

**MINUTES OF A REGULAR MEETING  
MAYOR AND BOARD OF TRUSTEES  
FOR THE VILLAGE OF FORSYTH, IL**

**Held at the Village Hall  
June 6, 2011**

**Call to Order**

Mayor Harold Gilbert called the meeting to order at 6:31 p.m.

**Pledge of Allegiance**

**Roll Call**

Upon call of the roll, the following Trustees were physically present:

Reed, Rasho, Johnson, Trachtenberg, Morr.

Absent: Hubbard.

**Also Physically Present**

Charlyn Brautigam, Deputy Reedy, Alex Morr, Andrew Cochran, Michael Poe, Jean Campbell, Jim and Karen Czuprynski, Rhonda Stewart, Chuck Hunsinger, Heather Kimmons, Darrell Woolums, Larry Coloni, Kathy Mizer.

**Adoption of Consent Agenda**

*\*\* Consideration of items listed on the Consent Agenda under the omnibus vote designation:*

1. Approval of Minutes of the Regular Village Board meeting held May 16, 2011.
2. Approval of Bills presented for payment, June 6, 2011. *\*\*Invoices were always available for review upon request.*

Trustee Rasho moved, and Trustee Johnson seconded, to approve the Consent Agenda, as presented. Upon a call of the roll, the vote was:

Yeas: 5—Reed, Rasho, Johnson, Trachtenberg, Morr.

Nays: 0—None.

Absent: 1—Hubbard.

Motion declared carried by omnibus vote.

**Public Comment**

Jim Czuprynski, who lives at 963 Stevens Creek Circle, was in attendance to make a request of the Board and also to make a quick comment.

First, Jim mentioned that he called Village Hall today to inquire about the Village's policy concerning noise levels in Village neighborhoods. He was told that although the Village has a policy, there really isn't a clear way to enforce it due to the way the ordinance is written. Jim explained that it appears there is a need to have special equipment to measure the decibel level.

Jim pointed out that the reason he brought this up was because in most neighborhoods throughout the Village, residents are adding more swimming pools and outside living spaces to their property. Along with these, residents are also adding stereo system to listen to while they are outside. Jim stated that the music is so loud and coming from so many different directions, it is difficult for some to even sit outside and enjoy their own backyards. Jim asked the Board to review its policy and if there is something that can be changed to make the ordinance easier to enforce, it should be changed. This change would benefit everyone.

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On another issue, Jim mentioned that over the last few weeks he has had several opportunities to visit with some of his neighbors. It is not uncommon for the discussion to turn to politics, whether it is local, regional, or at the national level. Jim mentioned one comment that he has heard from several people is that at times politicians appear to have difficulty taking on tough subjects. He pointed out that whether we all agree or not with the new Village Administrator and her actions, residents appear to appreciate her professionalism and the willingness to take on tough items. Jim stated that he feels these comments should be brought to the attention of the Board as we sometimes forget to say thank you. Jim acknowledged that the administrator position is a tough job, but wanted everyone to know that Heather is much appreciated.

Trustees agreed that the noise ordinance should be reviewed, and asked the Village Administrator to do so and present her findings to the Board. Mayor Gilbert thanked Jim for his comments.

## **ADMINISTRATION REPORT**

### **LAW ENFORCEMENT—**

- Deputy Reedy was present to talk about recent activity that Village officers have responded to and answer any questions Trustees may have. She mentioned that officers have been out on the bikes and also providing foot patrol in the parks. Activity has been pretty quiet during the past two weeks.

- Deputy Higar will be replacing Deputy Houk while he is on medical leave. Deputy Bendsen is supposed to return to work sometime later this week.

Public Works Director Larry Coloni mentioned that the trail lights behind the maintenance building were vandalized last evening. Deputy Reed mentioned that she would let other deputies be aware of the problem.

### **ADMINISTRATIVE REPORTS —**

Village Administrator Heather Kimmons mentioned that in addition to her report, Trustees have been provided with written reports or narratives to review from the Attorney, Engineer, Librarian, and Public Works Director. Mayor Gilbert asked if there were any questions concerning any of these reports. There were none.

Village Administrator Heather Kimmons recognized Summer Recreation Director Mike Poe, who was present for the meeting. She stated that although he does not have a written report to present, Mike is here to answer Trustee questions.

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Mayor Gilbert reminded Trustees that the *Forsyth Village Knight* would be at the Library tomorrow afternoon, at 2:00 p.m. He has been the Village Knight since 2005. Mayor Gilbert encouraged everyone to attend the program, if available. It should be interesting!

### **OLD BUSINESS:**

There was no Old Business presented.

### **NEW BUSINESS**

#### **Resolution No. 11-02, Determining Prevailing Wage Rates**

Village Administrator Heather Kimmons referred to the proposed resolution that was included in meeting packets and mentioned that adoption of this resolution was an annual legal requirement. Heather reported that she has reviewed the document the Clerk prepared, and believes it is all in order. She recommended the Board approve it.

Trustee Morr moved, and Trustee Rasho seconded, to approve Resolution 11-02 that determines the prevailing wage rates of laborers, mechanics and other workers employed in any public works by the State, County, Village, any public body, any political subdivision, or by anyone under contract for public works. Upon a call of the roll, the vote was:

Yeas: 5—Reed, Rasho, Johnson, Trachtenberg, Morr.

Nays: 0—None.

Absent: 1—Hubbard.

Motion declared carried.

#### **Request to Authorize Budgeted Funds for Village Hall Remodel**

Village Administrator Heather Kimmons referred to the drawings and cost estimate from Illini Supply for the remodel of the workspace in Village Hall that was included in meeting packets. She mentioned that although \$20,000 was budgeted for this purpose, the cost estimate is significantly lower because they will be able to re-use all of the existing panels that we have. Heather mentioned that in her opinion, the proposed plan will free up more work space for everyone. She commented that she feels the estimated price of \$10,000 is very good and asked the Board to authorize this expenditure. Heather pointed out that there may be some additional costs for changes to wiring or computer connections, but believes they would be minor.

Trustee Johnson commented that in her opinion, the proposed plan is going to look very nice.

Trustee Rasho moved, and Trustee Johnson seconded, to authorize the expenditure of \$10,000 from the 2011/2012 Fiscal Budget to execute the Village Hall remodel plan presented. Upon a call of the roll, the vote was:

Yeas: 5—Reed, Rasho, Johnson, Trachtenberg, Morr.

Nays: 0—None.

Absent: 1—Hubbard.

Motion declared carried.

### **Weaver Road Bridge Change Orders: 2, 3 and 4, and Application for Payment**

Village Administrator Heather Kimmons referred to the proposed change orders included in meeting packets. Other than a few minor items to do, the project is complete. The final payment is in the sum of \$131,115.26. Heather remarked that she has been really happy with this contractor. They did a good job and completed the job on time. She recommended approval of the change orders and the final application for payment.

Trustee Rasho moved, and Trustee Morr seconded, to approve Change Orders 2, 3, and 4, and the final Application for Payment in the sum of \$131,115.26, as recommended by the Village Administrator. Upon a call of the roll, the vote was:

Yeas: 5—Reed, Rasho, Johnson, Trachtenberg, Morr.  
Nays: 0—None.  
Absent: 1—Hubbard.  
Motion declared carried.

### **Oreana Water Line**

Village Administrator Heather Kimmons mentioned that she added this item to the agenda to allow Trustees an opportunity to revisit the issue and bring everyone up-to-date on the status of the project. She explained that last week it was looking like the Village of Oreana was not going to be able to secure financing for their portion of the project. This would result in the Village of Forsyth having to consider whether the Board should formally reject its bids for its share of the project. However, Heater reported that there now appears to be a glimmer of hope that Oreana will be able to obtain the necessary financing for their piece of the project.

Heather suggested that in the event the Village of Oreana cannot secure financing, the Village of Forsyth Board should consider passing a motion or resolution to require the Village of Oreana to pay all of the engineering costs associated with bidding the project. Costs for the bidding process are approximately \$4,000 at this point. The Village of Forsyth can hold the bids for approximately 30 more days before making taking this action.

Trustees talked about this matter at length and agreed the Village of Oreana should, if financing for the work cannot be obtained, pay all costs associated with the bidding of the project.

Trustee Rasho moved, and Trustee Morr seconded, to pass a resolution to require the Village of Oreana to pay the Village of Forsyth all costs associated with the recent bidding of the Oreana Water Line Project if the bids have to be rejected.

Yeas: 5—Reed, Rasho, Johnson, Trachtenberg, Morr.  
Nays: 0—None.  
Absent: 1—Hubbard.  
Motion declared carried.

### **Request to Authorize Engineering for the Ruehl/Elwood Storm Sewer**

Village Administrator Heather Kimmons mentioned that \$50,000 was budgeted this year for the Ruehl/Elwood Streets Storm Sewer Project which will relieve drainage problems in that area. She asked for the Board to authorize the engineering of this project in order to proceed with the project.

Following a brief discussion, Trustee Morr moved, and Trustee Reed seconded to authorize BGM Engineering to begin the engineering for the Ruehl/Elwood Streets Storm Sewer capital project. Upon a call of the roll, the vote was:

Yeas: 5—Reed, Rasho, Johnson, Trachtenberg, Morr.

Nays: 0—None.

Absent: 1—Hubbard.

Motion declared carried.

### **Request to Authorize Administration of Budgeted Funds for Personnel**

Village Administrator Heather Kimmons referred to the comments she made in her written report concerning how employee raises/promotions are to be administered. She stated that there continues to be some degree of uncertainty as to what the Administrator can and cannot do when it comes to Department Head's requests for raises or promotions for their employees even though funds have been budgeted for this purpose. The other question Heather asked was, whether the Board wants to review every pay increase that is recommended by a Department Head. Heather mentioned that this issue arose because the Public Works Director asked for approval to give a pay raise to one of his employees.

Trustee Johnson commented that personally she feels that Larry Coloni knows what is going on with his employees. He knows what is best for the Village and his staff. Trustee Johnson remarked that in her opinion, raises for Larry's staff should be decided between him and the Village Administrator.

As mentioned in Heather's written report, she suggested the Board to authorize the Administrator the flexibility to grant pay increases to employees as deemed warranted, and after an evaluation has been completed. This request would allow the Village Administrator to administer raises to those individuals who are or may be recognized by their supervisor and in no event would exceed the amount budgeted.

Trustee Rasho pointed out that over the years when the Village has budgeted for pay increases, employees have been given a flat increase. He added that usually, the increases have been given to all employees at the same time. Heather's suggestion would be a departure from this practice. Trustee Rasho commented that he likes the idea of giving merit raises. However, he pointed out that just because there is money in a particular department's budget for salary increases, it should not be perceived that the money can be spent. Trustee Rasho referred to the assessment Heather prepared, and specifically to the 7.8% increase over the Fiscal Year 2010/2011 budget for personnel services in the Library Department, and stated again that in his opinion, just because the funds are available, it does not mean the Board has approved the expenditures.

Heather commented that initially she thought it would be appropriate to bring Larry's request to the Board for approval. However, it may behoove the Board to consider giving her some direction or guidelines as to what she can or cannot do in this regard. Heather referred to a brief assessment she prepared to show that there is money available in the budget for raises in all departments. She commented that some members of the Board have stated that the appropriate time to give raises is at budgeting time. Heather commented that her thought is that raises should be given when one is warranted or merited and not necessarily all at one time during the year.

Heather mentioned that Larry came to her to request a raise for one of his employees, which she supports. However, she is not sure if the Board wants to go through all of the details of that request.

An alternative to the Board's review would be to consider allowing the administrator the authority to act upon raise requests made by Department Heads if the Administrator felt the request was warranted and sufficient funds were available in the budget for this purpose.

Trustee Morr expressed his support for the Administrator's suggestion, but stated that the Board needs to be advised what the impact will be to the budget for salary adjustments.

Trustee Rasho moved, and Trustee Johnson seconded, to allow the Administrator to administer pay increases to employees if, and as their Department Heads deem warranted, not to exceed sums allotted for in the budget and notify the Board at the completion of the evaluations of the impact to the budget for any pay increases. Upon a call of the roll, the vote was:

Yeas: 5—Reed, Rasho, Johnson, Trachtenberg, Morr.  
Nays: 0—None.  
Absent: 1—Hubbard.  
Motion declared carried.

Trustee Rasho moved, and Trustee Morr seconded, to allow the Administrator as head of the Administrative Department, to make recommendations to the Board as to any pay increases deemed warranted for the Clerk and/or Treasurer, not to exceed the amount allotted for in the budget. Upon a call of the roll, the vote was:

Yeas: 5—Reed, Rasho, Johnson, Trachtenberg, Morr.  
Nays: 0—None.  
Absent: 1—Hubbard.  
Motion declared carried.

Trustees agreed to schedule a Special Board Meeting for June 27, 2011, at 6:30 p.m. for the purpose of completing an annual evaluation of the Village Administrator, and to review the recommendations from the Village Administrator concerning any merit pay increases for the Village Clerk and/or Village Treasurer,

### **Motion for Closed Session**

Trustee Rasho moved, and Trustee Morr seconded, to go into closed session at 7:34 p.m. for the purpose of discussing of meeting minutes lawfully closed under the Open Meetings Act, for purposes of approval and/or semi-annual review—5 ILCS 120/2(c) (21). Upon a call of the roll, the vote was:

Yeas: 5—Reed, Rasho, Johnson, Trachtenberg, Morr.  
Nays: 0—None.  
Absent: 1—Hubbard.  
Motion declared carried.

### **Closed Session**

### **Call to Order**

Mayor Harold Gilbert reconvened the meeting to order at 7:41 p.m.

### **Roll Call**

*Physically Present:* Reed, Rasho, Johnson, Trachtenberg, Morr.

*Absent:* Hubbard

**Also Physically Present**

Heather Kimmons, Darrell Woolums, Kathy Mizer.

*Discussion of minutes of meetings lawfully closed under the Open Meetings Act, for purposes of approval and/or semi-annual review—5 ILCS 120/2(c)(21).*

Trustee Morr moved, and Trustee Rasho seconded, for the Village to continue to keep the following list of Closed Meeting Minutes confidential:

February 22, 2005	September 29, 2008	October 6, 2008
July 6, 2009	July 20, 2009	August 3, 2009
August 17, 2009	September 7, 2010	October 4, 2010
November 1, 2010	December 6, 2010	December 20, 2010

Upon a call of the roll, the vote was:

Yeas: 5—Reed, Rasho, Johnson, Trachtenberg, Morr.  
Nays: 0—None.  
Absent: 1—Hubbard.  
Motion declared carried.

Trustee Morr moved, and Trustee Rasho seconded, to release the Closed Meeting Minutes dated October 18, 2010. Upon a call of the roll, the vote was:

Yeas: 5—Reed, Rasho, Johnson, Trachtenberg, Morr.  
Nays: 0—None.  
Absent: 1—Hubbard.  
Motion declared carried.

**Adjournment**

Trustee Rasho moved, and Trustee Johnson seconded, that the meeting be adjourned. The meeting was adjourned at 7:45 p.m. on voice vote.

By: Kathy S. Mizer  
Village Clerk