

**CHANNAHON VILLAGE BOARD
BOARD MEETING
MARCH 02, 2009**

Village President Joe Cook called the meeting to order at 6:31 p.m.

Resident Jerry Breen led the Pledge of Allegiance.

Roll call was taken with Trustees Nash, McMillin, Davidson, Slocum, Militello and Greco present.

Also present were Village Administrator Jamie Bowden, Village Attorney David Silverman, Finance Director Robert Guess, Police Chief Joe Pena, Director of Public Works Ed Dolezal, Director of Community Development Mike McMahan, and Village Clerk Missey Schumacher.

CITIZENS/SPECIAL REQUESTS/PUBLIC HEARINGS

CONSENT AGENDA

Trustee Nash made the motion to approve the Consent Agenda. Seconded by Trustee McMillin.

ROLL CALL AYES: Nash, McMillin, Slocum, Militello, Greco, and Davidson

NAYS: NONE

MOTION CARRIED

Items approved at this time are as follows:

- A. Consider Approval – Minutes – Committee – February 16, 2009
- B. Consider Approval – Minutes – Board – February 16, 2009
- C. Consider Approval – Minutes – Executive Session – February 16, 2009
- D. Bills List – March 2, 2009

REPORTS & COMMUNICATIONS FROM VILLAGE OFFICIALS

A. VILLAGE PRESIDENT

A Resolution Defining Responsible Bidder

President Cook asked that the Board consider the approval of a resolution defining responsible bidder.

Trustee Davidson made a motion to approve a resolution defining responsible bidder as a bidder who meets, at a minimum, all the applicable criteria and submits evidence of such compliance. Seconded by Trustee Militello.

ROLL CALL AYES: McMillin, Slocum, Militello, Greco, Davidson, and Nash

NAYS: NONE

MOTION CARRIED

B. VILLAGE ADMINISTRATOR

An Ordinance Approving the Comcast Franchise Renewal Contract – 1st Read

Bowden asked that the Board consider approving an ordinance to renew the Channahon Comcast Television Franchise.

Trustee Greco made a motion to approve an ordinance to renew the Channahon Comcast Television Franchise and to waive the second read. Seconded by Trustee Militello.

ROLL CALL AYES: Slocum, Militello, Greco, Davidson, Nash, and McMillin

NAYS: NONE

MOTION CARRIED

An Ordinance Approving an Additional Five Cents on Diesel – 2nd Read

Bowden stated that at the request of the Board he contacted the other two sellers of diesel that would be affected by this ordinance. He talked to Warren Oil and they stated that they do not sell privately. They thought that this ordinance may affect local over the road, but they didn't have a position either way.

Rick Yost from Speedway was opposed. He feels that this ordinance would eliminate his competitive difference with Jewel. However, they sell a minimum of diesel. He wants to go on record with concern. They deal with local smaller haulers, not national fleets. McMahon contacted Bill Mulligan of Pilot.

Bowden suggested a May 1st effective date.

Trustee McMillin clarified that the Village is not locked in. This ordinance can be repealed if it is deemed unsatisfactory.

Trustee Davidson stated that he is concerned that the cost will be passed onto consumers. Diesel is consumed by CDL drivers. He stated that if the objective is to run gas stations out of business, then it's a good idea. Davidson is concerned that the estimated income of \$300,000 is inaccurate.

Attorney Silverman stated for the record that Trustee Davidson's statements do not reflect the will of the board. It is not the intention to run a business out of town. That is strictly an opinion of Trustee Davidson.

President Cook stated that the purpose is the Village's great need for infrastructure improvements in that area. The current condition is dangerous. The tax will be used to fund improvements to make the area safer, less of a nuisance, and improve quality of life. The Village is not in the market to run business out of town. This is a per gallon tax at the pump that will come straight to the Village.

Trustee Nash made a motion to approve and ordinance amending the Channahon code of ordinances with respect to the Village privilege tax on the purchase of motor fuel at retail, imposing a .05 increase per gallon charge (for a total tax of .06 per gallon) on the sale of diesel fuel. Seconded by Trustee McMillin.

ROLL CALL AYES: Nash, McMillin, Slocum, Militello, and Greco

NAYS: Davidson

MOTION CARRIED

C. COMMUNITY DEVELOPMENT DEPARTMENT

Reminder – Planning Commission – Regular Meeting,
Monday, March 9, 2009 – Channahon Municipal Building – 6:00 p.m.

D. FINANCE DEPARTMENT

Guess stated that the Village has received a certificate of excellence in financial reporting.

E. POLICE DEPARTMENT

A Resolution to Approve the Emergency Telephone System Board 9-1-1 Proposed Grant

Pena asked that the Village Board once again participate in the Grant program, and authorize the Village President to sign the Intergovernmental Agreement, and agree to pool the money with WESCOM users for our Communications Capital Improvement Fund.

Trustee Militello made a motion to once again participate in the Grant program, and authorize the Village President to sign the Intergovernmental Agreement, and agree to pool the money with WESCOM users for our Communications Capital Improvement Fund. Seconded by Trustee Greco.

ROLL CALL AYES: Greco, Davidson, Nash, McMillin, Slocum, and Militello

NAYS: NONE

MOTION CARRIED

Approval for Furniture Purchase, 16,383.16.

Pena asked that the Board approve the purchase of additional furniture for the Police Department to accommodate two new workspaces. The amount of the purchase from Markelz Business Interiors is \$16,383.61. This purchase has been budgeted for.

Trustee Slocum made a motion to approve the purchase of furniture in the amount of \$16,383.61 from Markelz Business Interiors. Seconded by Trustee Nash.

ROLL CALL AYES: Davidson, Nash, McMillin, Slocum, Militello, and Greco

NAYS: NONE

MOTION CARRIED

F. PUBLIC WORKS DEPARTMENT

Contract with Christopher Burke for Flooding Study

Trustee Militello stated that she would like to hear from residents as she is struggling with whether this is a public or private problem. Should Village spend money on behalf of 10 people? She is sympathetic to their problem, but should we spend public tax dollars on behalf of a few residents.

Bowden stated that there were more than 10 affected. He estimates those affected at 10-15, some periodic, some constant.

Trustee Davidson established that it is less than 1% of the Village population.

Dawn Billie, 24636 River Trail. Mrs. Billie stated that the Village built a canoe launch for \$20,000 and it is underwater. She stated that they asked Bowden and Dolezal to talk to government agencies to find out who is responsible. Maybe this isn't a Channahon's problem.

Janet Hopman stated that the dam in the State Park is holding water up. If the dam was gone, we wouldn't have problems across Channahon with flooding.

Bowden stated that IDNR and Army Corp. of Engineers will not commit to responsibility. They say it is a local problem. President Cook stated that IDNR controls the dam.

Trustee Davidson stated that the Village has no jurisdiction over dam. If we have Burke do the study and the dam is the problem, then what?

Gerry Sabo, 24645 S. River Trail stated that with engineering behind us, it will strengthen our argument.

Trustee Slocum asked whether Burke would give residents solutions individually if the dam is the problem.

Drussel stated that it is an immense watershed and he would need to evaluate the problem.

Trustee Davidson asked if there is any way to get some agreement from IDNR to look at this if we find that the dam is the problem.

Bowden stated that it is a Catch 22. They will not consider the problem until there's some proof, and will not commit to anything without information.

Mr. Sabo stated that he thinks the Village would be concerned about the growing number of homes with no resale value. He cannot stop water from coming into his home. This is beyond his scope.

Mark Scaggs, 24655 Blackhawk Dr. stated that he is a 14 year resident. With the rains, the small creek is now 20 feet wide. Before we spend \$26,000 on an engineering study, we should clean out creek. It is blocked with debris and beaver dams. He thinks it would help.

Pat Budd, 24630 W. Canal Rd., stated that she has been dealing with flooding for years. She stated that the Forest Preserve did study and told her to get a bigger pump. President Cook clarified that Mrs. Budd does not live within the Village of Channahon.

Trustee Davidson stated that this demonstrates the argument we're opening up.

Mrs. Hopman stated that she has contacted FEMA, and that they told her if dam was changed and is causing the problem, they will be willing to get involved.

Bowden told Mr. Scaggs that the Village is trying to remedy the fallen bridge issue. The bridge and the fallen trees are located on private property.

Mrs. Billie asked what is being done about dead trees. She wondered whether they were expected to go to the neighbors to ask them to get rid of their dead, fallen trees.

Trustee Nash stated that these residents need help now. She will vote yes.

ROLL CALL AYES: Nash, McMillin, Slocum, Militello, and Greco

NAYS: Davidson

MOTION CARRIED

Grundy County GIS Data Sharing Agreement

Dolezal asked that the Board approve an agreement between the Village of Channahon and Grundy County, Illinois, to participate in sharing of GIS data.

Trustee Slocum made a motion to approve an agreement between the Village of Channahon and Grundy County, Illinois, to participate in sharing of GIS data. Seconded by Trustee Militello.

ROLL CALL AYES: McMillin, Slocum, Militello, Greco, Davidson, and Nash

NAYS: NONE

MOTION CARRIED

F. VILLAGE ATTORNEY

No report

COMMITTEE REPORTS

Trustee Sam Greco – Public Health: no report

Trustee Scott McMillin – Public Works: no report

Trustee Debbie Militello – Human Resources: no report

Trustee Judie Nash – Code Enforcement: no report

Trustee Gary Davidson – Finance: no report

Trustee Scott Slocum – Public Safety: no report

OLD BUSINESS

Pygmy Goat

President Cook stated that he directed staff to work with the Corso family to come up with solution for the disposition of the pygmy goat. A decision has already been made by the Board.

Trustee Davidson stated that the Board has made a decision and nothing has changed, except thousands of dollars has been spent in fees and staff hours. The Board made a decision to proceed with enforcement. He is aware that it is their pet, but that doesn't change the fact that the Board made a decision.

Anna Corso stated that she was not aware of the Board's ruling this evening as she could not hear it.

President Cook re-stated that the Board has decided to proceed with enforcement.

Corso asked if they made the decision without discussion.

President Cook reminded her that it has been discussed and board would like to stick with their decision.

Trustee Slocum explained that a Trustee who voted against the goat would have to ask for reconsideration and none of the Trustee wanted to reconsider so the original decision stands.

Corso stated that she came to plead for the sake of her son and pet for the Board to reconsider. She stated that her son is dedicated to the pet. She stated that the Board should consider the greater community and the impact their decision makes. She stated that people who have taken a position of power should support children doing good.

Cindy Moriarty, 24002 Cardinal Dr., stated that the goat is harmless, no odor, no nuisance. She thinks the Board acted sarcastic and without much respect. She questioned whether one goat constitutes livestock.

Beth Herlihy, 24023 Cardinal Dr., asked if it would make a difference to ask for an exception.

Trustee Nash asked if the complaining neighbor was present at the Board Meeting. It is our understanding that damage was done to property. She understands as a mom and teacher how you can see the goat as a pet. It is an agricultural animal. The real issue is whether the goat should be permitted in R-1 zoning. She stated that if an exception is needed it tells her that the ordinance is faulty and the ordinance should be changed if that is the case. She doesn't know how she feels about it, and would like to ask if the Board is open to changing the ordinance.

McMahon stated that he called the neighbor that filed the complaint the first time. He declined to come to the meeting.

NEW BUSINESS

No new business

COMMENTS FROM THE FLOOR

No comments from the floor

ADJOURNMENT

Trustee Slocum made a motion to adjourn the meeting at 7:15 p.m. Seconded by Trustee Davidson

VERBAL ROLL CALL: ALL AYES

MOTION CARRIED

Submitted by
Janet Schumacher
Village Clerk