

VILLAGE OF ROCKTON
BOARD OF TRUSTEES MEETING MINUTES

April 5, 2016

Mayor Adams called the meeting to order at 7:00 pm.

Present were: Mayor Adams, Mr. Fridly, Mr. Hoey, Mr. Magnus, Mrs. May, Mr. Winters and Atty. Aaron Szeto

Staff present: Tricia Diduch and Gordy Nygren

Absent: Mr. Peterson

APPROVAL OF MINUTES

Motion by Mr. Winters, second by Mrs. May, to waive the reading of the March 14, 2016 Village Board meeting minutes. All ayes. Motion approved 5-0.

Motion by Mr. Winters, second by Mr. Fridly, to approve the March 14, 2016 Village Board meeting minutes. All ayes. Motion approved 5-0.

AMENDMENTS TO THE AGENDA

None.

PUBLIC COMMENT

Frank Manzullo with Keep Northern Illinois Beautiful (KNIB) spoke to the Village Board in reference to the Great American Cleanup that will take place on April 30th from 9:00 am until noon. Mr. Manzullo stated that Mary Weldon is running the volunteer group out of Rockton and that other interested parties can register online. Mr. Manzullo stated they expect over 1700 volunteers this year and this is KNIB's gift back to the community. Mr. Manzullo advised the Village Board of upcoming events for KNIB and thanked them for their time. Mayor Adams read the proclamation for the Great American Cleanup and Mr. Manzullo was given a signed copy of the proclamation.

MAYOR ADAMS

Mayor Adams stated that he received a letter from Erica Smith in reference to the "Dedicated to Serve" event that she would like to hold in Settlers Park on May 15th from 1:00 pm until 3:00 pm. Mayor Adams will forward this information to Mrs. May.

Mayor Adams read a letter of resignation from Patrick Moore resigning his position from the Zoning Board of Appeals because he is moving out of the Village at the end of April.

Mayor Adams received a letter from Ray Ferguson, President of Macktown Living History, requesting permission to discharge black powder weapons at the The Gathering that will be held April 22nd – 24th from 9:00 am until 4:00 pm each day at the Macktown Forest Preserve. Motion by Mr. Winters to approve the discharge of black powder weapons, second by Mr. Hoey. All ayes. Motion approved 5-0.

Mayor Adams also received an email from Lucy Pilbin Adrignola, Board Secretary and Gathering Committee Member, in reference to asking permission to hang a banner over the downtown street promoting The Gathering event. Ms. Adrignola stated that they would contact Rock County Coop for assistance to install the banner. Motion by Mr. Hoey to approve permission to hang a banner over the downtown area, second by Mr. Winters. All ayes. Motion approved 5-0.

Mayor Adams advised the Village Board members that starting at the beginning of May the Administration Committee meetings will begin at 5:30 pm and the Public Works Committee meetings will begin at 6:30 pm.

VILLAGE ATTORNEY

None.

ZONING

None.

PUBLIC SAFETY AND LEGAL – MR. WINTERS

Motion by Mr. Winters to approve Resolution 2016-104: A Resolution of the Village of Rockton, Illinois Approving a Settlement and Release of All Claims Agreement with Sonoco Products Company, second by Mrs. May. Atty. Szeto stated that this is the settlement agreement that will end the Sonoco litigation. Atty. Szeto advised that the site has been cleaned up and there is no longer a building on the property. Atty. Szeto advised that Sonoco has agreed to continue to work with the IEPA to obtain a no further remediation letter (NFR) which will consist of a year-long sampling process of the soil to make sure the property stays clean. Atty. Szeto stated that Sonoco and the Village have both agreed to walk away, therefore, both parties will not owe any money. Atty. Szeto advised that Sonoco has agreed to work diligently to sell the property once they acquire the NFR letter from the IEPA, although this is not a part of the settlement agreement. Atty. Szeto stated that once the Village signs the agreement he will then have Sonoco sign the agreement as well. Roll call. All ayes. Motion approved 5-0.

Motion by Mr. Winters to approve Resolution 2016-105: A Resolution of the Village of Rockton, Illinois Approving a Settlement and Mutual Release Agreement with Keller Rohrback, L.L.P. and Sims Law Office, second by Mr. Fridly. Atty. Szeto explained that the Village had retained the services of Keller Rohrback in reference to the Sonoco matter and there were certain amounts of fees that potentially need to be paid to them in order to have a full settlement of the claim. Atty. Szeto stated that this settlement agreement stated that the Village's insurance carrier will pay a certain sum to Keller Rohrback and in turn, Keller Rorhback will sign off as well. Roll call. All ayes. Motion approved 5-0.

COMMUNITY DEVELOPMENT – MR. HOEY

None.

WATER, SEWER, AND GARBAGE – MR. FRIDL Y

None.

ADMINISTRATION AND BUDGET – MR. PETERSON

None.

BUILDINGS AND PARKS – MRS. MAY

None.

STREETS AND WALKS – MR. MAGNUS

Motion by Mr. Magnus to approve the Wake Forest design mix, second by Mrs. May. Mayor Adams explained that Norwest was hired by the bank to complete the work on Wake Forest Parkway and that the job was completed using the design mix specified to the State of Wisconsin and not Illinois specifications. The Village received a letter from an independent company that stated that Wisconsin design mix was similar enough to the Illinois design mix. Mayor Adams stated that the Village Engineers and the Public Works Committee voted to approve allowing the Wisconsin mix to be used. Mayor Adams explained that certain pieces of the road have to be cut up and replaced because the edges were fraying. Mayor Adams stated that the Village Engineers identified those pieces and Norwest agreed to remove and replace those areas along with providing a two year warranty upon completion of the work. Mr. Fridly stated that this is what the Committee voted to approve, but that he has issues with the design mix. Mr. Fridly said that in the letter describing the Wisconsin design mix that there shouldn't be any issues, but that in high temperature settings that there could be rutting and shoving with heavy equipment, such as garbage trucks and Village equipment or other heavy equipment that may enter the residential subdivision in the future. Mr. Fridly stated that Norwest didn't follow the ordinance that the Village has in place and that he feels that they should remove it completely and replace it with the Illinois design mix. Mr. Fridly added that the Village has not accepted the road at this point, therefore, he can contact the bank and tell them that the road needs to be fixed properly. Mrs. May

stated that she and Mr. Magnus agreed that Norwest removing, replacing and giving an extended warranty was acceptable. Mayor Adams said that the Village Engineers felt that this was acceptable as well. Mr. Fridly feels that if the Village lets this slide that they may as well throw the ordinance out the door because Norwest didn't follow our policy and procedure. Mayor Adams stated that this was approved 2-1 at the Public Works Committee meeting on April 4, 2016. Roll call. Ayes: Mr. Winters, Mr. Hoey, Mrs. May and Mr. Magnus. Nays: Mr. Fridly. Motion approved 4-1.

EXECUTIVE SESSION

None.

ACTION ON ITEMS ARISING OUT OF EXECUTIVE SESSION

None.

UNFINISHED BUSINESS

Mr. Magnus stated that the Village received the low bid for the MFT projects and that they came in \$46,000 less than expected. This will be up for approval at the next Village Board meeting on April 19, 2016.

NEW BUSINESS

None.

PAYMENT OF BILLS

Motion by Mr. Winters, second by Mr. Fridly, to pay bills in the amount of \$164,440.43. Roll call. All ayes. Motion approved 5-0.

ADJOURN

Hearing no further business, motion by Mr. Hoey, second by Mrs. May, to adjourn at 7:27 pm. All ayes. Motion approved 5-0.

Respectfully submitted,

Christina Stewart
Village Clerk