

**VILLAGE OF CHEBANSE
REGULAR MEETING, 7 PM
275 S. OAK ST.
MAY 5, 2014**

President Dubuque called the meeting to order at 7 p.m. and announced the Village would be taping. Kathy Washington/Advocate was present and took notes.

Roll Call: **Present:** Trustees Beherns, Kuntz, LaReau, Mathy, and Snyder. President Dubuque and Clerk Imhauser
 Absent: Trustee Perzee
 Others: James Smith/Maintenance, Attorney Mike Donahue, John and Jeff Caspary, Engineer Brian Hertz, James Rohr, Eugene Adams and Patrick Doggett

The pledge of allegiance was recited.

Regular Minutes: Motion by Trustee Beherns second by Trustee Snyder to accept the regular meeting minutes for April 21, 2014. Vote: 5 yes, 1 absent

Executive Minutes: Motion by Trustee Mathy, second by Trustee Beherns to accept the executive session meeting minutes for April 21, 2014. Vote: 5 yes, 1 absent

Treasurers Report: Motion by Trustee Beherns, second by Trustee Mathy to accept the Treasurers report for April 22 to May 5, 2014. Vote: 5 yes, 1 absent

Bill Statement: Motion by Trustee Snyder, second by Trustee Mathy to pay the bills dated May 5, 2014. Vote: 5 yes, 1 absent

President Dubuque asked to move ahead on the agenda to discuss:

RJ III Retention Pond: President Dubuque asked John Caspary for an update. John Caspary apologized for not attending the last meeting. They have spoken to their contractor and they have indicated the retention pond would be completed by the end of June. They have requested Brian Hertz/Engineer to look at the plans for future development on the property that it would be able to hold additional flow. Hertz has indicated it would be able to handle any future development. Caspary requested the board's approval to hold off until the end of June.

President Dubuque asked Brian Hertz/Engineer to explain why there is a need for the retention pond. Hertz explained that the Village has a storm water ordinance (#14.01) that requires a retention pond and the purpose of the pond. Hertz indicated the only thing the EPA has involvement in is the storm water construction permit which regulates and protect downstream creeks/waterways.

Question on why do they give a permit? Hertz explained it's just a general permit good for five years.

President Dubuque asked land owner Eugene Adams to attend the meeting and asked if he has an opinion on how the project is going and how it affects his land being a neighbor. Is there any adverse effect? Adams indicated that without the retention pond in place it's okay, the water spreads out. If you have one place where it goes, it will probably cutting into the land. Adams indicated it is working good the way it is. Discussion on the area, the effects of a retention pond. Hertz advised the pond right now is designed to handle to 3.2 acres.

Question on whether the Village needs a retention pond. Hertz advised it's a legal thing and he has seen where there was a variance issued.

Question on depending on the development in the area, would it need to be moved. Hertz advised no its designed to handle the two.

Question – It's not something that would have to be redone. Hertz advised no.

Question – Is this something that is the discretion of the board? Hertz advised yes and it's not up to the EPA permit time frame.

Concern with moving forward to having this completed and then end up with Mr. Adams having a problem because of the pond.

Hertz indicated there could be consideration to riff raff being placed at the outlet to avoid erosion.

Trustee Beherns expressed he was having second thoughts on why we are pushing the issue.

Question on anyone with concerns – Trustee Kuntz stated no. Trustee LaReau indicated it's in the ordinance to do it.

Trustee Beherns indicated he was concerned with the neighbors (Adams) and what effect it could have on him.

Hertz indicated he doesn't believe the ordinance deals with a time frame and the board may want to consider a delay in the construction until further development is considered.

President Dubuque brought up the need for run off and also regarding damages caused by the pond.

President Dubuque asked Mr. Adams if in his opinion if he would be able to tell how much affect it had on his property after the season. Adams indicated it hasn't had any affect the way it is as of yet.

Attorney Donahue read through the ordinance and indicated it was created because of State Laws and felt that it looked like the Village was trying to comply with what was submitted at the time and depending on the concerns of Mr. Adams and what the board wants to do is up to the Village at this point in time.

Question – Is there an opportunity for the provision to have R J III Corp and Mr. Adams join into a contract that would let the two of them handle? Attorney Donahue suggested no. It could be subject to the agreement of the board and Engineer Hertz recommendation to allow more time to pass. The Village Board is be required to do anything – No. It appears the primary concern is the effect is on Mr. Adams land. The only requirement from the EPA is how it is constructed and maintained.

Question – At the time the project started, there was a petition signed by thirty members over there, does that have anything to do with water runoff. President Dubuque answered it had to do with roadways and they wanted an entrance and exit on Rt 45.

President Dubuque advised it's up to the board on what they want to do.

Trustee Mathy indicated he felt it was logical to see how things go through the crop season.

President Dubuque asked Mr. Adams if anyone had ever approached him about the runoff. Adams indicated no. Dubuque apologized for that and indicated we should have.

Trustee Beherns indicated he had no problem with this until someone complains unless a neighbor or Mr. Adams complains.

Trustee LaReau indicated he felt it should be done because the ordinance states to have it done.

Discussion on the ordinance and the requirements of the ordinance. Hertz suggested that the pond would have to go in at some point depending on the development to the area.

Question – what happens if the property is sold? President Dubuque it is part of the original development. Attorney Donahue stated he would have to see the agreement. The ordinance as written allows the Village to step in at any time for the retention pond.

Question – Is there a way to attach that to the property. Attorney Donahue stated that you will see the agreement that runs with the land on the recording.

Trustee Mathy stated his opinion is to wait and if there is an issue, then it is addressed, and suggested that we check with Mr. Adams on any issues and not set a deadline.

A motion by Trustee Beherns, second by Trustee Mathy to waive the May 1st deadline with the understanding that Mr. Adams or whoever the property owner is will address the board if they have any future concerns with the development of R J III Corp on that property. Vote: 3 yes, 1 Present (Kuntz), 1 No (LaReau)

President Dubuque stated we will keep in touch with Mr. Adams and since there is no deadline with the retention pond, it is open ended and we will keep track of the area. Dubuque asked Mr. Adams to let us know so the Village can take the appropriate action. Dubuque thanked everyone for attending and asked that anything regarding the retention pond that they come to the board and talk to us.

James Rohr/Resident stated that the Police Protection that has been chosen has been phenomenal, although they had a robbery, they have come around and introduced themselves and feels it was a great move.

Unfinished Business:

2014 Homecoming: Clerk Imhauser advised that Comcast has been trying to send an email from them to complete a form for the donation they are making. To date, the email has not been received. Suggestion by James Smith/Maintenance to park the golf cart at the Village Hall for awhile. Trustee LaReau asked if the battery has been charged and been maintained. Smith advised it has.

Sidewalk Handrails: President Dubuque advised that Ben Cox was there last Friday and completed the railing and we need to determine what else needs to be completed for the extra handrail.

Police Protection Options: Trustee Mathy reported on his committee meeting held earlier this evening and discussed the car and are offering a recommendation to proceed selling the car. They would like to establish a price. Discussion on what will be sold with the vehicle as there are radios, etc. in the car. President Dubuque indicated that if we are selling to an individual, everything will have to come out of it. Dubuque indicated that Tim Kent had indicated there fire department may be interested in the radio repeater equipment. Trustee Snyder indicated that there is a flashlight charger that belonged to Darin LaGessee. Suggestion to contact each county first to see if there is interest. Trustee Mathy will research information for selling on the squad car and keep the board updated. Question to Attorney Donahue if it would have to go out for bid. Donahue didn't think so but will research that.

Trustee Mathy stated that it has come up to them about the noise level at the Crazy Beaver and he has spoken with John Casparly and they indicated a DJ that had the volume turned up.

Aggregation: Nothing has been heard from anyone, but should have more information by the next board meeting.

Committees:

Police: Trustee Mathy indicated they do not plan on having another committee meeting regarding the squad car and will bring information directly to the board.

President Dubuque asked about retaining the Police Box # at the Post Office. Clerk Imhauser advised that she just paid for another six months on the box and expected to review it again in September/October.

Finance: Trustee Beherns reported on a Finance Committee meeting held recently and reminded board members if they have anything that needs to be appropriated to be sure and let them know. They will be having another meeting in the near future, however a date has not been set.

Village Officers:

Clerk: None

Maintenance: James Smith thanked President Dubuque for his assistance working on the sewer. President Dubuque commended Smith also for the savings to the Village by his work that was done.

New Business

Yield Sign: President Dubuque advised that there has been discussion on a yield sign at Chebanse Elementary School. James Smith/Maintenance will talk to the school principal regarding a yield sign.

A motion by Trustee Beherns, second by Trustee Snyder that if needed the Village provide a sign to the Chebanse Elementary School. Vote: 5 yes, 1 absent

Communications: None

Public Comment: Patrick Doggett from Congressman Kinzingers office stopped by to say hi and see if anything was needed.

A motion by Trustee Beherns second by Trustee Snyder to adjourn the Regular Meeting of the Board of Trustees for the Village of Chebanse at 8:17 p.m.

Minutes of the May 5, 2014 Regular meeting of the Board of Trustees for the Village of Chebanse respectfully submitted by Clerk Trudie Imhauser.

____Trudie Imhauser_____ Signed 5-19-14_____Date