



October 10, 2017

Proceedings, transactions and resolution made and order of said record of said Board in the Village of Diamond, IL on the 10th Day of October 2017.

The scheduled meeting of the Diamond Village Board was held on Tuesday, October 10, 2017 at 6:00 p.m. with Mayor Teresa Kernc presiding. Upon roll call Commissioners present were Mark Adair, Jeff Kasher and Carolyn Wilson. Absent-Dave Warner.

Approval of Minutes

MOTION was made by Commissioner Kasher, **SECOND** by Commissioner Wilson to approve the 9/26/2017 regular meeting minutes as reviewed and place on file. **All Ayes; Motion Carried.**

Approval of October 10, 2017 Bill List and additional Bill List

MOTION was made by Commissioner Wilson, **SECOND** by Commissioner Adair to approve the October 10, 2017 bill list with additional bill list and place it on file. **All Ayes; Motion Carried.**

Public Comment

None

New Business

Presentation of Audit by Janet Brown C.P.A.

Mayor Kernc welcomed Janet Brown. Brown presented the audit findings and stated the Village is in compliance. Brown stated all necessary paperwork was in order and it was a very smooth audit process. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Wilson to approve and accept the Independent Auditor's Report for the Village of Diamond; Fiscal Year ending April 30, 2017. **All Ayes; Motion Carried.**

Approve 2017 Trick or Treat Hours of 4:00 p.m.-7:00 p.m.

Mayor Kernc stated the October 31, 2017 trick or treat hours will be from 4:00 p.m.-7:00 p.m. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Adair to approve the 2017 trick or treat hours of 4:00 p.m.-7:00 p.m. **All Ayes; Motion Carried.**

Approve Ordinance #2017-19; Ordinance Authorizing the Placement of Traffic Control Devices (Stop Signs)

Mayor Kernc stated this is for the placement of a stop sign at Kevin Drive and Patmore Street and a stop sign at Kevin Drive and McGinty Street. **MOTION** was made by Commissioner Adair, **SECOND** by Commissioner Wilson to approve Ordinance #2017-19; Ordinance Authorizing the Placement of Traffic Control Devices (Stop Signs). **All Ayes; Motion Carried.**

Approve Ordinance #2017-20; An Ordinance Enacting and Adopting a Supplement to the Code of Ordinances for the Village of Diamond

Village Attorney John Gallo stated this is required yearly as part of the update to the code of ordinances which was provided by American Legal Publishing Corporation. Gallo stated to remove the phrase "and declaring an emergency" in the ordinance title. **MOTION** was made by

Commissioner Adair, **SECOND** by Commissioner Kasher to approve Ordinance #2017-20; An Ordinance Enacting and Adopting a Supplement to the Code of Ordinances for the Village of Diamond with correction. **All Ayes; Motion Carried.**

Discuss and Approve Accurate Review Proposal and Agreement for Building Code Update/Plan Review/Inspection Services; Approve Resolution #2017-06; Authorizing the Execution of An Agreement with Olivieri Brothers Inc. d/b/s Accurate Review for Building Code Consulting and Commercial and Industrial Plan Review Services

Village Planning and Zoning Coordinator Cindy Haywood stated this company has been approved by Grundy and Will County and they are utilizing Accurate Review as well. This will keep the village consistent with Grundy and Will County codes. Accurate Review will be working with the Coal City Fire Protection District for their recommendations to the building codes. They will be utilized for commercial and industrial inspections when needed. **MOTION** was made by Commissioner Adair, **SECOND** by Commissioner Kasher to approve Resolution #2017-06; Authorizing the Execution of an Agreement with Olivieri Brothers, Inc. d/b/a Accurate Review for Building Code Consulting and Commercial and Industrial Plan Review Services. **All Ayes; Motion Carried.**

Approve Resolution #2017-07; Authorizing the Adoption of the South West Regional Emergency Operation Plan

Mayor Kernc stated this plan originated from Will County and took a year to complete. It is a very comprehensive plan which outlines the duties of personnel in an emergency. Kernc stated it is good to have all the nearby communities and county working under the same plan for consistency. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Wilson to approve Resolution #2017-17; Authorizing the Adoption of the South West Regional Emergency Operation Plan. **All Ayes; Motion Carried.**

Approve and Release Farmstone LOC Funds

Mayor Kernc stated this is the remaining funds from the letter of credit in the amount of \$1,940.61. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Wilson to approve and release Farmstone's remaining funds from the letter of credit in the amount of \$1,940.61. **All Ayes; Motion Carried.**

Approve Will County CED 2017 Pledge Form in the amount of \$1,000.00

Mayor Kernc stated the pledge amount is based on population. Kernc is very happy Diamond is a member of the CED. It is very advantageous for the Village to be a part of this organization. They are very active in infrastructure, transportation and seeking regional grant money, just to name a few. **MOTION** was made by Commissioner Adair, **SECOND** by Commissioner Kasher to approve the Will County CED Pledge Form in the amount of \$1,000.00. **All Ayes; Motion Carried.**

Small Business Saturday

Mayor Kernc stated this event is scheduled for November and Sarah Beach of Sunshine Garden Center is spearheading the event. Kernc stated she would like to purchase 2 signs at a total cost of \$500.00 to promote this event and place them at 2 locations along IL 113. One sign at IL 113 and I-55 and the other at IL 113 and Will Road. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Wilson to approve the purchase of 2 small business Saturday event signs in the amount of \$500.00. **All Ayes; Motion Carried.**

890 S. Laura Lane; Swimming Pool Requirement Violation

Mayor Kernc thanked Mr. Powell for attending. Kernc stated Zoning and Planning Coordinator Cindy Haywood has completed a timeline of this subject matter. A pool permit was issued Nov. 2016

with an agreement to install a fence no later than May 15, 2017; since it was late in the season and the pool would not be in use. The pool was installed with a locking safety cover. Numerous attempts to speak with homeowner regarding the non-compliance of the installation of a fence failed. The village received numerous complaints regarding this non-compliance fence issue. A violation notice was placed on the premises. Mr. Powell contacted the Mayor and it was agreed a temporary fence would be installed until September 30, 2017 when the permanent fence would be installed. A permit for the temporary and permanent fence was issued. Oct. 2, 2017, was the deadline date for the permanent fence installation and the resident was advised this non-compliance issue would be scheduled as agenda item for board action. Kernc stated she would like to institute a fine for non-compliance but felt it would be better for the board to overhear this issue and act as necessary. Mr. Powell discussed the issue and stated the fence company would be installing the fence the week of October 16, 2017. Commissioner Adair stated the village likes to work with the residents and has been very patient with this issue. Safety is the utmost important issue. Commissioner Kasher questioned why the fence wasn't installed in May as originally agreed. Mr. Powell explained the fence installation issues. After discussion, decision was made not to institute a penalty currently and allow the installation of the fence for the week of October 16, 2017. This will be placed on the agenda for the October 24, 2017 meeting. If resident is not in compliance at that time, decision and action will be taken against the homeowner.

2515 E. Stellan St. Parking Violation

Mayor Kernc welcomed Mr. Huddleston. Kernc presented the letters which were sent to the homeowner and pictures of the vehicles that were taken earlier in the day. Mr. Huddleston had stated all the vehicles and equipment have been removed and showed the board a picture of the property as it is currently. Mayor Kernc thanked Mr. Huddleston for the removal of vehicles.

Old Business

Grundy and Will County Sheriff's Monthly Update

Passed. No Report.

Approve Atlas Companies Phased Market Study Proposal

This item was passed.

Discuss and Approve STP1 Construction Engineering Overrun

Village Engineer Mike Perry and Jim Clinard were present to discuss the overrun. Perry stated the original agreement was signed 5 years prior and the work took 3 years for completion. Perry stated Chamlin Associates was at fault for not submitting a change order to amend the construction engineering costs. Commissioner Kasher asked Village Attorney John Gallo for his legal input on the contract. Gallo stated the checked box regarding the testing costs can be interpreted as the cost to be included in the total bill. Gallo stated this area of the contract should be revised for clarity. Clinard explained the process of the documentation and the labor of the project. Commissioner Kasher stated this is nothing personal however he is here to protect the Village of Diamond residents and the \$40,000.00 difference is an issue that he does not want to see happen again. He would like to resolve this. Commissioner Adair stated if a change order to amend the original contract was presented when the project was exceeding the original amount, the board would have accepted it at that time. Mayor Kernc agreed if a change order was submitted, the board would have accepted it and this would not be an issue. The work needed to be completed. Kernc stated Village Treasurer Sheryl McDaniel is implementing a process to track all future projects to assure this won't happen again. After further discussion, decision was made to approve Chamlin Associates refunding the Village of Diamond in the amount of \$10,000.00 for engineering overrun costs to the STP1 project. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Adair to accept and approve Chamlin

Associates refunding the Village of Diamond in the amount of \$10,000.00 for STP1 Engineering Overrun. **All Ayes; Motion Carried.**

Legal Counsel

No Report

Engineer Updates

No Report

Maintenance Updates

Public Works Director Austin Vining stated the Border Street project is underway. There have been some complications so the project is running longer than anticipated. The LED lights will be delivered tomorrow and hydrant flushing will begin the week of October 16, 2017.

Clerk Updates

Village Clerk Lori Holmes stated she and Mayor Kernc met with a risk management insurance company which has submitted a proposal for the village's risk management insurance. Additional information needs to be completed and once a complete proposal is received, it will be brought to the board for consideration.

Commissioner Comments

Commissioner Kasher:

Commissioner Kasher submitted an article he wanted Mayor Kernc to read regarding water districts and possible complications that arise from utilizing river/lake water for municipalities. Kasher stated other alternatives to river/lake waters were reflected in the article.

Commissioner Wilson:

Commissioner Wilson stated Village Treasurer Sheryl McDaniel attended the IEZA conference. Wilson stated McDaniel has submitted the treasurer's report to the newspaper for posting. Wilson thanked Janet Brown and Sheryl McDaniel for their work with the audit report.

Commissioner Adair:

Commissioner Adair thanked Planning and Zoning Coordinator Cindy Haywood for her work with ordinance violators. Adair stated Chamlin Associates went to the Will Road apartments regarding the structural issues at the location. Adair is concerned with the safety issue of the decks and discussed what the next step the village should consider regarding the structural issues. Village Attorney John Gallo will be mailing a letter to the property owner regarding the findings and structural compliance codes.

Commissioner Warner:

Absent

Mayor Kernc:

Mayor Kernc stated she will be in Washington D.C. October 24th and 25th representing the Will County Governmental League. Kernc stated Commissioner Wilson will be presiding the board meeting in her absence.

Motion to Adjourn

MOTION was made to adjourn the meeting at 7:28 p.m. by Commissioner Adair, **SECOND** by Commission Kasher. **All Ayes; Motion Carried.**

Respectively Submitted:

Lori Holmes, Clerk

