

**MINUTES OF THE REGULAR MEETING OF THE PRESIDENT  
& BOARD OF TRUSTEES OF THE VILLAGE OF BEECHER  
HELD AT THE WASHINGTON TOWNSHIP CENTER,  
30200 TOWN CENTER ROAD, BEECHER, ILLINOIS  
DECEMBER 8, 2008 -- 7:00 P.M.**

All present joined in the Pledge to the Flag.

President Lohmann called the meeting to order.

**ROLL CALL**

**PRESENT:** President Lohmann and Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

**ABSENT:** None.

**STAFF PRESENT:** Clerk Janett Conner, Administrator Robert Barber, Chief Jeffrey Weissgerber, Treasurer Nelson Collins, Public Works Superintendent Bud Cowger and Ray Koenig from Baxter and Woodman.

**GUESTS:** Terry Gatlin from the Beecher Herald, Kim and Betty Koutsky and James Kvasnicka.

President Lohmann asked for consideration of the minutes of the November 24, 2008 Board meeting and Public Hearing. Trustee Szymanski made a motion to approve the minutes as written. Trustee Gardner seconded the motion.

**AYES:** (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

**NAYS:** (0) None.

Motion Carried.

**CLERK'S REPORT:** 1) A report on income received since the last meeting was provided. 2) Bills were presented for the Beecher Fourth of July Commission (\$146.40) and the Beautification Commission (\$132.36). Trustee Szymanski made a motion to approve the list of bills totalling \$278.76 as listed on the Clerk's Report. Trustee Wehling seconded the motion.

**AYES:** (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

**NAYS:** (0) None.

Motion Carried.

3) Clerk Conner read aloud two thank you cards from Dallas City.

**RECOGNITION OF GUESTS:** James Kvasnicka of 747 Woodward was present regarding a carport he put up without obtaining a building permit. He indicated that he did not realize he needed a permit. He said he was notified by the Village that the carport encroaches into the Village right-

of-way, encroaches into the front yard setback and is not attached to any footing or foundation, in addition to other violations. A copy of the letter to Mr. Kvasnicka from the Village was provided for review. Administrator Barber explained six violations of the BOCA Code and Zoning Ordinance and said the property was already in violation as a non-conforming use because the garage is on the property line. A number of complaints were received at the Village Hall regarding the carport. Mr. Kvasnicka asked what he could do to bring the carport into compliance. It was discussed that it is tied to the ground with mobile home ties and does not comply with requirements for foundation and footing due to size. Mr. Kvasnicka discussed moving it and attaching it to the garage. He has 2 lots and discussed if he could put the carport on the other lot. Mr. Kvasnicka said he put up the carport to protect his truck from the weather because the truck wouldn't fit in his garage. President Lohmann recommended he improvise the existing garage to fit his truck. The consensus of the Board felt his property must be in compliance with Village codes. After much discussion, the consensus of the Board agreed that the carport is not acceptable. Mr. Kvasnicka needs to find another solution to his parking problem. Mr. Kvasnicka asked to be given until March 15<sup>th</sup> to take the carport down, due to the weather. Some Board members felt this was too much time. The Board agreed to give Mr. Kvasnicka until January 26<sup>th</sup> to take the carport down and authorized Administrator Barber to draft a letter to Mr. Kvasnicka officially notifying him of the January 26, 2009 deadline.

#### **A. FINANCE AND ADMINISTRATION COMMITTEE**

**TREASURER'S REPORT:** A copy of the Treasurer's report was provided to the Board for review and the Treasurer was present to answer questions. Treasurer Collins explained that he plans to provide the Board with a list of bills paid for the Fourth of July Commission as pre-approved by the Board before the festival date. Even though a flat amount was approved prior to the festival to allow him to pay bills in a timely manner, he would like to have the Board approve the detailed list of bills that were actually paid. The list of bills will be provided for the Board's formal approval on the Clerk's Report at the next meeting.

A list of bills totalling \$132,591.30 to be paid was available for review. A summary of the list of bills was provided. Trustee Szymanski made a motion to approve payment of the list of bills as presented. Trustee Ahrendt seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

Trustee Szymanski made a motion to authorize a special Board meeting for Wednesday, January 14, 2009 at 6:30 p.m. at the Village Hall to discuss the five-year financial plan. Trustee Cleary seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

Trustee Szymanski made a motion to authorize a budget public hearing to be held on April 27, 2009 at 7:00 p.m. Trustee Cleary seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

Trustee Szymanski made a motion to authorize a special Board meeting to be held on March 30, 2009 at 6:00 p.m. to hold a budget workshop. Trustee Cleary seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

Trustee Szymanski requested a closed session be held to review closed session minutes for approval and release to the public.

#### **B. PUBLIC SAFETY COMMITTEE**

The Police Department monthly report was provided for review.

#### **C. STREETS AND ALLEYS COMMITTEE**

Public Works Superintendent Cowger reported that leaf collection is done for the season.

#### **D. SEWER AND WATER COMMITTEE**

The Water and Sewer Department monthly reports were included in the packet for review.

#### **E. PUBLIC BUILDINGS, PROPERTIES, PARKS AND RECREATION COMMITTEE**

Trustee Wehling provided a report on the new Public Works facility. The architect and engineer have been instructed to place the Public Works facility on the west side of the property. The Village is currently planning on adopting the ordinances to sell the bonds at a January meeting, holding a workshop session on reviewing the blueprints in January, letting the bids on the project the first meeting in February, and awarding the bids at the first meeting in March. The Village would then sell the bonds sometime in March or April. Construction on the building should begin in May and be completed by December 1, 2009 and Public Works would move in during December of 2009 or January of 2010.

#### **F. PLANNING, BUILDING AND ZONING COMMITTEE**

The Board considered extending the building permit or moving forward with condemnation proceedings for the Buchmeier building located at 752 Penfield Street. President Lohmann reported that he spoke to Joanne Buchmeier and asked the Buchmeiers to be present at the meeting. Mike and Joanne Buchmeier were not present. It was reported that the Buchmeiers have done some work on

the building in the last week and a half. The previous permit extension expires on December 9, 2008. There has been no formal request for a building permit extension. The Board discussed what needs to be done to start condemnation proceedings. The Village Attorney explained the process, stating that there would be some substantial costs incurred to have the building condemned. It was estimated at approximately \$30,000 to demolish the building. President Lohmann expressed concerns that the back side of the building is open. It was noted that if they do work after December 9<sup>th</sup>, they have no valid permit. The Board discussed making Buchmeiers post a cash escrow to ensure the job gets done. In relation to condemnation proceedings, Trustee Wehling expressed concerns about the building being in the historic downtown business district and it being a historical building. Trustee Gardner made a motion authorizing the Village Attorney to begin condemnation proceedings to demolish the building at 752 Penfield Street. Trustee Szymanski seconded the motion.

AYES: (2) Trustees Szymanski and Gardner.

NAYS: (4) Trustees Cleary, Ahrendt, Kuhlman and Wehling.

Motion failed.

Trustee Ahrendt recommended getting the Buchmeiers to the next Board meeting and asked the Attorney if they could be required to post a letter of credit or bond. The Attorney expressed concerns that if they don't have the money to renovate the building, then they won't have the money to post bond, etc. The major issue of the Board was the safety of this building in its current condition and concerns that it could collapse. After much discussion, Trustee Szymanski made a motion to grant an extension of the Buchmeier's building permit until the January 12<sup>th</sup> Village Board meeting and authorize the Attorney to draft a letter to the Buchmeiers informing them that the Village will hold an administrative hearing on the condemnation of their building on January 12<sup>th</sup> and they must appear or the Village will move forward with condemnation proceedings. The letter is to be served in person by the Police Department. Trustee Ahrendt seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

The Building Department monthly report was provided in the packet for review.

The Code Enforcement monthly report was provided in the packet for review.

The Economic Development Coordinator's monthly report was provided in the packet for review.

A meeting is scheduled for January 7, 2009 at 7:00 p.m. at the Washington Township Center with property owners north of Beecher on proposed pre-annexation agreements. Economic Development Coordinator Meyer will send out notices to the property owners, advising them of the meeting.

## **G. VILLAGE PRESIDENT'S REPORT**

There was nothing new to report on the Trinity Industrial/north area annexation.

An update was provided on MGM Development. Attorney Kuiper reported that there was a rumor that MGM filed for bankruptcy. They have not filed bankruptcy but foreclosure proceedings have been filed upon the golf course and golf course property.

A punch list of items on MGM Development has been prepared and provided to the developer, however, it is believed he no longer has anyone working for him to make these improvements. The Village does have a letter of credit for this development. The bank will be informed about this since the golf course is in foreclosure proceedings. Attorney Kuiper is working on drawing on the bond so landscaping can get completed for property owners who paid MGM for the their landscaping but the work didn't get done.

Administrator Barber also noted that in order to avoid future problems, a punch list of items is also needed for Montalbano (Nantucket Cove) before their letter of credit expires. It was the consensus of the Board to proceed on a full final punch list on Montalbano. There was some concern if Montalbano's letter of credit is enough to get the necessary roads paved. These items need to be addressed as soon as possible. The Board also discussed lights that haven't been installed in Hunter's Chase Subdivision

The Governor has proposed a bill which would give him the authority to reduce local government income taxes by 8% and transfer this money for state use. President Lohmann explained the status of the state budget crisis. President Lohmann has sent a letter to our legislators, objecting to the Governor's proposal.

President Lohmann requested a closed session be held to discuss employee compensation issues for next year's budget.

## **H. NEW BUSINESS**

Trustee Cleary asked what happens regarding the stop light proposed for Chestnut and Dixie, in regards to the state problems. Administrator Barber explained that the stop light project should continue to move forward. The project is going out for bid on April 24, 2009.

There being no further business to be discussed in open session, Trustee Cleary made a motion to adjourn into executive session at 8:46 p.m. to review executive session minutes and discuss employee compensation issues. Trustee Szymanski seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

Trustee Ahrendt made a motion to return to regular session at 9:25 p.m. Trustee Kuhlman seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

Trustee Ahrendt made a motion to approve and release certain executive session minutes. Trustee Szymanski seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

There being no further business, President Lohmann asked for a motion to adjourn. Trustee Kuhlman made a motion to adjourn the meeting. Trustee Gardner seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

Meeting adjourned at 9:25 p.m.

Respectfully submitted by:

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Janett Conner  
Village Clerk