

7:30 p.m. The regular meeting of the Village Board of Trustees was called to order by Mayor Behnken. A roll call was answered aye by Wilson, Geppert, Feder, Newbold and Politsch. Hamon was absent. Sandy Stolte, Treasurer, Chris Remick, Superintendent of Public Works, and Chief Simburger were also present.

VISITORS

READING OF THE JOURNAL (MINUTES)

Mayor Behnken asked for a motion to dispense with the reading of the minutes.

Trustee Newbold made a motion, seconded by Trustee Politsch to dispense with reading of the minutes. All voting aye, the motion carried.

Trustee Feder made a motion, seconded by Trustee Geppert to accept the minutes as presented. Discussion: a correction was noted under unfinished business. Trustee Geppert made a subsidiary motion, seconded by Trustee Feder to accept the minutes as corrected. All voting aye, the motion carried.

REPORTS AND COMMUNICATION

MAYOR

Nothing to report.

VILLAGE CLERK

The clerk noted approval is needed to pay Westmore Equities for 75% of the 2020 TIF eligible real estate taxes which is \$14,205.45.

Trustee Politsch made a motion, seconded by Trustee Newbold to approve the payment of \$14,205.45 to Westmore Equities for 75% of the TIF eligible 2020 real estate taxes. All voting aye, the motion carried.

TREASURERS TIME

Nothing new to report.

POLICE CHIEF

Nothing to report.

SUPERINTENDENT OF PUBLIC WORKS AND BUILDINGS

Chris Remick reported he will be meeting with Ameren on August 4th to discuss what can be done with the electric at the marina.

The board agreed to hire three flaggers for road oiling August 10th and pay them \$50 a day from MFT funds.

It was discussed to rent a concrete planer to level out some sidewalks around town at a cost of \$240 a day. Mayor Behnken made note to keep track of the employee hours and the equipment used for MFT funds. The board discussed a handout from Trustee Newbold regarding the sidewalk ordinance that states the adjourning property owner must repair the sidewalk without delay.

Trustee Feder made a motion, seconded by Trustee Politsch to approve the rental of a concrete planer for up to two days to level out sidewalks. Discussion: It was discussed to give it a try. Chris to get a list together of the sidewalks he is going to use the planer on. All voting aye, the motion carried.

The board discussed a quote from Coe Equipment Inc. for purchasing a sewer camera for \$11,372.38 and root cutter for the sewer jet machine for \$2,739.00.

Trustee Feder made a motion, seconded by Trustee Newbold to approve the purchase of a sewer camera for \$11,372.38 and a sewer jet root cutter for \$2,739.00 from Coe

Equipment Inc. All voting aye, the motion carried.

It was noted Trustee Feder, Mayor Behnken and Chris Remick met with Volkert to discuss the storm sewer line project on Market Street and the sidewalk project Spotsylvania Street.

AMBULANCE SERVICE DIRECTOR

Nothing to report.

REPORT OF STANDING COMMITTEES

Streets and Alleys

Nothing to report.

Finance and Audit

Trustee Newbold reported the committee met and reviewed the bills.

Trustee Newbold made a motion, seconded by Trustee Feder to pay the bills as presented. Discussion: Trustee Newbold questioned if Mayor Behnken would turn in the legal bill from Attorney Kubitschek, regarding the Triefenbach case, to his insurance company to be paid. Mayor Behnken stated he has done a few things since May 3rd that was not in sync with the board and will try his best moving forward to try and stay in sync with the entire board. Mayor Behnken said if the board wants him to pay the \$585 to stay in sync with them, he has no problems donating \$585 to the Village of New Athens as an unrestricted donation that can be put in the general fund and used as seen fit. Trustee Wilson said the attorney should have billed the mayor directly. Mayor Behnken said it is not his obligation and the bill is an operating expense of the Village. The bill to be sent to the Village's insurance to see if they will pay it. Mayor Behnken will also send to his insurance as well. Trustee Politsch questioned if the sewer class for Chris Remick was approved previously. Trustee Newbold said the finance and audit committee is approving it when approving the bills. Trustee Politsch stated it should have been brought up differently and for the next class to be sure to get approval in advance. All voting aye, the motion carried.

Water and Sewer

Nothing to report.

Personnel, Public Safety/ADA

Nothing to report.

Public Property and Parks

Trustee Newbold opened the bids for the various properties for sale. Only one bid was received on 300 South Elizabeth Street; Mark Dietzel bid \$8,000. Three bids were received on 407 South East Street; Mark Dietzel bid \$4,500, Brian Parker bid \$3,500 and John Harwerth bid \$5,005. One bid received for the parcels at 202 South Albert A. Memorial Drive; New Athens Storage bid \$5,700.

Trustee Newbold made a motion, seconded by Trustee Geppert to accept the bid of \$8,000 from Mark Dietzel for the sale of 300 South Elizabeth Street. Discussion: Publication to be sent to the village attorney, so he can draw up a real estate contract based on the publication. All voting aye, the motion carried.

Trustee Politsch made a motion, seconded by Trustee Geppert to accept the high bid of \$5,005 from John Harwerth for the sale of 407 South East Street. All voting aye, the motion carried.

Trustee Politsch made a motion, seconded by Trustee Feder to accept the bid of \$5,700 from New Athens Storage for the sale of parcels at 202 South Albert A. Wilson Memorial Drive. Discussion: The village attorney will draw up an easement agreement for the

village and a quit claim deed. All voting aye, the motion carried.

Cemetery

Nothing to report.

Improvements and Grants

Trustee Feder said when they spoke with Volkert, they were informed to be careful with moving forward with the sidewalk grant on Spotsylvania Street. It would be best to pour straight sidewalks and leave the ADA ramps until Spotsylvania Street is repaved so the ramps even up to the pavement.

Ordinances

Nothing to report.

REPORT OF SPECIAL COMMITTEES

Nothing to report.

COMMUNICATIONS, PETITIONS, RESOLUTIONS, ORDERS, AND ORDINANCES

Nothing to report.

UNFINISHED BUSINESS

Chief Simburger said two certified letters to the title owners of the boats, left at the marina, were returned. The next step is to put up a for sale sign 10 days prior to the sale date of August 16th. The village will have to purchase the boats for \$1 each, paperwork will be sent off to the secretary state office to get a salvage title. The third boat owner has been contacted and plans to move the boat.

Trustee Newbold commented on an email received that we were violating FOIA and the open meetings act. This time last year when the room was full of visitors, we would have been turned in to the attorney general office by Joe and Debbie. The previous board felt like they were being scrutinized, unfairly judged, and made to look like fools. Trustee Newbold doesn't want to see this board presented in that light, moving forward, we need to tighten up the open meetings and FOIA. Trustee Newbold stated when they had the meeting with the pharmacist, stuff got reported on New Athens Concerned Citizens Facebook page, the pharmacist got scared and was concerned about being presented in a bad light. Some was factual and some was assumed, that wasn't true. Trustee Newbold was on the board then and took offense to some of the things there were being alleged about the board.

Mayor Behnken said one of the issues he has with the open meeting act and sunshine laws is its exceeding confusing, antiquated and conflicting. Elected officials in New Athens are constantly involved in staff work because we are a small community. Mayor Behnken stated find me the definition of village business. Before you allege that we are discussing village business you have to define village business. Mayor Behnken's position is until proven wrong, is if it's not on the agenda it's not village business. Mayor Behnken was told by the former president of the Illinois Municipal League, Jerry Daugherty, that if you go to the bar to have a beer, your intent is to not to conduct business, but if you stumble onto business since it wasn't your intent to begin with its not a violation of the open meeting act. Mayor Behnken said he wasn't going to be purposely violating anything, but it can't stop you from doing business either.

Trustee Feder made a motion; seconded by Trustee Newbold to adjourn at 8:58 p.m. All voting aye, the motion carried.

Michelle Neff Village Clerk
Joe Behnken Village President