

**MINUTES OF THE REGULAR MEETING OF THE PRESIDENT  
& BOARD OF TRUSTEES OF THE VILLAGE OF BEECHER  
HELD AT THE WASHINGTON TOWNSHIP CENTER,  
30200 TOWN CENTER ROAD, BEECHER, ILLINOIS  
DECEMBER 18, 2007 -- 7:00 P.M.**

All present joined in the Pledge to the Flag.

President Lohmann called the meeting to order.

**ROLL CALL**

**PRESENT:** President Lohmann and Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman (arrived at 7:10 p.m.) and Wehling.

**ABSENT:** None.

**STAFF PRESENT:** Clerk Janett Conner, Administrator Robert Barber, Chief Jeffrey Weissgerber, Treasurer Nelson Collins, Public Works Superintendent Bud Cowger, Engineer Ray Koenig, Attorney Tim Kuiper and Economic Development Coordinator Marcy Meyer.

**GUESTS:** Terry Gatlin from the Beecher Herald, Bill Byrns from the Daily Journal, Wayne Wiechen, Brian and Danna Neville, Phil Serviss, Rick Wehling, Art VanBaren, Jay Bradarich, Bill Voss, Kevin Bouchard, Jeff Ruhe, Kim and Betty Koutsky, Irving Beseke, Martin Steiber, Steve Lange and Pam Helsel Hoffman.

President Lohmann asked for consideration of the minutes of the November 27, 2007 Board meeting. Trustee Cleary made a motion to approve the minutes with the following changes:

Correction #1: Page 4, second paragraph, second sentence, the word "fence" should be struck.

Correction #2: Page 4, under Planning, Building & Zoning, where it says "Prairie Crossings", it should say "Prairie Crossings South". Trustee Wehling seconded the motion.

**AYES:** (5) Trustees Cleary, Ahrendt, Szymanski, Gardner and Wehling.

**NAYS:** (0) None.

**ABSENT:** (1) Trustee Kuhlman.

Motion Carried.

President Lohmann asked for consideration of the minutes of the Committee of the Whole meeting on November 20, 2007 and the Public Hearing held on November 27, 2007. Trustee Cleary made a motion to approve the minutes as written. Trustee Ahrendt seconded the motion.

**AYES:** (5) Trustees Cleary, Ahrendt, Szymanski, Gardner and Wehling.

**NAYS:** (0) None.

**ABSENT:** (1) Trustee Kuhlman.

Motion Carried.

**CLERK’S REPORT:** 1) A report on income received since the last meeting was provided. 2) Bills were presented for the Beecher Beautification Commission (\$41.48) and the Beecher Fourth of July Commission (\$1,406.83). Trustee Szymanski made a motion to approve the list of bills totalling \$1,448.31 as listed on the Clerk’s Report. Trustee Gardner seconded the motion.

AYES: (5) Trustees Cleary, Ahrendt, Szymanski, Gardner and Wehling.

NAYS: (0) None.

ABSENT: (1) Trustee Kuhlman.

Motion Carried.

Trustee Kuhlman arrived at 7:10 p.m.

3) Trustee Wehling made a motion to approve payment of a bill to George’s Landscaping in the amount of \$65,489.91 for Firemen’s Park improvements. Trustee Ahrendt seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

4) A request was considered from the Beecher Education Foundation asking for a monetary donation and inviting Board members to attend their annual dinner, wine tasting and silent auction. It was the consensus of the Board not to donate funds so a precedent would not be set but some Board members may attend the event. 5) Clerk Conner requested a closed session be held to consider closed session minutes for approval and release to the public.

**RECOGNITION OF GUESTS:** Pam Hoffman, candidate for Will County Board, attended the holiday festivities this month in Beecher and enjoyed her time at the parade and the housewalk. Ms. Hoffman complemented the Village on these events.

The Board considered an exploratory approval of a planned unit development concept under the I-T zoning classification upon annexation for 671 acres located roughly between Church Road, Ashland Avenue, Offner Road and the UP/SCX railroad tracks. Attorney Kuiper explained what an exploratory approval involved. Jay Bradarich of Trinity Industrial Development was present to answer questions from the Board. Trustee Cleary asked about ambient lighting going off of the property, and asked if the proposed development would be in compliance with the “dark skies” initiative. Mr. Bradarich reported that lighting would not be going off of the property. Trustee Szymanski asked the developer to continue to address concerns of the residents in the area regarding traffic, etc. When asked, Mr. Bradarich couldn’t answer as to when he would close on the property.

**RESOLUTION #2007-13** - A resolution to approve an exploratory proposal of a planned unit development concept under the I-T zoning classification upon annexation for 671 acres located roughly between Church Road, Ashland Avenue, Offner Road and the UP/SCX railroad tracks, with the modifications as directed by Village Planner Don Thomas and approved by the Planning and Zoning Commission. Trustee Cleary made a motion to approve the exploratory proposal with the

modifications as directed by Planner Don Thomas and approved by the Planning and Zoning Commission. Trustee Ahrendt seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

#### **A. FINANCE AND ADMINISTRATION COMMITTEE**

**TREASURER'S REPORT:** A copy of the Treasurer's report was provided to the Board for review and the Treasurer was present to answer questions.

A list of bills totalling \$289,369.08 to be paid was available for review. A summary of the list of bills was provided. Trustee Szymanski made a motion to approve payment of the list of bills as presented. Trustee Cleary seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

2007 Municipal Code inserts were provided to each Board member for inclusion in their code books.

ORDINANCE #1082 - An ordinance changing the dates of the Village Board meetings to the second and fourth Mondays of each month at 7:00 p.m., effective January 1, 2008. A copy of the proposed ordinance was provided in the packet for review. Trustee Cleary made a motion to approve Ordinance #1082, with the change to make the effective date of the ordinance January 1, 2008. Trustee Gardner seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

A five-year financial plan for fiscal years 2008 through 2012 was presented to the Board. A Committee of the Whole meeting needs to be scheduled to discuss the financial plan. Trustee Kuhlman asked if a time limit could be put on the meeting so it doesn't go as late as meetings in the past. Trustee Wehling agreed. The Board will need to stick to the subject matter so it doesn't take so long. It was agreed that this will be the only item on the workshop agenda. Trustee Ahrendt made a motion to authorize a Committee of the Whole meeting on January 22, 2008 at 6:30 p.m. to discuss the five-year financial plan. Trustee Szymanski seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

The Village has been advised of \$3,390 in electrical savings in 2007 from the Northern Illinois Municipal Electric Co-op (NIMEC). A copy of the report was provided in the packet for review.

ORDINANCE #1083 - An ordinance establishing standards for the construction of facilities in rights of way, and repealing all Village code sections in conflict therewith. Trustee Szymanski made a motion to approve Ordinance #1083. Trustee Cleary seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

ORDINANCE #1084 - An ordinance establishing a cable and video provider fee of 5% and a public, educational, and governmental channel fee of 1% to be imposed on cable providers in the Village. This ordinance allows AT+T to be charged the 5% franchise fee already imposed on Comcast and also allows for an additional 1% as provided in state law to be imposed on both services for providing a revenue stream for local public television. Trustee Szymanski made a motion to approve Ordinance #1084. Trustee Ahrendt seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

## **B. PUBLIC SAFETY COMMITTEE**

The Police Department monthly report was provided for review.

Trustee Cleary asked Chief Weissgerber about the indoor smoking ban taking effect in Illinois on January 1, 2008. A recommendation in the Police monthly report that the Village adopt a local ordinance wasn't available in time for the packet. Chief Weissgerber received a proposed ordinance earlier in the day and needs time to review it. The Chief explained the law and additional information will be available for review at the next Board meeting. Some points of the law and local versus state enforcement was discussed. Administrator Barber recommended taking some time to see how enforcement of the law plays out around the state to determine if Beecher should pass a local ordinance. No action was taken.

ORDINANCE #1085 - An ordinance adopting an administrative towing fee for all vehicles towed by the Police Department as a result of criminal activity. Trustee Kuhlman made a motion to approve Ordinance #1085, which would take place immediately upon passage. Trustee Szymanski seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

A report for a new cost sharing formula for dispatching services being considered by Eastcom was provided in the packet for review. The new formula accounts for growth in the Village of Beecher and an increased volume of calls. The Eastcom Board of Directors will still need to vote on this new formula. Chief Weissgerber provided a report.

Chief Weissgerber reported that the Monee Court is no longer big enough, therefore local court calls will be moved to the Atrium in Peotone, Illinois. Fees will be going up as well. This is due to the need for increased parking and court space. The result of this move increases the cost to the Village from \$3,600 to \$4,500. Trustee Cleary asked if the Village should increase ticket fees to help absorb the cost. Chief Weissgerber will look into the fees in the ordinance, and also look into a “compromise ticket” system.

The Board considered the purchase of a mosquito spraying machine and chemicals for use during the 2008 season. The proposal calls for the purchase of a used machine in the amount of \$7,350 and enough chemicals for the 2008 season for a total program cost of \$13,548. In 2007, the Village spent \$18,355 on the program. A copy of the program report was provided in the packet for review. Public Works Superintendent Cowger stated the chemical and equipment costs will go up considerably after January 1, 2008. Trustee Kuhlman made a motion to approve the purchase of the mosquito spraying machine and chemicals for 2008. Trustee Wehling seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

Trustee Kuhlman requested a closed session be held to discuss the hiring of two part-time Police Officers.

### **C. STREETS AND ALLEYS COMMITTEE**

An update was provided on the flooding problems in the rear yards in the 200 block of Pine Street. The Chairman has met with both parties which have experienced flooding as a result of water runoff from the farm field to the north. A report was provided in the packet for review. A number of different solutions were discussed including a smaller swale being cut between Ruhe and Hearn’s properties and regrading of Hearn’s property, but it was felt that the property owners would not let the Village on their property to fix the problem and it was asked should the Village have to fix a problem on private property anyway. Trustee Cleary noted the Village ordinance that water from one property cannot affect others which gives the Village the right to correct problems on private property. He also felt the initial engineering might not have been right in that subdivision. The Board discussed that many other properties in that subdivision also have incorrect elevations due to landscaping done by the property owners after certificates of occupancy were issued, and should the Village require all of them to be fixed. Administrator Barber suggested regrading the ditch in the Village easement. Engineer Koenig stated that there is also a problem with Walter Olson’s backyard which needs to be regraded, and Mr. Olson refuses to allow any changes be made to his property.

Resident Jeff Ruhe of 227 Pine asked to address the Board regarding this issue, and provided a handout of the layout of his property and the two neighboring properties. Mr. Ruhe showed photos of flooding in his yard and in his neighbors’ yards. Mr. Ruhe explained how the property was flooding and the help he received from the Village and Engineer Koenig. Things were okay until

after both neighbors closed on their properties and until Beecher received the 100-year rain(7" in one day). Mr. Ruhe got together with his neighbors the Spayers, the Village and Engineer Koenig. Mr. Ruhe said Mr. Hearn put fill in his back yard when putting in his patio and also put in a berm. When it rains, the water goes to the low point on Mr. Hearn's yard which is his foundation. Mr. Ruhe felt the problem was on Mr. Hearn's property. The berm on Mr. Hearn's property needs to be removed. Also, Mr. Olson's property is a problem and he is not willing to cooperate. Trustee Cleary recommended to remove a portion of the berm in the drainage easement and re-establish an overland flood route. Attorney Kuiper advised the need to enforce these drainage problems evenly and not selectively if the Village is going to handle them. It was asked if this is to be enforced in the entire subdivision. The Village does not have a budget for that. Trustee Cleary said there is a need to amend the ordinance addressing water flow not affecting other people's property. The Board considered a proposal for \$5,300 from Engineer Koenig for addressing the problem. Attorney Kuiper recommended that if the Village is going to get involved, the water issue should be looked at comprehensively and enforced evenly throughout the subdivision. It was the consensus of the Board to have staff write a letter to Mr. Hearn asking him to remove the berm in his back yard to address flooding issues and if he does not approve the recommendations, the Village will then consider other options.

The Village of Beecher was named a Tree City USA for 2007. A copy of the letter was provided in the packet for review.

A leaf collection final report for 2007 was provided by Superintendent Cowger. Fifty-three loads were collected this year.

Superintendent Cowger asked Beecher Herald reporter Terry Gatlin to remind residents of snow ordinances pertaining to parking on the street after a snowfall, and not to throw snow in the road from driveways.

#### **D. SEWER AND WATER COMMITTEE**

The Water and Sewer Department monthly reports were included in the packet for review.

Engineer Koenig provided an update on Well #5. ComEd hasn't been out yet because of the recent snow storm, so Well #5 does not have any power. Some painting needs to be done once power has been connected.

The Board considered liquidated damages in the amount of \$4,550 to Layne Western Company for failure to meet deadlines for installing a Byron Jackson pump in a timely manner according to the contract. A copy of the letter from Engineer Koenig was provided in the packet for review. The pump installation was not done in a timely manner because ComEd hasn't been able to provide power to the well building. A penalty of \$350 per day is stated in the contract. Trustee Cleary explained his interpretation of liquidated damages. Work was supposed to be completed by November 1<sup>st</sup> but Layne Western was previously given an extension to the contract. Engineer

Koenig reported that the pump was on site but just couldn't be hooked up to power and tested. Rick Wehling from Layne Western answered some questions about the circumstances. Engineer Koenig was asked if the Village will incur additional engineering costs due to this delay. Engineer Koenig reported if any costs would be incurred that they would be maybe a couple of hundred dollars. Rick Wehling said Layne Western would be willing to take care of these additional costs but asks not to have to pay total liquidated damages because the delay was beyond their control. Engineer Koenig was asked to bill Layne Western directly for any additional costs incurred on this project. Rick Wehling from Layne Western agreed to this. No liquidated damages were awarded.

#### **E. PUBLIC BUILDINGS, PROPERTIES, PARKS AND RECREATION COMMITTEE**

An update was provided on the Firemen's Park/OSLAD grant project. The project is currently on hold due to the snow.

Trustee Wehling provided a report from the Chicago Tribune that included the entire 60401 zip code. The average price for a single-family home in 2007 was \$251,476. The average sales price decreased approximately 5% from 2006 to 2007.

#### **F. PLANNING, BUILDING AND ZONING COMMITTEE**

ORDINANCE #1086 - An ordinance repealing Section 4-1-10 (stairway height exceptions) and amending 4-1-2 to require a 90-day limit on all building permits with the exception of new home or commercial construction. This ordinance was the result of the workshop held on November 20, 2007. A copy of the drafted ordinance was provided in the packet for review. Trustee Ahrendt made a motion to approve Ordinance #1086. Trustee Cleary seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

The Building Department monthly report was provided in the packet for review.

The Code Enforcement monthly report was provided in the packet for review.

Trustee Ahrendt reported that the Planning and Zoning Commission decided not to hold a public hearing on amending the fence ordinance. Attorney Kuiper was asked for his opinion. Attorney Kuiper stated that the Planning and Zoning Commission must hold a public hearing since the matter was referred to them and then they can provide a recommendation not to approve amending the fence ordinance. Issues also needing to be addressed by the Planning and Zoning Commission is definition of fence heights and other issues. There needs to be communication with the Planning and Zoning Commission that a public hearing needs to be held and that privacy fences are not the only item at issue. Administrator Barber recommended that the Village Board and Planning and Zoning Commission be in concurrence as to what they want regarding the fence ordinance. Administrator Barber felt that once many additional differing opinions come into play at a public

hearing nothing will get accomplished. A public hearing for the Planning and Zoning Commission will be held on January 24, 2008. Board members were encouraged to attend the meeting to address the Planning and Zoning Commission and to discuss the fence ordinance and handle differences.

Trustee Ahrendt requested a closed session be held to discuss pending litigation.

#### **G. VILLAGE PRESIDENT'S REPORT**

The Board considered a Dial-A-Ride program in conjunction with Washington Township. The Village previously asked that PACE provide a grant to Washington Township for the bus. President Lohmann stated that when Washington Township discussed this matter at their last meeting that they had very little trust for the Village so he felt that the Township could take over and handle the entire program. The Village will not get involved.

Trustee Szymanski made a motion to approve the purchase of a tandem-axle 14' enclosed trailer for the storage and transportation of shelter supplies for ESDA in the amount of \$3,597.00 from Morris Trailer Sales. A copy of the bid was provided in the packet for review. This amount can be paid out of where money was saved for the special census or where money was saved in the Christmas party fund. Trustee Ahrendt seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

Administrator Barber reported that the Village Presidents of Beecher and Crete have met regarding the Facilities Planning Area (FPA) amendment applications, and will meet again after the holidays.

The Board reconsidered a 2001 proposal to treat the leachate from the Beecher landfill as a condition of annexation. The landfill produces about 9,000 gallons of leachate per day. Baxter and Woodman conducted a study of this in 2001. President Lohmann and Administrator Barber met with Sexton Landfill and inquired about a tour of the landfill. Administrator Barber talked to the Sexton representative about treating leachate. They are currently trucking leachate out of the area for treatment. President Lohmann said the landfill area would be a good area for empty containers for the intermodal facility, and that it would also be a good place for composting. The Board discussed how the leachate would be treated. Board members were asked if they were interested in going on a tour of the landfill. President Lohmann will set up a tour.

President Lohmann requested a closed session be held to discuss land acquisition.

#### **H. NEW BUSINESS**

Trustee Cleary stated that the Trustees who attended the Will County Governmental League meeting introduced themselves to Bolingbrook Mayor Roger Claar. Mr. Claar immediately started discussing Beecher and Crete's FPA requests, and was very negative towards Beecher's application.



There being no further business to be discussed in open session, Trustee Cleary made a motion to adjourn into executive session at 9:57 p.m. to discuss personnel, pending litigation, land acquisition and review of closed session minutes. Trustee Ahrendt seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

Trustee Szymanski made a motion to return to regular session at 10:40 p.m. Trustee Cleary seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

RESOLUTION 2007-14 - A resolution to approve and release certain closed session minutes as specified in the closed session. Trustee Szymanski made a motion to adopt Resolution #2007-14.

Trustee Ahrendt seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

Trustee Wehling made a motion to approve the hiring of two part-time Police officers; Russell Ledezma and Jamie Hawkins. Trustee Ahrendt seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

President Lohmann approved a Proclamation declaring January 2008 as South Suburban PADS Awareness Month in Beecher to support the organization's efforts to serve the community and bring an end to homelessness.

There being no further business, President Lohmann asked for a motion to adjourn. Trustee Szymanski made a motion to adjourn the meeting. Trustee Wehling seconded the motion.

AYES: (6) Trustees Cleary, Ahrendt, Szymanski, Gardner, Kuhlman and Wehling.

NAYS: (0) None.

Motion Carried.

Meeting adjourned at 10:43 p.m.

Respectfully submitted by:

---

Janett Conner  
Village Clerk