

**Village of Mapleton**  
**BOARD MEETING MINUTES**

Mapleton Village Hall, 8524 Main St.

8 August 2017 at 6:30 p.m.

*Meeting to be recorded*

- I. **Call to Order** – at 6:32 pm by Mayor Carl Bishop
- II. **Pledge of Allegiance**
- III. **Roll Call** – Trustees Mike Beecham, Mark Brining, Alice Dailey, Brad Rusterholz present. Also present was Mayor Carl Bishop, Village Clerk Carolyn Kelly. Treasurer is vacant. No attorney is present. Trustee Liz Rench was re-seated as a trustee later in the meeting.
- IV. **Approval of Agenda** – Trustee Beecham motioned to move Sec. X Item M to executive session. Seconded by Brining. “Yes” votes from Brining, Beecham, Dailey. Rusterholz voted “No”. Motion carried. Item M was moved to executive session. Rusterholz motioned to strike Sec. X Item C; no second. Motion denied. Dailey motioned to approve the agenda with Item M moved to closed session (at 00:11:23). “Yes” votes from Brining, Beecham, Dailey, and Rusterholz. The amended agenda is approved.

**V. Addressing the Board**

- A. Cecil Simmons – Request to change zoning on Parcel 2020101012 – Mr. Simmons handed out documents showing the location of his two properties within village limits. The larger property is zoned agricultural and part of it is used for conservation. The smaller adjacent property, .93 acres, Lot 17, is in Deer Park Estates Subdivision. He is seeking to withdraw this from the subdivision so that it may be combined under one parcel number with the larger property. He does have plans to build a home on this property. The property will still be within village limits. The matter is to be considered in a zoning committee meeting and will appear on the next agenda.

Guest Mr. Marvin Hightower, president of the Peoria Area NAACP, requested to hear the results of the committee that was formed to review comments from the Streets and Alleys Committee Meeting. Trustee Beecham replied that the village does not have the proper amount of trustees on a committee, so a committee meeting was not held. The issue will be discussed in executive session. Mr. Hightower asked to be informed when the results will be available. Closed session meeting minutes will need to be voted upon for public release. Other guests asked about accountability and a publicly shared resolution.

Mr. Robert Johnson (Guest) expressed concern that May 25<sup>th</sup> comments will not be addressed and that attitudes will fester. Guest Portia Adams shared her thought that statements made during the May 25 committee meeting were not taken very seriously and questioned if some public body members did not welcome people of color to the community. Her statement was that people of color in this region would like to be reassured that this matter will have a public resolution. Trustee Beecham again stated this was the reason for holding an executive session this evening. Guest Tanya Koontz requested clarification of the cited Open Meeting Exception. Mrs. Dailey is an elected official and would not be considered personnel. The clerk left the table to retrieve the requested information. Upon return she read from ILCS 120/Open Meetings Act Section 2 (c) (4). A guest requested clarification that Item M discussion involves discipline or removal. The Mayor reiterated that he is not involved in the issue and the board (trustees) is to act in the closed session. Bishop apologized on behalf of the board members and the Mayor for any racial comments.

- B. Mavis Bishop – Addressed the Mayor and asked if he had done a background check on Trustee Rusterholz. She executed a background check and has some concerns about the results. (Several guests exited the meeting. Trustee Rusterholz left the meeting table and exited Village Hall 00:39:47) Mayor Bishop called for his return. He also directed someone from the audience to recall him back to the meeting. Trustee Beecham stated that Rusterholz was not an elected member but was appointed, so requesting a background check just like employees was appropriate. He also asked if the Mayor was aware of Rusterholz’s background when presenting him as a nominee for appointment.
- C. Levi Bishop – Not in attendance to share his comments.
- D. Stan Bersin – Water Report – Mr. Bersin is the Village Engineer. IEPA will be sending a draft of the Compliance Agreement. The Village proposed orthophosphate treatment plan has not yet been approved by IEPA. They have also contacted us regarding the latest test results, showing no change to copper levels. Mayor Bishop requested that the water operator check all the meters. Water Chair Beecham said that a preventive maintenance schedule was being worked out, with meter checks and exercise of shutoff valves. There is a suspicion that the ground storage tank has a leak at the fill pipe. His recommendation is to get the ground storage maintenance done as quickly as possible.

## VI. Consent Agenda

*All items listed under Consent Agenda are considered routine by the Village Board and will be enacted by one motion with no separate discussion of the items. If discussion of an item is desired, that item will be removed from the consent agenda to be considered separately.*

Trustee Beecham motioned for the resignation of Trustee Rusterholz to be considered in the closed session. Dailey seconded. "Yes" votes from Beecham, Brining, Dailey. "No" vote from Rusterholz. Motion carried.

- A. Minutes from Board Meeting July 11, 2017 – recording to be kept
- B. Ratify Treasurer's Report for July 2017
- C. Ratify paid Bills and Correspondence -July 2017
- D. Minutes from Special Board Meeting August 2, 2017
- E. August Bills and Correspondence

(Note: There is no August Treasurer Report to present since there is no acting treasurer)

Trustee Dailey motioned to approve the consent agenda; seconded by Beecham. "Yes" votes from Beecham, Brining, Dailey. "No" vote from Rusterholz. Motion carried.

## **VII. Old Business**

- A. Restoration of Liz Rench as a trustee – Mayor Bishop read Rench's notarized resignation. Dailey also called for the reading of Rench's withdrawal of resignation. It was given to Mayor Bishop at the July Board meeting. He no longer has the document. Rench was cautioned by Mayor Bishop to avoid conflict of interest since her husband is a village employee. Dailey motioned (at 01:00:50) to reseal Liz Rench because she was elected to the position and has done nothing wrong. Seconded by Beecham. Mayor Bishop said that Rench would not be assigned to any committees and is a voting member only. "Yes" votes from Brining, Beecham, Dailey. "No" from Rusterholz. Motion carried. Clerk stepped away from the table to get an Oath script. Bishop also passed around the resignation letter from Attorney William Connor. Mrs. Bishop walked up to the Mayor and asked if he was forgetting about people and that Ron Harms had just left the building. Beecham asked Mrs. Bishop to resume her seat. She said that she needed to talk to the Mayor. Beecham said that conversation would have to wait until the meeting's end. Rench was sworn in by Clerk Carolyn Kelly (at 1:04:20) as a 4-yr. trustee. Mayor Bishop has received a letter and requested copies to be distributed to all board members.
- B. Reapproval of Ordinance 2017-0629-01 – 2017-2018 Budget Appropriations

(new Ordinance 2017-0808-01) – Rusterholz motioned for acceptance of this ordinance; seconded by Brining. “Yes” votes from Brining, Beecham, Dailey, Rusterholz. Motion carried.

- C. Ordinance 2017-0808-2 Change of number of trustees on committee (Mayor) -  
Dailey motioned to accept this ordinance; seconded by Brining. “Yes” votes from Brining, Beecham, Dailey, Rench, and Rusterholz. Motion carried.
- D. Vacating Road (Attorney) -- No attorney attended to present a progress report.

#### **VIII. Committee Reports**

- A. Streets and Alleys – Brad Rusterholz – He has received bids from two companies, \$4000 and \$7700, for repair of West First Street. This department’s budget is lean and this street repair will use most of this year’s budget. A committee meeting will need to be scheduled to discuss and approve repair plans and costs. Trustee Beecham said that no committees have been formed and that meeting will be a problem. The Mayor said that he will be setting committees up later in the meeting.
- B. Health and Water – Mike Beecham – Water department has been addressing IEPA issues. His committee will be getting bids for ground storage tank maintenance. Dumpster Day is proposed for September 15-17 at Village Hall. Fred Rench reported that he is collecting water samples for another round of copper testing.
- C. Zoning – Brad Rusterholz – No report at this time.
- D. Finance – Clerk Kelly reported that the State of Illinois has audited the Village Motor Fuel Tax account. Both reports (Jan. 1, 2016 to Dec. 31, 2016 & Jan. 1, 2012 to Dec. 31, 2015) show that the Village has accounted for all funds received and disbursed.
- E. Liquor – Carl Bishop – A resident asked about open containers outside of the Supper Club. The Mayor will review the liquor ordinances and activities at the Club.

- IX. **Mayor’s Report** – No report from the Mayor, but the Clerk asked him to update the Board and the public about the number of resignations in the past 30 days. Mayor Bishop reported that he has received resignations from Rhonda Hodges who had served as Treasurer. Justin Egan, 4-yr trustee, resigned. Village employee Phil Calhoun resigned. Vendor Vicky Calhoun cancelled her contract. Appointed Village Attorney William Connor is no longer serving as Village Counsel, effective August 1, 2017. Clerk Carolyn Kelly also submitted her resignation as Village Clerk, last day of employment in this position will be

August 18. She stated she would like to remain as an employee of the water department. The Village will be posting the vacancies for Treasurer and Clerk.

**X. New Business**

- A. Appointment of Ron Harms to J Egan's Village Trustee Open Seat – (Mayor) – Mayor Bishop names Ron Harms as the appointment for this Open Seat. Earlier discussion stated that the trustees want background checks on appointees. The cost for background checks will be borne by the village.
- B. Committee Assignments – (Mayor) – (at 1:34:00) Mayor Bishop stated Trustee Rench will not be assigned to any committee now and is a voting member only.  
Finance - Dailey is named Finance Chair. Finance Associates are Mike Beecham and Mark Brining.  
Health and Water – Mike Beecham will continue as Chair. Water Associates are Brad Rusterholz and Mark Brining.  
Zoning and Code Enforcement Chair – Brad Rusterholz will continue as Chair. Second is Mike Beecham and Alice Dailey is assigned as the third member.  
Streets and Alleys – Mark Brining is Chair. Mike Beecham and Brad Rusterholz are associates.  
No Board members are carrying a bond at this time. Discussion covered 14 minutes.
- C. Board Vote for No Confidence in Mayor Bishop – (Brining) (at 1:47:50) Brining stated he felt that the current village situation was directly attributable to actions taken by the Mayor. Mayor Bishop countered that he was only acting for the people of the Village of Mapleton. Trustee Beecham asked if the Mayor's actions were for the benefit of the citizens, then why have a great many employee and village officer resignations been handed in. Brining motioned for a board vote of no confidence in Mayor Carl Bishop. The motion was seconded by Beecham. "Yes" votes from Brining, Beecham, Dailey, and Rench. "No" vote from Rusterholz. Motion carried.
- D. Resolution 2017-0808-001 Authorized Signatures on Village Checks – (Mayor) – There is no treasurer to issue checks. The clerk is the only person left that is authorized to sign withdrawals on the bank account. The clerk shared 65ILCS 5/8-1-8, which states that the mayor can sign warrants (checks). The previous treasurer, Rhonda Hodges, stated her willingness and availability in the evenings and weekends to help the designated person issue payment with an hourly wage paid to her for her time. She will not be signing the checks. Trustee Beecham read

a document that is posted and on file in the village records naming his spouse, Marcia Bishop, as a designated signer of village documents. He stated that she is not an appropriate person to be assigned this legal designation. He said that Mrs. Bishop is not an elected official, nor is she bonded by the village. A member of the audience asked if this was a conflict of interest. Mayor Bishop said this was legal. Trustee Brining said this document is allowing his wife to sign documents if the mayor is not able. He went on to say that if the mayor is not able to sign documents, then he is not doing the job he was elected for. Beecham said this responsibility was best left to a second trustee. Mayor Bishop said the designation is made at his discretion. Former treasurer Hodges stated from the audience that the only acceptable signature on bank documents is the mayor's. Beecham requests for an attorney to redraft the document. The Mayor stated that he and Trustee Michael Beecham will be authorized signers on the account. "Yes" votes from Brining, Beecham, and Rusterholz. "No" votes from Dailey and Rench. Motion carried.

- E. Name Changes on Glasford Bank Accounts Signature Card (Clerk) – The Mayor stated that Justin Egan and Rhonda Hodges are removed as authorized signers on the village's Glasford Bank accounts and has named Carl Bishop, Mayor and Michael Beecham, Trustee, as authorized signers.
- F. Appointment of Treasurer – (Mayor) – No candidates for appointment.
- G. Actions to address payment of critical bills -- (Brining) – The mayor proposed paying Rhonda Hodges at her same rate of pay (\$15 per hour) for assisting with bringing the village financial accounts current and transitioning the new treasurer when appointed. She said the authorized bank signatures need to be done immediately. Current employees Water Clerk Crystal Hodges and Village Clerk Carolyn Kelly are designated to pay bills under the direction of the former treasurer.
- H. 7533 Astle Lane -- Ordinance Violations – (Rusterholz) – Rusterholz said that a warning letter was sent to the address and the cited violations have not been abated. Trustee Beecham said that a resident has shown him violation letters that were lacking official information. He did not see that it was necessary to pay Peoria County to deliver the village tickets. Any letter that accompanied the tickets will need to be filed in the office. All citations should be accompanied by the appropriate paperwork. Rusterholz as Code Enforcement Officer can proceed with the next step on violations at this address. Warning tickets need to have all the appropriate lines filled in.
- I. Ordinance for creation of an Ordinance Committee -- (Mayor) – Brining,

Beecham, and Rusterholz are named to review our current ordinances and to suggest needed updates. Rench stated that anyone on this committee need to have an open mind and not set ordinances according to a personal agenda. Resident Rhonda Smith spoke from the audience and was worried about the cost. Beecham said this should be tabled until village has legal counsel.

- J. Appointment of Legal Counsel – (Mayor) – Mayor Bishop requested board members to solicit an attorney. Rench stated that it was important to find one with municipal experience.
  - K. Ordinance Amending Chapter 3, Sec. 3-3 – Number of Licenses available – addition of a second Class A license – (Mayor) – Rench requested the addition of stipulation that the second establishment will pass State inspections and if it does not pass the state of Illinois requirements the liquor license will be voided. Motion to approve the amended ordinance by Rench; seconded by Brining. “Yes” votes from Beecham, Brining, Dailey, Rench, and Rusterholz. Motion carried. The license will need to be issued before a gaming license is issued to the new establishment. Motion carried.
  - L. Ordinance 2017-0808-04 Ordinance Amending Village Code Chapt. 3 – Provisions Regarding Video Gaming – (Mayor) Brining motioned to accept this ordinance with a change to five machines; seconded by Beecham. “Yes” votes from Brining, Beecham, Dailey, Rench and Rusterholz. Motion carried.
  - M. Resolution 2017-08-8-02 Condemning Comments Made by a Board Member – (Mayor) – Motion to go to Closed Session for discussion from Rench; seconded by Brining. “Yes” votes from Brining, Beecham, Dailey, Rench. “No” vote from Rusterholz. Meeting moved to closed session.
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- XI. **Closed Session (if needed) citing exception Section 2 (c) (4) of the Open Meetings Act** -  
- Testimony presented regarding item M on the agenda
  - XII. **Return to Open Session** – Roll Call -- Brining, Beecham, Dailey, Rench, and Rusterholz present. Also present Mayor Carl Bishop and Village Clerk Carolyn Kelly.
  - XIII. **Additional Business (if any)** – None.
  - XIV. **Announcements** – Annual Audit of Village Accounts scheduled for August 15-17.
  - XV. **Adjourn Open Session** – Motion to adjourn by Beecham; seconded by Brining. Meeting ended at 9:58pm.

Prepared by Carolyn Kelly, Village Clerk

Approved by the Board of the Village of Mapleton on 12 September 2017