

WALNUT VILLAGE BOARD MINUTES

Monday August 1, 2022

The meeting with the President and Board of Trustees held on the 1st day of August 2022 started at 7:00 p.m. in the Village Hall in the Village of Walnut, IL.

President Rosenthal then directed the Clerk to call roll and the following Trustees answered present: Duane Christensen, Brian Stull, John Middleton, Brian Smith and Melissa Dye. Lee Johnston was present through Zoom.

President Rosenthal asked if there were any additions or corrections to make to the regular meeting minutes from July 19, 2022. With none made, a motion made by Middleton and second by Stull to approve the minutes. On roll call vote, all present voted in favor and the motion carried.

Treasurer Wolf presented the bills for \$92,290.74. President Rosenthal informed the board about the Pavement Maintenance bill for \$84,305.00 was already approved but it still goes on the accounts payable because we need to write them a check. A motion made by Stull and second by Smith to approve the bills as presented. On roll call vote, all present voted in favor and the motion carried.

At this time President Rosenthal let Dan Staker address the board regarding his son's property at 131 N. Second St. He received some letters from the Village about the weeds and the grass. The first letter he received was on June 6th. Dan double checked with the Court House because he was not supposed to be listed on the deed. On June 13th Dan deeded it over to his son. Dan told us that he has no interest in the property. Dan stated the second letter he received was a threatening letter. Dan stated again that he has NO interest in the property.

President Rosenthal spoke about Zoom meetings. He said per the Governor's Public Act, which is the remote meetings during disaster declarations, we are allowed to have Zoom remote meetings. We do not have to have Zoom. From this meeting forward we will not be offering remote meetings unless the health status of the community or our board members changes. If you do test positive for Covid and you would like to still join the meeting through Zoom you will have to request it so it can be put on the agenda.

President Rosenthal explained the EPA letter. We will have to send out a letter to everyone with water services. There is a bi-annual report that needs to get mailed in and failed to reach the EPA by the due date. There is nothing that the public needs to do, there is nothing wrong with the water, there is no violation with the drinking water standard and no emergency needed. It was just failure to submitting a report by the due date. We are required to send the letter to all bill paying customers and get the notice in the newspaper.

Next on the agenda is the trailer park. There has been a lot of questions with the zoning and ordinances pertaining to trailer parks. President Rosenthal spoke with attorney LeSage and went through a list of questions. The first thing was the right-a-way and easements specifically with the grocery store and Guido's property. Any type of agreements between property owners is not a village issue. Ordinances against new trailers, mobile homes and trailers have their own set of codes. They are not considered dwelling, structures or buildings by definitions in our code book. The trailer park is functioning as is because it existed before the latest adopted of the zoning laws. It's considered lawful non-conforming use. LeSage said to not use the word Grandfather but basically that is what it is. The owner bought it under the assumption that it is a trailer park and he can use it as a trailer park. If he puts a house on it, now he is in violation and we can move forward in the direction of that way. As long as he uses it as a mobile home park under the definitions of mobile homes meaning they pull them in, they are on a non-permanent structure which is the wheels and he doesn't secure them to the ground they are considered mobile homes. If he puts a foundation under them then it changes the definition and he would be in violation of the lawful non-conforming use. Smith asked if he really has to leave the wheels on the frame. President Rosenthal answered yes and most of them do. Middleton stated they put a skirting around the bottom of the trailer. Spt. Minks stated they have to be pinned to the ground somehow. President Rosenthal said that is a non-permanent security. For as far as zoning ordinances, we cannot change the zoning under the current owner. LeSage said that is constitutional laws. President Rosenthal said we just need to work the best we can with the owner and make sure it stays on the up and up. It does look the best it's every looked in 25 years. Spt. Minks asked about the permitting. Smith asked if the owner has to present a plan to the

board before he starts bringing any trailers back in? Middleton said we should reach out to him and ask him what his plan is with the property. Middleton also said the owner should be made aware that the garbage truck probably won't drive in there from off of Rt. 92. The tenants will probably have to take their carts to the highway.

Chief emailed out his report to everyone.

Clerk Pistole told the board that she needs everyone to do the FOIA and OMA training.

Finance Committee – nothing at this time.

Streets & Alleys – The engineered estimated bid was \$141,346. Porter Brothers bid was \$150,002.30. This is with three inches of asphalt if we added another inch it would be an extra \$15,876 which would bring that total to \$165,878.30. The amount of Motor Fuel Tax allowed for this project \$160,000. If we broke the jobs up it would roughly be 2/3 the cost for Crestview and 1/3 of the cost for Pleasant. If we waited an additional year there would be an extra \$2,400 in engineering cost to revamp the paperwork. Smith stated that \$15,000 is a lot of money especially with what we have to work with in this town but we are committed to do things the right way and try to avoid more expense later. That \$15,000 is very small in comparison to what it would cost us to do more repairs later if we just go with the three inches. The area being repaired is just the circle part of the cul-de-sac not the entrances. A motion made by Smith and second by Christensen to approve the repair for Crestview Ct. and Pleasant Ct. with a 12 inch base and 4 inches of blacktop for \$165,878.30. On roll call vote, all present voted in favor and the motion carried.

Next, Spt. Minks discussed some areas that need patch work done. We need cement at the north end of Rodney Ave. and that bid came in at \$1,620.00 to fix the drainage problem. An area on Red Oak will cost \$928. There is about two and a half yards of cement needed at the north end of Rodney and about one yard of cement on Red Oak. The wash out behind the catch basin at the church has been fixed. A motion made by Stull and second by Dye to approve a bid from Harry Pollock to fix the north end of Rodney for \$1,620 and the area on Red Oak for \$928. On roll call vote, all present voted in favor and the motion carried.

Water & Sewer – Nothing at this time.

Garbage – Nothing at this time.

Law and Order - Nothing at this time.

Cemetery – Nothing at this time.

Local Improvements – Nothing at this time.

Old Business – Nothing at this time.

With no other business to come before the board, Stull made a motion to adjourn, Christensen second the motion and on roll call vote, all voted in favor and the meeting adjourned at 7:14 p.m.

Tiffany Pistole
Village Clerk