

VILLAGE OF KINCAID  
115 CENTRAL AVE. KINCAID, IL. 62540  
TIME- 6:00 P.M.  
MONDAY, NOVEMBER 13, 2023  
REGULAR MEETING MINUTES

The meeting was brought to order by Mayor, Robert Morris.

Roll call was taken by the clerk, Stephanie Brown.

Gibson- here, Paso- here, Lawrence- here, Warren- here, Dees- here, Nelson- here.

The Pledge of Allegiance was recited by all that attended the meeting.

- Approval of Minutes for October's meetings- A motion was made to approve the minutes by Trustee Nelson. A second motion was made by Trustee Lawrence. All Ayes.
- Jeisyville board to speak about annexing- Foreman Mark Wolfe spoke up and stated that he had went to Jeisyville's board meeting to see about getting them annexed with Kincaid. What he really wanted to do at this meeting was see if the two boards could set up a meeting to come together and discuss how to go about getting this done. He stated that we could just set up a special meeting for this purpose only. Trustee Nelson spoke up and asked if this was something we could just put on the committee meeting to discuss. The board decided to just go ahead and set a special meeting for Monday, November 20<sup>th</sup> @ 6 p.m., just to have the two boards meet and further discuss this matter. The meeting will be to discuss the pros and cons of things and how everything will work. There was a motion made to have the special meeting by Trustee Paso. A second motion was made by Trustee Warren. All Ayes.
- Chastain & Associates LLC.- Engineer, Matt Foster spoke about the safe route project. He stated that he took over this project after Mark Bingham left Chastain, so he has been working on it over the last couple of months. He has been working on the plans and the design detail and he provided a set of plan and profile sheets to Foreman Mark Wolfe last week. He stated that when he spoke to Mark, that Mark had expressed some concern about the cost of the overall project. Matt stated that he assembled a sheet that shows the breakdown of the overall cost of the project, as of today. Matt went over the handout which showed the different phases of the project and what the costs would be. Matt stated that they plan to begin submittals to IDOT before the end of the year to begin the process. He spoke in regards to the budget and how the breakdown of numbers would be. For the Design Engineering, it would cost \$92,000 but \$55,000 has already been expended. The construction Observation would be \$50,000. This budget was based upon experience with similar projects. Then the actual construction itself would cost \$284,300, which is per SRTS Grant application. The total cost of the project comes out to be, \$426,300, minus the SRTS Grant amount of \$250,000, then the cost to the village would be \$176,300. Matt stated that he mainly wanted to make sure that everyone was on the same page and understood the whole process. He stated that he does not have firm numbers yet for construction and for construction observation. Trustee Lawrence spoke up and asked how much of the cost went up? Lawrence stated that it looks to him that the project is more expensive than what it was in the beginning. Lawrence also stated that he would like to see

how much the project has gone up, since Mark Bingham had left. Trustee Paso asked if the Construction Observation was mandatory or not. Matt Foster spoke back up and stated that with IDOT, you must have certain qualifications to do construction observation with using federal funds. He stated that there is a lot that goes into this. Trustee Nelson spoke up and wanted to know exactly how many feet of sidewalk it would be, for the overall cost and figures. Foreman, Mark Wolfe spoke up and stated that he had laid out a map for the trustees to look over, that showed the exact footage of the sidewalks that would be put in to place with this project. Mark Wolfe asked Matt Foster, how close they were to getting this project out for bid. Matt stated that they are still quite a way away for that. He stated that there are several things that they still need to get done before that could happen. Trustee Lawrence asked Matt, what kind of timeline he was looking at. Matt stated that, at the earliest, it would be around 6 months before moving it into the bidding phase. Trustee Lawrence wanted to know if Matt could do some figuring and come up with the difference in the numbers, since the start of the project. Matt stated that he could back through the figures and get back with the board on that. The board members were puzzled to the fact that, they would have to pay someone \$40,000 just to watch over the workers while they were doing their job. The board wants to look at the old numbers and compare them with the new numbers now. This will be put on the committee meeting.

- New Business

- Christmas bonuses for the employees- The clerk stated that she had put this on the agenda, since last year that had given out Christmas bonuses to the employees and if the board wanted to do that again this year. Mayor Robert Morris asked what was the amount from last year. The clerk stated that they had paid out \$300.00 for bonuses last year. The Mayor asked the board if they wanted to go ahead and keep it at \$300 again this year. It was stated that this was for full time employees only but further discussion, it was then stated to do bonuses for all employees. A motion was made by Trustee Paso. A second motion was made by Trustee Lawrence. Gibson- yes, Paso- yes, Lawrence- yes, Warren- Abstain, Dees- yes, Nelson- yes.

- Adding a cellular charge on water bills- Foreman Mark Wolfe spoke up and stated that when we first started with the new cellular meters, we knew there was going to be a monthly .90 cent charge for the use of them. He stated it is a cellular fee that is charged to the village. He also stated that we had talked previously about adding a small fee onto the water bills to cover the cost of the charge on the new cellular meters. He stated that this was the original plan that was discussed when we purchased the new water meters. Trustee Paso stated that the board had agreed to add \$1.00 cellular charge to each of the water bills. Trustee Nelson spoke up and wanted to know when the new water percentage rate would go up again. Mark stated that it would be in January to 2% to follow suit with Taylorville. Trustee Nelson wanted to know if we were going to add this at the beginning of the year. It was discussed that these meters are all in use now and running and that the village is already paying the fee each month. The clerk stated that there are still 2 billing cycles left in the year. Trustee Lawrence made the motion to add the \$1.00 cellular fee charge to the water bills, which would go into effect on the next bill. A second motion was made by Trustee Lawrence. All Ayes.

- Raising the water meter deposit for renters- Trustee Nelson spoke up and stated that for right now on homes we only charge \$50 and for commercial only \$50. He stated that we need to raise it for commercial and for renters. Trustee Lawrence stated that he wanted to make a motion to raise the deposit for commercial properties to \$200 instead of \$50. Mark Wolfe spoke up and stated that right now if you own the home the deposit is \$50 and if someone is a renter, the deposit is \$150.00. He stated that the \$150 for renters is not covering their bill sometimes, especially when they are skipping out of town and then they are still being charged water, since no one called to let us know. He stated that most of them get to be 2 months behind. Mark had reiterated that before when this was being discussed, it was said that the board wanted to raise the renter deposit to \$300 and that they could pay it over a 3 months installment. Mark stated that even with the \$150 for deposit, we still get stuck with around \$75 left over, when these people skip town. The billing cycle is always a month behind. The clerk spoke up and stated that Beverly, the village Treasurer, had made a good point about stretching the \$300 over 2-month period, where they would pay \$150, the first month, then \$150 the next month. Trustee Nelson stated that we are talking about raising it to \$300 for commercial properties and for renters as well. The clerk reiterated that fact that he has stated \$200 for commercial. Trustee Nelson agreed. A motion was made by Trustee Nelson to raise the commercial property deposit to \$200 and the renters deposit to \$300. Mark Wolfe spoke up and stated that he thought it was \$300 for both, so it was made clear by the board that both commercial and renters would be \$300. A motion was made by Trustee Lawrence to change both commercial and rental deposits to \$300. A second motion was made by Trustee Warren. All Ayes.

- Old Business

- Changing the verbiage on the Ordinance for non-payment of water bills- The clerk spoke up and stated that the Ordinance did not clearly state, \$50 for shut off and \$50 for turning back on of the water. She stated that the verbiage needs to be changed to coincide with the correct amounts. This was discussed previously and agreed upon, but just needed a vote to change it. A motion was made by Trustee Lawrence to change the verbiage on the Ordinance for non-payment of water bills. A second motion was made by Trustee Nelson. All Ayes.

- Applications for new water service- The clerk brought this up and stated that she handed out a copy to all the board members of the new application. She stated that she will have to change the deposit amount for renters and add the deposit for commercial properties. She stated that she did add an emergency contact to the application as well. The clerk reiterated that she feels this will be a big help, especially with having people skip out of town and we have no way of getting in contact with them after the fact. She stated that if they rent the property then they must bring in their lease. Trustee Lawrence made a motion to accept the new application, and adding the new deposit amounts to them. A second motion was made by Trustee Nelson. All Ayes.

- 4-wheelers and inspection sheet change- The board was handed a copy of the new inspection list. Trustee Warren stated that this is since the board decided previously, to change the ordinance for no 4-wheelers in town, as of next year. He stated that the clerk made the

necessary changes to the inspection sheet and that on the very bottom it states that the sticker must be placed on the orange triangle on the back of the vehicle. He stated that this will help the officers to be able to check and see if someone has a sticker or not. A motion was made to accept the new inspection sheet change by Trustee Warren. A second motion was made by Trustee Nelson. All Ayes. Officer Hubbs spoke up and stated that the Ordinance will need to be changed to state, no 4-wheelers and where the sticker needs to be placed at.

- Changes to Employee Insurance (BCBS)- The clerk spoke up to talk about the change to the employees insurance. There will be a decrease in the medical insurance slightly and an increase in the dental insurance. She did state that this will take effect beginning December 1<sup>st</sup> of this year. She also stated that she made sure the employees had their copies of the rate increase.
- Condemning properties in town- Trustee Lawrence spoke up about the fact that we have gone over this topic several times now. He stated that we spoke to the fire department here in town, as well as, the fire department in Taylorville. He stated that we talk to Mayor Bruce Barry, who stated that we would just have to change our ordinance for this. He wanted to make sure that the board and everyone agreed, that if we come across a property and is unfit or unsafe, that we can do something about it. He stated that he just wants to make sure we are doing things the legal way with these properties. Lawrence handed it over to the Village Attorney, Jared Rahar, to give his feedback on the issue. Attorney Rahar stated that we are well within our right to follow through with this, but just needing to find the right person to say the building is unsafe or the property is unsafe. Once, you have that, then it is onto tracking down the owner and getting a court order. Most of the time if you can find the owner, then try and work with them. Trustee Lawrence referred to the property next to the church and all the issues that the village has had with that property. Attorney Rahar stated that the process is filing the petition, giving proper notice, and trying to track them down and publishing it. Trustee Lawrence spoke up about a property that is across the tracks here in town, that we have put Liens on, but cannot track anyone down with regards to the property. Attorney Rahar stated that everything is just a process with regards to how you want to take care of the properties. He stated that the process is the easy part, but then you must figure out if the village wants to go ahead and take the time to tear the buildings down. Trustee Lawrence spoke about putting several liens on the same property and not getting any response from them. Lawrence wanted to know what we could do about those properties and if we could take them to court. Attorney Rahar stated that the village could foreclose on the lien. Lawrence stated that he would look into some of these properties and see what steps we could take to take care of the “problem child” properties.

- VISITORS:

VISITORS- A PERSON SHALL BE PERMITTED AN OPPORTUNITY TO ADDRESS OFFICIALS UNDER THE RULES ESTABLISHED BY THE VILLAGE OF KINCAID (3 MINUTES PER PERSON) 5ILCS 120/2.06g  
A resident of the village spoke and asked where the house was that the village was referring to when they discussed about condemning properties. Trustee Lawrence stated that one of the buildings was by the church and then the other building was three lots that are across the

tracks. He stated that there were 3 vacant lots where someone was building and left a pile of logs, and so the village had been maintaining the property and cutting the logs.

- Approval of bills- A motion was made to approve the bills by Trustee Nelson. A second motion was made by Trustee Dees. All Ayes.
- Zoning Report- nothing this month
- Approval of Treasurer's report- Beverly Merano handed out her report to the board members. A motion was made by Trustee Dees to approve the treasurer's report. A second motion was made by Trustee Gibson. All Ayes.
- Clerk's report- The clerk stated that she handed out the bills and deposits to all the board members. She also stated that she has been keeping a tally of all the ordinances for this year and so far, there has been a total of 99. These were warnings or citations. She also stated that there are still quite a few that outstanding or have been unpaid. She spoke about the bulk water machine doing good with the credit card reader. She stated that we collected \$563.00 in bulk water and used 75,052 gallons. For the purified water, we collected \$152.10 and used 695 gallons. She also spoke about the new ordinance forms that she handed out to the board members to look over. The new ordinance forms, co-inside with the one from Taylorville. These new ones have a spot for warnings, then 1<sup>st</sup> offense, second offense, and 3<sup>rd</sup> offense and the fine amounts. The new ordinance forms give the person an opportunity to plead guilty and pay the fine or they can go to court to contest it. Officer Hubbs spoke up and stated that we will not know if they plead guilty unless they come up and pay for the ordinance. The Officer's can leave the Ordinance at the home, but if the person does not pay within the 2-week frame, then it will get filed with the courthouse to take that person to court. Attorney Rahar just reiterated to make sure we leave ourselves enough time to be able to file the necessary paperwork before the date of Ordinance court. Attorney Rahar stated that he would need enough time to file the appropriate documents to the courthouse, so therefore to allow enough in- between issuing the ordinance and the person possibly paying it.

The clerk spoke back up about one more issue. She stated that since we are adding the cellular charge to the water bills, the board had discussed about possibly changing the verbiage on the bottom about non-payment of water bills. The board decided to just leave the verbiage as is for now, since it is very explanatory of what happens when you do not pay your water bill.

- Police report- Officer Hubbs handed out his report to all of the board members. He stated that they had around 86 calls last month. He said that includes, traffic stops, arrests, and everything else. Monthly spending was 1900 dollars and 1500 of that was for the K-9 academy. He stated that Officer Mahan started the k-9 academy and he will finish on December the 9<sup>th</sup>. Officer Hubbs also wanted to make everyone aware that Roy was back in town and that he got a ride back from Springfield. He does have a place to stay at in Springfield though. Mayor Robert Morris spoke up and stated that he heard that Roy was staying out at the park and he just wanted Officer Hubbs to maybe investigate this.
- Foreman's report- Foreman, Mark Wolfe handed out his report to all of the board members to look over. Mark stated that they have been pretty much working out at the park and out at the lake. He stated that they are putting water and sewer out at the lake and working on the new building down at the park. He stated they have been picking up quite a bit of brush and leaves from resident's yards. Trustee Lawrence spoke up and stated that he seen where street

worker Vacker was going to be getting his CDL license. Lawrence wanted to tell all the workers that they have been doing a great job with the building down at the park.

- Attorney's report- Attorney Rahar stated that we could talk a little more about the litigation aspect of things during the closed session later with regards to the ruling on the Daum and Duran matter. Rahar just wanted to make sure we had the new Ordinance in place that the judge wanted done before the initial date in December.
- President's report and comments- The Mayor stated that he did not have anything at this time to report.
- Trustee's report and comments- Trustee Nelson spoke up and wanted to know that if he had a comment during closed session, would it be public record? The Mayor let Nelson know that he would be able to speak about his comment during closed session. Trustee Lawrence spoke up and stated that he wanted to thank everyone who came out to support the Garlic Festival and he wanted to thank everyone that donated desserts. He wanted to thank Trustee Paso and the Mayor for cooking the bagna, for Mark and his family for helping with cooking and taking tickets. Also, to Stephanie Brown for making the pasta salad. He wanted to thank Trustee Warren for his help with several things that needed to be done and for the donation of the wooden flag from Red Dog customs that was raffled off. He also wanted to thank the Mayor for his use of the DJ service. Lastly, he wanted to thank the American Legion for letting us host this event. Trustee Nelson spoke up and wanted to know when they would have the final numbers of everything from the event. Lawrence stated that when everything was said and done, we sold out of the bagna and the pasta salad. We ended of with a loss of \$286 and sold 130 tickets, which was \$1300. He stated that we have total of \$200 worth of supplies left over from the event. He stated that we donated over \$200 worth of food that was leftover to the food bank. He stated that in his book we came out ahead with over \$100 for our first event. Trustee Lawrence spoke up and wanted to know if he could just go ahead and donate his trustee money to help with the loss.

A motion was made to go into closed session by Trustee Nelson. A second motion was made by Trustee Warren. All Ayes. The time was 6:50 p.m.

- Closed Session:
  - Meeting to discuss litigation when an action, affecting, or on behalf of the particular body has been filed and is pending in a court. 5ILCS 120/2(c)(11)

A motion was made to come out of this closed session and go into the next one by Trustee Lawrence. A second motion was made by Trustee Nelson. All Ayes.

- Meeting to consider the appointment, employment, compensation, discipline, performance or dismissal of specific employees. 5ILCS 120/2(c)(1)

A motion was made to come out of closed session by Trustee Lawrence. A second was made by Trustee Nelson. All Ayes. The time was 7:05 p.m.

A motion was made to approve Ordinance number 903, which is the ordinance for non-payment on an ordinance violation and states the consumer will have due process before their water would be subject to shut off. A motion to approve this was made by Trustee Nelson. A second was made by Trustee Lawrence. All Ayes.

A motion was made to adjourn the meeting by Trustee Warren. A second motion was made by Trustee Dees. All Ayes. The time was 7:25 p.m.

The minutes were taken by the Village Clerk

Stephanie Brown