

DENNIS BEHRMANN
MIKE McDERMID
JOE OBERNUEFEMANN
ROB ROLVES
JEFF TIMMERMANN
JEFF WUEBBLES

MINUTES OF THE REGULAR MEETING FOR THE 2010 - 2011 FISCAL YEAR OF
THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ALBERS
HELD ON – December 13, 2010

Village President Steve Schomaker called the meeting to order at 7:00 p.m..

The following members were present at roll call: Dennis Behrmann, Mike McDermid, Joe Obernuefemann, Rob Rolves, Jeff Timmermann, and Jeff Wuebbles.

The minutes of the regular 2010 – 2011 Fiscal Year Meeting held November 8, 2010, were read. Dennis Behrmann made a motion to approve the minutes, seconded by Rob Rolves. Trustees Behrmann, McDermid, Obernuefemann, Rolves, Timmermann, and Wuebbles voted yea on said motion.

The Agenda for this meeting was reviewed. Joe Obernuefemann made a motion, seconded by Jeff Timmermann, to approve the Agenda. Trustees Behrmann, McDermid, Obernuefemann, Rolves, Timmermann, and Wuebbles voted yea on said motion.

It was noted that Attorney Stanley Brandmeyer was present at this meeting.

It was noted that Jeannie Brendel, Zoning Administrator; Dan Holtmann, Street and Maintenance Superintendent; John Horstmann, Water Superintendent; and Brenda Morris, Village Secretary; were present at this meeting.

The other guests present at this meeting were the following: Harry Garner, Kent Schwierjohn, Brian Vielweber, Ronda Vielweber, and David Wellen.

It was noted that Brian Vielweber and Ronda Vielweber were in attendance with regards to the Police Department, as Mr. Vielweber may be appointed Police Chief.

Harry Garner addressed the Board with his concerns of his neighbor's dog. Mr. Garner began by stating, "that, as a citizen of the United States, a resident of Illinois, and the Village of Albers, he believes he has a right under the constitution to be able to live in peace without being in fear of his life, his wife's life, or his animals' lives." Mr. Garner informed that his neighbor has a German shepherd dog which charges him when he is outside and that, on an occasion last night, almost made it through his neighbor's invisible (animal) fence. Mr. Garner further informed that he considers this to be an act of terrorism and wanted to notify the Village Board that, if the dog does get out of his neighbor's yard, through the invisible fence, he will defend accordingly, by shooting the animal if needed. Mr. Garner also stated that he has previously notified the Albers' Police Department and Animal Control of this fact as well and is now notifying the Albers Village Board. Discussion was had. Attorney Brandmeyer noted that the Village does not have any liability regarding this matter, the owner of the dog does, should the animal hurt Mr. Garner, his family, or anyone. Further discussion was had. The Board did question Mr. Garner if he has confronted the neighbor of this matter. Mr. Garner informed that he has done so and the neighbor refuses to chain up the animal. Mr. Garner stated that "if this is what you decide and I have to be armed every time I go outside, so be it." Harry Garner stated again that he and his family have a right to live without fear. The Board so agreed and duly noted his complaint. Steve Schomaker noted Mr. Garner's complaint and will have the Police Department patrol the area but does not know what else can be done by the Village.

David Wellen addressed the Board and questioned if the Board had heard anything with regards to road/street work being done on South Commercial Street by the County. Mr. Wellen noted that he had heard "they are back at it". Mr. Wellen further stated that Neil Richter had informed that the County is looking at re-doing South Commercial Street possibly in the year 2011. Steve Schomaker informed that he has heard nothing, but could call and check into this matter further.

It was noted that Kent Schwierjohn was in attendance to observe.

REPORTS FROM VARIOUS COMMITTEES WERE AS FOLLOWS:

POLICE:

Dennis Behrmann addressed recognition of Angela Wagner for her services to the Village of Albers as Police Chief, due to her retirement, effective this date. Steve Schomaker and Dennis Behrmann presented a plaque to Angela Wagner for the Village's appreciation for her services as Police Chief. Steve Schomaker thanked Ms. Wagner for her five (5) years of service to the Village as Police Chief.

Dennis Behrmann addressed the matter of the appointment of the new Police Chief. Mr. Behrmann informed that the Police Committee has met and would like to recommend the appointment of Brian Vielweber as the next Chief of Police for the Village of Albers. Steve Schomaker read over Mr. Vielweber's background and qualifications to the Board.

Mr. Schomaker informed that Mr. Vielweber is currently the Chief of Police in Smithton, Illinois, and will assume the duties in both positions (the Village of Albers and the Village of Smithton). Steve Schomaker requested that the Board appoint Brian Vielweber as the new Police Chief to the Village of Albers. Dennis Behrmann made a motion, seconded by Rob Rolves, to appoint Brian Vielweber as the Police Chief of the Village of Albers. Trustees Behrmann, McDermid, Obernuefemann, Rolves, Timmermann, and Wuebbles voted yea on said motion. At this time Steve Schomaker swore Brian Vielweber in as Police Chief to the Village of Albers.

Dennis Behrmann reviewed the Police Expense Report with the Board.

Dennis Behrmann informed that one of the police cars has been in an accident and is under insurance review. Mr. Behrmann indicated that, at this time, it is unsure if the vehicle has been deemed a total loss or if same is repairable. Brian Vielweber reported and explained on the possibility of used police cars available from the State of Kansas and that he has been informed that a 2008 Ford Crown Victoria is available at this time in the approximate sum of \$13,700.00. Mr. Vielweber informed that said vehicle has been placed on reserve for the Village of Albers, pending the insurance outcome. It was noted that the value of the old (damaged) police car is approximately \$5,200.00. Rob Rolves stated that, in his opinion, the Board should seek approval at this meeting for said expenditure, pending the insurance outcome so that same may be accomplished and finalized prior to the next Board meeting. Discussion was had. Rob Rolves made a motion, seconded by Joe Obernuefemann, for the value of the old (damaged) police car to be taken, after the insurance company has finished review and move forward with the expenditure of approximately \$15,000.00 (purchase, minor repairs, and change of equipment) in the purchase of a 2008 Ford Crown Victoria. Trustees Behrmann, McDermid, Obernuefemann, Rolves, Timmermann, and Wuebbles voted yea on said motion. Steve Schomaker did note that there are not currently any grants available to purchase a new police car.

FINANCE:

Rob Rolves made a motion to pay the bills as submitted, seconded by Jeff Wuebbles. Trustees Behrmann, McDermid, Obernuefemann, Rolves, Timmermann, and Wuebbles voted yea on said motion.

Rob Rolves referred to discussion from last month's Board meeting about "the extra work done by Dan Holtmann at the Park, in the bathroom repairs". Mr. Rolves noted that said statement for services rendered had been requested, by Dan Holtmann, to be made payable to Dan Holtmann instead of Holtmann Contracting (as received). Mr. Rolves informed that he did speak with J.W. Boyle regarding this situation and indicated there are no problems with the way payment was made.

Rob Rolves presented the Annual Financial Report, Year Ended April 30, 2010, (Audit) to the Board. Mr. Rolves noted that same is made available for the Board to review.

Rob Rolves addressed and reviewed the proposed Tax Levy with the Board. Mr. Rolves informed that said Tax Levy is in the amount of \$74,000.00. Rob Rolves made a motion, seconded by Jeff Timmermann, to approve and adopt Ordinance Number: 492, An Ordinance Providing For the Annual Tax Levy Upon All Real Estate and Personal Property Situated With the Corporate Limit of the Village of Albers, Clinton County, Illinois, Subject to Taxation, for the Fiscal Year Commencing On the 1st Day of May, 2010, and Ending on the 30th Day of April, 2011. Trustees Behrmann, McDermid, Obernuefemann, Rolves, Timmermann, and Wuebbles voted yea on said motion.

TREASURER'S REPORT:

After reading the Treasurer's Report, it was moved by Rob Rolves, seconded by Jeff Timmermann, to accept the report as read. Trustees Behrmann, McDermid, Obernuefemann, Rolves, Timmermann, and Wuebbles voted yea on said motion.

IMPROVEMENTS:

Jeff Wuebbles addressed the Board with regards to the subject of extending waste services south of the Village. Mr. Wuebbles informed that this was discussed at the Committee Meeting and that, at this time, it is not in the Village's interest for said extension of services. Steve Schomaker noted that individuals in this area may/can make their own agreement with Waste Management Services should they so desire these services.

STREET & LIGHTING:

Jeff Timmermann informed that Dan Holtmann placed the four-way stop signs on Apple Street and Bradford Street, as previously approved at the last Board meeting.

Steve Schomaker noted appreciation to Dan Holtmann for his work with putting the Christmas lights up in the Village.

SUPERINTENDENT OF STREETS & VILLAGE MAINTENANCE REPORT:

Dan Holtmann presented his mosquito license fee of \$20.00 to the Board. After discussion, the Board so approved said fee and placed same with the other bills previously approved by the Board.

WATER & SEWER:

Joe Obernuefemann addressed a letter which had recently been sent to rental property owners and the liability of charges with regards to water service. Mr. Obernuefemann explained and referred to an Ordinance which has been effect since March 17, 1971, and that no changes have been made to this Ordinance. Mr. Obernuefemann stated that the intent was to clarify to the property owners of this Ordinance and again noted no change to the Ordinance being made. Brief discussion was had. Steve Schomaker noted that

when renters leave a residence the water meter is to be locked.

SUPERINTENDENT OF WATER & SEWER REPORT:

John Horstmann reported that there was a -6.3% water loss for the past month.

John Horstmann had nothing further to report at this time.

ZONING:

Mike McDermid informed that the review of revisions to sub-division codes regarding water drainage and storm sewers is ongoing and that there is nothing further to report at this time.

Mike McDermid informed that, with regards to the proposed draft of an Ordinance referring to swimming pools, same is still being reviewed and will be looked at further as spring approaches.

Jeanie Brendel reported that for the month of November, there was one (1) accessory permit issued for a total of \$25.00.

COMMUNIATIONS:

There were no communications before the Village Board at this time.

NEW BUSINESS:

There was no New Business for discussion at this time.

OLD BUSINESS:

There was no other Old Business for discussion at this time.

At this time, Steve Schomaker thanked the Board and Village employees for their hard work, efforts, and dedication to the Village for the year of 2010 and look forward to working with all in the upcoming year, wishing all a Happy Holidays.

There being no further business to come before the Board of Trustees, it was moved by Joe Obernuefemann, seconded by Jeff Timmermann, to adjourn the meeting. Trustees Behrmann, McDermid, Obernuefemann, Rolves, Timmermann, and Wuebbles voted yea on said motion. Meeting adjourned at 7:44 p.m..

Diane Luitjohan, Village Clerk