

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF COBDEN, ILLINOIS
HELD ON MONDAY, JUNE 7, 2021
AT THE VILLAGE HALL**

Call to Order

Village President Paul Z. Tomazzoli called the meeting to order at 6:00 P.M.

Roll Call

Upon roll call, the following Trustees were present:

Jean A. Britt
Patrick Brumleve
Todd Dietterle
Larry Hackethal
Dennis Maze
Austin Sellars

Also present: Police Chief Jesse Spencer, Superintendent Chad Eads, Reg Ankrom (SIMEC) and Mae Fox (arriving approximately 6:15 p.m.)

Minutes of May 17, 2021 Regular Meeting

Motion was made by Maze, seconded by Sellars, to approve the Minutes of the May 17, 2021, regular meeting as presented. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
Nays: 0 – None
Absent: 0 – None
Motion declared carried.

Approval of Bills and Salaries

Motion was made by Brumleve, seconded by Dietterle, that presented bills in the amount of \$60,955.52 and regular salaries be approved for payment. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
Nays: 0 – None
Absent: 0 – None
Motion declared carried.

Public Hearing – Tax Levy Ordinance

Village President Tomazzoli called the Truth in Taxation Public Hearing to order at 6:11 p.m. There were no comments from the public. The hearing closed at 6:12 p.m.

Ordinance No. 2021-1016 – Tax Levy Ordinance

Motion was made by Brumleve, seconded by Hackethal, to approve Ordinance No. 2021-1016 – An Ordinance Levying the Taxes for All Corporate Purposes for the Village of Cobden, Union County, Illinois for the Fiscal Year Beginning May 1, 2021 and Ending April 30, 2022. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
Nays: 0 – None
Absent: 0 – None
Motion declared carried.

Village Clerk's Monthly Report

Motion was made by Brumleve, seconded by Maze, to approve the Village Clerk's Report for the period ending April 30, 2021, as presented. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
Nays: 0 – None
Absent: 0 – None
Motion declared carried.

Village Treasurer's Monthly Report

Motion was made by Brumleve, seconded by Maze, to approve the Village Treasurer's Report for the period ending April 30, 2021, as presented. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
 Nays: 0 – None
 Absent: 0 – None
 Motion declared carried.

Resolution No. 1-2021 – IMRF Compensation

Motion was made by Brumleve, seconded by Dietterle, to adopt Resolution No. 1-2021 – Resolution to include compensation paid under an Internal Revenue Code Section 125 Plan as IMRF earnings as presented. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
 Nays: 0 – None
 Absent: 0 – None
 Motion declared carried.
 Resolution No. 1-2021 reads as follows:

WHEREAS, standard member earnings reportable to the Illinois Municipal Retirement Fund do not include compensation paid under an Internal Revenue Code section 125 plan or compensation directed into a premium conversion plan or flexible spending account; and

WHEREAS, an IMRF participating unit of government may elect to include in IMRF earnings compensation paid under an I.R.C. section 125 plan or compensation directed into a premium conversion plan or flexible spending account by action of the governing body; and

WHEREAS, the Village Board of Trustees of the Village of Cobden is authorized to include section 125 plan and premium conversion and flexible spending account compensation as earnings reportable to IMRF and it is desirable to do so.

NOW THEREFORE BE IT RESOLVED that the Village of Cobden Board of Trustees does hereby elect to include as earnings reportable to IMRF compensation paid under an I.R.C. section 125 plan and/or compensation directed into a premium conversion plan or flexible spending account effective January 1, 2015.

BE IT FURTHER RESOLVED that the Village Clerk is authorized and directed to file a duly certified copy of this resolution with the Illinois Municipal Retirement Fund.

Employee Wage and Overtime Report

The Employee Wage and Overtime Report for the period ending May 31, 2021, was presented.

Employee Wage Consideration 2021-2022

Motion was made by Brumleve, seconded by Maze, to table consideration of employee wages until the June 21, 2021 meeting. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
 Nays: 0 – None
 Absent: 0 – None
 Motion declared carried.

Village Treasurer's Annual Report

Motion was made by Brumleve, seconded by Hackethal, to approve the Village Treasurer's Annual Report for the period ending April 30, 2021, as presented. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
 Nays: 0 – None
 Absent: 0 – None
 Motion declared carried.

Budget Report

Motion was made by Brumleve, seconded by Dietterle, to approve the Budget Report for the period ending May 28, 2021, as presented. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
 Nays: 0 – None
 Absent: 0 – None
 Motion declared carried.

Line Item Transfers

Motion was made by Dietterle, seconded by Brumleve, to approve line item and other transfers as presented. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
 Nays: 0 – None
 Absent: 0 – None
 Motion declared carried.

Resolution No. 3–2021 – Resolution for Maintenance Under the Illinois Highway Code (Supplemental)

Motion was made by Brumleve, seconded by Hackethal, to adopt Resolution No. 3–2021 - Resolution for Maintenance Under the Illinois Highway Code. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Sellars, Stewart
 Nays: 0 – None
 Absent: 0 – None
 Motion declared carried.

BE IT RESOLVED, by the President and Board of Trustees of the Village of Cobden, Illinois, that there is hereby appropriated the sum of \$30,000.00 of Motor Fuel Tax funds for the purpose of maintaining street and highways under the applicable provisions of the Illinois Highway Code, from January 1, 2021 to December 31, 2021.

BE IT FURTHER RESOLVED, that only those operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Village of Cobden shall submit within three months after the end of the maintenance period as stated above, to the Department of Transportation, on forms available from the Department, a certified statement showing expenditures and the balances remaining in the funds authorized for expenditure by the Department under this appropriation, and

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

Fire Department Minutes – April 19, 2021

The Minutes of the April 19, 2021 meeting of the Cobden Fire Department were presented.

Public Works Village Employee

Motion was made by Brumleve, seconded by Hackethal, to hire Ryan Stadelbacher as a full-time Village Employee at a rate of \$16.00 per hour for a six month probationary period. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
 Nays: 0 – None
 Absent: 0 – None
 Motion declared carried.

Release from Employment – Colyn Girtman

Motion was made by Brumleve, seconded by Hackethal, to terminate employment of Colyn Girtman. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
 Nays: 0 – None
 Absent: 0 – None
 Motion declared carried.

Hiring Part-time Seasonal Employee

Motion was made by Brumleve, seconded by Hackethal, to hire Jesus Zamora as a part-time seasonal employee to be paid minimum wage of \$11.00 per hour. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
 Nays: 0 – None
 Absent: 0 – None
 Motion declared carried.

Request to Release Lien

Motion was made by Brumleve, seconded by Maze, to waive and release the utility lien on property recently purchased by Maria Fabiola Lara Godinez and Jose Luis Zamora Lopez at 105 Joseph Street in the amount of \$1,234.64. Upon roll call, the vote was:

Ayes: 4 – Britt, Brumleve, Dietterle, Maze
 Nays: 2 – Hackethal, Sellars
 Absent: 0 – None

Motion declared carried. The property owners inquired at the Union County Courthouse and were told there were no liens on the property. They were advised of the lien when they came to the Village Hall to inquire about tree trimming and the disposal of limbs as they clean up and renovate the property.

Purchase of Truck

Motion was made by Dietterle, seconded by Hackethal, to purchase a 2006 Chevrolet 3500 dump bed pickup truck for the cost of \$17,600.00. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
 Nays: 0 – None
 Absent: 0 – None

Motion declared carried.

DCEO LIHEAP Non-regulated Vendor Agreement

Motion was made by Brumleve, seconded by Dietterle, to enter into the State of Illinois Department of Commerce and Economic Opportunity Low Income Home Energy Assistance Program 2022 Non-Regulated Vendor Agreement. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars
 Nays: 0 – None
 Absent: 0 – None

Motion declared carried.

Well Repair

Superintendent Eads reported that repairs to the well pump are being made.

Resolution No. 2–2021 - Peach Festival Parade

Motion was made by Brumleve, seconded by Maze, to adopt Resolution No. 2-2021 – IDOT Parade Permit. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Sellars, Stewart
 Nays: 0 – None
 Absent: 0 – None

Motion declared carried. Resolution No. 2–2021 reads as follows:

WHEREAS, The Village of Cobden is sponsoring a parade in the Village of Cobden which event constitutes a public purpose;

WHEREAS, this parade will require the temporary closure of Old Hwy 51, a State Highway in the Village of Cobden from Locust Street to East and West Maple Streets;

WHEREAS, Section 4-408 of the Illinois Highway Code authorizes the Department of Transportation to issue permits to local authorities to temporarily close portions of State Highways for such public purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village of Cobden that permission to close off Old Hwy 51 from Locust Street to East and West Maple Streets as above designated, be requested of the Department of Transportation.

BE IT FURTHER RESOLVED that this closure shall occur during the approximate time period between 4:15 P.M. and 5:30 P.M. on Saturday, August 7, 2021.

BE IT FURTHER RESOLVED that this closure is for the public purpose of conducting the Cobden Peach Festival Parade.

BE IT FURTHER RESOLVED that traffic from that closed portion of the highway shall be detoured over routes with an all-weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State Highway. The detour routes shall be as follows: Lingle Street to West Poplar Street to south on Centennial Street to Mountain Glen Road to South Appleknocker to Maple; Chestnut to Jefferson to East Ash or East Poplar Streets.

BE IT FURTHER RESOLVED that the Village of Cobden assumes full responsibility for the direction, protection, and regulation of the traffic during the time the detour is in effect.

BE IT FURTHER RESOLVED that police officers or authorized flaggers shall at the expense of the Village of Cobden be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic through the detour.

BE IT FURTHER RESOLVED, that police officers, flaggers and officials shall permit emergency vehicles in emergency situations to pass through the closed area as swiftly as is safe for all concerned.

BE IT FURTHER RESOLVED that all debris shall be removed by the Village of Cobden prior to reopening the State Highway.

BE IT FURTHER RESOLVED that such signs, flags, barricades, etc., shall be used by the Village of Cobden as may be approved by the Illinois Department of Transportation. These items shall be provided by the Village of Cobden.

BE IT FURTHER RESOLVED that the closure and detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices.

BE IT FURTHER RESOLVED that an occasional break shall be made in the procession so that traffic may pass through. In any event, adequate provisions will be made for traffic on intersecting highways pursuant to conditions noted above.

BE IT FURTHER RESOLVED, that to the fullest extent permitted by law, the Village of Cobden shall be responsible for any and all injuries to persons or damages to property, and shall indemnify and hold harmless the Illinois Department of Transportation, its officers, employees and agents from any and all claims, lawsuits, actions, costs and fees (including reasonable attorneys' fees and expenses) of every nature or description, arising out of, resulting from or connected with the exercise of authority granted by the Department which is the subject of this resolution. The obligation is binding upon the Village of Cobden regardless of whether or not such claim, damage, loss or expense is caused in part by the act, omission or negligence of the Department or its officers, employees or agents.

BE IT FURTHER RESOLVED, that the Village of Cobden shall provide a comprehensive general liability policy or an additional named insured endorsement in the minimum amount of \$1,000,000 per person and \$2,000,000 aggregate which has the Illinois Department of Transportation, its officials, employees and agents as insureds and which protects them from all claims arising from the requested road closing. A copy of said policy or endorsement will be provided to the Department before the road is closed.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Department of Transportation to serve as a formal request for the permission sought in this resolution and to operate as part of the conditions of said permission.

Peach Festival Parade – Parade Marshal

Motion was made by Hackethal, seconded by Maze, to honor the Union County Historical Society and Cobden Museum by choosing them as Parade Marshal for the 2021 Peach Festival Parade. Upon roll call, the vote was:

Ayes: 6 – Britt, Brumleve, Dietterle, Hackethal, Maze, Sellars

Nays: 0 – None

Absent: 0 – None

Motion declared carried.

Note: It was agreed that sponsorship of the parade will not be solicited this year.

Resolution No. 4-2021 – Appointment of Village Clerk

Motion was made by Dietterle, seconded by Maze, to adopt Resolution No. 4-2021 – A Resolution Choosing to have the Village Clerk appointed by the Village President with the Concurrence of the Village Board. Upon roll call, the vote was:

Ayes: 4 – Britt, Brumleve, Dietterle, Maze

Nays: 2 – Hackethal, Sellars

Absent: 0 – None

Motion declared carried.

Resolution No. 4-2021 reads as follows:

WHEREAS, the Village of Cobden is a municipality of fewer than 5,000 inhabitants; and

WHEREAS, pursuant to the authority granted to the Village of Cobden by 65 ILCS 5/3.1-25-90, the Village of Cobden may by resolution, adopted by not less than two-thirds of the Village Board, choose to have the Village Clerk appointed by the Village President with concurrence of the Village Board; and


WHEREAS, the Village of Cobden has determined that it is in the best interests of the citizens and inhabitants of the Village that the Village Clerk's position should be an appointed position, instead of an elected position.

NOW, THEREFORE, BE IT RESOLVED by the President and the Board of Trustees of the Village of Cobden, Illinois, by a vote of not less than two-thirds of the Village Board of Trustees, that the Village of Cobden does hereby choose and determine that the position of Village Clerk of the Village of Cobden hence forward from the effective date hereafter noted be a position as a Village official which shall be appointed by the Village President with the concurrence of the Village Board of Trustees and shall no longer be an elected position. This Resolution shall in no manner affect the current Village Clerk, Karen M. Winzenburger official, and Karen M. Winzenburger shall continue holding the position of Village Clerk to the end of her elected term, her resignation, or her removal as may be otherwise authorized by law. This change in the Village Clerk position from an elected position to an appointed position shall be effective upon the earlier of Karen M. Winzenburger resigning of Village Clerk position, the ending of her elected term, or her removal from office, whichever comes first.

Furthermore, the residency requirement of appointed officials as required by 65 ILCS 5/3.1-10-6(a) shall not apply to said required Village Clerk position, such that the appointed Village Clerk shall not be required to reside within the Village limits as a qualified elector, unless in the future the Village by ordinance so designates that the appointed Village Clerk must so reside within the Village limits, as pursuant to 65 LCS 5/3.1-10-6(b).

Adjournment

Motion was made by Brumleve, seconded by Maze, that the Regular Meeting of the Village Board of Trustees be adjourned. Motion carried and the meeting adjourned at 6:40 p.m.


Karen M. Winzenburger
Village Clerk