He believes it would be difficult to move forward with any enforcement against Mr. Price based on the anchoring of the mobile home on his lot. Rusty Karr asked if the code would need to be rewritten in order to make it enforceable next time. Attorney Mahrt responded affirmatively.

Rich Karr added that one of his goals for next year is to codify the village ordinances. Much of the village code is out of date and unenforceable. He hopes to include the codification process in the upcoming budget.

Suzanna Holland indicated she thinks the zoning code should be updated now, as opposed to waiting for the codification process.

Attorney Mahrt indicated he could draft a proposed ordinance that would go before the planning commission for public hearing.

C. Pay outgoing trustees

This issue pertains to Vernon Meadow's request for payment for his attendance at Village Board meetings prior to the new board being seated. Trustees receive payment quarterly. The current quarter ends in June. Rusty Karr asked if we usually pay out early. Rich Karr indicated it does not come up often. A motion was made to pay Vernon Meadows now.

Result:	Approved
Moved:	John Goergen
Seconded:	Suzanna Holland
Ayes:	Nancy Falk, John Goergen, Suzanna Holland, Mandy Huff, Rusty Karr, Rosalie Summers
Nays:	None

D. Pay off loan extension

Rosalie Summers stated that we have enough money to pay off the loan extension. It is her suggestion to pay it off. John Goergen asked the amount. Rosalie indicated that a \$3,000.00 payment has been made, so it is approximately \$37,000.00. She explained this was for the water tower improvements. John asked if there were any negative effects to paying the loan early. Rosalie responded no. She further explained that one CD could be used towards the payment, and the remaining CD would still be intact. Suzanna Holland questioned the cost involved in cashing out the CD versus the interest that's being paid. Rosalie responded the fee would be 3 months interest, and interest is very low. John believes it would be best to pay it off early. Rich Karr explained that we are not buying new CDs with the ones being cashed in, so the cash is gone. Rusty Karr added that there is a need for updates within the water department. Suzanna asked how much interest is being paid for this year on the loan payments. Rosalie responded that it is \$25.00 to rewrite it, the interest is at 3%. John added that you could take the money you were paying on the loan and set it aside. Nancy Falk questioned when the loan had to be paid off. Rosalie answered it is a 3 year loan. Rosalie explained that she wanted to put money into the Water Project fund so when water department issues need to be addressed, there won't be a need for a loan. Rosalie asked for a consensus before working through the details. She stated this issue can be tabled while she gathers more information.

VIII. UPDATE ON GREENE'S VEHICLES

Attorney Mahrt informed that, as previously reported, Mr. Greene had heart bypass and couldn't attend the last meeting. He spoke with Mr. Greene's attorney, who has not been able to reach his client. Attorney Mahrt suggests this be continued for another month. Rusty Karr indicated that if there is still no contact with Mr. Greene next month, he would like to proceed. Attorney Mahrt stated that Mr. Greene has been noticed to a hearing to outline his plan. If he doesn't show up, he will be in default. Rusty confirmed that next month we would vote to proceed. Attorney Mahrt affirmed.

IX. UPDATE ON BILLBOARD LAWSUIT

Attorney Mahrt indicated that he received a phone call from the billboard company's attorney stating that they had reached a settlement agreement and that he was going to send the proposed settlement. Attorney Mahrt has not received anything yet. He will forward it once received.

Rich Karr asked if there was any further discussions. Rusty Karr stated that the sidewalk got postponed as they wanted to tear out the footings around the building. They were also looking for a location to take the concrete.

Rusty Karr noted that he contacted the superintendent of the railroad and reached an agreement. The Village of Wapella will be paid \$50.00 per hour for mowing the railroad right of way. They are also going to pay us everything they currently owe. He asked how we want to calculate what is currently owed. That discussion will be tabled for next month.

Rosalie Summers stated that the Open Meetings Act was required training for all board members. It must be completed within 90 days. Training can be taken at <http://foia.ilattorneygeneral.net/>. She also stated that a FOIA officer needs to be designated, and they will need to take the online training as well.

X. MOTION TO ADJOURN

Motion to adjourn made by Rusty Karr. Seconded by John Goergen.

Meeting adjourned.

PROCLAMATION

VILLAGE OF WAPELLA, ILLINOIS

WHEREAS, June 14,2015 is Flag Day a day to honor our flag as well as all Veterans, Past, Present and Future. In 1916 Woodrow Wilson established Flag Day. In August 1949 National Flag Day was declared as an Act of Congress and became a National Holiday.

NOW THEREFORE, I Richard Karr President of the Village of Wapella, IL. , do hereby proclaim the month of June 2015

THANK A VETERAN MONTH

and hereby proclaim the day of June 14,2015 as FLAG DAY AND THANK A VETERAN DAY

in Wapella, IL., and encourage every man, women or child that sees a veteran to shake their hand and tell them Thank You and encourage all to fly the American Flag.

IN WITNESS WHEREOF, I have hereto set my hand and caused the official seal of the Village of Wapella, IL to be affixed on this day of May 20,2015

