



June 22, 2021

Proceedings, transactions, and resolutions made and order of said record of said Board in the Village of Diamond, IL on the 22nd day of June 2021.

The scheduled meeting of the Diamond Village Board was held on Tuesday, June 22, 2021, at 6:00 p.m. with Mayor Teresa “Terry” Kernc presiding. Upon roll call Commissioner’s present were Mark Adair, Dean Johnson and Jeff Kasher. Absent: Commissioner Warner. Face masks for non-vaccinated attendees along with social distancing was required.

Motion to Open Public Hearing

MOTION was made by Commissioner Kasher, **SECOND** by Commissioner Johnson to Open the Public Hearing for Consideration Vacation Public Right-of-Way 6th Street; Tarman and Lee. **All Ayes: Motion Carried.**

Public Comment

None

Motion to Close Public Hearing

MOTION was made by Commissioner Kasher, **SECOND** by Commissioner Adair to Close the Public Hearing. **All Ayes: Motion Carried.**

Approval of 06-08-2021 Minutes

Commissioner Kasher stated correction needed under the approval of 06-08-2021 minutes. He motioned to abstain from approving minutes. **MOTION** was made by Commissioner Johnson, **SECOND** by Commissioner Adair to approve the 06/08/2021 minutes with correction and place on file. **Ayes: Johnson, Kasher and Kernc. Abstain: Adair, Motion Carried.**

Approval of June 22, 2021, Bill List

MOTION was made by Commissioner Kasher, **SECOND** by Commissioner Adair to approve the June 22, 2021, bill list and place on file. **All Ayes: Motion Carried.**

Public Comment

None

New Business

Approve Ordinance 2021-10; Vacation of 6th Street North of IL 113

Mayor Kernc welcomed resident William Tarman. Kernc asked Tarman are there any items you would like to address at this time. Mr. Tarman responded that Coal City resident Joe Macaluso could not attend due to illness and asked Tarman to speak on his behalf. He wanted to address the fence which was installed by J & R Service, which is down, and his dumpster has trash blowing out of it. Mr. Lee arrived at 6:05 p.m. Kernc addressed the two points of concern to Jeff Lee which was presented by Mr. Tarman. Lee stated the fence parts have been ordered so that is a done deal. As for the dumpster, Lee does not know how to stop people from utilizing the dumpster. Kernc stated, the dumpster could be locked and only those who have the key can dump into it. Lee stated he would take care of both

items. Kernc asked Lee if he has anything to add or any concerns with the Ordinance. He stated he did not. Kernc stated, this is your opportunity for both of you to address any issues that may exist. Tarman inquired if the crown on the road would be increased. Kernc stated, it will be not the village's road anymore. Lee responded to Tarman, we paid \$7,000.00 for grading instructions and draining for that road-it is a done deal. Lee stated there is no crown, the plans are for everything to drain to the North then into the Claypool. Tarman stated, for his portion of the road, he wants the water to drain into his yard/garden. He does not want oily water. Kernc asked Tarman if that is the reason why you want the crown then? Tim Hejny from Chamlin and Associates was in attendance and discussed the items with Tarman. Kernc stated it is a little odd that you would want the water drained toward your property in case of flooding, Mr. Tarman. So Hejny explained the plan which is attached to the ordinance has the water slopping towards the middle, then flowing into the detention area. Is this reasonable? If you put a crown on it, Lee's water will go one way, Tarman another. Tarman stated, he doesn't see a problem with it. Hejny stated, he could possibly adjust the grade on Tarman's side. Lee stated, that is between Chamlin and Tarman. Lee stated he has nothing to do with it. If Tarman wants to change the grade instruction on his side, you both figure that out. Mine will go into the tile. Kernc stated, just so you know, and everyone knows here, after today we are (the Village) not involved in this matter. So, you cannot come back to us (the village) and complain. I want to make this really, really clear! That is why, if you decide to work with Chamlin and each of you decide what you want to do separately, it will mess up the original plan. However, if you do changes, don't knock on my door or the villages. Tarman stated, the crown on his side still exists. But with all the gravel that was brought in, Lee's is gone. Kernc addressed to Hejny, I think he has a slope on his side is this correct? Tarman stated from the slope differences from Route 113 to the building. Kernc stated that is between all of you. Tarman stated he definitely wants all the water since all the dry spells that have been going on and I don't know what is in the city's water, but it turns my plants white. Lee stated, our plans are adequate to flow on each side, so we have more than enough so if he takes a little bit of that and pitches it the other way, it does not affect us at all. Kernc addressed Village Attorney John Gallo, so are they good if they are both in agreement. Gallo stated yes. Kernc then presented section 4 and section 5 of the ordinance and asked Lee and Tarman to turn to that section. Section 4 is for improvements to the right of way by Lee, section 5 is for improvement to the right of way by Tarman. She reiterated, all the improvements as written must be completed on or before November 30, 2021, and failure to do so with any of the conditions could result in a fine of not less than \$50.00 and not more than \$750 for each day that the violation continues. Kernc said I want to make sure you understand there are requirements you are accepting today; of the things you must do. You both understand this? Lee and Tarman replied yes. Tarman added, you want it done and we want it done. Kernc stated she wants to make sure everyone is on the same page so there is no reason to have to come back here again-this is once and for all. Commissioner Kasher added while addressing Tarman and Lee, there could be some pricey improvements based on the depth of the asphalt as required. They both understood. Kasher inquired, so the value is \$20,000 for this vacation. Gallo stated, yes roughly for the square foot of the land, for the whole property, and what we are requiring them to do, i.e., asphalt, Tarman to install a fence like he wanted, then the first 70 feet from Route 113 is an access easement so people can get in/out, we are considering that fair consideration. In theory, we will get it back on the tax roles, their tax bills should go up, plus if they improve the property, the accessor will pick up those improvements and the taxing bodies will benefit from it. **MOTION** was made by Commissioner Adair, **SECOND** by Commissioner Kasher to approve Ordinance 2021-10, Vacation of 6th St. **All Ayes: Motion Carried.**

Approve Ordinance #2021-09; Placement of Traffic Control Devices (stop signs at Stellon St. and Redmond St.)

MOTION was made by Commissioner Kasher, **SECOND** by Commissioner Johnson to approve Ordinance #2021-09, Placement of Traffic Control Devices. **All Ayes: Motion Carried.**

Approve RCAP GIS Cooperative Mapping Project and Services

Mayor Kernc stated consensus was given at the June 8, 2021, meeting. Formal approval must be given. Commissioner Johnson stated he was good with services. He and Acting Public Works Supervisor Jim Dunning had a conference call with the RCAP representative. Johnson stated, the program can do all the functions we need it to do. **MOTION** was made by Commissioner Johnson, **SECOND** by Commissioner Adair to Approve RCAP GIS Cooperative Mapping Project and Services. **All Ayes: Motion Carried.**

Approve Flock Group Services Agreement in the amount of \$5,500.00.

Mayor Kernc sent out invitations to numerous local villages leaders to attend the Flock Presentation. Grundy County Sheriff Briley was the only one who attended. Kernc discussed the abilities of the cameras. These cameras are in use in numerous locations throughout Illinois. The cameras can run on electric or as solar with a battery backup. Kernc stated she would like to install 2 solar cameras with battery backups. One at Route 113 at the Frontage Road and one at Berta Road at IL 113. The cost for 2 cameras is \$5,500.00. Flock Safety maintains the cameras. Commissioner Johnson stated he would like to see the cameras on electric with a battery back-up. Kernc will inquire if that is possible. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Adair to approve Flock Group Services Agreement in the amount of \$5,500.00. **All Ayes: Motion Carried.**

Approve Submitting Will Road Reconstruction and Expansion Grant to RAISE National Infrastructure Investments DOT Program

Mayor Kernc stated she is writing a grant for the Will Road construction project and would like approval to submit the application once completed. **MOTION** was made by Commissioner Adair, **SECOND** by Commissioner Kasher to Approve Submitting Will Road Reconstruction and Expansion Grant to RAISE National Infrastructure Investment DOT Program. **All Ayes: Motion Carried.**

Discuss Braceville Sewage

Mayor Kernc stated the Mayor from Braceville reached out to her to obtain a price the village would charge if they were to pipe their sewage to the village's sewer treatment plant. Braceville is seeking pricing to compare cost effectiveness of piping sewage to another town or building their own sewer plant. All costs associated with the piping etc. would be the responsibility of Braceville. Diamond would need a flow meter at the tie in location so we would know the gallons to charge them monthly. After discussion, the board discussed the charge to Braceville would be \$5.84 per 1,000 gallons with 5% annual increase. This is the cost the village charges to their residential customers.

Nonprofitwater.org Agreement

This was tabled.

Old Business

Grundy and Will County Sheriff's Monthly Update

No Report

Legal Counsel

Village Attorney John Gallo stated the Enterprise Zone Expansion to the Blue-Sky Solar Farm has been approved by the State, therefore the Diamond Enterprise Zone has been expanded. Per our agreement, the developer will be required to pay the first installment of their \$50,000.00 administrative fee which will be \$15,000.00. Monies should be received over the next week. Gallo said a letter was mailed to Mr. Hadley as directed by the board. There is some confusion as to who currently owns the property. Building Administrator Cindy Haywood received a call from an individual stating they own

the property. Gallo stated he cannot find any information to verify this through public records. So, the letter was sent to Mr. Hadley and the person who said they are now the owner of said property which gives them 5 days from the date of the letter, to stop using the property as a residence, cap the village's sewer line and give them 30 days to remove everything on the property. In a B3 district, the property cannot be used for storage, they abandoned the use of the property as a mobile home sales park in 2016, and if they want to use it for any other business, they must comply the village's B3 zoning requirements which states the lot must be paved, provide for detention, landscaping, etc. Haywood stated the new owner wanted to use it to store RV's. He proposed he would install a chain-link fence to enclose the storage area and spruce it up. Mayor Kernc stated these requirements are the rules. Anyone who owns the property would need to comply with the zoning requirements.

Engineer Updates

Engineer Tim Hejny stated they met with Midland States Bank regarding their development and discussed some minor issues, so Midland States Bank is revising their site plan. Mayor Kernc asked if a price for a crosswalk has been received. Hejny stated he is working on that. He reached out to Jim Clinard in his office and is waiting for response. Kernc stated she had asked for a crosswalk painted at the intersection for those who go to the bank and to Dollar General. In order to have a crosswalk at Berta Rd. IDOT requires a pedestrian push button and pedestrian walk signal installed. The cost will be presented once received.

Public Works Department Updates

Acting Public Works Supervisor Jim Dunning stated the skid steer has been delivered, the pavilion lights have been installed, 2 concrete pads at the park have been poured for the installation of the new trash can receptacles and the bucket truck rope has been installed and the inspection was completed. The 2 additional part-time public works personnel have started working. The stop signs for Will Road have not been installed due to the Grundy County side of the road has not been located. Another request will be submitted. With the delivery of the skid steer, Dunning will order the infield sand and spread it once received. Commissioner Kasher inquired about the picnic table damaged. Village Clerk Lori Holmes stated she has requested to order the kits for the smaller repairs; however, the tabletop is too large of an area to fix, and the company recommended a new tabletop. The cost is approximately \$600.00. Kasher recommended Dunning to check with Midwest Bedliners to see if they could assist to fix the damaged portion of the picnic table.

Clerk Updates

No Report

Commissioner Comments

Commissioner Adair

No Report

Commissioner Johnson

No Report

Commissioner Kasher

No Report

Commissioner Warner

Absent

Mayor Kernc

No Report

Adjournment

MOTION was made to adjourn at 7:11 p.m. by Commissioner Kasher, **SECOND** by Commissioner Adair. **All Ayes: Motion Carried.**

Respectively Submitted:

Lori Holmes, Village Clerk

