

VILLAGE OF MACKINAW
PRESIDENT AND BOARD OF TRUSTEES
REGULARLY SCHEDULED MEETING MINUTES

November 25, 2019

President Craig Friend called the meeting to order at 7:00 p.m.
This was a regular meeting of the Village of Mackinaw.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL:

Present: President Craig Friend, Trustees Carolyn Elmore, Candy Haynes, Kraig Kamp, Mark Morman, and Jerry Peterson

Absent: Trustee Schmidgall

Also Present: Interim Police Chief Brandon Reese, Clerk/Collector Lisa Spencer, Public Works Manager Mike Schopp, Brad Venzon, Attorney Mark McGrath, Treasurer Andrea Johnson, Gary and Diane Ellenson, Charles Huff, Officer Alex Pawlak, Patrick Haynes, Janet Murphy, and Andy Saltzman

III. CONSENT AGENDA: The consent agenda consists of approving the November 11, 2019 regular meeting minutes, public works department reports, non-recurring disbursements, account balance, and payroll report.

Trustee Morman moved, seconded Trustee Peterson to approve the above listed consent agenda items. On a roll call, the vote was:

AYES: 5 – Trustees Elmore, Haynes, Kamp, Morman, and Peterson

NAYS: 0

ABSENT: 1 – Trustee Schmidgall

There being five affirmative votes, the **motion carried.**

IV. PUBLIC COMMENT:

Apology – The juvenile that did damages at Westwood Park apologized to the Board and public works for the damages done to the basketball court. The Board stated that they appreciated the in person apology.

Haynes on Main requesting extension of serving hours for Thanksgiving 2019 – Patrick Haynes, owner of Haynes on Main, came before the Board to request an extension of serving hours to 2:00 a.m. for Thanksgiving Eve (Thanksgiving Day). The Board discussed including this extension to the liquor code to eliminate the need for the Board to vote on annually.

Trustee Morman moved, seconded by Trustee Kamp to grant the extension of Haynes on Main's serving hours from 12:00 a.m. to 2:00 a.m. on Thanksgiving Eve. The Board would like the liquor control commission to add the extension of serving hours on Thanksgiving Eve to their next meeting agenda to determine a recommendation to bring back to the Board. On a roll call, the vote was:

AYES: 5 – Trustees Elmore, Haynes, Kamp, Morman, and Peterson

NAYS: 0

ABSENT: 1 – Trustee Schmidgall

There being five affirmative votes, the **motion carried.**

Approval of fiscal year 2019 audit report and management letter – Andy Saltzman of Ginoli & Company Ltd. reviewed the fiscal year 2019 audit report and management letter. Trustee Peterson stated that it would be helpful in the future to add a comparison page showing the current year and past year. Saltzman will begin the request next with year's audit report.

Trustee Peterson moved, seconded by Trustee Elmore to approve the fiscal year 2019 audit report (ARF) and management letter. The report will be available for the public to review at the Village office and on the website. On a roll call, the vote was:

AYES: 5 – Trustees Elmore, Haynes, Kamp, Morman, and Peterson

NAYS: 0

ABSENT: 1 – Trustee Schmidgall

There being five affirmative votes, the **motion carried**.

Gary & Diane Ellenson and Charles Huff regarding storm sewer on N. Orchard St. -

Charles Huff came before the Board regarding the sink hole on his property caused the collapse of the storm drain. He received an agreement from the Village's insurance stating that once signed repairs will be made and will release the Village from any future responsibility. Huff said that Schopp has been good to work with on this matter but is hesitant of signing the agreement without having it reviewed by an attorney. He said he has no intention of suing the Village but wants to feel comfortable before signing an agreement with the insurance. The Board agreed that he should feel comfortable before signing any agreement.

Gary and Diane Ellenson explained that after the storm drain was closed off for the repairs it made water shoot through the floor drain in their basement during the rain fall on October 26, 2019. Their homeowner's insurance covered part of their lost items but wants the Village to cover the remaining cost. Public Works was called to their house on October 26, 2019 to determine the cause of the water and it was then discovered that their basement drains are hooked into the Village's storm drains instead the sewer drains. This is classified has as an illegal hook up as per Village Code. The Village's insurance denied their claim stating that lateral line and corresponding hook up are considered part of the home and is the homeowner's responsibility therefore; the Village of Mackinaw would be immune from liability on this loss. Ellenson stated that the house was built and drains hooked into the system before they purchased the property and feel that they shouldn't be liable due to not knowing it was improperly hooked into the storm drain. They believe that the Village should have known about this but Attorney McGrath explained to them that their house was built in the 1940's and there were no records dated back that far to determine who would have been the contractor. Ellenson's stated that they will fill the drain and concrete. Schopp stated that the line has been capped and that no storm drain water will be able to enter their property. Ellenson's then left the meeting.

V. DEPARTMENT REPORTS:

POLICE REPORT: Interim Police Chief Brandon Reese reported on the activities of the police department. Reese updated the Board on a recent training class he attended. Reese, Kamp, and Peterson met with the school regarding the need for a resource officer for the schools. This was a preliminary meeting regarding the needs and how to split the cost of a resource officer. They plan on meeting again to further discuss the matter. The Community Christmas tree will be going up next to the station on Wednesday. Reese has heard a lot of good feedback regarding the tree and hopes it will become an annual decoration for the Village. The department is currently accepting officer applications at this time. Reese has contacted State Farm regarding an in kind request for used office furniture and file cabinets.

Police Chief appointment and terms – Interim Chief Reese let the Board know how appreciative he is for the opportunity of being Police Chief. He asked that the appointment be postponed so that his wife and son could be at the meeting. He stated that he has spoken to other senior officers for advice on how to make sure that both the Village and he are comfortable with the terms of the position. His concern is that a salary position may result in many unpaid overtime hours and would like something in writing if an abundance of overtime is worked that he will be compensated somehow for the time worked. He stated that he has no concerns with the current Board being fair but future elections may cause Board members to change. McGrath stated that State Law reads the longest an appointment agreement could be is the term of the Village President. McGrath advised the Board against an agreement but said it is up to them.

Hire J. Nieukirk Technology Consulting as IT consultant for police department - A proposal agreement for IT consultant services from J. Nieukirk Technology Consulting was presented to the Board. Services include analyzing client information technology needs and current operational obstacles as they relate to information technology via phone conference and on-site assessments, recommendation of information technology solutions to meet these needs and overcome these operational obstacles, policy and procedure formulation, implementation of information technology solutions requested by client in timely fashion, training of staff as requested by client on implemented information technology solutions, and support on current and

future information technology systems via phone/remote access and on-site consulting. Pricing for 2019/2020 services were included in the proposal. The Village may exist the agreement at any time, for any reason, by providing 10 day notice. The Board discussed whether there was a need for an agreement but concluded that by having an agreement the price for service could not increase during 2019/2020. The Board understood the need for the service but would like this to be only used on an as needed basis. They would like to in the future see the Police Chief be able to have some this type of work.

Trustee Morman moved, seconded by Trustee Elmore to authorize President Friend to sign the agreement with J. Nieu Kirk Technology Consulting for IT services for the police department. The service will be used on an as needed basis. The company will need to provide the Village of Mackinaw with a certificate of liability insurance naming the Village of Mackinaw as a certificate holder. On a roll call, the vote was:

AYES: 5 – Trustees Elmore, Haynes, Kamp, Morman, and Peterson

NAYS: 0

ABSENT: 1 – Trustee Schmidgall

There being five affirmative votes, the **motion carried**.

PUBLIC WORKS REPORT: Public Works Manager Schopp reported on the activities of the department. The street sweeper is currently has a broken hydraulic motor. Schopp is taking the motor in for repairs in St. Louis not sure on the cost but this is something that the department must have and there are a very limited number of places that can make this type of repair. Today was the last day for 2019 yard waste pick up. The program will begin again in March 2020. Christmas decorations are up and will be lit after Thanksgiving.

N. Orchard Street utility relocation project – Schopp received additional bids for the storm drain relocation project on N. Orchard St. G.A. Rich & Sons presented the lowest bid with \$38,754.00. He would like to the Board to award the project to G.A. Rich & Sons.

Trustee Elmore moved, seconded by Trustee Peterson to award the N. Orchard Street utility relocation project to G.A. Rich & Sons in the amount of \$38,754.00. The project will relocate the storm drains along N. Orchard St. but will require utility easement agreements with property owners. Attorney Pat McGrath is currently working on the easement agreements between the Village and the property owners. On a roll call, the vote was:

AYES: 5 – Trustees Elmore, Haynes, Kamp, Morman, and Peterson

NAYS: 0

ABSENT: 1 – Trustee Schmidgall

There being five affirmative votes, the **motion carried**.

VI. TREASURER'S REPORT:

Non-Recurring Bills - Trustee Elmore moved, seconded Trustee Haynes to approve the non-recurring bills. On a roll call, the vote was:

AYES: 5 – Trustees Elmore, Haynes, Kamp, Morman, and Peterson

NAYS: 0

ABSENT: 1 – Trustee Schmidgall

There being five affirmative votes, the **motion carried**.

VII. PRESIDENT'S REPORT:

Cancelation of December 23, 2019 Board meeting – Trustee Elmore moved, seconded by Trustee Kamp to cancel the December 23, 2019 Board of Trustees meeting due to the holiday season. On a roll call, the vote was:

AYES: 5 – Trustees Elmore, Haynes, Kamp, Morman, and Peterson

NAYS: 0

ABSENT: 1 – Trustee Schmidgall

There being five affirmative votes, the **motion carried**.

VI. LOCAL LIQUOR CONTROL COMMISSIONER'S REPORT: none

VIII. TRUSTEES' REPORT:

Install lights and cameras at Westwood Park – This item was tabled.

IX. ATTORNEY'S REPORT: none

X. NEW BUSINESS:

Hunter Safety Class – Trustee Morman would like the Board to consider sponsoring another Hunter Safety Class to be taught by IDNR at the community center. The item will be placed on the next agenda for a vote by the Board.

XI. ADJOURNMENT @ 8:40 P.M.: There being no further business to come before the Board Trustee Elmore moved, seconded by Trustee Haynes to adjourn. **motion carried.**

I, Lisa Spencer, Village Clerk/Collector of the Village of Mackinaw, Illinois do hereby certify that the foregoing minutes are a true and correct copy of the regular meeting held on the above date, as the same appears on the records of the Village now in my custody and keeping.

Lisa Spencer, Village Clerk/Collector
Posted: 12-10-19