

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

BOARD MEETING – MINUTES
 MAY 19, 2021

Regular Meeting - 7:00PM

1. Meeting called to order by President Dennis Klatt
2. Pledge of Allegiance led by President Dennis Klatt
3. Roll Call by Allie Sprague, Wapella Village Clerk

| Name | Title | Status |
|-------------------|------------------|---------|
| Dennis Klatt | President | Present |
| Jane Buraglio | Trustee | Present |
| Sean Holland | Trustee | Present |
| Lauren Johnson | Trustee | Present |
| Tracy Mann | Trustee | Present |
| Jordan Smith | Trustee | Present |
| Mikayla McFeeters | Trustee | Present |
| Steve Mahrt | Village Attorney | Present |
| Allie Sprague | Village Clerk | Present |

4. MOTION TO APPROVE MINUTES FROM APRIL 28, 2021

| | |
|---------------|--|
| Moved: | Jane Buraglio |
| Seconded: | Mikayla McFeeters |
| Ayes: | Jane Buraglio, Sean Holland, Lauren Johnson, Tracy Mann, Jordan Smith, Mikayla McFeeters |
| Nays: | |
| Abstained: | |
| Action Taken: | passed |

5. MOTION TO APPROVE ALL VILLAGE BILLS AS PRESENTED TO THE BOARD

Trustee Buraglio stated the Area bill should actually be \$1,378.08 and we were wrongly billed by Warner Hospital.

| | |
|---------------|--|
| Moved: | Jordan Smith |
| Seconded: | Sean Holland |
| Ayes: | Jane Buraglio, Sean Holland, Lauren Johnson, Tracy Mann, Jordan Smith, Mikayla McFeeters |
| Nays: | |
| Abstained: | |
| Action Taken: | Passed with corrections |

6. DEPARTMENT REPORTS

- A.) **STREETS, ALLEY AND DRAINAGE – JANE** – Town clean up, Area picked up some bins that were only half full so we used all of our free ones for the year. Having a problem with our bins at the shop being filled constantly, sometimes too full for Area to pick it up. South Locust, there's a new lot so we have to extend the road.
- B.) **HEALTH & SAFETY – LAUREN** – Pulled weeds at the park on Saturday. The fridge is being picked up at Menards this weekend, also picking up floor mats for the community center. No new info on the security cameras but does have to return some calls about it.
- C.) **WATER – SEAN** – Several people called since last meeting about their bills being incorrect. We are going to continue monitoring these accounts, but did adjust quite a few which will reflect on the next bills. New meters need to be finished being installed. Brian Blue is coming June 11th – which will have to be rescheduled.
- D.) **ZONING – JANE** – 2 permits were issued
- E.) **FINANCE – JORDAN** – Interviewed Jessica McEvers for the treasurer position.
- F.) **WATER OPERATOR – STEVE** – not present.
- G.) **CLERK – ALLIE** – no report.
- H.) **FOIA OFFICER – ALLIE** – no report.
- I.) **WEBSITE** – still needs assigned

7. PUBLIC COMMENT

Dan Taylor – discussed property lines, provided pictures and receipts of survey. Shed at neighboring property is over the property line. Discussed a permit that has already been issued on the shed.

Dale Karr – discussed other properties that received permits but aren't in compliance with village ordinances.

Kim Donovan – spoke about her dad receiving a letter from the village attorney, when he does not own the property with the shed spoken about previously by Dan Taylor. Stated she was told initially that no permit was required.

8. ENTER CLOSED SESSION

MOTION TO ENTER CLOSED SESSION TO DISCUSS LITIGATION AND TO DISCUSS THE APPOINTMENT, EMPLOYMENT, COMPENSATION, DISCIPLINE, PERFORMANCE OR DISMISSAL OF A SPECIFIC EMPLOYEE AND DISCUSS WINDFARM LITIGATION

| | |
|---------------|--|
| Moved: | Jane Buraglio |
| Seconded: | Jordan Smith |
| Ayes: | Jane Buraglio, Sean Holland, Lauren Johnson, Tracy Mann, Jordan Smith, Mikayla McFeeters |
| Nays: | |
| Abstained: | |
| Action Taken: | Closed Session entered |

9.) EXIT CLOSED SESSION

10.) NEW BUSINESS FOR DISCUSSION, APPROVAL AND POSSIBLE VOTE

1.) APPOINTMENT AND VOTE FOR VILLAGE TREASURER

MOTION TO ACCEPT THE APPOINTMENT OF JESSICA MCEVERS AS THE VILLAGE TREASURE

| | |
|---------------|--|
| Moved: | Jane Buraglio |
| Seconded: | Tracy M |
| Ayes: | Jane Buraglio, Sean Holland, Lauren Johnson, Mikayla McFeeters |
| Nays: | Tracy Mann |
| Abstained: | |
| Action Taken: | passed |

2.) MFT 2021 PROGRAM/ROGER SPRAGUE

MOTION TO ACCEPT RESOLUTION OF USING \$27,500 OF MOTOR FUEL FUND

| | |
|---------------|--|
| Moved: | Jane Buraglio |
| Seconded: | Mikayla McFeeters |
| Ayes: | Jane Buraglio, Sean Holland, Lauren Johnson, Tracy Mann, Jordan Smith, Mikayla McFeeters |
| Nays: | |
| Abstained: | |
| Action Taken: | Passed |

3.) KUBOTA REPAIR OR REPLACEMENT – waiting on figures for repair.

4.) **PURCHASE 2020 JOHN DEERE TRACTOR** – looked at a tractor with 27 hours on, still with warranty. \$9,100 to purchase.

MOTION TO PURCHASE 2020 JOHN DEERE TRACTOR FOR \$9,100

| | |
|---------------|--|
| Moved: | Jane Buraglio |
| Seconded: | Tracy Mann |
| Ayes: | Jane Buraglio, Sean Holland, Lauren Johnson, Mikayla McFeeters, Tracy Mann |
| Nays: | |
| Abstained: | |
| Action Taken: | passed |

5.) **FRYMAN TREE SERVICE QUOTE AND POSSIBLE AUTHORIZATION** – 1 tree and grind 3 stumps for \$1,260

MOTION TO HAVE FRYMAN TREE SERVICE REMOVE 1 TREE AND GRIND 3 STUMPS FOR \$1,260

| | |
|---------------|--|
| Moved: | Jane Buraglio |
| Seconded: | Mikayla McFeeters |
| Ayes: | Jane Buraglio, Sean Holland, Lauren Johnson, Mikayla McFeeters, Tracy Mann |
| Nays: | |
| Abstained: | |
| Action Taken: | passed |

6.) PURCHASE LOCATING EQUIPMENT

MOTION TO PURCHASE \$3,240 LOCATING EQUIPMENT FROM WATER PRODUCTS

| | |
|---------------|--|
| Moved: | Jane Buraglio |
| Seconded: | Sean Holland |
| Ayes: | Jane Buraglio, Sean Holland, Lauren Johnson, Mikayla McFeeters, Tracy Mann |
| Nays: | |
| Abstained: | |
| Action Taken: | passed |

7.) VOTE TO ADD JORDAN TO THE BANK SIGNATURES FOR VILLAGE

MOTION TO ADD JORDAN SMITH TO VILLAGE BANK ACCOUNT SIGNATURE CARDS

| | |
|-----------|----------------|
| Moved: | Lauren Johnson |
| Seconded: | Sean Holland |

| | |
|---------------|--|
| Ayes: | Jane Buraglio, Sean Holland, Lauren Johnson, Mikayla McFeeters, Tracy Mann |
| Nays: | |
| Abstained: | |
| Action Taken: | passed |

8.) QUOTE ON NEW DOORS FOR COMMUNITY CENTER AND POSSIBLE PURCHASE

MOTION TO ACCEPT QUOTE OF \$24,402 FROM K&K CONSTRUCTION FOR NEW THERMAL COMMUNITY CENTER DOORS

| | |
|---------------|--|
| Moved: | Lauren Johnson |
| Seconded: | Mikayla McFeeters |
| Ayes: | Jane Buraglio, Sean Holland, Lauren Johnson, Mikayla McFeeters, Tracy Mann |
| Nays: | |
| Abstained: | |
| Action Taken: | passed |

9.) DISCUSS ADDING PLAYGROUND EQUIPMENT TO COMMUNITY CENTER AND POSSIBLE VOTE – discussed adding handicapped accessible/inclusive playground equipment at the community center playground.

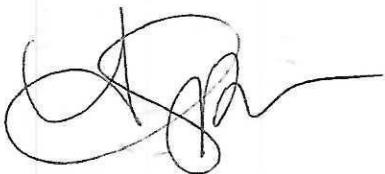
10.) ADDING WOODCHIPS TO PLAYGROUND AND POSSIBLE AUTHORIZATION – we are not currently in compliance with the depth of our woodchips. Also would like to add woodchips to the garden area at the park.

11.) DISCUSS OVERTIME AND POSSIBILITY OF HIRING PARTTIME/SEASONAL HELP- part-time/seasonal help with mowing/an extra set of hands. Starting out at \$13.50 for part time.

MOTION TO ADJOURN

| | |
|---------------|--|
| Moved: | Tracy Mann |
| Seconded: | Sean Holland |
| Ayes: | Jane Buraglio, Sean Holland, Lauren Johnson, Tracy Mann, Mikayla McFeeters |
| Nays: | |
| Abstained: | |
| Action Taken: | MEETING ADJOURNED AT 9:04PM |

Respectfully Submitted,
Allie Sprague



Wapella Village Clerk

I am here tonight to help clear up some misinformation and issues with the property at 318 Main Street. Mr. Taylor is not correct about my property and I want to make it perfectly clear. In early 2016 we purchased the property at 318 Main Street. The property had been neglected for decades and the village board had been in a legal battle with the previous owners for months if not a years. The property was dilapidated and had been for decades. Our plan was to change that. We have dumped thousands and thousands of dollars into this project. We have received many compliments, take a look at the building. The village should be happy the bank building is no longer an issue, until recently. When we bought the building it was our intention to renovate the building and restore it back to its original glory. The building was built in 1906. It is the only two story building left standing on main street. As you can all see it looks much better then it has in years.

A month or so ago my dad, Eddie Merida, received a letter from the village attorney about an ordinance violation at 318 main street. My dad does not own the building or the shed. Why did the village attorney send a letter to a village resident about an ordinance violation on a property he does not own? Why and who instructed the attorney to write such a ridiculous letter? Clearly the village attorney did not do his due diligence or he would have known Eddie Merida did not own the property. Writing a letter to someone who does not own a property, about that property is ridiculous. Why should tax payers have to pay the attorney to write a letter that was not worth the paper it was written on?

We, my family, not my Dad, moved a temporary shed behind the bank building for the purpose to store tools and equipment during the renovation process. The shed will be moved when the project is completed. In 2016, I contacted the village zoning officer about obtaining a permit. I was told I did not need a permit. The village zoning code allows temporary building to be placed on a property during the construction/renovation phase of a project. I did not need or would be required to get a permit. Since then, the village decide I needed to apply and pay for a permit. I have obtained a building permit for the temporary shed from the village zoning officer, Jane Buraglio.

In April 2021 the homeowner at 107 N. Locust obtained an illegal building permit for a fence. The homeowner is now constructing an illegal fence. The fence is illegal for three reasons. One, the fence is built on my property, two, the fence is built on village property on the south and three the fence does not meet the required setbacks on the west along the alley per the zoning code. All three violations are reasons that make the Taylor's at 107 N. Locust in violation of the village zoning code and illegal. I understand the village can not go back and make resident move any permanent structure that was built in violation of the zoning codes in the past, or maybe they can, but moving forward they can and should keep violations from continuing to happen. The Taylor's should be required to move their fence, bring their fence into compliance. Mrs. Taylor was a previous zoning office, she should know the requirements. The building permit was not legal and the fence is in violation on two counts per village code. If the village board is not going to enforce the zoning codes and requirements then they should just throw out the zoning book.

I have contacted my attorney and have had all the legal research done on the title work and deed. I have deeds dated back to 1857. Many of these deeds confirm the lot size as originally 82'x82'. The Greene family sold off 20' of the original lot, where the village hall now sits. I also have the deed to the village hall. The property the hall sits on was originally part of the lot the bank building sits on. The deed to the village hall describes the lot as 20'x82'. The Taylor's have now built a fence not only on my property but on village property as well. They used a power auger to drill the holes for the posts and poured concrete They have drilled into my septic system for the bank building. That's a problem. The Taylor's have also compromised the drainage field for village hall. That is a real problem for myself as well as the village. The Taylor's will be held legally and financially responsible for any damage from the construction of their fence on my property. I will pursue legal damages if damage occurred since they knowingly built on my property.

My property at 318 main street was originally 82'x82', not 80' like the Taylor's believe. The deeds state the property runs 82' running north and south on the east side along Locust Street. I don't

know how much clearer this has to be for the Taylor's to understand. The brown post on the north end of the bank building was a fence years and years ago. The fence was set at 81'6", just inside the 82' property line. If the village is under the assumption my shed is in violation of a setback and they want it moved then Breakers will have to move their fence on the north and the east sides since they also would be in violation. The old Misflips building also has a short run of fence that would have to be moved also. This is opening up a "can of worms" just like Dale Karr stated last meeting. Bryan Atwood has a shed sitting on a property line, Larry Ashley built a shed on a property line, neither shed has the correct set backs and will have to be moved. Clearly these are all examples of just how out of control this could get. This is getting way out of hand. Bottom line is the Taylor's built a fence on my property. I am not moving my shed. The village is full of these type of violations and no action has ever been taken or even sent a letter from the village attorney. A porch was added on South Locust that was enclosed that does not meet the set backs, the town is full of violations. The only letter sent out by the village attorney was the letter concerning 318 main street. Why is that? Why is my property being singled out? The village has a certain procedure on handling ordinance violation and a letter from the village attorney is not the first step, except for my property. Why was that? This should never been dumped on this current village boards lap. I am sorry it was.

The Taylor's are using the village attorney to plead their case. They should not be allowed to use the village attorney. They can hire their own attorney for advise, I did. If the Taylor's are contacting the attorney in any form, then the village attorney should be billing the Taylor's, not tax payers. I paid for an attorney and they should too. This is not a village issue, or it was not a village issue until the Taylor's built a fence on village property and ignored the zoning setback requirements.

The village sent out numerous ordinance violation letters in March and the previous board did not follow up on one violation, yet I got a letter from the attorney. Mrs. Taylor was previously on the village board and was also the zoning officer. She should know her own fence does not meet the required setbacks of the village zoning code. The Taylor's have several ordinance violations on their property, starting with the tarp on their roof and a deck without a building permit, yet they have never received a letter from the village or the village attorney. Just to name a few violations.

I sympathize with this new board, you were left a mess. A mess that could have and should have been avoided. I understand you are a new board and the learning curve takes time. It takes awhile to figure all this out. This is definitely a lot to process. I appreciate your time and dedication, it has not gone unnoticed.

Moving forward it is the responsibility of this board to make certain village ordinances and codes are followed to the best of their ability. I also understand the board can not go backwards. The village board can only move forward. The village board can and should enforce ordinance violations by making sure everyone is in compliance with village codes and ordinances. The Taylor's fence does not meet the setbacks and is built on my property. I don't want a fence on my property. The village board should insist the Taylor's make the necessary corrections to their fence before continuing. Bring the fence into compliance or take the fence down.

I have no issues with a fence as long as the Taylor's built a fence on their property and stay off my property. At least a fence will keep them from trespassing on my property. Trespassing has been an ongoing issue for almost a year. Frankly, I am tired of them trespassing. I have had to install security cameras just to protect my investment since this all began. I just want them to stay off my property, all 82' of it.

Thank you for your time and will be happy to answer any questions from the board.

Kim Donovan