Village Of Kincaid

115 Central Ave. Kincaid, IL. 62540

Time- 6:00 p.m.

Tuesday November 12, 2024

Regular Meeting Minutes

The meeting was brought to order by Mayor Robert Morris. Roll call was taken by the Village Clerk.

Roll Call-Lawrence-here, Paso-here, Gibson-here, Warren-here, Dees-here, Nelson-here.

Pledge of Allegiance- The Pledge of Allegiance was recited by all who attended the meeting.

Approval of minutes from October’s meetings- A motion was made by trustee Nelson to approve the minutes; a second motion was made by trustee Dees. All Ayes.

Special guest Chastain and associates- Ron Legner from Chastain discussed approving an ordinance authorizing loan agreement for a non-home rule entity village. This is the EPA for replacing the lead service lines. Kincaid has approximately three hundred of their service line inventory that need to be replaced. Kincaid qualifies for one hundred percent loan forgiveness from the EPA. Although you must authorize the borrowing, it is in their plan. This would be done in two phases. One would be about two hundred and twenty-five of them, that would be the first phase. They have in their intended use plan for this current fiscal year 2.8 million dollars to replace all of those. That would include engineering and construction work. Some of the engineering has already been authorized and some paid for it will get reimbursed when you get bids and do the project. The borrowing ordinance is for four million dollars and that is intended to cover both the first phase, which is 2.8 million and then another 1.2 million to the second phase that would be expected to start in July. So, he needs both of those loans authorized tonight and then they would move forward with the 2.8-million-dollar loan as in their plans. This ordinance, if you pass it would authorize the mayor to sign the loan application and then he would turn that into the EPA loan with the ordinance. The ordinance will be published in a daily newspaper in the area and then that gives local voters the opportunity to submit a referendum with ten percent of the registered voters in the village to sign a referendum request to have it on at the next election. There is a thirty-day period there where we would pass the ordinance, wait thirty days, if no one submits such a form then we can move forward with the loan. Trustee Nelson asked so originally. Where is this project in phase one, two, or three with the 8.2 million dollars that we have been talking about for the last six months or so, this is not in addition. Ron said this was part of a project plan that we did a couple years back that showed multiple phases of water improvement projects. One of them is the water main project which you have already authorized a loan for and it is under construction, the second thing on the menu is to authorize the first payment to the contractor and submit a disbursement request to get the EPA to reimburse you for the engineering and whatever the work the contractors have done minus retainage. Nelson asked what the number would be as far as repaying the EPA loan. Ron said it would start sometime late next year or early the following year is when you would start making loan payments. The loan payments would be around eighty-five thousand dollars a year for the water main project. Nelson asked out of curiosity, what kind of time frame are we looking at to start phase 2, he is concerned with repayments. 8.2 million is an unprecedented amount of money, he wants to know what the Village will be on the hook for. Ron said the first loan was 2.9 million and half of that will be forgiven, then the next payment after the forgiveness will be around eighty-five thousand dollars a year and that won’t start until the construction is complete, six months after is when the first payment is due. They are semiannual payments so it will be forty some odd thousand dollars twice a year and that would be paid out of your water revenues, last year you voted to increase the water rates to a point where you could make that payment. The first of two phases of the lead replacement is 2.8 million. It needs to be bided out in winter/early spring. Treasurer Merano asked where we are at with our sewer project, when can we expect first payment for that? Ron said we are waiting, there is a change toward the end of the project. There was a little blower building built which included some air conditioning and they did some engineering, and they ended up installing a cooling fan instead, so they are waiting for credit on that. We would anticipate within the next month or two to close out that loan then that would trigger some loan payments. Trustee Nelson made a motion to approve the borrowing ordinance with complete forgiveness. It was seconded by trustee Lawrence. All ayes

Ron stated the other item is the first pay out to the contractor EL Pruitt for the work they have done to date on the water main replacement project. Their total contract is 2.54 million dollars. The first payment that they have applied for would total 337 thousand 138 dollars and thirteen cents. We need to authorize that payment. This would be included in a loan disbursement request which totals that sum of money for the contractor and includes 281 thousand dollars of dollars that you already spent on engineering and authorized. The total you would get back from the EPA would be 618 thousand dollars, that money would help to replenish the principal. Trustee Lawrence made a motion to approve pay out to EL Pruitt, A second motion was made by Nelson. All Ayes.

New Business –

Renewal rates for Health/Dental/Vision- The clerk stated Blue Cross for health is going up seven dollars and sixty-three cents a month, no changes for vision, dental is going up five dollars and fifty-six dollars a month, this is individual. Effective date December first. She asked if this is something they wanted to continue or if she should find a new provider. Trustee Warren made a motion that we continue with the new rates. It was seconded by Dees. All Ayes.

Open bids for 117 State St.- Mayor Morris opened the bids. Bid #1 was for two thousand dollars from Alysha Packman. Bid #2 was for eleven hundred and eleven dollars from Gary and Carol Sedlock. Bid #3 was for one thousand and forty dollars from Keli Foley. A live auction between Packman and Sedlock began. Sedlock outbid Packman for a total of two thousand eight hundred dollars.

Open bids for spillway repair- Mayor Morris opened the bid for the spillway repair. Dees clearing service. Ninety-five hundred and seventy dollars. That was the only bid. Lawrence asked what all was included in this bid, patching the concrete, holes, cleaning everything. Trustee Lawrence made a motion to approve the bid for the spillway, a second motion was made by trustee Warren. All Ayes.

Committees meeting with supervisors to plan action goals for 2025- Trustee Nelson stated that with the next committee meeting in November and asked if we would have another committee meeting in December, Morris replied yes. Nelson said with that being said and now that the committees are in place he thought we could possibly have to committee chairs meet with their respected departments and get together an action plan of goals for 2025. He thinks if we follow the committees and come to the meetings and just discuss what was talked about and move forward.

Televising sewer mains on south side to prepare for phase 2 sewer project- Foreman Wolfe stated Hoerr construction did all of the sewer stuff on the east end of town. Like the water project there are three phases to the sewer project. To get the engineers a better plan on what we need to do for the second phase we need to do televising. All of that is reimbursable in the design portion of the loan. We did get 30% forgiveness in the first phase. We expect to get at least that much on the second. Even if we were to get a grant, which aren't any available. We will need these videos to make a plan, we have to be shovel ready before we can even get a grant or anything. Hoerr said thirty thousand will get us about ten thousand feet cleaned and videoed sewer line. Which will be the other side of the tracks and the little portion along the highway. If the highway starts collapsing the Village of Kincaid cannot afford to fix that so we need to get that fixed. So again, thirty thousand to do the video, which is reimbursable. Trustee Warren made a motion to approve the spending for televising the sewer mains. It was seconded by Trustee Dees. All Ayes

Codification/expected charges- Trustee Nelson said he was hoping Gary was going to take the lead. Warren stated we sent the rest of the ordinances to Frank, and he is working on the draft. The original contract was sixty-nine hundred dollars. We have already paid him fifteen hundred dollars. The remainder is not to exceed fifty-four hundred dollars for completion, and that will give us ten paper copies and one electronic copy. We are just waiting for Jarred to do the Appendix E. Once he sends the draft, we will go through it a little to see if we need any more changes. Once done he will come here and then we will approve the final draft. Will have to be a special meeting because Frank said it would take 3-3 1/2 hours to go through everything with us. Nelson stated nothing has been done with this since 2015 and all of this stuff needs to be available, and we need to be compliant. Nelson also stated we should probably also retain him so when we do have ordinance changes, we can contact him, and he can make the changes that are needed. Nelson doesn't think when Frank brings the draft that we need all six heads (trustees) present for the meeting. Warren said with the special meeting with Frank everyone will have to be there.

Employee handbook in relation to the employee relations committee recommendations- Nelson said he has done a lot of research and the problem he has with providing an employee handbook in each department is that we have a department that has union workers, we have a department with military, part time, full time, some that are just on contract, they are just all over the map. He doesn't believe that there is a federal law that we have to have an employee handbook, he isn't sure if there is a municipal handbook that we have to have but he thinks we should handle that with policies and procedures on Chapter 11 after we have added everything. He thinks we should get rid of the employee handbook and stick with the policy and procedures in chapter 11. Paso said the policies and procedures are a fluent way of keeping change that goes on within a department. This is an easier way without going into the ordinance. This would be smarter rather than changing each division. Morris stated that the police department has to have their own employee handbook, as is the law.

Old Business-

1102 Springfield St-Trustee Lawrence said we have clean up money and asked what the last day for bids is on this property. He is going to make a motion to clean the property up. Don’t know how many dumpsters this is going to take. He makes a motion to clean this property up not to exceed eight thousand dollars. Mark has already hauled dirt down there. We have clean up money set aside. He asked treasurer Merano how much money was left, Merano stated nine thousand four hundred. Lawrence reiterated his motion and added to start immediately on tearing it down and getting it cleaned up. A second motion was made by Nelson. All Ayes.

Shipping containers/campers- Lawrence stated we have an ordinance about this. Burchi said there are two issues. The RV, the city was gracious enough to let us stay while we were going to build. It came out of probate at the end of May. They have two bids one with brown and one with Hammel. She said the village has been more than gracious and asked for more time to stay in the camper. Lawrence asked for a timeline for this, burchi stated if they get the bid back, they can get the concrete done before winter. The shipping container we purchased, not knowing that there was an ordinance, and no ignorance doesn't make it ok. We just want to keep it until the house is built. When the building is built, we plan on repurposing the container and using it as a shed. They plan on putting a roof, and skirting, and a garage door. If they can do it that way, they can do it in 30-45 days and have it look just like a shed instead. So rather than asking to have a container she is asking to have it and use it as recycled material. Lawrence stated we have a 45-day emergency use for shipping containers. It is a double edge sword. We do have a few that are grandfathered in on commercial property. Lawrence asked the board for some feedback. Nelson stated his feedback is that it isn't going to be the answer she wants to here. He said there is an ordinance against having shipping containers no matter if you are building taj mahal around it. For the time being, you're not allowed to have it. Our discussion tonight needs to be, how long do you need. Maybe we need to be nicer to see how long do you need to get it off your property? Once you tell us that date there will be a per diem of seventy five dollars a day every day after until you get it off your property. Nelson asked Linda if she could get rid of it within thirty days, by December 15th which will be the thirty days. Trustee nelson made a motion to give her thirty days to get the container off her property and a per diem daily after to make sure it gets gone. Morris responded about the camper as well. Paso asked Linda again if after 45 days she could get rid of the container, Linda responded yes. Nelson thinks we should work with her. Linda said she is almost confident she could get rid of it in thirty days, but she doesn’t want to be stuck with seventy-five dollars a day if not. Paso amended the motion to read 45 days instead of the 30. Nelson seconded the motion. All Ayes.

Trustee Lawrence made a motion for the Burchis to move out of their camper by the end of the year. It was seconded by Nelson. All ayes.

Hiring part time police officer-Dees stated he brought this up again. We need to get some sort of part time; he believes Seath has taken a full time position in another town. January 2025 but there is no class guaranteed because they don't have enough enrollment. Mathon said the main thing is going to be pay to get somebody to come here because the majority of departments are paying more than we are and to get someone to work part time we are going to have to figure out what we are going to have to pay for them. Dees said we are going to have to bump the pay for sure, we aren't paying insurance. Morris asked what the pay is now. Dees said he thought 18-20 an hour, he said it was going to have to be at least 25 now. Mathon said no one is going to move their family in for the amount of pay. He said he could put it out there and then we need to approve the position and approve the pay as well. Seath is staying on part time as of now, and Tyler will be on part time when he gets back until he goes to Taylorville. Lawrence asked for chief Mathon to ask around and see what other departments are paying out so we can kind of get an idea of what the pay should be and put it on the committee meeting so we can discuss it more, and the hiring part on the regular meeting in December. Paso said we need to get certain information before we really decide what to do. Lawrence said to put it on the Committee meeting and discuss it a little more before we can vote on it. The hiring part will be at the December meeting. Paso made a motion to tentatively approve hiring a part time officer until we get more information. Nelson seconded the motion. Attorney Rahar wanted to clarify the motion, you are in favor of hiring a part time police officer subject to terms and condition of the committee, which is Sues motion. Yes. Trustee nelson seconded the motion. Lawrence-yes, Paso-yes, Gibson- No, Warren-yes, Dees-yes, Nelson-yes.

Social media contract- Rahar said the social media policy is what it is and that he and Gary had talked about it a few times about this. He apologized to the Clerk for being confused with a previous email about Appendix E. One is for new employees coming in and one is for existing employees. Nelson asked if the board members had to sign the contract as well, he said he was not going to support it. Warren made a motion to support the social media contract and add it to the ordinance book, Chapter 11- Appendix E. A second motion was made by Dees. Paso asked if the motion could be read again. Paso- No, Dees-Yes, Lawrence- Abstain, Gibson- No, Nelson-No, Warren- Yes. The clerk stated the motion did not pass.

VISITORS:

VISITORS: A PERSON SHALL BE PERMITTED AN OPPORTUNITY TO ADDRESS OFFICIALS UNDER THE RULES ESTABLISHED BY THE VILLAGE OF KINCAID (3 MINUTES PER PERSON) 5ILCS 120.2.06g

A gentleman said this was to the Mayor and DJ the ordinance with the trash around here is pathetic. He has smelt trash for over ninety days now next to his house that he owns. He has been there thirty some years. Bob Michels was forced to get a dumpster, the trash is still there, and he smells it. You give them a two hundred and fifty dollar fine, and they don't pay it, and I still smell the trash. He also stated the sidewalks around his house on chestnut are not ADA handicapped assistance. He has to go all the way around and has tripped and fallen several times in the last year and a half. There are grants for handicap ramps. Not only himself but the guy on the next block over can't, and he just had a city tree fall on his ramp and damaged it. He is just here for the trash violation, when you get an ordinance and pay or don't pay what do you do? Do you shut the water off? Lawrence said now it is set up with jarred and court. Jarred said now it is set up with a warning, then they are given an ordinance violation and if the violation isn't paid by a certain date, then it is filed with the court and then they can have their say in court then the courts will proceed. As of now it goes to the renter, not the landlord. He believes it should all stay in the landlords name, and they should be responsible for the citations, and the property. Lawrence asked if DJ and Jayme could get together and start sending the landlord a notice as well. DJ stated there is a dumpster there and they should be cleaning the trash up. Nelson said he does have a question, when we send these out are we sure they are the renters or owners. The clerk stated that when they come in and set up water, a lease for renters is required for us to see. It may not be a bad idea that we locate the landlord and let them know that their tenant is getting an ordinance violation. Clare Duran asked Dean if the gentlemen’s ramp that was ruined if they could come together and fix it.

John Durbin spoke up and said back to the sidewalks and alleys and potholes. We are going on winter, and we still have all of these issues and you guys are doing what you want to do and not doing what the taxpayers want. And then, did you have that house tested. Trustee Lawrence said we have it set up for cleaning up, it is all good to go. Durbin asked if someone signed off on the asbestos. Lawrence replied that the house is all set to go and back to the board does nothing. He works his butt off here and takes pride in this. I am not perfect, but I do work my butt off to do better and save money. There is talk all of the time that the board does nothing. John said he is just saying that if your alley had what his alley has it would all be fixed wouldn't it. Mark stated all alleys were drug last month. Durbin said he really just wants them to drive around and see what needs worked on and take care of the problems.

Christian Vacker asked if there was anywhere to find who is on the committees. Nelson stated yes, it will be posted.

Clare Duran said first Veterans Day just happened and there weren't any flags out, what happened. Morris asked if anyone knew why there weren't any flags put up. Warren stated he doesn't normally put them up and everyone was off for the weekend and forgot to put them out. Her other question was why you guys show favoritism when it comes to ordinance violations. They were never shown any type of grace, we were told we had to get rid of the goats, so we got rid of them and we are still fighting in court from January over this, she wanted this explained to her. They were shown no type of grace, why weren't they given a warning like everyone else. Lawrence asked if she ever brought it up to the board about the ordinance violation and if she signed to talk at the meeting. Clare said they tried; nothing ever happens with them because they sued them. Lawrence asked if she had it set up to talk at a meeting as far as having the goats. Clare responded No, because what was the point. Lawrence said the point is that you bring it to the board. She said they got the violation seven days after it was written because it was sent through the mail and at that time the post office was closed because the streets were all ice so they couldn't go get their mail. The first thing she did when they did get it was go home and call and get them moved. Clare stated Mayor Morris wrote the violation as his name is on it. He replied, his name is on all of them. This happened in January, and they are still fighting it to this day. The village is spending thousands of dollars on attorney fees and so are they. Why can't they just nip this in the butt and say you know it's done, it's over with they are gone. Clare said they even made a deal with them about the building to take it down. Lawrence said he is a firm believer, and he has said this before that we should work with everyone in the public, but they have to bring it up here to the board. Whether it's their grass, weeds, trash, goats or something else and explain it just like they did. Clare asked why it wasn't talked about at their first court date, they could have settled it there. They were ready to be done. The goats are gone, they aren't coming back. She doesn't feel he has to pay an ordinance violation for this. Lawrence said that lot was discussed before, and it was residential not agriculture. Gary Daum said he only asked for one thing and that was proof in the minutes, and he never received that. If he sees proof of the minutes that it was changed from farm to residential, he will shut up. Lawrence said it was never farm. Clare came up here and wanted it changed; it is in the minutes. Nelson said time is up, they are bringing up very very very valid points. We don't need to be arguing back and forth with them, they had their three minutes they are allowed. Rahar said he will look into the zoning,

Another lady said she lives way down and there is a chicken and a rooster, and she has complained to DJ several times. No one is claiming them, and she doesn't want them running around her property because of the coyotes. Is there anything that can be done. She has contacted some people with no luck. The roost in the trees. DJ said no one is claiming the chickens, he has called animal control and talked to IDNR, he told her she can get a pest control company to come out when they are on her property and have them removed. Not animal control, pest control. She said she isn't going to hire a company because they aren't hers. She has been complaining all summer long to the cops and animal control. She said if someone wants to put a bullet in their little heads that’s fine with her. Her second thing is she doesn't have kids in the school system but you always hear everything about school shootings and nothing bad about DJ but if we cannot get ahold of our cops in this town and that were to happen in our small little town and can't find our cops. We need an officer in town especially for those reasons. Dees stated that’s why we are trying to hire another officer. DJ is at the school and around the school. Nine times out of ten if you call here, you are not going to get a cop, that's why you are calling 911. She said she got ahold of DJ one night through Wheeler. Nelson said if you live in the community you pay for 911. Need to call the sheriff’s department.

Approval of bills - Trustee Dees made a motion to approve the bills. It was seconded by trustee Nelson. All ayes.

Zoning Report- Lawrence said he issued 4 building permits in the last month.

Approval of Treasurers report- Trustee Dees made a motion to approve the treasurers report. A second motion was made by Gibson. Nelson-yes, Gibson-yes, Paso-yes, Warren-no, Lawrence-yes, Dees-yes

Clerks report- Jayme stated she gave them all a copy of her report.

Police report- Chief Mathon said he gave everyone a copy of his report.

Foreman’s report- Foreman Wolfe gave everyone a copy of his report as well. Solar panels at the sewer plant got turned on today after four years they are working. There was a water main break. They have been working on the easements and stuff with IDOT for the water project. Safe routes to school and that is making everything handicap accessible around the square and the schools it is getting pushed back until summer of 2025. We had to take a bunch of pictures of the Methodist church because it’s supposed to be a historical site so that is another type of permit. Cut down a boulevard tree.

Attorneys report- Attorney Rahar said there hasn't been any major movement except that Mr. Coghlan was finally tracked down. He has a pay or appear date for his violation. Mr. Daum's ordinance violation is still set for status and bench trial based on his new attorneys appearance. We are in negotiation about a potential settlement which can't be talked about here. Other than that, there are no major things.

Trustee report and comments- Lawrence had a question for Mark as far as the building out on the Kincaid lake, are we going to winterize it? Mark said yes, he didn't put that on the agenda, but he didn’t know if they wanted to turn the power on out there. Will have to get the propane filled if we want heat out there. If he had time, he was going to go out there and partition some walls for the public bathroom. That can wait until spring. The water is shut off due to a water leak from busted water line. Lawrence said if anyone has anything they need or something they want to say to bring it up to the board and he will do his best to help.

President report and comments - Mayor Morris had nothing.

Adjournment-

Trustee Nelson made a motion to adjourn, a second motion was made by Lawrence. All ayes.

The time was 7:22 P.M.