

**MINUTES OF THE REGULAR BOARD OF THE BOARD OF TRUSTEES FOR
THE VILLAGE OF WILLIAMSVILLE
October 10, 2017**

The Town Hall/board meeting was called to order at 6:30 pm by Pro Tem, Skylar Tierney. Present: Clerk: Karen Winger. Trustees: Patrick Gettleman, John Brennan, Skylar Tierney, Dave Carter, Matt Bunger, Heather Hofferkamp. Absent: President Yokley

GUESTS: See attached.

Trustee Brennan moved to approve the minutes of the regular board meeting of September 25, 2017, seconded by Trustee Gettleman. All ayes, motion carried.

COMMUNICATIONS: Homecoming Parade will be held on October 11th.

GUESTS COMMENTS/CONCERNS: See attached guest list. Joe Dombrowski stated he may be recording all or part of the board meeting.

Tip Reedy, Superintendent of Williamsville School District, attended the board meeting to introduce himself and thank the village for their support on working closely with the school district.

Mel Butterfield stated he has received complaints regarding the property at 413 W. Harpole Street. He stated a house is being torn down and reconstructed. However; the complaints are in regards to the debris in the yard. Chief Edwards stated he will contact Auggie Casson in regards to the complaints and ask that he rent a dumpster for the debris in the yard.

COMMITTEE REPORTS:

FINANCE (Skylar Tierney): Trustee Hofferkamp made a motion to pay bills as presented. Trustee Carter seconded the motion. All ayes, motion carried.

Trustee Hofferkamp introduced an ordinance levying taxes for the fiscal year January 1, 2017 to December 31, 2017. This ordinance will be voted on at the next board meeting.

PUBLIC SAFETY (John Brennan): Trustee Brennan introduced an ordinance regarding amending Chapter 285 vehicles and traffic Article III parking restrictions Section 285-6 of the Code of the Village. This ordinance will be voted on at the next board meeting. This ordinance is in regards to Ann Rutledge Road on both the East and West sides. Trustee Brennan discussed the problems the village has been experiencing in this area. He stated the road is being torn up by the heavy truck traffic and the trucks idling. The village has recently replaced the one side of the road. He stated the semis have been backing up and pushing over the barricades where the no parking is designated. The violation is currently \$15. Trustee Brennan stated the ordinance will allow the village to charge \$300 for those in violation. The area will be clearly marked as a “no parking” area.

Trustee Brennan introduced an ordinance amending Chapter 285 vehicles and traffic of the Code of the Village of Williamsville. This ordinance will be voted on at the next board meeting. He stated this encompasses some ordinance violations regarding screeching tires, expired plate registrations, electronic devices, etc. This ordinance allows the police to write an ordinance violation and Sangamon County/States Attorney will not be involved in the process.

WATER & SEWER, (Matt Bunger): Trustee Bunger stated the repairs that need to be made in the walls of the I-55 sewer lift station need to be done sooner than later. He discussed the estimate from Cully Contracting in the amount \$23,970.00.

Trustee Bunger made a motion to accept the estimate from Cully Contracting in the amount of \$23,970.00 to fix the cracks in the walls of the I-55 sewer lift station. Trustee Hofferkamp seconded the motion. All ayes, motion carried.

Trustee Bunger stated his committee had a water/sewer meeting.

ECONOMIC DEVELOPMENT (Hofferkamp): Trustee Hofferkamp stated her committee held a meeting to discuss the current garbage ordinances. She stated the village needs to look at what ordinances we currently have. She stated Natalie Albers has joined the committee. She is going to look at Springfield's ordinances, etc. to see how they apply to Williamsville. She stated the committee will be doing some additional advertising to inform residents about the curb side recycling. She stated they will be reaching out to the residents to see how they feel about going with one waste hauler in order to keep garbage trucks out of alleys, etc.

Trustee Tierney stated the importance of only having one waste hauler, it's less maintenance on our alleys and streets.

PARKS & RECREATION (Dave Carter): Trustee Carter stated he held a committee meeting. He thanked the committee for the meeting and everything they do.

Trustee Carter thanked Karen Winger for everything she does.

Trustee Carter stated that he and Karen tried calling the Illinois Municipal League. He stated that since the Village is losing 1% of sales tax and 10% of income tax, how much does the IML anticipate the villages would lose? He stated Springfield anticipates that they will lose 2.2 million dollars. He also wants to inquire if Chicago has been "carved out" and if so, why. He also would like to know if they anticipate any sort of grants that will be available with the billions of dollars the state is going to acquire.

He stated the Village is anticipating losing approximately \$18,000-\$19,000 in sales tax.

He thanked Public Works for everything they do.

STREETS, ALLEYS, SIDEWALKS & STORM SEWERS (Patrick Gettleman): Trustee Gettleman started the discussion regarding 217 East Main Street, property of Dombrowski's. Trustee Brennan stated the Village and resident have been contesting an issue at this residence for approximately two years. Trustee Brennan stated he has read a couple of letters in regards to a resolution attempt. He stated a recent letter received states that the Dombrowski's would like to remove the sidewalk now. He stated the village hasn't received any resolution on the matter, creating an impact on both parties. He stated an incident has recently occurred regarding the sidewalk. He stated that a couple residents were walking on the sidewalk and someone came out and told them that it was private property and to get off their property and walk on the other side of the street. Trustee Brennan stated we need to find a resolution for this issue. He discussed that he would like to find out the villages current status and wants to prevent residents experiencing being told not to walk on the sidewalk. He stated that since the sidewalk still exists, he feels that anyone should be able to walk on it until a resolution is reached.

Randy Segatto states that if the parties can't come to an agreement, then a judge will have to decide.

Rebecca Dombrowski stated that their attorney is fully aware that they are attending the board meeting. She states they have been addressing the issue for the past two years. They feel they have followed the Village's rules and regulations for two years. They have met with Patrick Gettleman, met with the committees, and have also met with the Village Board. Rebecca stated that they knew when they bought the property that they owned all of it. They could never justify the idea of the village

taking a private sidewalk and turning it into a public sidewalk. Over the course of two years, they feel they have proved that they own the property. They feel there is no right-of-way or no easement there in favor of the village. She states they have protested since the day they purchased their property. It is within their right to prevent people from using their drive way as public access and to be able to say it's not a public sidewalk, that it's private property and claims that they would be trespassing. Over the course of two years, they feel they have been bullied, threatened and intimidated. She says they have been trying in good faith for the past two years to negotiate a reasonable man's settlement with the Village Board. She states that instead of an agreement they have received threats. She stated that if the board is serious about wanting to negotiate an amicable resolution, (in which she says they have wanted all along), she is challenging Patrick Gettleman, Randy Segatto, and President Yokley to meet with them. She states it affects all of the property owners and Mr. Mergen. She stated that they are not trying to point fingers at anyone and it's no one's fault, but she states their property was never legally annexed. She states that they are not saying they don't want to be in the village but they want a reasonable man's resolution agreement to this issue – something that is agreeable to the village and something agreeable to them. She challenged the individuals again. She asked if everyone would show up to a meeting and hammer out an agreement. She stated she will not let anyone out of the room until there is a solution.

Trustee Gettleman stated that he doesn't feel the board has shut down on the issue. He stated the board feels that there is a reasonable resolution presented to them. Rebecca doesn't agree that it's reasonable. Rebecca stated that if the village wants the property then the village is to compensate them in some way. She states they do not want a monetary compensation. She states they just want something the village has promised residents for 15 years, to fix the drainage in front of the Phillips' property. She states that the drainage in front of their property is not as bad as in front of Phillips'. She states that we are flooding Phillips' basement. She states the village is illegally diverting (improperly diverting) water from up higher down to their properties.

She states that they would just like the drainage fixed in front of their properties as their compensation. She asked for a time frame to fix the drainage. She stated they will do a pre-annexation agreement to solve that issue. She stated all they are asking for is to "fix the drainage".

Joe Dombrowski stated that all of the board should be keenly aware that there is no right-of-way in front of their house (217 East Main), or in front of Phillips' house (233 East Main) because the village had to obtain a right-of-way in front of Mr. Mergen's house (201 East Main). He stated the village should know they have no right-of-way. Joe discussed the incident that Trustee Brennan was referring to. Joe stated that when he was taking his recycling out last Wednesday, there was a couple tip-toeing across the street and had just barely made it to edge of his driveway. Joe told the people, "You realize this is private property? They are cutting up my driveway. My driveway is not a sidewalk. My driveway is not in a right-of-way. I own all the way out about two feet into what is now Main Street, that's where the pins are". He states that the village all knows this. Rebecca states that if the village really wants to resolve this, then sit down with them. She states they don't like spending money on attorneys, any more than the rest of the board. She said it's time for a "reasonable man solution". She stated no more threats or bullying because that won't work if the village honestly wants to resolve it.

Rebecca stated she is tired of people in the village that have dogs that use her yard as their private dog park and "pooping" grounds. She is also tired of people using her yard as a private park. She says that people need to learn to respect other people's property.

Trustee Gettleman stated again that the last offer that was put out, the board feels is fair and reasonable for both parties and offers a sit-down committee meeting. Rebecca stated that they are not going to do any more committee meetings. She stated the committees don't have the authority to make any decisions on their own. She stated they are asking for President Yokley, Randy Segatto, and Trustee Gettleman to attend the meeting. Randy Segatto stated that no one but the board has the authority to sign off on anything. Trustee Carter told her that the people who she is asking to meet with, cannot make a decision that night. Trustee Carter stated he takes some offense. Trustee Carter stated he doesn't feel that the village has bullied them. Trustee Carter stated we have had officers go down and ask the Dombrowski's to sign a form to get their own property back, and they refused. Trustee Carter stated he doesn't have a problem with having a meeting, but he doesn't like the idea of them

thinking the village's staff/board have been intimidating. He feels that everyone has bent over backwards to come up with a solution to the problem. Trustee Carter stated he supports meeting one more time. He stated the board believes the Dombrowski's are in the village.

Trustee Tierney stated there is definitely a separation. He stated both parties feel they have presented a fair expectation. He stated that if their request is to have a sit-down meeting, then the way it's handled is a committee meeting is scheduled and they present something to the board. Trustee Tierney stated in good man's faith, they could try to have a meeting again. He stated that if they will agree to a committee meeting then they will take it from there. Joe and Rebecca Dombrowski both turned down the suggestion of a committee meeting. Joe states the previous meetings have gone nowhere. Joe states the sidewalk is on private property. He states the village has nothing to indicate any ownership of any right-of-way or a sidewalk. Trustee Tierney stated it was very clear that the two parties are not matching up. Trustee Gettleman stated again that the stance was made that the offer was made regarding having a committee meeting. He stated that the village would be happy to have a committee meeting. Rebecca again stated they are not interested in having a committee meeting. She stated that they are interested in meeting with people who can have affect. Randy Segatto stated the board has the ultimate determination. He stated that President Yokley and Trustee Gettleman cannot make any recommendation without the board's approval. He stated that Randy Segatto (himself) cannot make a decision. He suggested that they need to meet with the committee. Rebecca stated they will talk to their attorney. She stated they are attending the meeting to see if the village is still interested in acquiring the dedicated right-of-way. She stated the law requires that the village compensate them. They are asking for compensation of the drainage. She cannot understand the reluctance to commit to a time table to fix the drainage. Randy Segatto again offered a committee meeting.

Trustee Brennan asked about publishing a regular Streets/Sidewalks committee meeting regarding discussion with the Dombrowski's, the Phillips', President Yokley and Randy Segatto. Trustee Brennan asked if this proposal would be acceptable. Trustee Brennan stated he would really like to see some sort of resolution. Trustee Gettleman made it quite clear that he did not want to go into this meeting with expectations to hash out every single detail from two years ago to today. He stated they will never get anywhere by doing that. He asked if that was a fair statement. Trustee Tierney thought it was a fair statement. He feels that the village has went above and beyond. Mark Phillips stated the village does more taking than giving. Marks's suggestion is basically what the village's offer is. Trustee Gettleman stated the offer is Mark give the village the 30 foot right of way, he annexes in, and they can remove the sidewalk. Trustee Gettleman asked Mark if he has seen the letters of the offers. Mark Phillips' stated that he hasn't seen the letters. Trustee Gettleman stated the letters state exactly what Mark states needs to be done. Joe discussed the dates of the drainage. Mark asked Randy a question about the public sidewalk and if someone gets hurt. Randy Segatto discussed the issue.

Trustee Tierney stated that the letters will be reviewed and a committee meeting will be scheduled. Trustee Gettleman stated he will give Mark Phillips a copy of all of the proposals/letters. Rebecca stated she would contact their attorney. Randy stated he will not meet unless he receives an email from the attorneys that states he can be there and talk; otherwise, he will not be there. He stated he cannot talk to other people's clients. Joe will get two or three dates to Trustee Gettleman regarding the best date to meet.

Randy stated they will not be arguing the law at this meeting. He stated he will not be listening to a bunch of arguing.

ADDITIONAL BUSINESS: Trustee Tierney told Mr. Reedy that if there's anything the village can do to support, then to let the village know.

The regular board meeting of the Board of Trustees for the Village of Williamsville adjourned at 7:17p.m.

Respectfully Submitted By

Karen Winger, Village Clerk