



June 12, 2018

Proceedings, transactions and resolution made and order of said record of said Board in the Village of Diamond, IL on the 12th Day of June 2018.

The scheduled meeting of the Diamond Village Board was held on Tuesday, June 12th, 2018 at 6:00 p.m. with Mayor Teresa Kernc presiding. Upon roll call Commissioners present were Jeff Kasher, Carolyn Wilson, Mark Adair and Dave Warner.

Public Hearing – Consider Ordinance Appropriating all Corporate Purposes

MOTION was made by Commissioner Adair, **SECOND** by Commissioner Warner to open the public hearing to consider Ordinance Appropriating all Corporate Purposes.

Public Comment: There was no public comment

MOTION was made by Commissioner Kasher, **SECOND** by Commissioner Wilson to close the public hearing regarding the Ordinance Appropriating all Corporate Purposes. **All Ayes; Motion Carried.**

Approval of May 22, 2018 Minutes

MOTION was made by Commissioner Kasher, **SECOND** by Commissioner Adair to approve the 5/22/2018 regular meeting minutes as reviewed and place on file. **All Ayes; Motion Carried.**

Approval of the June 12, 2018 Bill List

MOTION was made by Commissioner Wilson, **SECOND** by Commissioner Warner to approve the June 12, 2018 Bill List and place on file. **All Ayes; Motion Carried.**

Public Comment

None

New Business

David Brannon, 1150 E. Division St.

Mayor Kernc stated this resident would like to asphalt the alley to his driveway. Kernc is concerned when the asphalt needs repairs or if individual moves etc. Commissioner Kasher stated he believes this is not a good idea. If someone would like to improve the alley with gravel, he doesn't see an issue with that. With gravel, there is no maintenance required as is for asphalt. Asphalt can deteriorate and needs to be sealed. After discussion, decision was made that no private citizen can asphalt the alleyway within the village. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Warner that no private citizen can lay asphalt the alleyway within the village. **All Ayes; Motion Carried.**

Denise Brown; Finance Commissioner Candidate

Mayor Kernc was pleased to introduce Denise Brown who has submitted her application for the Finance Commissioner position, which will be opened due to the relocation of Commissioner Wilson outside the Village of Diamond. Kernc stated the difficulty it is to get residents to devote their time to the village, either on the board, planning and zoning or on a committee. Kernc highlighted Brown's work experience. Brown's current and past work experience will be beneficial in this position. The appointment and official oath of office will be held at the June 26, 2018 meeting.

2530 Sterling Court/Wells Fargo

Mayor Kernc stated this is a foreclosed property that has had issues for a decade. There are drainage issues which is impacting the neighbor Greg Wix, who was in attendance. Kernc stated there is standing water on the property. Planning and Zoning Coordinator Cindy Haywood distributed pictures of the property. Haywood stated she has been in contact with a representative from Wells Fargo on an ongoing basis regarding this issue and they stated the current fix with the small pipe is not the answer to this issue. They have contacted a vendor who will revisit this again. Haywood stated she had suggested the vendor contact the village so we are informed of their plan. After discussion, Kernc asked Attorney John Gallo what options does the village have for this issue. Attorney John Gallo stated this property is in violation of the International Property Maintenance Code, since water does drain onto another residence property. It is also under the village's ordinance as a public nuisance, which they can be fined accordingly. Therefore, the village will be notifying Wells Fargo of these violations, giving them thirty days to rectify or fines will be instituted. Fines for violations are \$750.00 per day; violation of the International Property Maintenance Code and \$50.00 per day in violation of the public nuisance ordinance. **MOTION** was made by Commissioner Warner, **SECOND** by Commissioner Kasher to allow Attorney John Gallo to send letter notifying Wells Fargo they have 30 days to rectify the issues at 2530 Sterling Court or daily fines will be instituted. **All Ayes; Motion Carried.**

Frontage Road Feasibility Study Engineering Study

Mayor Kernc stated Jim Clinard prepared the proposal. The bridge has a weight restriction and needs repairs. Repairs and resurfacing are scheduled between 2020 and 2024. An additional problem which exists is the frontage road and the exit ramp. The frontage road is very close to the exit ramp from I-55 and one day will need to be relocated. Kernc reached out to IDOT regarding the process of this relocation. Kernc stated if we know the road must be relocated, then we should have an input on where it should go; have it in our comprehensive plan and plan so that anyone who builds will not have a negative impact to their business for the relocation of the road. Kernc described IDOT's requirements regarding the distance needed from the I-55 exit ramp. Kernc discussed the proposed relocation and benefits of this study. Village Engineer Mike Perry described the proposed Frontage Road project and how it aligns with the Village's comprehensive plan. Commissioner Warner asked whose responsibility it would be to acquire the property. Kernc stated, the responsibility would be IDOT and completing this study with IDOT involvement, this would assist and not impede on future development in that area. Kernc stated this would give us the flexibility of building out, if Diamond and surrounding towns increase traffic flow from development then Diamond will have an increase of traffic exiting from our exit ramp. We can address these issues now rather than build ourselves

into a corner. If we are not proactive, then someday the state would take a negative action against a property owner. Commissioner Kasher is opposed of the study and its expense. Kasher stated he was involved as a property owner when the Reed Road project was completed and it did not have a large impact and was engineered and built within 1 year. Kasher stated there is a lot of “what if’s” in this scenario. Commissioner Adair understands Kasher’s concerns however, what Kasher has described with the Reed Road project, it is a completely different situation then we have here. We as a village are trying to prepare for future growth and attract future developers. It is frustrating that we are very conscientious about getting work completed and have not yet reaped the benefits from those improvements. However, Adair stated he wishes more villages and towns would have half the master planning that Diamond has. Commissioner Wilson agreed to move forward with the feasibility study. Wilson stated she would rather be prepared and know where the relocation would be verses waiting for IDOT to determine it for us. Wilson stated we should be proactive and not reactive. Commissioner Warner stated we do not know what future administration will do. Warner stated any future developers will not want to purchase property, build a business and then be told you must move it or part of that business for a road. Mayor Kernc stated you want to be as transparent as possible and for us not to address this upfront, it would not be good business. I can’t in good faith do business like that. Commissioner Kasher questioned if the road relocation would truly happen. There have been numerous talks regarding several projects of road work in the surrounding areas that was to be completed, and never came to fruition. Kasher stated if businesses are going to come, they will come. He does not agree in spending the money on this study. After further discussion, **MOTION** was made by Commissioner Warner, **SECOND** by Commissioner Adair to approve the Frontage Road Feasibility Study in the amount of \$9,500.00. **Ayes:** Adair, Kernc, Warner and Wilson. **Nay:** Kasher. **Motion Carried.**

Waive Competitive Bid for Marseilles Sheet Metal, Inc.

Mayor Kernc stated she and Public Works Director Austin Vining discussed the work with Marseilles Sheet Metal Inc. Kernc stated the village has experienced something similar where you have several companies working on a project and if something goes wrong, then each one blames it on the other. So Kernc’s recommendation is for Marseilles Sheet Metal, Inc. complete the entire project themselves. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Wilson to Waive Competitive Bid for Marseilles Sheet Metal, Inc. for the air handling project at the waste water treatment plant. **All Ayes; Motion Carried.**

Approve Marseilles Sheet Metal, Inc. proposal in the amount of \$42,088.27

Mayor Kernc discussed the air handling project and materials to be used. This includes stainless steel duct work throughout plant, electrical and installation. **MOTION** was made by Commissioner Warner, **SECOND** by Commissioner Adair to approve Marseilles Sheet Metal, Inc. proposal in the amount of \$42,088.27. **All Ayes; Motion Carried.**

ACH and Check Positive Pay

Mayor Kernc stated Village Treasurer Sheryl McDaniel sent a copy of the Midland States Bank ACH/Positive Pay contract to Village Attorney John Gallo for review. Upon review, Gallo advised not to proceed with the contract since it decreases the bank’s liability if a fraudulent incident occurs.

Gallo recommends rescinding the ACH and Check Positive Pay Agreement. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Wilson to rescind the ACH/Check Positive Pay Agreement with Midland States Bank. **All Ayes; Motion Carried.**

Accept Proposal for Village Hall Security System

Mayor Kernc stated based on the advice by Gallo regarding the ACH/Positive Pay agreement, Kernc asked Village Clerk Lori Holmes to obtain quotes for a security system for the village hall. Holmes presented quotes from D & I Electronics, Inc. and ADT Security Systems. Holmes discussed the equipment and monthly service fees of each company. Commissioner Wilson stated D & I Electronics, Inc. provides the security system at her place of employment and they are happy with them. Mayor Kernc stated by adding the security system, it would give the village a 360-degree protection along with our current cyber insurance, banking procedures and IT security. **MOTION** was made by Commissioner Wilson, **SECOND** by Commissioner Adair to approve D & I Electronics, Inc. proposal for the installation of a security system at the village hall. **All Ayes; Motion Carried.**

Old Business

Grundy and Will County Sheriff's Monthly Update

An officer from the Grundy County Sheriff's department was in attendance and stated an overview of calls within the village for the month. Mayor Kernc also stated the monthly charge for the Will County Sheriff's Department has decreased over \$400.00 per month as a result from TA Operating Systems d/b/a Minit Mart installing pre-pay pumps at their business decreasing the amounts of drive-offs.

Legal Counsel

Village Attorney John Gallo stated the State of Illinois has passed a Public Act which provides the regulations and process for permitting and deploying small cell wireless facilities throughout Illinois therefore; an ordinance must be adopted within 2 months pursuant to the act. Gallo stated he will be working with Planning and Zoning Coordinator Cindy Haywood to coordinate this.

Engineer Updates

No Report

Maintenance Updates

Public Works Director Austin Vining stated installation of the new pump for Diamond Estates has been delayed awaiting a new delivery date of the pump. Work at the baseball field has begun. Vining added one of the seasonal workers started working this week.

Clerk Updates

No Report

Commissioner Comments

Commissioner Kasher:

No Report

Commissioner Wilson:

Commissioner Wilson stated Janet Brown CPA completed the village audit and was very pleased with Village Treasurer, Sheryl McDaniel for her organization and record keeping. Wilson stated she will miss everyone and it has been a pleasure to serve the Village of Diamond.

Commissioner Adair:

Commissioner Adair stated the baseball field work is in progress. The backstop fencing has been removed and will need to be replaced. Adair stated proposals for replacement will be obtained. Adair added new bases have also been ordered.

Commissioner Warner:

Commissioner Warner stated he has implemented a progress tracking chart for the use at the water and sewer plants. Warner is continuing to revise it and updating as it is being executed. Warner foresees this could be utilized in other areas for tracking maintenance needs. Warner highlighted the tracking areas and how it is being utilized.

Mayor Kernc:

Mayor Kernc thanked Carolyn for her dedication and expertise she has given to the village over the past 4 years.

Adjournment

MOTION was made to adjourn the meeting at 7:29 P.M. by Commissioner Wilson, **SECOND** by Commissioner Kasher. **All Ayes; Motion Carried.**

Respectively Submitted:

Lori Holmes, Village Clerk