

The Regular Meeting of the Moweaqua Village Council was called to order by Mayor Tolly leading in the Pledge to the Flag. Roll call was answered by Marcia Maynard, Don Henry, Steve Ruot, Dave Little and Bill McDaniel. Employees present were Ed Hanley, Chief Maynard, Lola Allen, Ramiro Estrada, Louis Jordan, Boomer Neece, Kim Adamson, Officer Wade and Attorney for the Village, Mike Antoline was also present. Others present included Dan Smith, Evelyn Lowe, Tracy Daniels, Mike Reschke and Rod Hite.

Maynard made the motion to approve the minutes of the September Regular Meeting, McDaniel seconded. Council voting Yes: Maynard, Henry, Ruot, Little and McDaniel. No: None.

Maynard made the motion to approve the Bills to be Paid in October with additions and corrections, McDaniel seconded. Council voting Yes: Maynard, Henry, Ruot, Little and McDaniel. No: None.

Ruot made the motion to approve the Treasurer's Report, Henry seconded. Council voting Yes: Maynard, Henry, Ruot, Little and McDaniel. No: None.

Marcia Maynard reported that a quote was obtained from Riva Security for security cameras at the Golf Course. Some of the cameras would be located inside the clubhouse and others outside on the course. Cost for the security system equipment and installation is \$1,000.00. Maynard stated that having security cameras would deter vandalism at the course. Riva has installed security equipment for the Moweaqua Police Department and also the Moweaqua Park District. After discussion Maynard made the motion to have Riva Security install security cameras at the Golf Course at a cost of \$1,000.00, McDaniel seconded. Council voting Yes: Maynard, Henry, Ruot, Little and McDaniel. No: None.

Maynard also congratulated Water & Sewer Superintendent Louis Jordan for being awarded a certificate of commendation from the Illinois Department of Public Health in recognition of achieving the highest standard of compliance for at least 20 consecutive years in accordance with the Illinois Fluoridation Act.

Henry discussed the two properties that were sent notices to abate in August. The Railroad Ave. property owner has made satisfactory progress and is still working towards compliance. The property owner has been in contact with the Village and given updates regarding his clean up effort. The owner of the property on West Main Street has done some clean up but has much more to do according to Henry. After discussion council agreed that the owner of the West Main property

be given two weeks notice to bring the property into compliance or be fined. The property owner has made no contact with the Village.

Jordan brought to Councils attention a property located on East Wall Street that is also in need of attention. The property is in foreclosure and has bags of garbage stacked behind the house. A neighbor expressed his concern about insects and rodents being drawn to the garbage. Chief Maynard stated that he has been made aware of the situation and contacted the responsible party. Maynard stated that if the garbage is not cleaned up within the time he specified, that an ordinance violation ticket will be issued. Attorney Antoline agreed that if the foreclosure has not yet been completed then the person who is being foreclosed upon should receive the violation.

Community Development Director Kim Adamson reported a property located on East Main that is in need of mowing. Adamson stated that this property is also in foreclosure. After discussion, Attorney Antoline stated that he would send a notice to abate to the property owner.

In Adamson's Community Development report she stated that she has spoken with Larry Woody regarding new development. Woody inquired about the drainage situation and the results of the drainage study. Little stated that no plans have been implemented yet but Woody could meet with Village Engineer Steve Bainbridge for suggestions regarding new development.

Adamson also reported that the Christmas on Main event is being resurrected and Marlene Craig is the coordinator. Adamson will request that the downtown businesses remain open on December 1st and be a part of the festivities in an effort to showcase what the Village of Moweaqua has to offer. There are plans for a parade, Santa, vendors and caroling. Adamson inquired whether the Village would consider donating to the Christmas on Main fund as it has in years past. Craig informed Adamson that the money is used for advertising and anything else needed until the vendor fees are available. Any monies left over are then donated to Peace Meal. After discussion Little made the motion to donate \$300.00 to the Christmas on Main event, Henry seconded. Council voting Yes: Maynard, Henry, Ruot, Little and McDaniel. No: None.

Attorney Antoline updated council about the Dirks property condemnation procedure. Antoline stated that he has located an appraiser that will appraise the property two ways. He will appraise to condemn only the portion that is needed for the easement and also the entire property. The State requires that municipalities

use an MAI certified appraiser. Cost of the appraisal will be approximately \$2,000.00. After discussion Council was in agreement that Mr. Dirks should be contacted again and invited to meet with the council members at the site of the easement to see if an agreement can be reached before pursuing condemnation.

Attorney Antoline requested help updating his files regarding property located at 506 E. Chestnut and 230 E. Cherry. Council had previously requested that Antoline notify the property owners that the Village intended to demolish them unless action was taken to repair and clean up. Ruot stated the property at 230 E. Cherry has been purchased and is in the process of being torn down. Mayor Tolly stated that 506 E. Chestnut has also been purchased and is being repaired and remodeled. Antoline stated that he would take no further action regarding these properties.

Attorney Antoline inquired about revolving loan collections. It was determined that all loan recipients are making regular payments with one exception. Antoline explained that it was previously thought that John Vogle had assumed the Rita West / John Vogle revolving loan. Antoline discovered that West is still the responsible party and sent a letter requesting payment of the past due balance. No response was received. Antoline inquired if Council wanted to go the next step in the collection process. Council agreed that Antoline should continue with the collection process.

Attorney Antoline then turned to discussion regarding a liquor referendum. Antoline explained that there is a question as to whether or not the sale of liquor in the Village of Moweaqua would have an economic advantage. Antoline went on to say that Village officials cannot expend municipal funds on taking a position either for or against the referendum. This does not mean the municipality cannot expend funds and time in order to gather factual data about a referendum including how to put a referendum on the ballot. Antoline explained that specific language can be chosen for the referendum. For example liquor can be sold at restaurants or convenience stores or bars or any combination of these. It depends on the wording of the referendum, which is decided by a "Citizens Action Committee" that will circulate the petition. Antoline explained that if a referendum for the sale of liquor is placed on the ballot and the Village of Moweaqua becomes a "wet" town, the Village Council would then have the capacity to appoint a Liquor Commission. However, the Mayor, who would be the Liquor Commissioner, would have the ultimate decision regarding who is granted a license. The Liquor Commissioner does not decide whether the license is for the sale of liquor at restaurants, convenience stores or bars. Antoline stated that employees of the Village, Village officials and golf course employees are considered government employees and

according to statutes may not be involved in the circulation of the liquor petition. It must be done by a "Citizens Action Committee" that is separate from the Village of Moweaqua. Antoline states that it is not in the Village of Moweaqua's employees or officials best interest to sign a petition, however, if asked their opinion they are free to express it. Attorney Antoline states that it is his job to make sure the Village of Moweaqua does not violate the law and stated that it is up to the citizens of the Village of Moweaqua to initiate a liquor referendum if they see fit to do so.

Attorney Antoline presented Variance Ordinance #10/09/2012-1 for Randy Morrell approving construction of an addition to an existing garage 4 feet 5 inches from the East property line rather than 7 ½ feet. Ruot made the motion to approve Variance Ordinance #10/09/2012-1, McDaniel seconded. Council voting Yes: Maynard, Henry, Ruot, Little and McDaniel. No: None.

Mayor Tolly reported that he received notice that Suddenlink Cable Company has been sold and will now operate under the name of New Wave Communications. Mayor Tolly stated that Attorney Antoline will review the information provided by New Wave Communications.

In Public Participation Mike Reschke expressed concern about the owner of the property adjacent his parents on Cherry Street. Reschke stated that the owner has taken up residence in the garage, which is the only building on the property. Reschke stated that they have had to call the Police Department in regards to a fire and a fight and he is concerned about his parents well being as well as their property. Attorney Antoline stated that unless the property owner is violating Village Ordinances there is not much the Village Board can do. After discussion it remained unclear as to whether the owner was in violation of anything. Zoning Administrator Boomer Neece reported that he is aware of the situation with the owner living in the garage and has asked him to obtain a permit for the work he is doing to convert the garage into a dwelling.

In New Business Finance Committee Chairman Marcia Maynard explained to Council that as a result of the recent audit the Treasurer has requested approval to create two new revenue accounts. The ILEAS reimbursements and the crossing guard salary reimbursements need to have their own revenue accounts. Maynard made the motion to approve creating ILEAS reimbursement revenue account 01.380 and crossing guard reimbursement revenue account 01.382, Little seconded. Council voting Yes: Maynard, Henry, Ruot, Little and McDaniel. No: None.

Water and Sewer Superintendent Louis Jordan requested approval to sign the annual service contract with Corrpro for cathodic protection of the ground storage water tank. Cost for the cathodic protection is \$525.00. The new contract will be in effect January 1, 2013 through December 31, 2013. Maynard made the motion to approve paying Corrpro \$525.00 for cathodic protection, Ruot seconded. Council voting Yes: Maynard, Henry, Ruot, Little and McDaniel. No: None.

Jordan also requested approval to purchase a new aerator for the south pond at the sewer plant from Aqua-Aerobic Systems, Inc. for \$10,256.70. Ruot made the motion to approve purchasing a new aerator from Aqua-Aerobic Systems for \$10,256.70, Little seconded. Council voting Yes: Maynard, Henry, Ruot, Little and McDaniel. No: None.

Mayor Tolly requested a motion to enter Executive Session if there was no further public business to come before council. McDaniel made the motion to enter Executive Session to discuss ongoing litigation and personnel, Maynard seconded. Council voting Yes: Maynard, Henry, Ruot, Little and McDaniel. No: None.

Maynard made the motion to end Executive Session, Henry seconded. Council voting Yes: Maynard, Henry, Ruot, Little and McDaniel. No: None.'

Little made the motion to adjourn, Maynard seconded. Council voting Yes: Maynard, Henry, Ruot, Little and McDaniel. No: None.