

VILLAGE OF LEE
REGULAR BOARD MEETING MINUTES
Monday, July 11, 2022, 7:00 p.m.
Lee Fire Barn, 103 Lee Road, Lee, Illinois

1. CALL TO ORDER

President Carlson opened the meeting at 7:00 p.m.

Roll Call

V. President Josh Carlson – present
Trustee Martha May – present
Trustee Thomas Kapraun – present
Trustee Jesse Blackwood – present
Trustee Jean Michels – present
Trustee Dawn Kimpflin – present
Trustee Jessica Moser – present

V. Treasurer Linda Korth – present
V. Clerk Sandie Maahs - present

Others in Attendance:

V. Attorney Cassandra Gottschalk (late)
V. Engineer Aaron Full
Mike Woodbury from Public Works Dept.
Water Operator Jay Mulholland

2. VISITORS/COMMUNICATION

No public commented.

3. NEW BUSINESS

a. Reports of Village Employees/Officers

i. Jay Mulholland – Village Water Operator

- Discussion on hiring professional to prepare lead audit for the Village
Operator Mulholland introduced Jessica Mueller, who is the lab manager in Rochelle, and is qualified to assist in preparing the lead audit for the Village. Ms. Mueller discussed that the audit will include information on when a house was built and what the pipes are made of. The Board discussed hours to complete the work, rate, and scope of work. Clerk Maahs shared that Mr. Woodbury will be the “feet on the ground” for the reporting and the Village needs assistance with the IEPA paperwork portion. Ms. Mueller will email Clerk Maahs with rate proposals. Operator Mulholland discussed that any unknown pipes will have to be listed as lead pipes and Clerk Maahs shared that she read that the IEPA announced that the Village could require residents to pay for all lead service line replacement from the b-box to the home, which is an incentive for residents to respond to the survey or allow the Village to inspect the line. Operator Mulholland shared that the IEPA has shared that the Village does not have to dig up service lines at the main to confirm the service line type. Ms. Mueller will also send Clerk Maahs information on what needs to be provided for the October audit. Engineer Full shared that the IEPA has specified that the service line into the house has to be measured either 18” into the home from penetration at the wall or the first valve which includes shut off valves. Clerk Maahs shared that hiring someone who is familiar with the audit process would be beneficial to the Village. President Carlson discussed talking about hiring Ms. Mueller in closed session. Clerk Maahs confirmed that there will be a questionnaire in the water bills that go out this month.

- Discussion on IEPA Inspection Report
Operator Mulholland discussed the lack of cross connection program that is listed as a deficiency in the IEPA Inspection Report, and recommended hiring Ms. Mueller to also run the program. Operator Mulholland shared that the Village needs to get out a survey to confirm the connections in the Village. Operator Mulholland described back flow prevention, and confirmed that those in town who have back flow prevention will have to have them inspected yearly. Ms. Mueller confirmed that paperwork has to be filed with the IEPA on the cross connections.

Operator Mulholland discussed that the water pumped verses water usage was very high. Mr. Woodbury shared that after a line was fixed recently, the pumpage went down. Operator Mulholland, Mr. Woodbury, and Clerk Maahs discussed starting a water loss report using the entry point meter reading during the residential water read.

Operator Mulholland shared that the source water protection plan is due by 2024. Ms. Mueller is able to assist with preparing the plan.

Operator Mulholland confirmed that there are just recommendations and there are no deficiencies.

Operator Mulholland explained to Trustee Kapraun the emergency back up plan. Engineer Full confirmed that Lee County does have an ESDA coordinator.

ii. Aaron Full – Village Engineer

- Update on Water Tower Project
Engineer Full shared that the water tower project has been permitted and the plans are done, so that project is ready to move forward as soon as it can. Engineer Full would like to bid the water tower project and the well construction project as separate projects, but put out at the same time so that they can be covered under the same loan to maximize the principle forgiveness. Engineer Full is hopeful to have the well project permit documents ready for signature later the week of July 11th to send to Springfield, which has a 60 day turn around review meaning the project could be put out for bid within two months.

Engineer Full discussed that the generator permit application was returned asking for an additional form, which Chastain & Associates prepared, sent back, and would anticipate getting that back within 45 to 60 days.

Engineer Full sent the information for the Emergency Operations Plan to Clerk Maahs and Clerk Maahs confirmed that she is working on it.

- Discussion on water rate increase and loan forgiveness
Engineer Full was able to convince the EPA to provide principle loan forgiveness up to \$803,500 which is 50% loan forgiveness on \$1.6 million. Engineer Full discussed the need for a water rate increase by approximately \$25.00 a month per user to be eligible for a loan and hiring the Illinois Rural Water Association to do a water rate analysis for free quickly as the analysis would need to be included in the information on obtaining a loan. The Board discussed that it has been over 10 years since the water rate was

increased. Engineer Full discussed that \$55.00 a month is on par with other municipalities in the area for water and the loan forgiveness process.

iii. Michael Woodbury – Public Works

Mr. Woodbury discussed the broken meter at 121 Skole Gate and the 72,000 gallons difference between the readings. Mr. Woodbury will replace the meter with the last one the Village has in stock, and he still has not been able to locate any water meters to purchase. Mr. Woodbury shared the process for determining high water usage and that is he making note of lines when he is inspecting meters in homes.

Mr. Woodbury discussed street areas that need work. Trustee Kapraun discussed that he is working on a quote from Bozarth for street work. The Board discussed ways the Village could help save on costs.

Mr. Woodbury ordered a commercial grade scale for the well house and is hoping to have it shipped by the end of the month.

Mr. Woodbury shared that ditch in the field is not being mowed.

Mr. Woodbury discussed that there is a sink hole behind the N.I.C.E. Center. Mr. Woodbury is going to try to fix it or President Carlson suggested calling someone to assist in having it repaired. Mr. Woodbury shared that there is a board over the hole and he will add a work horse to it.

Mr. Woodbury is working on hanging the display board at the old fire station.

iv. Sandie Maahs – Village Clerk

Clerk Maahs is scheduled to meet with the State Archivist on July 26th and 27th.

v. Linda Korth – Village Treasurer

- b. Discussion and possible approval of loan from Resource Bank in the amount of \$170,000.00, with an interest rate not to exceed 4%, and approval and authorization of the Village President, Village Treasurer, and Village Clerk to execute all documents and to take all actions necessary to obtain said loan

Trustee Moser made a Motion to Approve Loan from Resource Bank in the Amount of \$170,000.00, with an Interest Rate Not to Exceed 4%, and Approval and Authorization of the Village President (Joshua Carlson), Village Treasurer (Linda Korth), and Village Clerk (Sandie Maahs) to Execute All Documents and to Take All Actions Necessary to Obtain Said Loan. Trustee Kimpflin seconded the Motion. Motion passed on the following roll call vote:

Moser, Kapraun, Michels, May, Kimpflin, and Blackwood: yes

- c. Discussion on grant program assistance through Resource Bank

President Carlson shared that Resource Bank hired a grant writer to assist the small villages in DeKalb County obtain grants. President Carlson discussed that if there is an opportunity to get grant funding for projects, the Village should take advantage of it, and the information is for the Board for review.

- d. Discussion on possible tree removal at 141 Viking Vie
Trustee Michels confirmed that the tree is 141 S. Viking Vie. After discussion on several trees on Village property that need to be removed, President Carlson will obtain a quote for removal of the tree by the playground, the tree in the easement between 360 and 380 Erickson Gate, the tree at 115 E. Hardanger Gate on the property pin, and the tree by 141 S. Viking Vie.
- e. Discussion on Village clean-up day
Treasurer Korth discussed that there is a surplus in the garbage funds and there has not been a Village clean-up day in a couple of years. After discussion on size of dumpsters and location for dumpsters, Trustee Kimpflin will look into renting the roll-off dumpsters with Northern Illinois Disposal and schedule a date for both the clean up day and electronic recycling.

4. OLD BUSINESS

- a. Discussion on water rate increase due to cost of supply increase
- b. Discussion on Village credit card
Treasurer Korth has not been able to locate a credit card for the Village that won't require personal credit information. Trustee Kimpflin will let Treasurer Korth know who they have for the fire department credit card. Trustee Moser shared her company uses American Express. Treasurer Korth discussed that Resource Bank will allow a debit card with a daily limit for some sort of protection. Clerk Maahs asked about a card to an account with limited funds; however, the auditor was not in favor of a separate account. Treasurer Korth noted that the Village of Shabbona uses the debit card.
- c. Discussion and possible action on outstanding property maintenance violation letters
President Carlson shared that his dad is getting a dumpster at 121 S. Skole Gate to start removing junk from the property.

Trustee Moser shared that she signed a letter on a loose dog and will be following-up on the rest of the violations in the next week or so. Trustee Moser asked to have Don from B&F to follow-up on the property at 271 W. Hardanger.

Trustee Moser shared that in follow-up to the threatening message she received last month from Gary Tabor, she contacted the Sheriff and the Sheriff informed the resident is not allowed to contact Trustee Moser directly.

Trustee May asked how many people haven't contacted Trustee Moser at this point. Clerk Maahs confirmed that it is only four people who have not contacted Trustee Moser at this point. Clerk Maahs confirmed that one person was mailed a fine notice, but one of the two notices did come back in the mail.

5. REVIEW AND CORRECTION/APPROVAL OF MINUTES OF PRECEDING MEETING

- a. Approval of minutes from June 13, 2022 Regular Board Meeting
Trustee Kapraun shared scrivener's error on Page 3 and Trustee May shared scrivener's errors on Page 1. Trustee Kapraun made a Motion to Approve the Minutes from June 13, 2022 Regular Board Meeting, as Corrected. Trustee May seconded the Motion. Motion passed on the following voice vote: Blackwood, Moser, Michels, May, Kapraun, and Kimpflin: yes

6. TREASURER'S REPORT

a. Discussion and possible approval of Treasurer's Report

Trustee Moser made a Motion to Approve of Treasurer's Report. Trustee Kimpflin seconded the Motion. Motion passed on the following voice vote:

Michels, Blackwood, Moser, Kapraun, May, and Kimpflin: yes

7. APPROVAL OF BILLS

a. Discussion and possible approval of bills payable

Trustee Kimpflin asked which areas are included in Post Mowing contract and President Carlson shared the areas. Trustee Kimpflin asked if there were bids taken on that every year and Trustee Moser shared that the Village has tried in the past. Trustees Moser and Michels shared that they would be in favor of bids for mowing next year. President Carlson will talk to Post Mowing about mowing the ditch.

Trustee Kimpflin made a Motion to Approve the Bills Payable. Trustee Moser seconded the Motion. Motion passed on the following roll call vote:

May, Kimpflin, Blackwood, Moser, Kapraun, and Michels: yes

8. COMMITTEE REPORTS

a. Streets and Alleys/Public Safety

Trustee Kapraun spoke with John Ragen about graveling some areas. President Carlson, Trustee Kapraun, and Mr. Woodbury discussed repairing the curve on North Skole Gate and the existing pot hole in that area.

Trustee Kapraun was supposed to meet Brian Bozarth to get an bid and he will also talk with Mr. Woodbury to see if the work could be done in house.

b. Water and Refuse

c. Finance and Ordinances/Zoning

9. ITEMS FROM THE VILLAGE ATTORNEY

a. Discussion on draft Ordinance allowing chickens

Attorney Gottschalk recommended the following regulations for the ordinance allowing chickens: five (5) hens, no roosters, no slaughtering of chickens, coops no less than 32 square feet and no more than 150 square feet, one coop per residence, hens kept in the enclosure and fenced area, kept in the rear of the yard, kept 25 feet from any lot line and not less then the minimum set back line for structures, electric service to enclosure cannot be provided by electric cords, kept clean and sanitary, feed stored in containers with tight-fitting lids, hens cannot produce unreasonable noise, allow Village staff access to yard, can't transfer permission to have chickens, must get permit, building permit and fee for coop that is build, violations are \$100/day with three violations in a 12 month period grounds for revocation of the permit, and chickens after revocation or without permit is \$750/day fine. The Board discussed if a pre-built structure requires a building permit and Clerk Maahs shared that the Board could adopt an ordinance waiving the building code as it pertains to pre-built chicken coops. Attorney Gottschalk shared the Village will need to come up with an application and fee. President Carlson shared with Trustee May that the Board discussed at the last meeting that it is cheaper for the Village to amend the ordinance and regulate the chickens than to continue to have to

have variation hearings. Trustee Kapraun would like to have the option to slaughter chickens. Attorney Gottschalk will prepare an ordinance for discussion at the August meeting.

10. CLOSED SESSION

Trustee Kapraun made a Motion to go into Closed Session under 2(c)1 - The appointment, employment, compensation, discipline, performance, or dismissal of specific employees, specific individuals who serve as independent contractors in a park, recreational, or educational setting, or specific volunteers of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee, a specific individual who serves as an independent contractor in a park, recreational, or educational setting, or a volunteer of the public body or against legal counsel for the public body to determine its validity, and/or 2(c)(5)The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired; and/or 2(c)(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. Trustee Kimpflin seconded the Motion. Motion passed on the following roll call vote at 9:08 p.m.:

Kimpflin, Blackwood, Moser, Kapraun, Michels, and May: yes

11. RECONVENE OPEN SESSION

Trustee Kimpflin made a Motion to Reconvene Open Session. Trustee Michels seconded the Motion. Motion passed on unanimous voice vote at 9:39 p.m.

12. POSSIBLE ACTION ON CLOSED SESSION ITEMS

a. Discussion and possible approval of hiring of Village Treasurer

Trustee Michels made a Motion to Hire Katherine Felker as the Deputy Village Treasurer at a rate of \$20.00/hour for six month probation period, at which time her pay would increase to \$22.50/hour. Trustee Blackwood seconded the Motion. Motion passed on the following roll call vote:

Blackwood, Moser, Kapraun, Michels, May, and Kimpflin: yes

b. Discussion and possible action on pending litigation

Trustee Moser made a Motion to Authorize the President to Sign a Settlement Agreement pursuant to the terms discussed in closed session to resolve the pending litigation. Trustee Michels seconded the Motion. Motion passed on the following roll call vote:

Moser, Michels, May, Kimpflin, and Blackwood: yes

Kapraun: no

c. Discussion and possible approval of purchase of land with Parcel Identification Number 13- 06-326-001 and commonly known as S. Viking Vie in Lee, Illinois

Trustee Kimpflin made a Motion to Authorize the President to Sign a Contract for the Purchase of Land with Parcel Identification Number 13- 06-326-001 and commonly known as S. Viking Vie in Lee, Illinois pursuant to the terms discussed in closed session. Trustee Moser seconded the Motion. Motion passed on the following roll call vote:

Michels, May, Kimpflin, Blackwood, and Moser: yes

Kapraun: no

President Carlson asked if the Village Board would be interested in donating Treasurer Korth's old desktop computer to Treasurer Korth when she leaves the Village. The Board did not have any objection. Clerk Maahs asked Treasurer Korth to provide details of the computer so that it can be added to the disposal ordinance for approval in August. Treasurer Korth confirmed that a new laptop has been purchased for the Deputy Village Treasurer using the funds previously set aside for the Treasurer to purchase a computer.

Attorney Gottschalk shared that Board members could say "so moved" and Clerk Maahs stated they will discuss the use of "so moved" later.

Clerk Maahs shared that if everyone came prepared for the meetings, the meetings could be shorter. Clerk Maahs asked if there are changes to the minutes, let her know ahead of time so they can be made prior to the meeting and resent out. If there are questions on the treasurer's report, contact the treasurer. President Carlson asked that the members also pay attention to everything that is going on at all times. Attorney Gottschalk shared that she had to change how they bill as the meetings are so long. Attorney Gottschalk shared that the Board should be doing more before they get to the meeting. Clerk Maahs encourage the members to talk to each other prior to the meetings to talk, without violating the open meetings act.

12. ADJOURNMENT

Trustee Moser made a Motion to Adjourn. Trustee Kimpflin seconded the Motion. Motion passed on the following voice vote of those present at 9:45 p.m.:

Blackwood, Moser, May Michels, Kimpflin, and Kapraun: yes

Typed by Village Clerk Sandie Maahs, RMC, CMC