

Village of Mapleton
REGULAR BOARD MEETING MINUTES

Wednesday, May 11, 2022

6:00 p.m.

This meeting was recorded.

1) Call to Order at 6:00 PM by Mayor, Liz Rench

2) Roll Call

In attendance: Mayor, Liz Rench; Trustees: Bill Hodges, Rodney Smith, Harvey Stidham, Andrew Wallen and Sarah Wambold; Clerk-Patricia Briggs, Treasurer-Rhonda Hodges and attorney Lane Alster. Absent: Diana Merritt.

3) Pledge of Allegiance to the Flag

4) Approval of Minutes

a) Minutes from regular Board Meeting April 13, 2022

Bill Hodges made a motion to accept and was seconded by Rodney Smith. Viva Voce vote was unanimous.

b) Approval of Bills and Correspondence

a) April 13 – May 11, 2022

Bill Hodges made a motion to accept Bills & Correspondence and was seconded by Rodney Smith. Viva Voce vote was unanimous.

5) Approval of Treasurer's Report

Andrew Wallen made a motion to accept the treasurer's report and was seconded by Rodney Smith. Viva Voce vote was unanimous.

6) Public Comments

Residents who wish to speak should raise their hands to be recognized. All comments should be pertinent to items on the agenda and shall be limited to three (3) minutes.

Alpha Park Library outreach librarian passed out a program guide and expressed that she wanted to be part of the community. She explained that summer is the biggest season of the library, and they want to keep kids from sliding back in their learning and having to start over in the Fall. They also have an outreach program for anyone who is homebound and will bring the library to them. There is also a little library at the rec center that is simply, bring a book, take a book and no library card is needed.

Andrew said we could put any of the special programs in our newsletter to help keep people informed.

8) Guest Speaker

a) Mauer-Stutz

Dan Good and Steve Kerr came to discuss the issues with the water regarding violation notices. Bill Hodges explained that residential sampling of 10 residents was supposed to have been done last year and weren't done on time. The necessary paperwork was not submitted after the tests results were in. Clerk

had provided copies of all the notices that had been received. Dan stated that they need the results of those samples and Fritz said he will look for them. There are more sample that need to be taken, but we have conflicting dates of when those samples are required. Fritz thought the EPA would send him a letter to send out, but he doesn't remember getting it, but he did later find it at home. Clerk asked if we must put in a biphosphate feeder. Dan explained that we'll figure that out after we get the violations taken care of. Liz pointed out that two of the houses are empty and can't be sampled anymore and finding someone to sample is the problem. Dan was also asked about the nitrification action plan due Feb 2022 that has never been reported because we were having trouble getting samples and didn't know what the range was supposed to be. Dan asked the clerk to send information about the person she'd been speaking with at the IEPA, who was Jay Timm. They will contact Jay Timm and get a list of specifics of what is needed and get back to us.

9) Old Business

a. 2022-05-11-01 Update to Chapter 13-4 of Waterworks in the municipal code.

Lane explained that the language of the ordinance was changed so the village could bill residents for replacing the transmitter if they damage it. It also changed to the residents having liability if they do damage to the water lines from the meter to the stop hub due to negligence.

Bill Hodges made a motion to approve Ordinance 2022-05-11-01 and was seconded by Andrew Wallen.

b. June Community Event

Rhonda Hodges shared that the fishing tournament is to be held on the same date (June 11) that we had scheduled our event. There was discussion about whether attendance would be down because of the tournament. Clerk suggested having a bigger event in the fall instead of two smaller events. No decision was made at this time. Clerk will add the library events to the monthly newsletters. The community librarian also said they have games, robots and activities they can provide for our events.

c. Industrial Road

Rodney stated that Evonik discovered information maps from the county showing it is our property from the turn to the plant. Evonik is wanting to know if we can give them permission to work on it. Scott Salochek – site head for Mapleton, Matt Simon and Shelly Keller were in attendance. Scott said Sherry said that it proves out by the county that the village owns the road. The county owns the island, and the rest is the village. They are prepared to repair the road but want to make sure there is legal paperwork before they start on it. Village attorney Lane Alster pointed out that there is obviously a dispute. He explained that attorney Mike Seghetti had previously reached out years ago and IDOT looked into it and they established Hollis Township owns it. He stated that the village has no problem to them working on it and we'll what we need, but he doesn't think there has been any dedication of any right of way that would establish that the village owns it. So that's the issue from Mapleton's perspective. When you have a road,

you have a dedication in an ordinance or a survey. The problem is the underlying documentation is the chain of title issue. Peoria county should have some deed. County has where the median is, Hollis gets 75' of it and the village gets the rest. Alice said she watched ADM build that plant. That road was the only thing going to that property and has lived in the village for 58 years and it was always the plant's road. She was the Clerk until 2009 and doesn't remember anything ever changing. Scott stated that maybe the county is the best place to start. Lane stated that the biggest issue is none of the maps show that the village owns it. Somebody at some point dedicated the road to someone. The village will willingly give permission to repair the road if we have the right to give it. Scott said he will go back to the county and try to get actual printed documents. There might need to do some title work on it. Does it have a separate pin? Harvey stated that we don't want control. Bill asked who is going to be upset if they fix the road? Lane stated that the village can quit claim deed it. It's an Evonik issue. Alice will have them pull up information on the tax IDs. Hollis said they only own 70' of the road and the county said it belongs to us. Hollis, and Village and even IDOT can quit claim. Scott will pursue it.

10) Committee Reports (No motions can be made during reports)

a) Finance Committee – Andrew Wallen

Rhonda stated that Direct Deposit for government accounts needs to be on the agenda for the next meeting, as they are really pushing it.

b) Health & Water – Bill Hodges

Bill said the issue of violations with the IEPA had already been discussed. He said there is water testing that will need to be done soon. He said there is still a problem with a few residents who are consistently late or make partial payments. One resident who had made arrangements paid less than the agreed upon payment and he will check into that.

b) Liquor – Liz Rench

Nothing

c) Streets & Alleys – Rodney Smith

Rodney said the tubes and culverts came in and will be dropped off next to the drive. He'll have to make sure to keep them out of where the tree work is going to be done so it might be congested for a little bit.

Mapleton Sign –

Rodney would like to copy off the current sign and make it a little bit bigger and put some 6x6 in the ground instead of trying to get all the landscape work done. We can landscape it, so it looks nice and maybe raise it up a little bit. He wondered if we could lighten up the background, so it is easier to read. He hasn't looked at prices for that size of sign yet as he wanted to see what people wanted to do. Harvey said to just repaint it, but Rodney would like it larger as it is hard to see from the highway.

There were suggestions to make it out of aluminum or something other than wood. Rodney will get some prices before the next meeting. He is thinking go from 4' to 6'. It is on state right of way, so we must make sure we're following state guidelines. Liz reminded Rodney that she had given him all the documentation from when the sign was originally put in place. She also pointed out that it is on BP's property, and they pay for the electric to light the sign. Rodney will check it all out.

Rodney asked what we had paid for the dump truck because he thinks we need to sell it. Nobody to drive it except for Bill B., and he is in the field. He thinks getting a 1 ton with a dump box might be the way to go because any employee can drive it. We might find it necessary to rent a bigger truck when cleaning ditches, but if we keep up on the ditches, we may not have to do them all at one time. Liz said she knows someone looking for a grain truck. Clerk and Treasurer thought we had paid \$7,000 or \$7,00 for the truck and Rodney would like to start pricing it at \$10,000. Clerk will put it on the agenda for next month.

Rodney said he can't get any patch from Finch because they have no drivers as they are all out in the fields too. If he can get the patch picked up, he will get some patching done. He has information on another helper so maybe we'll have help.

Liz talked with the man at the end of the village (Monk's Lane) and he wants something done with the road. Rodney will talk with him. She said that Deer Trail is getting bad too.

Liz asked if after we patch monk's lane it could be sprayed? Rodney said that is his intention. He has budgeted money for spray patching. He would like to get them chipped. There is \$17M in MFT right now so maybe by next spring we can get those roads chipped. Rodney would like to ask UCM why they chip in September and August instead of in May. He explained that we don't have enough car traffic to get it beat in before it gets cold. He'd like to get it done earlier or put the sealer on it.

Liz asked when they are going to take the trees down next to the hall. He said he hasn't called them yet. He had a bid that we would do the cleanup, but now we don't have the manpower to do it.

Liz explained that the fire department did a search and rescue on the property a couple of weeks ago and when we're ready for the house to be taken down they'd like to come in and do a training for an actual break-in for a fire.

Zoning and Code Enforcement – Harvey Stidham

Spring Street – Attorney Alster thinks it should just go to court as it is obvious it isn't going to be cleaned up. Harvey says the junk cars are moved to the backyard to try to get them off the property.

The village now has towing stickers to put on vehicles and will start towing vehicles off the right of way. Bill said he will go with Harvey to tag the cars. Rodney asked how we designate what is not illegal? Attorney Alster said to start by towing the cars off the right of way. They had a car blocking the drive into the bar so a delivery vehicle couldn't get out. They have no right to block right of way. If they're sitting on the right-of-way, we will tag them and tow them.

Astle Lane

We have a judgment to clean up the property. Attorney Alster said he spoke with the owner last week and he had planned to get someone in to work on the property, but it rained. He knows we can do whatever we want to with the property. We go clean it up, pay for it and lien the house. Liz asked Lane if it is a VA owned home, and can it have a lien put on it?

Main Street

Whoever buys it will sell it at auction. Clerk has had several callers asking for zoning as they were considering it to split into apartments. Once it is sold, we will have to start dealing with the owner. Attorney Alster said a demolition hearing will take place in July. Still pending because they don't own the property yet.

Spring Street

Liz told the board that there is a couple, boyfriend & girlfriend, sleeping in the cars and another guy is living in the garage. They are also finding syringes laying around as well. There is a lot going on around there. There is a man who is a known drug dealer that comes to visit once a week. Attorney Alster said we could deem the property dangerous and unsafe, put another lien on it and foreclose the lien.

First Street

Liz asked what we are going to do with the property on First St. Harvey said he will have a committee meeting and decide what to do and how to do it. Lane suggested boarding it up and then foreclose the lien and sell it.

Liz stated that there are lots of properties that need mowed. Lane said to give notice and do week liens.

11) Mayor's Report – Liz Rench

Liz explained that there is a big mess going on between two residents on Fawn Ridge and they have been told it is civil or domestic, and the village will not be involved in their dispute.

12) New Business

a) Committee Assignments

Liz explained that Harvey had asked to step down as Chair of Zoning but would stay on as second. New committees are as follows:

Streets – Rodney, Andrew, Bill

Water – Bill, Sarah, Rodney

Zoning – Diana, Chair; Harvey & Rodney

Finance – Andrew, Diana, Harvey

Liquor – Liz, Sarah

Harvey made a motion to accept the committees and was seconded by Bill Hodges. Viva voce vote was unanimous. After the vote, clerk pointed out that there has to be three people on each committee so a third needs to be added to liquor. Harvey volunteered to be on the Liquor committee, and this will be confirmed at the next board meeting.

b) Pin village properties together (or not): 2020386009, 2020387001; 2020387002; 2020387003

The board agreed that the properties should be pinned together. Attorney Alster said we should wait until the exemption comes through in 3 – 4 months, but the motion could be made now. Rodney Smith made a motion to pin the village properties together and was seconded by Andrew Wallen once the tax exemption is received. Viva voce vote was unanimous. Motion passed.

c) Rezoning of property at 8206 W Wheeler Rd

Alice explained that she was on the board when they drew up the map and was never notified that the property had been zoned commercial instead of R-2. The county said she should have been notified but in 2008 it was still R2. Lane explained that generally speaking, notification could be done by letter or public hearing. Andrew asked Alice if she just wanted it rezoned back to residential and she said yes. The question was asked how that would affect taxes and Lane said that generally, taxes aren't based on the zoning, but on the use. In the early 40's it was a tavern. 2008 county records say it is R-2 and now it is commercial. Harvey Stidham made a motion to approve the rezoning of 8206 W Wheeler Road from C-1 to R-1 and was seconded by Sarah Wambold. Viva voce vote was unanimous for approval.

d) Swimming pool language in code

The language isn't clear. It doesn't say how high the pool must be from the ground to the top, only mentions depth. Tabled for the June Committee Meeting.

e) Water operator's assistant's pay

Rodney recommended \$400 per month and \$15/hour for any hours over 40 hours per month. If or when he does get his operator's license salary will go to \$600/month. Bill Hodges made a motion to raise the assistant water operator's salary to \$400 per month effective June 1, 2022, and was seconded by Andrew Wallen. Viva voce vote was unanimous. Approved.

f) Pay increase for board

Rhonda explained that this should be done every year and now is a good time since we're still working on the budget. She also explained that anyone who waived their pay needs to do so again on the record. Liz stated that she didn't think the board could give themselves a pay raise. The decision can be made before the next election and put in place with the new board. It will be put it on the agenda for the next committee meeting. Harvey asked to speak about the clerk's pay and was told they would talk about it in the executive session.

Bill Hodges said he was not waiving his pay. Rodney said he would waive his pay.

13) Executive Session (if needed) pursuant to Section 2(c)(1) of the Open Meetings Act for purposes of discussing the employment, discipline, performance, or dismissal of specific employees of the Village.

Bill Hodges has requested an executive meeting.

14) Announcements

Bill read Fritz's 30-day letter of resignation effective July 30, 2022.

I am submitting my 90-day resignation according to my contract as Certified Water Operator for the Village of Mapleton effective 5/1/22. Last day of work will be 7/29/22

4/28/22 (Signed) Fred Rench - Notarized by Tammy J. Smith

15) Additional Business if any

Bill Hodges asked Sarah if she was asked to resign and why? Sarah assumed it was because of her absences. Lane explained that trustees are not obligated to resign and if you want to force them to vacate there must be a formal process. Liz confirmed it was because she had missed so many meetings. Sarah stated that she had reached out to Liz about the difficulty she was having with a particular course and that she needed to attend this class in person in order to pass the class. Liz agreed that the absences were going to be excused. Then she was asked by Liz to resign in April under protest because she didn't want to resign. Bill asked if she had wanted to resign and she said she did not, that it was under protest. Liz stated she had a complaint from a board member about the absences and Liz explained that she had a class she needed to attend. Liz felt that there were two different stories being presented. Lane said that from a legal perspective, any person can ask someone to resign. If the person doesn't want to, they don't have to. But with a board member there is a process they need to go through. Liz asked if it made any difference if they were elected or appointed and was told no, the board would have to vote by a super-majority.

Liz was asked who the trustee was that thought Sarah should resign and she declined to answer but was informed by the attorney that she needed to respond, and she named Diana Merritt. The trustees were concerned that this step was taken without being consulted and with just one board member asking for Sarah's resignation.

Liz said that Sarah still have a class for all of June and half of July. Sarah explained that this class she can miss to be at the board meetings. Sarah will remain on the board.

16) Adjourn Open Session

Andrew Wallen made a motion to adjourn and was seconded by Sarah Wambold. Viva voce vote was unanimous, and meeting was adjourned at 8:29 PM.

Transcribed and recorded by clerk, Patricia S. Briggs.

Patricia S. Briggs

Approved by the Board of Trustees of the Village of Mapleton 8 June 2022



APPROVED