

VILLAGE OF LEE
REGULAR BOARD MEETING MINUTES
Monday, September 12, 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

Dep. Treasurer Katherine Felker – present (remotely)
V. Clerk Sandie Maahs - present

Others in Attendance:

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

2. VISITORS/COMMUNICATION

Stacey Schnupp requested on update on lead pipe project and asked that the Village educate the public on the project.

3. NEW BUSINESS

a. Reports of Village Employees/Officers

i. Jay Mulholland – Village Water Operator

ii. Aaron Full – Village Engineer

Engineer Full reviewed the engineers report: progressing on the well building, and should wrapped up by the end of the month to be submitted to the IEPA; the Emergency Operations Plan on the agenda for approval; and, the generator permit for the well building should be issued anytime.

Clerk Maahs discussed the use of the engineers report to assist the trustees and that, after reviewing the report, the board members can contact Engineer Full with any questions in advance of the meeting or to bring the questions to the meeting.

iii. Michael Woodbury – Public Works

Mr. Woodbury discussed with President Carlson that the dump truck needs to be brought for recall work. President Carlson will call the dealership and schedule a time to have the done.

Mr. Woodbury shared that the dump truck also needs to go in for an oil change after the recall work is done and will confirm with Johnny if the plow was fixed after last winter.

Mr. Woodbury discussed that during the water project work at the well buildings, the plows will have to be stored outside. The Board discussed adding a door to the plans at the back of the well building once the tank is removed to allow for the storage of additional equipment. Engineer Full will look into the cost of amending the plans to include a door for access in the rear of the well building.

iv. Sandie Maahs – Village Clerk

- Preparation for new clerk

Clerk Maahs discussed that she is preparing forms, documents, processes, and SOP's for any future clerk as there are only 7 or 8 months left in her term.

- October meeting

Clerk Maahs discussed that she will not be able to attend the meeting in October due to clerk's training. Attorney Gottschalk will cover the meeting in Clerk Maahs absence.

- Election

Clerk Maahs discussed that the following positions are up for election in April: one unexpired two-year term trustee position, one unexpired two-year term president position, and three four-year term trustees positions. The pre-filing notice has been posted and the packets will be available after September 20, 2022. Clerk Maahs will have election packets available both before and after meetings, by appointment, or the documents are online at the DeKalb County Clerk's website. Clerk Maahs confirmed that all the information is posted on the Village website and at the old fire barn. Clerk Maahs shared that the filing of petition packets will be at the fire station on December 12th from 5-7 pm with Clerk Maahs and on December 19th from 4-5 pm with Deputy Treasurer Felker.

v. Katherine Felker – Deputy Village Treasurer

Deputy Treasurer Felker received the student schedule for the recipient of the \$700 Lions Club Scholarship. The Board discussed paying the Village's one-half of the scholarship (\$350) and that future scholarship guidelines should be in writing before any future scholarships will be awarded. Trustee Kapraun discussed that the previous requirement was that eligibility was based on the old Lee school district boundary.

Deputy Treasurer Felker confirmed that the debit cards arrived for Mr. Woodbury and Deputy Treasurer Felker for the water account and general account. Deputy Treasurer Felker shared that the loan for the water account has not posted yet.

b. Discussion and possible approval of Ordinance No. 22-07 - An Ordinance Amending Title 7, Chapter 1 of the Village of Lee Municipal Code (Public Utilities; Water Use Service; Bills – Delinquent – Shutting Off)

Clerk Maahs reviewed the changes set forth in the Ordinance to update the late fee to meet current practice and increase in the NSF fee to match the increase from Resource Bank. Trustee Moser made a Motion to Approve Ordinance No. 22-07 - An Ordinance Amending Title 7, Chapter 1 of the Village of Lee Municipal Code (Public Utilities; Water Use Service; Bills – Delinquent – Shutting Off). Trustee Kapraun seconded the Motion. Motion passed on the following roll call vote: Blackwood, Moser, Kapraun, Michels, May, and Kimpflin: yes

c. Discussion and possible approval of Ordinance No. 22-08 – An Ordinance Amending Title 3, Chapter 2B of the Village of Lee Municipal Code (Retail Establishments; Licenses; Classifications)

Clerk Maahs reviewed the changes set forth in the Ordinance to allow for special event liquor licenses and the Board discussed that liquor licenses are an administrative task. The Board confirmed that to have to waive any license fees the Board would have to approve it as that authority is not given to the liquor commissioner. Trustee Michels made a Motion to Approve

Ordinance No. 22-08 – An Ordinance Amending Title 3, Chapter 2B of the Village of Lee Municipal Code (Retail Establishments; Licenses; Classifications). Trustee Kimpflin seconded the Motion. Motion passed on the following roll call vote:

Moser, Kapraun, Michels, May, and Kimpflin: yes
Blackwood: no

- d. Discussion and possible approval of Village of Lee Emergency Operations Plan (EOP) - Public Water Supply System

Engineer Full discussed that this is required by the IEPA. Trustee Kimpflin confirmed that this document is not for public consumption and Engineer Full confirmed that that document is exempt from the Freedom of Information Act. Trustee Moser made a Motion to Approve the Village of Lee Emergency Operations Plan (EOP) - Public Water Supply System. Trustee Michels seconded the Motion. Motion passed on the following roll call vote:

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

Trustee May asked who in the plan is the responsible for execution of the plan and Clerk Maahs confirmed that it is all listed in the plan.

- e. Discussion on out of town water rate

Clerk Maahs shared that Deputy Treasurer Felker noticed that all three out-of-town residents connected to the Village system are being charged a different rate than the residents within Village limits. Clerk Maahs shared that the rate is not listed in the code. After discussion on the rate, the Board would like to continue to charge the increased rate to out-of-town residents at \$10.01 per 1,000 gallons. Clerk Maahs will work with Attorney Gottschalk to draft an ordinance amending the code to include an out-of-town rate. Attorney Gottschalk will look into the billable rate for out-of-town residents for this billing cycle.

Clerk Maahs asked why the Village charges a \$4.00 meter replacement fee. President Carlson shared that it is a continuous fee to cover the cost of replacement of meters instead of the flat rate of \$50.00 to \$75.00 when the meters had to be replaced.

4. OLD BUSINESS

- a. Discussion and possible approval of hiring of Jessica Mueller for lead audit, cross connection, and source water protection plan

Clerk Maahs confirmed that Ms. Mueller did follow-up and shared that after review of the work required and talking with Operator Mulholland, Ms. Mueller would anticipate working 2 to 4 hours each week. Trustee Moser made a Motion to Retain Jessica Mueller for the Lead Audit, Cross Connection, and Source Water Protection Plan up to 6 Hours at \$25.00/hour. Trustee Kimpflin seconded the Motion. Motion passed on the following roll call vote:

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

- b. Discussion on water rate increase

Clerk Maahs shared that Mr. Woodbury and Clerk Maahs have both spoken with Illinois Rural Water Association and should have something shortly.

- c. Discussion and possible action on outstanding property maintenance violation letters

Trustee Moser discussed that she is sending out fines at this point as residents are not making corrections to the issues the Village has given them months to correct. Trustee Moser shared

that the Village has received money for some of the fines. Trustee Moser will be going around and finalizing more issues and sending out more letters. Trustee May shared that the Lions Club might be interested in helping residents cover the cost of repairs. Attorney Gottschalk recommended that Trustee May follow-up with that separately. Clerk Maahs confirmed that in working with Trustee Moser the process has been a fair process and the goal has been communication. Attorney Gottschalk and Clerk Maahs recommend talking before or after the meeting with Trustee Moser if a trustee is interested in the status of a particular violation.

- d. Discussion on grant program assistance through Resource Bank
- e. Discussion and possible approval of quote for removal of trees from several Village properties
Trustee Michels reviewed the quotes from Sisson's Tree Service for tree removal and discussed the difference in the two quotes is one additional tree that should be removed. The Board discussed the quotes and tree removal. Trustee Moser made a Motion to Accept the Quote from Sisson's Tree Service in the Amount of \$7,250.00. Trustee Michels seconded the Motion. Motion passed on the following roll call vote:
Kimpflin, Blackwood, Moser, Kapraun, and Michels: yes
May: no
- f. Discussion and appointment of Village Treasurer with consent of Village Board
President Carlson made a recommendation to appoint Katherine (Katie) Felker as Village Treasurer. Trustee Moser made Motion to Approve the Village President's Appointment of Katherine Felker as Village Treasurer. Trustee Kimpflin seconded the Motion. Motion passed on the following roll call vote: Kimpflin, Blackwood, Moser, Kapraun, Michels, and May: yes
- g. Discussion and possible approval of Ordinance No. 22-09 - An Ordinance Amending Various Sections of Title 4, Chapter 2 of the Village of Lee Municipal Code (Keeping of Chickens)
Attorney Gottschalk did not hear from any board members with changes and heard from two board members who said to not make any changes. Clerk Maahs confirmed that the only change since last month is the set back requirement being reduced to 10' instead of 25' as was discussed at the August 2022 meeting. Trustee Kimpflin made a Motion to Approve Ordinance No. 22-09 - An Ordinance Amending Various Sections of Title 4, Chapter 2 of the Village of Lee Municipal Code (Keeping of Chickens). Trustee Kapraun seconded the motion. Motion failed on the following roll call vote: Kapraun and Kimpflin: yes
Moser, Michels, May, and Blackwood: no

Trustee May shared that she voted no as if Trustee May's neighbor wanted chickens she wouldn't like it and a resident who lives next door to chickens shared that he didn't want them.

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

- a. Approval of minutes from August 8, 2022 Regular Board Meeting
Trustee Michels made a Motion to Approve the Minutes from August 8, 2022 Regular Board Meeting. Trustee Moser 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 Kimpflin made a Motion to Approve of Treasurer's Report. Trustee Michels 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

Deputy Treasurer Felker confirmed that the deposit paid to Brian Bozarth is for the road repair work previously approved by the Board. Trustee Moser made a Motion to Approve the Bills Payable. Trustee Michels seconded the Motion. Motion passed on the following roll call vote:

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

8. COMMITTEE REPORTS

a. Streets and Alleys/Public Safety

Trustee Kapraun confirmed that Bozarth should start on the road repair work in the next couple of weeks. Trustee Kapraun would like to revisit having some additional road repair work done in the spring.

b. Water and Refuse

- Discussion on Clean Up Days

Trustee Kimpflin shared that 145 tires were turned into Wrigleys. Trustee Kapraun recommends that for future events the resident must show identification when dropping off tires and can only do it during the hours of operation for Wrigleys or on a designated hours on Saturday of Clean Up Days. Deputy Treasurer Felker confirmed that no identification was required when dropping off electronic recycling at the event. Trustee Moser recommended that at trustee be at the event next year to check identification for the electronic recycling. Trustee Kimpflin shared that the Village has not received a bill from Wrigleys for his services.

c. Finance and Ordinances/Zoning

- Discussion on height of grass for violations

Trustee Moser shared that the Village Code currently states that grass and weeds can be up to 10" high and recommended amending the code to be 6" high. The Board did not have any objections. Clerk Maahs will work with Attorney Gottschalk to draft an ordinance to amend the code.

Trustee Moser shared that if any board members see any issues to please notify her.

9. ITEMS FROM THE VILLAGE ATTORNEY

10. CLOSED SESSION

Trustee Moser made a Motion to go into Closed Session under 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 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 Michels seconded the Motion. Motion passed on the following roll call vote at 8:13 p.m.: Kapraun, Michels, May, Kimpflin, Blackwood, and Moser, : yes

11. RECONVENE OPEN SESSION

Trustee Kimpflin made a Motion to Reconvene Open Session. Trustee May seconded the Motion. Motion passed on the following voice vote at 9:04 p.m.:

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

12. POSSIBLE ACTION ON CLOSED SESSION ITEMS

Trustee Kapraun made a Motion to Authorize Attorney Cassandra Gottschalk to Negotiate with Defendant for Settlement as Discussed in Closed Session in the Set Amount Not to Exceed the Amount Stated in Closed Session and Authorize the Expenditure of Any Funds from the Village Funds at Descretion of the Village Treasurer, and Authorize the Village President to Sign Settlement, Contract, Closing Documents, and any other Documents Necessary to Effectuate and Settlement and Closing of Transaction. Trustee Michels seconded the Motion. Motion passed on the following roll call vote: Michels, May, Kimpflin, Blackwood, Moser, and Kapraun: yes

12. ADJOURNMENT

Trustee Moser made a Motion to Adjourn. Trustee Michels seconded the Motion. Motion passed on the following voice vote of those present at 9:06 p.m.:

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

Typed by Village Clerk Sandie Maahs, RMC, CMC