



May 26, 2020

Proceedings, transactions and resolutions made and order of said record of said Board in the Village of Diamond, IL on the 26th Day of May 2020.

The scheduled meeting of the Diamond Village Board was held on Tuesday, May 26, 2020 at 6:00 p.m. with Mayor Teresa “Terry” Kernc presiding. Mayor Kernc and Village Clerk Lori Holmes were present at the Village Hall. Commissioners, Village Attorney, Village Engineer, Public Works Director were in attendance remotely via teleconference. Upon roll call Commissioners present remotely were Mark Adair, Jeff Kasher and Dave Warner. Absent: Denise Brown.

The Village Hall was open for citizens to enter and attend meeting. Face masks along with social distancing was required. Megan from WCSJ Radio listened in on the meeting.

Approval of 5-12-2020 Minutes

MOTION was made by Commissioner Warner, **SECOND** by Commissioner Adair to approve the 05/12/2020 regular meeting minutes and place on file. **Ayes-Warner, Adair, Kernc; Abstain-Kasher; Motion Carried.**

Approval of May 26, 2020 Bill List

MOTION was made by Commissioner Kasher, **SECOND** by Commissioner Warner to approve the May 26, 2020 bill list and place on file. **All Ayes; Motion Carried.**

Public Comment

None

New Business

Motion that the Declaration of Emergency Declared by the Mayor shall be effective and continued until May 26, 2020 unless repealed or amended by the Village Board of Commissioners

Mayor Kernc stated this item had a consensus from the May 12, 2020 meeting which needs to be ratified tonight. **MOTION** by Commissioner Kasher, **SECOND** by Commissioner Adair to Approve the Declaration of Emergency Declared by the Mayor shall be effective and continued until May 26, 2020 unless repealed or amended by the Village Board of Commissioners

All Ayes; Motion Carried.

Motion that the Declaration of Emergency Declared by the Mayor shall be effective and continued until June 9, 2020 unless repealed or amended by the Village Board of Commissioners

Commissioner Warner asked if this is needed. He has read information provided by the CDC, Grundy County as well as other sources and feels the emergency is over. The whole objective was to flatten the curve. The objective has been met. Warner proceeded to read statistics from the CDC and others regarding the non-COVID-19 flu vaccine and their effects. Commissioner Warner said the goal has been achieved. 89 confirmed cases in Grundy County and 2 deaths. We don't need to bubble wrap individuals any longer and dictate terms. Things should be opened, and adults can dictate their own destiny. We should declare an end to this emergency. Village Attorney John

Gallo stated that is not what the declaration is for. The declaration allows the Mayor certain powers within the village to take action as she deems necessary prior to any board meeting if necessary. This allows her to mobilize resources and staff as well as making purchases without the board's authorization. This has nothing to do with the Governors Declaration. Warner asked what emergency we are preparing for then. Mayor Kernc gave example of directing employees what they can/cannot do. Initiation of temperature checks, for example. Kernc stated if she needs to implement additional procedures etc., she can do so. Kernc added, the village has not infringed on the resident's rights during these times. Kernc added she would like to leave this declaration in place at this current time and does not anticipate anything major to happen within the next several weeks, however, would like the ability to act upon if a situation arises. Village Attorney Gallo stated there is an item on tonight's agenda which addresses an action which is part of the Mayor's executive order to benefit restaurants within the village. Commissioner Kasher stated he does not see any downside to continue this order and trusts the Mayor to continue this declaration through June 9, 2020. Commissioner Adair stated he can see both sides however, he would have to agree with Commissioner Kasher and sees no downside to extend this through June 9, 2020. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Adair to the Declaration of Emergency Declared by the Mayor shall be effective and continued until June 9, 2020 unless repealed or amended by the Village Board of Commissioners. **Ayes-Adair, Kasher, Kernc. Nay-Warner. Motion Carried.**

Approve Rebuild Illinois Fast-Track Public Infrastructure Program Grant Application for Village of Diamond Public Utility Project, Certifications and Disclosures

Mayor Kernc stated this grant application amount is just under \$600,000.00 which includes the watermain project completion for School St., Perona Court and Skinner St. and all 3 lift stations to be refurbished with new pumps, piping and controls. With board approval, she will submit the application in the morning. There is no local match. If the village is fortunate enough to receive this grant, it is required to have an official administrator, which the village would utilize North Central Council of Government. Kernc reached out to them for the cost for administering, and the cost would be \$27,000. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Warner to Approve Rebuild Illinois Fast-Track Public Infrastructure Program Grant Application for Village of Diamond Public Utility Project, Certifications and Disclosures. **All Ayes; Motion Carried.**

Approve Resolution 2020-03; Committing Local Funds

Mayor Kernc stated this if for the administrator fee of \$27,000 if the Rebuild Illinois Fast-Track Public Infrastructure Program Grant Application for Village of Diamond Public Utility Project, Certifications and Disclosures is approved. **MOTION** was made by Commissioner Adair, **SECOND** by Commissioner Kasher to approve Resolution 2020-03; Committing Local Funds. **All Ayes; Motion Carried.**

Approve Chamlin & Associates Engineering Agreement for Excess Flow Facilities.

Mayor Kernc received consensus consenting Chamlin & Associates completing the engineering plans for the excess flow facilities and EPA application which is needed for the Illinois Grant Application for the Village of Diamond Public Utility Sewer Project, Certifications and Disclosures. The amount of the agreement is \$27,000.00 which includes the engineering design and the IEPA permit. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Adair to Approve Chamlin & Associates Engineering Agreement for Excess Flow Facilities. **All Ayes; Motion Carried.**

Approve Rebuild Illinois Grant Application for Village of Diamond Public Utility Sewer Project, Certifications and Disclosures

Mayor Kernc stated this has been placed on the Will and Grundy County Hazard Mitigation Plans for the surge tank-sewer overflow when it floods. The sewer plant floods from time to time and pumps and controls have been destroyed and we risk sewage back-up into homes. Kernc reached out to each Commissioner and received consensus to proceed with this application along with the engineering design and IEPA application required before the submittal. Official approval is required. **MOTION** was made by Commissioner Adair, **SECOND** by Commissioner Warner to approve Rebuild Illinois Grant Application for the Village of Diamond Public Utility Sewer Project, Certifications and Disclosures. **All Ayes; Motion Carried.**

Approve Temporary Emergency Order 2020-01; Outside Seating for Restaurants and Bars during COVID-19 Phase 3 Reopening

Mayor Kernc specified this is a temporary order only which will allow outside seating for restaurants in their parking lots within the village. Kernc highlighted the requirements for the outside seating regulations. Kernc stated there will not be a permit fee. Kernc stated there were numerous emergency orders which were reviewed by Village Attorney John Gallo, Village Clerk Lori Holmes and herself when creating the order for the village. Gallo stated this order only applies to those establishments which hold a Class D License in the village-which are restaurants which serve alcohol. Consumption of alcohol is in conjunction with the consumption of food. This doesn't apply to stand alone bars-which are still prohibited under the Phase 3 plan under Governor Pritzker's order. All restaurants in the village are allowed outside seating in their parking lots if they follow the guidelines in place. **MOTION** was made by Commissioner Adair, **SECOND** by Commissioner Kasher to Approve Temporary Emergency Order 2020-01; Outside Seating for Restaurants and Bars during COVID-19 Phase 3 Reopening. **All Ayes; Motion Carried.**

Old Business

Grundy and Will County Sheriff's Monthly Update

No Report

Legal Counsel

No Report

Engineer Updates

No Report

Public Works Department Updates

Public Works Director Austin Vining stated John Trotter will be completing work on Will Road due to the erosion of the ditch. Part of Will Road will be closed on Thursday during the repair. Border St. will be closed on Wednesday due to the staging of the materials which will be delivered and utilized for the Will Road project.

Clerk Updates

Village Clerk Lori Holmes stated sexual harassment prevention training is required for all employees, commissioners etc. which is required annually. She will be emailing a PowerPoint training to the commissioners for completion in the next several weeks.

Commissioner Comments

Commissioner Kasher

No Report

Commissioner Brown

Absent

Commissioner Adair

No Report

Commissioner Warner

Commissioner Warner would like to see what the village could do to open things for the businesses within Diamond. He noticed all the big box stores are operational, but the small businesses are not. Mayor Kernc disagreed with Commissioner Warner stating Dollar General, Casey's General Store, the locally owned tobacco stores etc. have been open during the pandemic. Kernc added, this is state mandated, and we do not want to go against the Governor's order which might place those businesses at risk. Village Attorney John Gallo stated the village is not directing a business in either direction. Gallo added some business hold state licenses, that of which, if they violate the Governor's order, they could lose their state license, i.e. liquor, gaming etc. therefore, they are not going to jeopardize those licenses.

Mayor Kernc

No Report

Adjournment

MOTION was made to adjourn the meeting at 6:40 p.m. by Commissioner Kasher, **SECOND** by Commissioner Warner. **All Ayes; Motion Carried.**

Respectively Submitted:

Lori Holmes, Village Clerk