



Village of Caseyville

909 South Main Street
Caseyville, Illinois 62232

Phone: 618-344-1234
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REGULAR BOARD MEETING MINUTES

February 1, 2017

LEN BLACK
Mayor

ROB WATT
Village Clerk

WALTER ABERNATHY
Trustee

JOHN BUCKLEY
Trustee

JACKIE MITCHELL
Trustee

MATT MODROVSKY
Trustee

G.W. SCOTT, SR.
Trustee

BRENDA WILLIAMS
Trustee

BRIAN RADER
Supt. of Public Works

FRANK MOORE
Chief of Police

Call to Order:

The regular meeting of the Village of Caseyville was called to order at 7:00 P.M. by Mayor Leonard Black. The meeting was held on Wednesday, February 1, 2017 in the Council Chambers at 909 South Main, Caseyville, IL 62232.

The meeting opened with the Pledge of Allegiance and silent prayer.

Roll Call:

John Buckley, Brenda Williams, Wally Abernathy, Matt Modrovsky, G.W. Scott, Jackie Mitchell

Board Members absent: None

Others Present: Mayor Leonard Black, Clerk Rob Watt, Chief of Police Frank Moore, Superintendent of Public Works, Brian Rader and Village Attorney, Brian Manion

Minutes:

A motion was made by Matt Modrovsky, seconded by G.W. Scott, to approve the minutes for the Regular Board Meeting held on February 1, 2017.

No further questions on the motion.

Voting on the motion: All Yeas, No Nays – Motion Passed.

Prior to the Citizen's Input, Mayor Black made an announcement that Attorney Brian Manion is leaving to take a job at Scott AFB as a Labor Attorney for the U.S. Air Force. Brian Manion mentions it is a good move for his family and appreciates everyone here in Caseyville letting him represent the Village which was an honor and

a pleasure with working with everyone. He mentions that Tom Zurliene will take good care of the Village going forward. Mayor Black mentions that Tom Zurliene works for the firm and handles the Police problems now. He mentions that we are making a lateral move for now until maybe after the election or whatever.

Citizen's Input: None.

Old Business:

- Motion was made by John Buckley, seconded by Wally Abernathy, to approve Resolution #1701A – To Approve Amended Settlement Agreement and Release with Jose Alvarez.

John Buckley mentions he has no questions but as long as this was all out there last week he is going to refresh everybody on this. He mentions the things that we changed now, being as there is a tax fee is liable for his taxes under paragraph 2. He mentions that the Village is not giving him a 1099 but he is responsible under this, by the Judge's decree, for his taxes down here and that it's all up to Mr. Alvarez not the Village. He mentions the settlement is, the first one, is \$15,000 from the Insurance Company, its \$10,000 from the Village, \$12,500 will be paid to Mr. Alvarez's Attorney and there will be a 1099 issued to them as a Law Firm. He mentions regardless of what everybody says with money, these are the actual costs and this was put out on the Internet a few weeks ago so he doesn't feel this is a big secret anymore. He mentions it is still on there and you can go on the webpage to look at it also. He mentions we are no longer tied in any way, money, liabilities or anything.

No further questions on the motion.

Voting on the motion: G.W. Scott - **Yea**, Jackie Mitchell - **Present**, Wally Abernathy - **Yea**, John Buckley – **Yea**, Brenda Williams – **Yea**, Matt Modrovsky – **Nay**

4 Yeas, 1 Nay and 1 Present – Motion Passed.

New Business:

Public Works/Building

- Motion was made by G.W. Scott, seconded by Wally Abernathy, to approve St. Clair County Health Department hosting the Metro East Air & Health Seminar at the Caseyville Community Center on October 20, 2017 at no charge.

No questions on the motion.

Voting on the motion: All Yeas, No Nays – **Motion Passed.**

- Motion was made by G.W. Scott, seconded by Wally Abernathy, to approve Resolution #1705 – A Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code.

No questions on the motion.

Voting on the motion: All Yeas, No Nays – **Motion Passed.**

Planning/Zoning

- Motion was made by Wally Abernathy, seconded by John Buckley, to table Resolution #1703 - A Resolution of the Village of Caseyville, St. Clair County, Illinois, Regarding the Acceptance/Rejection of a Recommendation of the Planning Commission to Grant a Special Use Permit by Alfredo Pina (Applicant) and William Cumberland (Property Owner) for a Food Truck at 600 S. Main Street, Caseyville, IL 62232. Parcel Number 03-07.0-408-009 & 03-07.0-408-008 in a B-1 Business District.

Wally Abernathy mentions he wants to table this Resolution because we never did establish hours or if that was going to be a Special Events permit.

John Buckley mentions on that property that's the old Cumberland property isn't it. Wally Abernathy and Mayor Black acknowledge that it is. John Buckley mentions that it is still not cleared up, he thinks, whether there are TIF liens on that where he owes the Village money or doesn't owe the Village money on

that. G.W. Scott mentions we might need to let the Attorney look at that once to see what is there, what isn't there, what we can do and can't do. Attorney Brian Manion mentions they ran a search for liens on that property some time ago and his thought on that is the Special Use and the Zoning is sort of a separate issue from whether there's liens. He mentions if the applicant's here the property owner has a lien and it gets foreclosed that would be between the owner and the lessee, a landlord/tenant issue would be between them and not really involve the Village. John Buckley mentions the thing he was worried about is we are going to let him rent to this guy for a mobile restaurant but yet he still owes us money and how are we going to collect the money that he is collecting from this guy. Brian Manion mentions he really doesn't know the details. John Buckley mentions that we haven't collected from him in the past on it and he owes us how are we going to be assured that he's going to take the money that this guy is giving him to help pay off all those liens. Matt Modrovsky states that he (Mr. Cumberland) owes \$58,000 to the Village as well as liens to the County which is on record. Brian Manion mentions to deny a Zoning request just based on the fact that the applicant for a Zoning change was a debt to the Village, he doesn't think you can condition Zoning action on paying a debt he wouldn't know of any law that will allow you to do that. He mentions that would be his only concern and we can take a look at that and give you a formal opinion on whether that affects the Zoning decision. G.W. Scott mentions to look at it and see what was before and after. Mayor Black mentions the thing that puzzles him is don't you have a letter that he has to have a restroom or something. Brenda Williams states yes according to the Health Department. Mayor Black mentions he doesn't know how they worked that out. Wally Abernathy mentions there are a few issues here like the hours that he is going to be there, how many days a week and all that. Brian Manion mentions that typically you have to either accept or reject the recommendation or refer it back to the Planning Commission. He mentions the applicant is here and, referring to the applicant, he would assume you'd rather have them look into it further rather than just reject the Zoning recommendation. He asks the applicant if he has any problem with them tabling it for a period of time to look into these issues. Mr. Alfredo Pina mentions no. Mayor Black mentions does the Board have any problem if he lets this gentleman speak for just a second. Wally Abernathy mentions he can speak if he wants. Mr. Alfredo Pina comes before the Board

and mentions he has everything that you guys requested last time. He mentions there was a request for Insurance which he has it covered. He mentions that all the Health Department needs, you don't need a restroom facility in the place. He mentions all you need is a place that he or the employees can use the restroom which he already received the letter from the store across the street that he can use their facility which is good for the Health Department. He mentions the hours he will be open is Tuesday thru Thursday from 3pm-9pm and Friday thru Sunday from 10am-8pm. He mentions that pretty much everything that the Board requested last time he was here is already taken care of. He mentions that it was asking him if he had to have a proper dumpster for trash and oil containers he has taken care of. He mentions, for the property, he understood that he cannot have it without the Boards approval but needs it so that he can sign the lease with the owner and the Health Department is also waiting for approval before they can inspect and verify he is meeting the proper codes. He mentions that everything else is waiting on you guys to approve so he can get everything going. Mayor Black asks Wally Abernathy what he thinks and if maybe we can approve that maybe under those conditions. Wally Abernathy wants to table it now because we don't even have an Ordinance in place for food trucks. He mentions we have to pass that first before we can issue any licenses. Wally Abernathy mentions two more weeks is all. Alfredo Pina mentions two more weeks and he is fine with that. He mentions how does he know when. Mayor Black mentions we will put in on the agenda tonight and we will put it on the Committee for the agenda. He mentions it will be next meeting. Mr. Pina two weeks or March. Wally Abernathy mentions it will be on February 18th and Mayor Black agrees but asks if that is the right calendar. After changing the calendar, the date will be February 15th when they will have their decision.

No further questions on the motion.

Voting on the motion: All Yeas, No Nays – **Motion Passed.**

- Motion was made by Wally Abernathy, seconded by Matt Modrovsky, to approve Resolution #1704 - A Resolution of the Village of Caseyville, St. Clair County, Illinois, Regarding the Acceptance/Rejection of a Recommendation of the Planning Commission to Grant an Application for an Area Bulk Variance

for Steve Bovinett, 320 S. 5th Street, Caseyville, Il 62232, to Allow a Rear Setback of 18' (Feet), the Principle Building Setback of 6' (Feet) and Yard Coverage of More than 10% (Percent).

A citizen asks what exactly does this resolution mean. Wally Abernathy mentions that Mr. Bovinett has a batting cage down there and he is wanting to put up, instead of it being screened in, a metal building out there to have it indoors. The citizen thanks Wally Abernathy for the explanation.

No questions on the motion.

Voting on the motion: G.W. Scott - Yea, Jackie Mitchell - Yea, Wally Abernathy - Yea, John Buckley – Nay, Brenda Williams – Nay, Matt Modrovsky – Yea

4 Yeas, 2 Nays – Motion Passed

Police

- Motion was made by John Buckley, seconded by Brenda Williams, to approve Ordinance #1703 - An Ordinance Repealing Ordinance 1519A, Declaring one 2010 Ford Crown Victoria VIN#2FABP7BV5AX112873 to be Surplus and Authorizing Sale.

John Buckley mentions that we go ahead and sale this because the last he knew we had a buyer for it.

No questions on the motion.

Voting on the motion: All Yeas, No Nays – **Motion Passed.**

Correspondence: Village Clerk Rob Watt did not have anything for this meeting. Matt Modrovsky mentions under correspondence, that everyone should have a copy of the Management Letter and a copy of this year's financial audit. He mentions it will be on file for anybody that wants to FOIA that information.

Approval of Bills:

A motion was made by Matt Modrovsky, seconded by Jackie Mitchell, to authorize the expenditures of the bills in the amount of \$133,318.45 and the money drawn from the proper accounts, when the funds become available.

No questions on the Motion

Voting on the motion: All Yeas, No Nays – **Motion Passed.**

Chief of Police – Chief Frank Moore had nothing to report for this meeting.

Superintendent of Public Works - Superintendent Brian Rader gave the Board an update on the 89th Street project. He mentions that they are still waiting on AT&T to move their pole because the pole is kind of, they had to redesign the wall and the pole is too close to the retaining wall. He mentions also talked to Fairview Heights today they have it in front of their Council to reimburse the Village \$20,000 for a portion of the engineering cost on that street. He mentions we will get that check in two weeks or so.

M.K. Dashke – M.K. Dashke mentions that the Scout meeting was the first time for her attendance. She mentions that there was supposed to be over 900 people there but all she know is she talked to a lot of people that day. She mentions that there were a lot of people that were wanting to see our events in our park and she had pictures to show everyone. She mentions she'll be curious to see. She mentions she'll be able to start working the fishing derby and see if that by attending that meeting if it was worth her time. She mentions that Rob Crane is doing a fishing class on April 22nd. She mentions that June 24th is the Youth Fishing Derby and July 1st is the Picnic and Fireworks.

Village Attorney – Attorney Brian Manion mentions if there is a desire at the end of the Committee Meeting he can give an update on collective bargaining or otherwise he can just get with the Trustees that are involved in those negotiations. He mentions that there is nothing else that he can think of. He mentions there is a hearing on the Electoral Board challenge on Friday, February 3rd, at 1:30pm.

Adjournment

There was no additional business to bring before the Board. A motion was made by Matt Modrovsky, seconded by Wally Abernathy, to adjourn the meeting.

Voting on the motion: All Yeas, No Nays – Motion Passed.

Meeting adjourned at 7:22 p.m.

Respectfully Submitted by



Rob Watt
Village Clerk