

Village of Mapleton
REGULAR BOARD MEETING MINUTES (Approved)

Mapleton Village Hall, 8524 Main St
11 April 2018 at 6:30 p.m.

Meeting to be recorded

Residents who wish to speak should raise their hands to be recognized. All comments should be pertinent to the current discussion and shall be limited to three (3) minutes. PLEASE SILENCE YOUR CELL PHONES!

A. Roll Call

- a. Present, Carl A. Bishop, Mayor; Trustees: Mark Brining, Alice Dailey, Liz Rench and Harvey Stidham. Absent: Mike Beecham and Bradley Rusterholz. Also present: Patricia Briggs, Clerk; Kelley Brandenburg, Treasurer and Rob McCoy of Miller Hall & Triggs, Village Counsel.
- b. Alice Dailey presented a resignation letter for Brad Rusterholz which was accepted by the Mayor. See Page 10

B. Pledge of Allegiance

C. Call to Order by Mayor Carl A. Bishop at 6:34 p.m.

D. Approval of Agenda

Alice Dailey motioned that the Agenda be approved and was seconded by Mark Brining. Votes: Yes – Mark Brining, Alice Dailey, Liz Rench and Harvey Stidham. No – 0. Absent – Mike Beecham

E. Addressing the Board

- a. Stan Bersin
Stan presented the Board with the first quarter Water System Monitoring Report (available in the office for review). He pointed out that the difference between water purchased and water sold was 9.74%. The last four quarters averaged 7.94%. Liz Rench asked if this was an acceptable % and Stan said that anything under 15% is considered normal.

Third page of the report is showing the trend for a full twelve months, which is trending downwards.

Last page is the summary of water purchased daily and water used.

Mark Brining stated he had been speaking with someone at Hollis Park District about the park wanting to split off their water to put in a splash pad and would like to purchase the water at wholesale from the village just for the pad and asked if there was any way we could do that. Stan warned against doing so

because we would be opening a “can of worms” for others who felt they should get wholesale water for filling pools, etc. The village policy is written into an ordinance and there is no allowance for water to be purchased wholesale. A resident also voiced concern about allowing this. The Village Attorney stated he had never looked into this. Resident stated that the board had previously had issues with the fire department filling their tankers from the tower at no cost and felt that the Fire Department was much more understandable since they are putting out fires and saving lives. Mark explained that we were talking about selling it at our cost, not giving it away for free, and that the Fire Department is not charged for water. Liz Rench and Harvey Stidham both thought it was a bad idea, as it creates a double standard. No vote was taken on this matter.

Stan mentioned at this point that former trustee, Brad Rusterholz had called him regarding several matters which will be addressed later in the meeting.

F. 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.

- a. Minutes from March 14, 2018 Board Meeting
- b. Minutes from Finance Committee Meeting April 4, 2018
- c. Minutes from September 25, 2018 Special Board Meeting
- d. Bills & Correspondence (Received March 13 – April 09)
- e. Treasurer’s Report)

Alice Dailey made a motion to accept Items a, b, d and e and to exclude C for corrections. Harvey Stidham seconded. Votes: Yes – Mark Brining, Alice Dailey, Liz Rench and Harvey Stidham. No – 0. Absent – Mike Beecham. Motion approved.

- f. Alice stated Item C needed the name corrected and several typographical errors corrected. She motioned that C. be approved with those corrections in place and Mark Brining seconded. Votes: Yes – Mark Brining, Alice Dailey, Liz Rench and Harvey Stidham. No – 0. Absent – Mike Beecham. Motion approved.

G. Old Business

- a. Agreement from 7/11/2017 to use Google G Suites for eMail at \$45 per month. Void and continue using free gmail accounts.
Purchase of Google G Suite Email Subscription for all Village of Mapleton users – Clerk – Kelly said that this was discussed in the June meeting. 9-10 accounts will be needed in G-Suite and administered centrally (most likely clerk). The cost will be \$45 to \$50 per month. The administrator would have access to all e-mails, essential for FOIA requests and to retrieve information after employee dismissal. Beecham would appreciate village

business no longer being sent to his private e-mail. Beecham motioned to accept a G-Suite subscription for the village. Seconded by Rusterholz. “Yes” votes from Brining, Beecham, Egan, Rusterholz. “No” vote from Dailey. Motion carried.

Clerk explained this was something that had been set up by the previous Clerk and that she was not comfortable with paying \$50 per month for email when we currently use gmail for free. She also did not want to be responsible for viewing trustees’ or mayor’s email messages and would like this repealed.

Liz Rench made a motion to repeal this decision and was seconded by Harvey Stidham. Votes: Yes – Mark Brining, Alice Dailey, Liz Rench and Harvey Stidham. No – 0. Absent – Mike Beecham. Motion Carried and decision was repealed.

a. Vote of No Confidence for Mayor Bishop – Liz Rench

Liz Rench made a motion for a vote of no confidence in the mayor and was seconded by Alice Dailey. Votes: Yes – Alice Dailey and Liz Rench. No – Mark Brining and Harvey Stidham. Absent – Mike Beecham. Motion did not carry.

b. **Water Projects – Harvey Stidham:**

i. Replacing Water line on Astle Lane at 5 residences

Harvey explained that five residents on Astle Lane are on an old 2” line that is leaking and has had multiple repairs. Across the road, a new 4” pipe was put in several years ago and the village would like to install new lines from each of the residences to the new 4” line and cap off the old 2” line and leave it in the ground. He had a bid from Walker Excavating for \$13,700 to \$14,700. He checked with Walker and they could do the repairs in time to be paid out of this year’s budget. Mark Brining made a motion to accept the bid from Walker Excavating and was seconded by Harvey Stidham. Votes: Yes – Mark Brining, Alice Dailey, Liz Rench and Harvey Stidham. No – 0. Absent – Mike Beecham. Motion carried.

ii. Painting the water tower and replacing cathodic protection

There was a bid for \$5,000 to \$6,000. This project will be done under next year’s budget. Mark Brining motioned that we table it until the new budget is in effect. Stan Bersin expressed concern at the bid that was received as it was very low compared to the cost when it was painted it was \$34,000. It was \$16,000 for inside and \$18,000 for outside. Mark explained that an assessment hasn’t been made on the inside since no one has seen it yet. Stan stated that we need to make sure we get explicit details from the contractor on what will be done and to expect a wide range of high and low bids. A resident expressed concern that we had not been keeping up maintenance on the tower and knew the board had talked about it four years ago and it still hasn’t been done. The Mayor explained there were budget issues that kept the work from being done but it is being done this year. Stan said the tower needs to be painted every 15 to 16 years. Liz asked if the standpipe was done last time and Water Operator said it was, but it was not done well.

The question was asked if the cathodic protection system would be replaced at the same time and Stan explained that the painting contractor and the company installing new cathodic protection system would have to work together on timing.

Alice Dailey seconded the motion to table until a later date. Painting the tower and new cathodic protect was tabled until more bids can be brought in to consider.

III. Hydrant at Water Tower

Harvey shared a bid from Walker Excavating for putting in a hydrant at the water tower. The bid was for \$8105 and if they have a used hydrant it would knock \$1000 off the price. Harvey explained that there is money in the budget right now and would like to do it this budget period. It was explained that it would make it easier to drain and maintain the tower and save on wasted water. Without the hydrant they have to open the hydrant on the bluff and then a boil order has to be issued. Mark Brining motioned that we accept the bid and have the hydrant installed. He was seconded by Harvey Stidham. Votes: Yes – Mark Brining, Alice Dailey, Liz Rench and Harvey Stidham. No – 0. Absent – Mike Beecham. Motion carried.

IV. Road and moving blocks to water tower

Harvey explained that the village is wanting to put in a road at the water tower behind the fence and move all the blocks and maintenance material, such as rock and gravel there. There are also seventeen large pieces of concrete that will be relocated. They are looking at a 20'w by 60'-80'L. Harvey stated that right now the area is just swampy and we need to be able to get the truck back there. The bid is for 3" of slag and then CA6 so the trucks don't sink into the mud. He has a bid of \$3200 from a local bidder. Liz stated she thought we needed more bids. It was pointed out that if more bids are required we would need to have a special meeting to vote and time is short to get the work done this year. Alice motioned approval of the road and moving materials with a cap of \$3500. Liz seconded. Harvey will get another bid from Walker as well. Votes: Yes – Mark Brining, Alice Dailey, Liz Rench and Harvey Stidham. No – 0. Absent – Mike Beecham. Motion carried.

Streets & Alleys- Mark Brining - Removing trees on West First Street.

Mark would like to work on this project with Stan Bersin to see what he thinks about using MFT money to clear the trees off. A resident asked why the trees are a problem when there is no shade in the winter when the leaves are not leafed out. The Mayor stated that the money should be used to repair the roads. Liz said that the previous administration concentrated on Vickie Lynn and above the hill and everything else just got spot fixed. She feels the roads below the hill need to be taken care of before anything else as nothing has been done to them for six years. The Treasurer stated that there is \$21,000 in MFT money. Harvey stated that potholes on Monks Lane and Deer Trail need to be

taken care of as well. Liz says roads need to be tarred and chipped but we'll have to sealcoat them since money is an issue.

Stan Bersin asked if we had contacted the county and Liz replied that they are outsourcing their sealcoating now. Stan reminded them that the last time the county did road work that the road had to be marked three different times because they didn't come when they were scheduled. Rhonda Hodges pointed out that we have to be very careful because we aren't getting as much MFT money from the state anymore and eventually we may not get any so we should be planning ahead. A resident asked about getting CILCO to trim back the trees but they won't do anything until lines are actually broken. Liz had also asked AT&T previously and was told the same thing. Stan pointed out that part of the problem with the road is the shoulder is higher than the edge of the road so we need to do ditch work on both sides of West First Street.

It was determined whatever money is in MFT and in the budget, should be used to repair roads. No vote required.

H. Committee Reports (No motions can be made during reports)

a. Finance Committee – Mike Beecham

Kelley stated she had several preliminary budgets that would be discussed and voted on later in the agenda. Mike Beecham is out due to an accident.

b. Health and Water – Harvey Stidham

Harvey explained that we are working on as many projects as we can on this budget and then we need to work on projecting maintenance over the next 5 years so we have guidelines to follow.

Resident asked about copper levels in water. Stan Bersin explained that we had been following the guidelines and it is just certain homes with copper lines. He talked about the treatment requiring orthophosphate to be added to the water and that subsequent testing showing no copper. We will test again in a few months and if there is copper again present then we may need to begin treatment, but it is expensive. Harvey asked if we could go back to the supplier and Stan said if T-L has had a similar problem and started treating with orthophosphate it would probably trickle down to us. Because we are at the end of the line, we get very little treatment.

c. Liquor – Carl Bishop

Nothing new to report

d. Streets and Alleys – Mark Brining

Mark explained that he was getting the truck geared up ready to go and has two individuals who want to work on patching streets. He asked what should be done about the salt spreader, as it is very heavy and we will never use it. He asked the board if it should be sold or scrap it or put it in the back room. The consensus of the board was to scrap it. No vote required.

e. **Zoning and Code Enforcement** –

Mayor explained that we have started sending out letters for violations for nuisances. The village attorney said that we have given 15-day notices and then will proceed with a lawsuit to demolish abandoned buildings. He also said he had made up a complaint form that anyone could pick up and fill out. Once it was submitted, the zoning officer or the mayor would verify the information and send out a letter giving the resident time to correct the issue and then a fine would be given. If the fine was not paid it would be forwarded to the attorney. A resident asked what happens if they get a fine but they aren't guilty of anything. It was explained that the ordinance officer or the Mayor would make the initial review and then forward to the attorney for confirmation before proceeding.

There was discussion about fines without being warned first and the Mayor explained that there is a letter sent first explaining the violation, which part of the code is involved and a timeframe to fix the complaint before a fine is issued. Harvey Stidham asked if we would give them time to fix it and if they were working on it, give them additional time? If someone feels they have been fined improperly they may ask to appear before the board at a board meeting to explain.

Liz Rench asked how it was to be handled if it was the mayor whose property was in violation of our code with all the wood stored on his property? Attorney McCoy recommended that Liz retain her own attorney to pursue this complaint against the mayor. There was discussion about filing a complaint and follow-up.

I. Mayor's Report

a. Possible annexations on Wheeler Road and others

The Mayor said he had spoken with the attorney about annexing some of the businesses that are currently not in the village limits. Alice Dailey asked what we could offer them to encourage them to do so. We can only annex property that is connected to the Village. Mayor is concerned that we won't be able to support the village without some growth. He will talk with the big businesses on Route 24.

J. New Business

a. 2017-2018 Preliminary Budget

Mike Beecham was not present so the Treasurer, Kelley Brandenburg, presented different budgets for the board to consider.

Budge A – does not include tree removal on West First Street. Budget B does. Kelley explained that she tried to budget low for income and high for expenditures to avoid shortfalls. Under Budget A, there is money in the general fund for demotion of abandoned building and other zoning items. Stan Bersin stated he was under the impression we were using MFT for clearing trees. The Treasurer said it was put under general as well, in case would could not use MFT.

We should use Streets & Alley budget to fix the streets. Liz Rench pointed out that the budget could be accepted and amended if needed.

Harvey Stidham motioned that we accept Budget A plus the Waterworks Budget. Mark Brining seconded. Votes: Yes - Mark Brining, Alice Dailey, Liz Rench and Harvey Stidham. No – 0. Absent – 1. Motion carried.

b. Agricultural building permit fees (currently are none)

There was discussion about adding a permit fee for agricultural buildings. After discussion it was determined that a new ordinance should be created adding an agricultural building fee of ½ the residential fee. The attorney will work on creating an ordinance.

c. Enforcing ordinance violations such as dogs running loose

There was discussion about the problem of the County having so far to travel when there is a report of a loose dog. By the time they get here, the dog is gone.

Liz Rench stated that someone is coming on to her property and opening her gate to allow her dogs to get out. It was suggested that she put up a game camera and report it as criminal trespassing.

The Clerk was asked to contact the county to see if we could receive notification when an animal is picked up in the village so we can issue a fine for violating the leash law.

d. Ordinance creating a raffle code for the licensing of raffles

Attorney Rob McCoy explained that we are very confined by State ordinances. The raffle must be held by a religious, non-profit or veteran organization that has been established for at least five years. He also pointed out that we can prosecute for illegal raffles if we have a defined ordinance. Liz Rench made a motion to kill an ordinance for raffles and was seconded by Mark Brining. Votes: Yes - Mark Brining, Alice Dailey, Liz Rench and Harvey Stidham. No – 0. Absent – 1. Motion carried. Ordinance for raffles is dead.

e. Ordinance regarding golf carts and non-highway vehicles on city streets

Clerk explained that she had a phone call prior to the meeting from Amy McClaren of the Peoria County Highway Department who was concerned about the language in the ordinance as it applied to Mapleton Road, which is under their jurisdiction. Mark Brining asked that we table this until he has a chance to speak to his contact at the highway department. Liz seconded the motion to table. Ordinance for golf carts is tabled until May 9 meeting.

- f. Ordinance ratifying previous ordinances which were unsigned or unpublished, including:
1. Ordinance 2016-614-3, Amending the Mapleton Village Code Chapter 7, Nuisances;
 2. Ordinance No. 17-02-01-01, Amending the Mapleton Village Code Chapter 5, Buildings and Building Regulations, by adopting the Illinois Energy Conservation Code 2015;
 3. Ordinance No. 2017-06-29-01, Adopting the Annual Budget and Appropriations for the fiscal year beginning May 1, 2017 and ending April 30, 2018;
 4. Ordinance No, 2017-0808-2, Amending Section 2-12 of the Mapleton Village Code, to change the number of committee members from 5 to 3;
 5. Resolution No. 2017-06-13-04, a Resolution regarding the general prevailing ate of hourly wages;
 6. Ordinance No. 2017-06-13-01, Amending Section 14-5 and 14-6 of the Mapleton Village Code, regarding water service charges and notices of delinquency;
 7. Ordinance No. 2017-007-11-001, an ordinance approving the sale of surplus property; and
 8. Ordinance 2017-0808-04, Amending Chapter 3 of the Mapleton Village Code, Alcoholic Beverages, with provisions regarding Section 1-9 of the Mapleton Village Code, concerning video gaming.

The attorney explained that there were a number of ordinances that were passed, according to minutes, but were not signed by the clerk and/or the mayor. This is an attempt to ratify those.

It was pointed out that Ordinance 2017-007-11-001 was appealed at the March 14 board meeting and the vehicle was not sold.

Liz motioned that we accept the ordinance to ratify unsigned ordinances 2018-04-11-1 and was seconded by Mark Brining. Votes: Yes - Mark Brining, Alice Dailey, Liz Rench and Harvey Stidham. No – 0. Absent – 1. Motion carried.

K. Announcements

None

L. Additional Business if any

Liz Rench stated she would like to see Rhonda Hodges appointed to fill Brad's position

and Alice Dailey agreed. Alice said she had spoken with Rhonda before the meeting and she was willing. Mayor stated he will call and talk with her.

Liz Rench asked the attorney who his point person was and he explained the clerk or the mayor. Liz asked if he talks to residents and he said no, only one time having to do with an agricultural building permit. He explained that all phone calls that come in are charged at an hourly rate and that if it is a quick question there is no charge. Liz asked what she could do if she filed a complaint form against the mayor and faced retaliation for it. The attorney stated that he represents the whole board and would take a call, but has to represent the board as a whole.

Alice Dailey announced that she was stepping down as trustee due to the harassment about her job with the township making it incompatible to be a trustee for the village. She stated that Jerry Brady has stood firm that it is incompatible. (See Page 11 for her resignation letter.

Alice recommended Eric Turner, who was born and raised in the village as a replacement.

The Mayor thanked her for her service.

M. Adjourn Open Session

Liz Rench made a motion to adjourn, seconded by Mark Brining. A voice vote was taken and meeting was adjourned at 8:24 p.m.

Meeting recorded and transcribed by Patricia Briggs, Village Clerk

Approved by the President and the Board of Trustees 09 May 2018

Brad Rusterholz – Resignation Letter

Date: 4-11-2018

To the Mayor and Board of Trustees of the Village of Mapleton

This will serve as my resignation as trustee for the Village Board of Mapleton, Illinois.

Effective: I quit 4-11-18

Signed: *Brad S Rusterholz*
Bradley S. Rusterholz

*I Alice Dailey received this 4/11/18
from Brad Rusterholz*

*Received 2 Keys
56912
Steel 56246*



*Alice Dailey
4/11/18*

Alice Dailey's Resignation Letter

April 11, 2018

To my fellow board members

Tonight after months of harassment I feel I have to step down from my elected position of trustee here. The opinion letter that the state has on file says I'm in conflict of interest with the position of assessor that I was also elected to. I feel there is no conflict but due to all the calls our Mayor has encouraged certain people to contact Jerry Brady. He has made a firm decision that the written opinion will stand in my situation.

This village and township is in no way like Rockford which the opinion is written about.

I feel leaving this position that I leave the Village in harms way from what has been going on. Our Mayor said he was going to make our town better when all it is doing is taking it down. This made several board members and lawyers walk away. They were great members but who could take the Mayor + Mayor's wife's harassment. I did for a long time but no more. I have been here for Mapleton ever since I came here 56 years now.

I always will be unless it is to stand up for this Mayor I will be for the other side.

Good luck to all of you because you could be next as he tried in June 2017.

I submit Eric Turner's name for a replacement for

my position. He was born & raised in Mapleton. Now grown, married with a family & owns property here.

He would be a great member to the team.

God bless you all

Respectfully

Alice Dailey