

401

July 15, 2024

VILLAGE OF NEW ATHENS

6:30 p.m. The regular meeting of the Village Board of Trustees was called to order by Mayor Behnken. A roll call was answered by Trustees Newbold, Politsch, Fitzgerald, Feder, Kearns and Geppert. Also present were Jason Berry, Patrol Officer and Chris Remick, Superintendent of Public Works.

VISITORS

Visitors included Justin Majzel, organizer of New Athens Homecoming, Ed Braun from Biotech Management, Mr. Abdul, Project Manager, and Leroy Nibbles. Justin wanted to inform the village that there had been a leak following the water being turned on at the facilities for the homecoming. Their water bill was quite high, but the leak was repaired. The drains were clogged and the building flooded. Further discussion regarding the Fall Festival will be discussed at the next Committee of the Whole meeting. Justin requested to use Okaw Valley Park rather than the Marina grounds for the Fall Festival. It would be safer for children and more feasible for Swyear to get the amusement rides in there and for the overall layout.

READING OF THE JOURNAL (MINUTES)

The minutes of the July 1, 2024, regular board meeting were submitted to the Board for approval. A motion was made by Trustee Newbold, seconded by Trustee Politsch, to approve the minutes of the regular board meeting and dispense with the oral reading following an addition of an address where a tree is to be removed. A vote was answered aye by all trustees present. The minutes of the June 24, 2024, Committee of the Whole meeting were submitted to the Board for approval. Motion was made by Trustee Fitzgerald, seconded by Trustee Newbold, to accept the minutes and dispense with the oral reading. A vote was answered aye by all trustees present.

REPORTS AND COMMUNICATION

MAYOR

Ed Braun from Biotech Management was present to discuss plans for the previous nursing home building at 203 Johnson. He stated their attorney has been discussing this with the village's attorney. The purpose of the building would be senior living and independent living apartments. The stipulation for residency would be people 65 years of age and older. They want to create thirty-five units. It will also include preparing meals three times a day for the residents, kitchen and laundry facilities and assistance with daily living activities. There will be no memory care. They would like to move forward with the rezoning of the building. Ed and Mr. Abdul would like to work with the village as a team to get this project completed. Mr. Abdul stated it would create between 20-30 jobs for local citizens. The only work that has been completed so far is the electrical and that is now up to code. Mr. Abdul estimates once the remodel begins, it will be completed and up and running in 3-4 months. There is a need in the area for a facility such as this. The board requests that they submit their plan to the village in writing so the rezoning can be discussed.

A motion was made by Trustee Feder, seconded by Trustee Politsch, to approve \$500 to the Banana Bike Brigade for the Homecoming Parade Fund. A roll call vote was answered aye by all trustees present.

Mayor presented the board with information on zoning issues. Another zoning variance request is for the building next to Village Hall, where they want to turn the building into a duplex. The issue is we have in the zoning code, a Planning Commission and a Zoning Board of Appeals. The Planning Commission had seven members and most of those members were also on the Zoning Board. Most of those members have either moved out of town or resigned. He explained that a lot of smaller communities are replacing their Zoning Board with a Zoning Administrator, which is typically the Village Attorney. The old nursing home is zoned SR4, which is single residence. The zoning map includes one parcel, which is zoned correctly for the nursing home, but one parcel is not; it is a business overlay over an SR4. The zoning code currently permits a zoning business overlay over an SR3 or SR4, which are both for single residence. It does not permit a planned business district overlay on a

business district. In regard to Kathy Nuernberger's property, that is zoned business. A single residence is permissible, but a multi-family residence is not. The State of Illinois did away with "spot zoning" years ago. What came in place of that is what is called a Use Variance. Those are our two zoning issues. Nuernberger's zoning issue will require a Zoning Board of Appeals and a public hearing, so that is the main reason he would like to combine the duties of both entities and just have a Zoning Administrator to take the place of the Zoning Board of Appeals. Joe feels the attorney is more capable of handling zoning issues. Trustee Newbold questioned if the board would have to hear the issues or just send them to the attorney? Joe said there would still probably have to be a public hearing in the case of Nuernberger's property. Trustee Fitzgerald inquired how much this would cost the village to have Van-Lear Eckert be the administrator? Mayor responded that his fees are \$150 per hour, but we would not use him very frequently due to not having many zoning issues. Trustee Newbold said this change makes sense to him. Trustee Fitzgerald questioned if the board should discuss zoning issues, then send them to the attorney? Or just direct these issues straight to him? Joe said the zoning code is where the issues lie. Trustee Politsch questioned if our attorney really is speaking with Biotech Management. Mayor does not think he is. Motion was made by Trustee Newbold to dissolve both the Planning Commission and the Zoning Board of Appeals and replace both with one Zoning Administrator. Motion was seconded by Trustee Kearns. A vote was answered aye by all trustees present. This will require a new ordinance to include a use variance.

VILLAGE CLERK

Paula requested if anyone has a copy of the August 28, 2023, Committee of the Whole Minutes, she needs a copy of them for the auditors.

TREASURER'S REPORT

Andy presented the multiple balance sheets from the accounts in Quickbooks. Trustee Newbold requested a brief summation in the future of all the accounts. Motion was made by Trustee Newbold to accept the Treasurer's Report, seconded by Trustee Fitzgerald. A vote was answered aye by all trustees present.

POLICE CHIEF

Chief was not present, but he had submitted the activity log for the first half of July. Motion was made by Trustee Geppert, seconded by Trustee Politsch, to sell the surplus police car on Govdeals.com, as we did with the other vehicle. A vote was answered aye by all trustees present. Officer Berry requested the board agree to pay for a Taser certification with Southwest Illinois Police Commission for him at the cost of \$495. This amount will come out of the restricted Police account. A motion was made by Trustee Kearns, seconded by Trustee Newbold, to pay for the class, which will then be reimbursed after Officer Berry completes the training. A vote was answered aye by all trustees present.

SUPERINTENDENT OF PUBLIC WORKS AND BUILDINGS

Chris reported Dylan Dachsteiner has resigned and left immediately due to his new position having training this week. In the meantime, his employees will cover Dylan's job duties until we can hire another part time person. He reported the water has gone down 7' since Friday. Last week, they spun the boat docks around and they are trying to get it cleaned up. He caught two people stealing metal from the docks so he has posted no trespassing signs.

AMBULANCE

Mayor reported he is still waiting for Chuck Kelly to be finished with the paperwork, but at the moment, Chuck is sick, so he and Doug Kinzinger are still waiting.

REPORTS OF COMMITTEES OF THE WHOLE

STREETS AND ALLEYS

Nothing to report.

FINANCE AND AUDIT

Nothing to report.

WATER AND SEWER

Nothing to report.

PERSONNEL

Nothing to report.

PUBLIC PROPERTY AND PARKS

Nothing to report.

CEMETERY

Nothing to report.

ORDINANCE

Nothing to report.

IMPROVEMENTS AND GRANTS

Trustee Politsch reported that the Metro East Parks and Recreation Grant is available again. She would like to get a community plan together and it would open the doors for us to get additional grants. It was agreed to discuss it at the Committee of the Whole meeting next week.

PUBLIC SAFETY

Nothing to report.

MARINA

Nothing to report.

REPORTS OF SPECIAL COMMITTEES

Nothing to report.

COMMUNICATIONS, PETITIONS, RESOLUTIONS, ORDERS AND ORDINANCES

Motion was made to approve a resolution to enter into a working capital loan with First National Bank of Waterloo by Trustee Newbold, seconded by Trustee Geppert. A roll call vote was taken and those responding with ayes were Trustees Newbold and Geppert, those responding with nays were Trustees Feder and Politsch. Trustees Fitzgerald and Kearns requested to abstain from voting. A tie breaking vote was aye by Mayor Behnken. Motion passed.

Motion was made by Trustee Politsch, seconded by Trustee Newbold, to approve the Ordinance 2024-03 revision of Water and/or Sewer Rates. A roll call vote was answered aye by all trustees present.

Motion was made by Trustee Fitzgerald, seconded by Trustee Politsch, to revise Ordinance 2024-04 Zoning Code to permit Use Variances in Zoning Districts. A roll call vote was answered aye by all trustees present.

CURRENT UNFINISHED BUSINESS

Decision was made to table the discussion of using Illinois Epay until the next regular board meeting, so it will be placed on the agenda. Trustee Politsch questioned if we should stay with version 7 of LOCiS. Paula said yes, we can use Illinois Epay with LOCiS version 7.

Decision was made to discuss the Fireworks Ordinance at the next Committee of the Whole Meeting. The board reviewed the letter from Melodie and Jeff Gaz, regarding the tree located at 301 N. Johnson and the need to address the situation with the village.

MOTION TO ADJOURN

Motion was made to adjourn the meeting @ 7:57 p.m. by Trustee Fitzgerald, seconded by Trustee Politsch. A vote was answered aye by all members present.

Paula Allard, Village Clerk/Collector