



July 12, 2016

Proceedings, transactions and resolution made and order of said record of said Board in the Village of Diamond, IL on the 12th Day of July 2016.

The scheduled meeting of the Diamond Village Board was held on Tuesday, July 12, 2016 at 6:00 p.m. with Mayor Teresa Kernc presiding. Upon roll call Commissioners present were Addis “Dean” Johnson, Jeff Kasher, Dave Warner and Carolyn Wilson.

Approval of Minutes

MOTION was made by Commissioner Kasher, **SECOND** by Commissioner Warner to approve the revised 6/28/2016 meeting minutes and place on file. **All Ayes; Motion Carried.**

Approval of Bill List

MOTION was made by Commissioner Wilson, **SECOND** by Commissioner Johnson to approve the Bill List and place it on file. **All Ayes; Motion Carried.**

Public Comment

None

New Business

Resolution 2016-12 For Improvement by Municipality Under the Illinois Highway Code

Mayor Kernc stated this Resolution is for the ITEP Bike Shared Path from Amber Lane to McGinty Street. This is for the ComEd Green Region/Openlands Grant which the cost is shared \$40,000 from Village/\$10,000 from ComEd and the remainder from the ITEP Grant. This will go out to bid this month and targeted to be built before winter. **MOTION** was made by Commissioner Warner, **SECOND** by Commissioner Kasher to approve Resolution 2016-12 for Improvement by Municipality Under the Illinois Highway Code. **MOTION** was made by Commissioner Warner, **SECOND** by Commissioner Kasher to amend the prior motion to approve Resolution 2016-12 to include the Local Public Agency Agreement for Federal Participation authorizing Mayor Kernc to execute this agreement. **All Ayes; Motion Carried.**

Resolution 2016-13; A Resolution Regarding the ITEP Shared Path in the Grundy County Portion of the Village of Diamond.

Village Attorney John Gallo stated this resolution authorizes the Village of Diamond the expenditure of \$10,000 which was received from a ComEd Green Region/Openlands Grant and is now in the General Fund account to be also used to construct the shared path. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Wilson to approve Resolution 2016-13; A Resolution Regarding the ITEP Shared Path in the Grundy County Portion of the Village of Diamond. **All Ayes; Motion Carried.**

Approve Ordinance 2016-09; Sale of Surplus Property

Mayor Kernc stated approval to sell the old dump truck without blade is needed. **MOTION** was made by Commissioner Johnson, **SECOND** by Commissioner Warner to approve Ordinance 2016-09; Sale of Surplus Vehicle. **All Ayes; Motion Carried.**

Inspection of Homes for Illegal Hook-up of Storm Water Drainage to Waste Water Sewer System.

Village Attorney John Gallo explained there is not a current ordinance prohibiting this, so this process needs to be discussed and a plan put into motion to decide the course of action the Village would like to pursue. Gallo presented a draft ordinance regulating the use of sanitary sewers and to provide penalties for violation thereof. Mayor Kernc stated this problem must be addressed with the illegal infiltration occurring creating the potential for sewage back-ups as well as flooding of the Waste Water Treatment Plant. Kernc stated the board has talked and talked but a plan of action was never executed. Discussion of the procedure and penalties for illegal hookups was addressed and a plan of action will be set into motion.

Approve Ordinance 2016-10; Regulating the Use of Sanitary Sewers of the Village of Diamond and to Provide Penalties for Violation Thereof.

This item was tabled.

Monthly Commercial Sewer Rates

Village Clerk Lori Holmes stated commercial sewer rates are a flat rate item unlike residential rates which have a step process based on usage. Holmes presented commercial accounts and usage. Holmes stated she discussed this with Mayor Kernc and the concern would be if/when a large commercial business builds and the flat rate usage could be a potential concern for the Village. Kernc stated she does not want any increase to affect those commercial businesses currently in the Village. This rate step process would be for future large commercial businesses whose large sewer/water usage would have an impact on the treatment plants. Mayor Kernc asked Village Attorney Gallo for his insight to what he sees within other municipalities. Commissioner Warner asked Holmes to run a comparison rate breakdown of commercial properties and to revisit this at the next board meeting.

Old Business

None

Legal Counsel

No Report

Engineer Updates

Village Engineer Mike Perry stated the water towers bidding process is in motion and the winning bid will be awarded on the July 26, 2016.

Maintenance Updates

Maintenance Supervisor Bill Wethington inquired how much the starting bid should be for the truck. Discussion of the starting bid for the sealed bid process was discussed and a starting bid of \$3,500 was agreed upon.

Clerk Updates

Village Clerk Holmes inquired the process for those residents who turn their water off while living out of state during the winter months. Holmes is concerned with those residents who are “snow birds” and previously have not been charged for their water. Holmes advised those residents and/or other residents whom have shut off their water services, are not charged a base monthly rate. Commissioner Warner stated due to the ordinance, all residents must be charged a base monthly rate whether they have their water shut off/on. Mayor Kernc stated this is a violation of our loan and

cannot be done. All residents are charged a base rate for all utility services provided by the Village of Diamond whether services are used or not, based on Village Ordinance.

Commissioner Comments

Commissioner Johnson:

No Report

Commissioner Kasher:

No Report

Commissioner Wilson:

Commissioner Wilson stated Village Accountant Sheryl McDaniel is working on the quarterly payroll report. Wilson stated the Neopost maintenance agreement was up for renewal and a more cost effective plan has been chosen for the upcoming year. Wilson also reminded the board members the option for direct deposit is still available.

Commissioner Warner:

No Report

Mayor Kernc:

Mayor Kernc stated we have numerous new construction projects within the Village. Kernc discussed a current home construction whose homeowners are the general contractors for the project. During the inspection for the footing, it was found that particular clay was unearthed. This clay had previously been unearthed at another home construction site and under the building inspectors demand; this soil had to be tested at the owner's expense. The clay tested positive so the owners had to go back to their architect and the architect then modified the plan and had to "beef up" the construction footings based on the results of the clay test. Clay minerals in expansive soils have intense absorption power for water molecules. Soil test must be done to assure the proper qualified foundation is completed. Kernc stated a recent homeowner's property was inspected and clay soils were also found so it deemed necessary to have the homeowner complete a soil test on their property as well. The soil test on their property was negative and the homeowner was very upset and irate they had to pay for the test. Mayor Kernc stated she stands behind our building inspector and if a soil test deems necessary, then it must be completed. Kernc wanted consensus that the board also supports this position. The board members were in agreement with Mayor Kernc.

Adjournment

MOTION was made to adjourn the meeting at 7:34 PM by Commissioner Warner, **SECOND** by Commissioner Johnson. **All Ayes; Motion Carried.**

Respectively Submitted:

Lori Holmes, Village Clerk