

September 23, 2019

**MINUTES OF A
REGULAR MEETING
OF
THE DWIGHT VILLAGE BOARD OF TRUSTEES**

**Held in the Public Services Complex
209 South Prairie Avenue, Dwight Illinois
September 23, 2019 at 6:30PM**

President Anderson called the meeting to order at 6:33PM and led the Pledge of Allegiance.

PRESENT: Marla Kinkade, Trustee; Randy Irvin, Trustee; Jerry Curtis, Trustee; Chuck Butterbrodt, Trustee; Jenny Johnson, Trustee; Justin Eggenberger, Trustee; Jared Anderson, Village President

Other Village Officials in Attendance: Kevin McNamara, Village Administrator; Jill Haacke, Village Clerk; Irv Masching, Village Attorney; Aaron Burke, EMS Representative; Steve Kinkade, Public Works Director; Ryan Hansen, Village Engineer; Tim Henson, Police Chief

The Village Board Minutes of September 9, 2019 were presented for approval. Trustee Kinkade made a motion with a second from Trustee Curtis to approve the minutes as submitted. Roll call. All voted aye. Motion carries.

FINANCIAL REPORTS

Payment of the September 23, 2019 bills in the amount of \$85,572.41 were presented for payment from the various funds. Trustee Curtis made a motion, with a second from Trustee Kinkade to pay the bills as submitted. Roll call. All voted aye. Motion carries.

President Anderson presented a fund transfer of \$475.00 from Water Fund (51) to Water Bond Fund (41). Trustee Eggenberger made a motion with a second from Trustee Kinkade to approve the fund transfer as presented. Roll call. All voted aye. Motion carried.

President Anderson presented a fund transfer of \$475.00 from Referendum Fund (36) to Referendum Bond Fund (44). Trustee Eggenberger made a motion with a second from Trustee Butterbrodt to approve the fund transfer as presented. Roll call. All voted aye. Motion carried.

President Anderson presented a fund transfer of \$30,000.00 from General Fund (01) to Capital Expenditure Fund (38). Trustee Kinkade made a motion with a second from Trustee Eggenberger to approve the fund transfer as presented. Roll call. All voted aye. Motion carried.

President Anderson presented a fund transfer of \$173,248.45.00 from Sewer Fund (52) to Referendum Fund (36). Trustee Curtis made a motion with a second from Trustee Kinkade to approve the fund transfer as presented. Roll call. All voted aye. Motion carried.

President Anderson presented a fund transfer of \$44,242.39 from Water Fund (51) to Referendum Fund (36). Trustee Kinkade made a motion with a second from Trustee Curtis to approve the fund transfer as presented. Roll call. All voted aye. Motion carried.

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President Anderson presented the August 2019 Treasurer's Report prepared by Village Treasurer Diane Jensen. Trustee Eggenberger made a motion with a second from Trustee Kinkade to approve the August 2019 Treasurer's Report as presented. Roll call. All voted aye. Motion carries.

PUBLIC FORUM

Tom Tock asked if all the grant money for the train depot had been spent and what the plan was for the old rail cart that was in the process of being restored, but never finished.

Calvin Coleman, owner of Coleman & Son Garage, was inquiring what his next steps were with the Village to get permission to build a fence. Once the fence is built, he will be able to register with the state to be able to impound vehicles. He was advised he needed a survey of the property line and the flood plain.

Eric Stewart asked the board to look into helping the homes in the Brewster Run flood plain and he is concerned with the potential of more water from the proposed truck stop development. McNamara stated that each new development must build their own water detention on their own property.

VILLAGE REPORTS

President Anderson thanked Steve Kinkade and the rest of the Public Works department on a great job of getting the town ready for Harvest Days. He also thanked Chief Henson and the staff on their hard work during Harvest Days. Finally, he thanked Randy Irvin and his committee for the great event.

Chief Henson reported that Harvest Days weekend was rather quiet with one small incident on Friday. He thanked his officers for all their hard work and to Randy and his committee for the great event.

ORDINANCES/RESOLUTIONS

Ordinance # 1425 was presented by President Jared Anderson to authorize the sale of certain real estate owned by the Village of Dwight under a finding that the continued ownership of the described real estate is no longer necessary, appropriate, required for the use of, profitable, or in the best interest of the Village of Dwight, Ordinance #1425 authorizing the sale of real estate described as:

Tract 1:

1201 S. Union Street, Dwight, IL 60420

Lot 23 in Scott's Subdivision to Dwight, Livingston County, Illinois.

P.I.N.: 05-09-478-002

Tract 2:

221 E. Waupansie Street, Dwight, IL 60420

Lot 2, EXCEPT the East 10 feet thereof, in Block 5 in Spencer's Addition to Dwight, Livingston County, Illinois.

P.I.N.: 05-04-479-011

Tract 3:

300 Odell Road, Dwight, IL 60420

Lot 3 and the East Half of Lot 4 in Block 3 in Morgan's Addition to the Village of Dwight, Livingston County, Illinois.

P.I.N.: 05-09-179-007

Tract 4:

305 E. Delaware Street, Dwight, IL 60420

Lot 5 in Block 5 in Mary Rutzer's Addition to the Village of Dwight, Livingston County, Illinois.

P.I.N.: 05-09-230-004

Tract 5:

411 W. Delaware Street, Dwight, IL 60420

Lot 6 in Block 2 in Newell's Addition to Dwight, Livingston County, Illinois.

P.I.N.: 05-09-103-006

Ordinance # 1425 authorizing the sale of the above described real estate, pursuant to 65 ILCS 5-11-76-2 et seq., with a minimum bid of \$2,000.00, with respect to each such tract, and providing that a Notice of Solicitation of Bids with respect thereto should be published in The Paper for three successive weeks commencing October 2, 2019, and thereafter on October 9 and October 16, 2019, calling for bids pursuant to said Notice Solicitation of Bids to be received on or before November 12, 2019 at 5PM at the Dwight Public Services Complex Building located at 209 S. Prairie Avenue, Dwight, IL 60420 and that the bids would then be considered at the regular meeting of the President and members of the Board of the Board of Trustees on Tuesday, November, 12, 2019 at 6:30 PM at the Public Services Complex Building located at 209 S. Prairie Avenue, Dwight, IL, said regular meeting being at least 30 days after the initial publication of the Notice of Solicitation of Bids.

Upon motion made by Trustee Kinkade and seconded by Trustee Butterbrodt, Ordinance #1425 was approved by roll call vote as follows: Anderson, Aye; Kinkade, Aye; Johnson, Aye; Eggenberger, Aye; Curtis, Aye; Irvin, Aye; Butterbrodt, Aye; being a unanimous vote of the corporate authorities of the Village of Dwight exceeding the $\frac{3}{4}$ minimum vote of the corporate authorities (President and 6 members of the Board of Trustees) required to approve the sale of said real estate by Ordinance #1425 pursuant to 65 ILCS 5-11-76-2, et seq.

RESOLUTION #1425 IS ON FILE IN THE OFFICE OF THE VILLAGE CLERK

Ordinance #1426 was presented by President Anderson to amend the municipal code to impose a Municipal Cannabis Retailers' Occupation Tax of 3% in the Village.

Trustee Kinkade made a motion with a second from Trustee Johnson to approve Ordinance #1426. Roll call was as follows; Johnson, aye; Eggenberger, aye; Curtis, aye; Irvin, aye; Butterbrodt, aye; Eggenberger, aye. All voted aye. Motion carries to approve Ordinance #1426, impose a 3% Municipal Cannabis Retailers' Occupation Tax.

RESOLUTION #1426 IS ON FILE IN THE OFFICE OF THE VILLAGE CLERK

OLD BUSINESS

The Plan Commission met on September 23, 2019 to consider the special use permit application at 604 W. Mazon to operate an automobile/truck stop travel center. The Plan Commission made a recommendation to approve the application for a Special Use by Mohammed Siddiqui (LIMRA 786 LLC) and Pilot Travel Centers, LLC, for the property commonly known as 604 W. Mazon Avenue, Dwight, Illinois with respect to a facility for an automobile/truck stop/highway services facility.

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Trustee Curtis made a motion with a second by Trustee Eggenberger to approve the recommendation of the Plan Commission. Roll call. All voted aye. Motion carries.

President Anderson presented the Tobey's Construction Pay Request #4 of \$328,347.45 to the board for approval for work on the downtown reconstruction project. Trustee Kinkade made a motion with a second from Trustee Johnson to approve Pay Request #4 as presented. Roll call. All voted aye. Motion carries.

President Anderson reported to the board that they received one sealed bid for the excess Village property at 115 E Chippewa Street. Anderson opened the bid which was submitted by representatives of the Streator Onized Credit Union for \$20,000.00.

NEW BUSINESS

The Student Council at Dwight Township High School is requesting road closures for the Homecoming Parade on October 4, 2019 starting at 2:30PM. The route will go south on Columbia Street starting at Trojan Drive, turn east on South Street, turn South on Chicago Street and then return to the High School on Philmar Street. Trustee Irvin made a motion with a second from Trustee Johnson to approve the DTHS homecoming parade. Roll call. All voted aye. Motion carries.

The Dwight Lions Club submitted a bucket brigade request for October 11th and 12th from 7AM-4PM for their annual "Candy Days" fund raiser. Trustee Kinkade made a motion with a second from Trustee Butterbrodt to approve the Bucket Brigade Request. Roll call. All voted Aye. Motion carries.

President Anderson presented the Opperman Pay Request #1 of \$72,126.00 to the board for approval for work done on West Northbrook Drive. Trustee Kinkade made a motion with a second from Trustee Curtis to approve Pay Request #1 as presented for \$72,126.00. Roll call. All voted aye. Motion carries.

A motion was made by Irvin and seconded by Johnson to enter Executive Session at 7:18PM under 5 ILCS 120/2(c)(21) "Review Closed Executive Session Minutes" and 5 ILCS 120/2(c)(6) "Sale or Lease of Property." Roll call. All voted aye. Motion Carries.

The Village Board came back into open session at 7:29PM.

Pursuant to Ordinance #1423 passed by a vote of not less than $\frac{3}{4}$ of the corporate authorities of the Village of Dwight on August 12, 2019, authorizing the sale of premises commonly known as 115 E. Chippewa Street, Dwight, Livingston County, IL passed pursuant to 65 ILCS 5-11-76-2, and a Notice of Solicitation of Bids having been published pursuant thereto by publishing the same in The Paper for three successive weeks commencing August 21, 2019 and thereafter on August 28 and September 4, 2019, the first publication date having been more than 30 days prior to the date of opening bids being solicited pursuant to Ordinance # 1423, said bids being solicited and due on or before September 23, 2019 at 5PM at the Dwight Public Services Complex located at 209 S. Prairie Avenue, Dwight, Illinois 60420. Said bids were then to be opened at a regular meeting of the President and Board of Trustees of the Village of Dwight (corporate authorities) on Monday, September 23, 2019 at 6:30PM at the Dwight Public Services Complex building. At such time one bid was made by Streator Onized Credit Union in the amount of \$20,000.00, being the minimum bid pursuant to said Notice of Solicitation of Bids and Ordinance #1423. Said bid was found to be otherwise in proper form and otherwise complying with the provisions of Ordinance # 1423 and the Notice of Solicitation of Bids published pursuant thereto.

A motion was duly made by Trustee Kinkade, and seconded by Trustee Johnson, for the approval of the bid of Streator Onized Credit Union in the amount of \$20,000.00 for the sale/purchase of the premises commonly known as 115 E. Chippewa Street, Dwight, Livingston County, Illinois being more

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specifically described as Lots 6, 7 and 8 of Block 23, Original Town, now Village of Dwight, Livingston County, Illinois (PIN: 05-09-208-025), and upon roll call vote, the votes were recorded as follows: Eggenberger, Aye; Johnson, Aye; Butterbrodt, Aye; Kinkade, Aye; Curtis, Aye; Irvin, Aye; Anderson, Aye; being a unanimous vote of the corporate authorities of the Village of Dwight. Said motion was duly approved.

Trustee Kinkade made a motion with a second from Trustee Butterbrodt to keep the minutes from May 22, 2017 retained. Roll call. All voted aye. Motion carries.

Trustee Eggenberger made a motion with a second from Trustee Johnson to keep the fourth paragraph of the minutes from August 28, 2017 retained. Roll call. All voted aye. Motion carries.

Trustee Kinkade made a motion with a second from Trustee Irvin to approve and release the minutes of the Executive Session on May 15, 2018. Roll call. All voted aye. Motion carries.

Trustee Irvin made a motion with a second from Trustee Johnson to approve, release the first two paragraphs and retain the third paragraph of the minutes of the Executive Session on January 14, 2019. Roll call. All voted aye. Motion carries.

Trustee Butterbrodt made a motion with a second from Trustee Eggenberger to approve and release the minutes of the Executive Session on March 25, 2019. Roll call. All voted aye. Motion carries.

Trustee Eggenberger made a motion with a second from Trustee Irvin to approve and retain the minutes of the Executive Session on June 24, 2019. Roll call. All voted aye. Motion carries.

Trustee Irvin made a motion with a second from Trustee Johnson to approve and retain the minutes of the Executive Session on July 22, 2019. Roll call. All voted aye. Motion carries.

Trustee Kinkade made a motion with a second from Trustee Curtis to destroy the recordings of the Executive Session meeting on the dates of 2/13/17 Roll call. All voted aye. Motion carries.

Finding no further business, President Anderson asked for a motion to adjourn. A motion to adjourn was made by Trustee Irvin with a second by Trustee Johnson. All voted aye by voice vote. The meeting adjourned at 7:33PM.

APPROVED:

Jared Anderson, Village President

ATTEST:

Jill V. Haacke, Village Clerk