VILLAGE OF POPLAR GROVE

"A Great Place to Call Home"

COMMITTEE OF THE WHOLE

Monday, December 13, 2021 - 6:30 PM

200 N. Hill Street, Poplar Grove, IL 61065

MINUTES

CALL TO ORDER
Meeting called to order by Clerk Karri Anderberg at 630 pm

ROLL CALL
PRESENT
President Don Sattler
Admin Chairman Ron Quimby
Finance Chairman Eric Miller
Trustee Jeff Goings
Trustee Ed Wethington (via phone)
Trustee Dan Cheek (via phone)
Clerk Karri Anderberg
Attorney Dave Kurlinkus
Deputy Clerk Katie Jaster
Public Works Director Mitch Hilden at 6:33pm
Engineer Chris Dopkins

APPROVAL OF PHONE PARTICIPATION (Roll Call)
Motion made by Finance Chairman Miller, Seconded by Trustee Goings.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

APPROVAL OF AGENDA (Voice Vote)
Motion made by Admin Chairman Quimby, Seconded by Finance Chairman Miller.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

Motion made by Finance Chairman Miller, Seconded by Trustee Goings to move item 16 to be heard before item 4.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek
Motion made by Trustee Goings, Seconded by Finance Chairman Miller add 3.A Presidents report and 5.A Mansfield Park .
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

APPROVAL OF MINUTES (Voice Vote)

1. Motion to approve the minutes from November 8, 2021 meeting
   Motion made by Finance Chairman Miller, Seconded by Trustee Wethington.
   Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek
   Public Comment
   David Allgood- Would like to know where President Sattler's campaign promises are. Why has he not done them
   He would also like an update on the trustee appointment that has sat empty.

DEPARTMENT REPORTS - ADMINISTRATION

2. Clerk, Karri Anderberg
   no questions
3. Building and Code Enforcement, B&F Construction
   no questions
   3.A Presidents Report
   Trustee Goings wants to know Why President Sattler has not given a president report. Stated that the trustees ask for one months ago and they have not received one.
   Trustee Quimby stated that past presidents have always at least emailed one to all the trustees

OLD BUSINESS - ADMINISTRATION

4. Discussion and possible recommendation to the village board to approve **Ordinance 2021-39** an ordinance of the Village of Poplar Grove amending section 6-2-4-4 and section 6-2-5 of chapter 2 combined waterworks and sewerage system of the Village of Poplar Grove code of ordinances
   Motion made by Admin Chairman Quimby, Seconded by Finance Chairman Miller.
   Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek
   Staff asked if they not do a flat rate for new home lawn watering credit. Staff wants to take the EPA average for the number of people in the home. Treasurer Boyd stated its is only 20 a year and they have no problem doing it.
   Trustees all agreed. Attorney Kurlinkus will update the ordinance and bring to board of trustees.

5. Motion to approve **Ordinance 2021-34** an ordinance of the Village of Poplar Grove Illinois amending article II business and license regulations, chapter 2 liquor control, of the Village of Poplar Grove code of ordinances
Motion made by Admin Chairman Quimby, Seconded by Finance Chairman Miller.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek
Trustee Goings and Quimby are concerned about delivery of cocktails to someone's home.
Clerk Anderberg stated that if they don't allow delivery of to go cocktails that would also be no curbside either.
Trustee Miller and Goings asked what the bars think about this. Clerk Anderberg stated that their is one bar that is already doing it since Covid started it. One bar is thinking about it but has not done research on the cost.
Trustees all agreed to allow delivery if the bar owners want it.
Motion made by Finance Chairman Miller, Seconded by Trustee Goings to add class K to go cocktail liquor license for a price of $50.00 a year.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek
5.A Discussion on Mansifeld Park -
Motion made by Admin Chairman Quimby, Seconded by Trustee Goings.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek
Trustee Goings would like an update for what the Village is doing to get the park off the ground. Public Works Director Hilden stated that some grading would need to be done and then park equipment could be added.
President Sattler asked why trustees still want the park when many residents does not want it. Trustee Miller and Goings both said they have not received any such feed back and they have both gotten emails saying that the south side of town needs a neighborhood park.

NEW BUSINESS - ADMINISTRATION

6. Discussion and possible recommendation to the village board to approve **Ordinance 2021-43** an ordinance of the Village of Poplar Grove, Illinois amending title 1- administration, chapter 6- village officers and employees of the village code
Motion made by Admin Chairman Quimby, Seconded by Trustee Wethington.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek
President Sattler is very upset that trustees want to take this appointment away from him. States that Clerk Anderberg does not have the background to run the building department.
President Sattler read from a document called presidents report. Report is attached to the minutes.
David Allgood - Would like to see this pass and item 10 as B&F has done a great job the last couple of years and the Village needs to keep moving forward.

Trustees discussed the ordinance.
Trustees Goings walked out 7:28pm and came back at 7:30pm
Motion made by Finance Chairman Miller, Seconded by Trustee Wethington call to question.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

7. Discussion and possible recommendation to the village board to approve **Ordinance 2021-44** an ordinance of the Village of Poplar Grove, Illinois establishing meeting dates and times of the board of trustees of the Village of Poplar Grove and its committees and commissions for calendar year 2022
Motion made by Admin Chairman Quimby, Seconded by Finance Chairman Miller.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

8. Discussion and possible recommendation to the village board to approve **Ordinance 2021-45** an ordinance of the Village of Poplar Grove, amending article VII, building regulations, of the Village of Poplar Grove code of ordinances
Motion made by Admin Chairman Quimby, Seconded by Finance Chairman Miller.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

9. Discussion and possible recommendation to the village board to approve **Resolution 2021-66** a resolution of the Village of Poplar Grove, Illinois to approve and authorize the village president to execute a joint purchase master contract with State of Illinois Central Management Services for the purchase of bulk rock salt.
Motion made by Admin Chairman Quimby, Seconded by Trustee Goings.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

10. Discussion and possible recommendation to the village board to approve **Resolution 2021-69** a resolution of the Village of Poplar Grove, Illinois to approve the professional service agreement with B&F Construction Code Services, Inc. to provide a village zoning administrator.
Motion made by Admin Chairman Quimby, Seconded by Trustee Goings.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

DEPARTMENT REPORTS - FINANCE

11. Wastewater, Test Inc
no questions
12. Public Works, Mitch Hilden
no questions

13. Engineer Report, McMahon
no questions
14. Treasurer, Carina Boyd
no questions

OLD BUSINESS - FINANCE

15. Discussion and possible recommendation to the village board to approve **Resolution 2021-64** an resolution of the Village of Poplar Grove, Illinois to approve authorize the village president to execute an agreement with Pyrotecnico fireworks, Inc. for fireworks display services
Motion made by Finance Chairman Miller, Seconded by Admin Chairman Quimby.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

NEW BUSINESS - FINANCE

16. Discussion on Possible waiver of disconnection fees for 236 Briarwood Drive.
Motion made by Finance Chairman Miller, Seconded by Admin Chairman Quimby.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek
Juli Medearis is asking for her two $110.00 frees to be waived. She states that she is on hard times.
Trustee Goings asked staff why she had two.
Treasurer Boyd stated she got shut off in November and was told she needed to come in to sign a payment plan or pay the rest of the payment. Staff stated the village never received a payment so she was shut off again.
Mrs. Medearis stated she made a payment online and but the village never received it.
Trustees agreed to waive one $110.00 fee.
Motion made by Trustee Goings, Seconded by Trustee Wethington to waive one $110.00 fee for 236 Briarwood.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

17. Discussion and possible recommendation to the village board to approve **Ordinance 2021-40** an ordinance abating the tax heretofore levied for the year 2021 to pay debt service of the general obligation refunding bonds (alternate revenue source), series 2015B, of the Village of Poplar Grove, Boone County, Illinois.
Motion made by Finance Chairman Miller, Seconded by Trustee Wethington.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

18. Discussion and possible recommendation to the village board to approve **Ordinance 2021-41** an ordinance abating the tax heretofore levied for the year 2021 to pay debt

service of the general obligation refunding bonds (alternate revenue source), series 2015, of the Village of Poplar Grove, Boone County, Illinois.
Motion made by Finance Chairman Miller, Seconded by Admin Chairman Quimby.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

19. Discussion and possible recommendation to the village board to approve **Ordinance 2021-42** an ordinance abating the tax heretofore levied for the year 2021 to pay debt service of the general obligation refunding bonds (alternate revenue source), series 2012A and general obligation refunding bonds (alternate revenue source), series 2012B, of the Village of Poplar Grove, Boone County, Illinois.
Motion made by Finance Chairman Miller, Seconded by Trustee Wethington.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

20. Discussion and possible recommendation to approve Comed Smart LED Street Lighting program
Motion made by Finance Chairman Miller, Seconded by Admin Chairman Quimby.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek
Public Works Director stated that ComEd will be turning all are streetlights over to LED at no cost to the Village. This comes after a audit of all of our street lights. ComED found some we were being incorrectly billed for and some we were not being billed for.

21. Discussion and possible recommendation to the village board **Resolution 2021-65** a resolution of the Village of Poplar Grove, Illinois to approve and authorize the Village President to execute an agreement with Bufalo Contracting, Inc. for restoration and remodeling services
Motion made by Finance Chairman Miller, Seconded by Admin Chairman Quimby.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Wethington, Trustee Cheek
Voting Nay: Trustee Goings
Clerk Anderberg explained this is phase 3 of the Village Hall remodel and will be done with our IT upgrade that is happening currently.

22. Discussion and recommendation to the village board to approve **Resolution 2021-67** a resolution of the Village of Poplar Grove, Illinois approving schedules for inclusion in business regulation section of village code
Motion made by Finance Chairman Miller, Seconded by Admin Chairman Quimby.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

23. Motion to approve **Resolution 21-68** A Resolution of the Village of Poplar Grove resolving to enter into a professional service agreement for design & construction engineering services for the Sherman Oak drainage improvements.

Motion made by Finance Chairman Miller, Seconded by Admin Chairman Quimby.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

24. Discussion and possible recommendation to the village board to approve check disbursement for payments scheduled to be paid prior to December 31, 2021 in the amount of $272,544.13 in AP checks, $13,193.43 in insurance expense checks, and $7,853.15 EFTS for a total of $293,590.71
Motion made by Finance Chairman Miller, Seconded by Trustee Wethington.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek

ADJOURNMENT (Voice Vote)

KJA 12/09/2021
Motion made by Finance Chairman Miller, Seconded by Trustee Goings.
Voting Yea: Admin Chairman Quimby, Finance Chairman Miller, Trustee Goings, Trustee Wethington, Trustee Cheek
Meeting adjourned at 8:01pm

Presidents Report by Don Sattler

This report sums up the debate at our meeting on Monday, December 13, 2021.

Eric Miller and Karri Anderburg, as defacto husband and wife team, will be taking over the Building and Planning department of the village. They will try to eliminate and ignore any oversight by me the Village President. I am 100% against this power grab by two related people in our village who do not have the experience to interpret common sense code enforcement. The board also condones this.

I will continue to exercise oversight and will report on complaints received by the citizens of this community. I will also continue to strive for improvement despite the unwillingness by this board to work with me and the citizens of Poplar Grove for improvement of our Village code.

It is unhealthy having an uncooperative husband-and-wife team usurping the oversight of the president. It is a conflict of interest for the village and its tax paying citizens?

I have had some simple recommendations they refuse to cooperate with. The recommendations came from complaints by citizens of our community. Such as;

1) When do you need a permit to repair your own deck?
2) When do you need a permit to replace an existing fixture?
3) Why do I get a threatening letter I am not in compliance with a code that does not explain the code, the remedy, or the means to dispute it?
4) Why do I get a stop work order that does not tell me what code I am in violation of, the details, the remedy, or the means to dispute it?

When I have engaged in some simple questions looking for simple answers to improve this process I was met with hostility by husband-and-wife code enforcement team of Eric Miller and Karri Anderburg that will oversee this new department. I am afraid the hostility they displayed with me will be the hostility that will be directed to our citizens. If they can't work with me in the slightest way, then they probably will not work with our citizens in good faith?

I have witnessed hostility towards our citizens now in several circumstances. I have listened to several comments by some of our Trustees, who disagree with me. They have made derogatory statements about our citizens in this community. They lack general respect for the public. The comments made by some trustees have been;

1) We must protect people from themselves because they are unqualified to make decisions.
2) Do not listen to citizens complaints because they just are taking advantage of you.
3) We should evict everyone from the airport and other derogatory statements about the airport.

Building codes are to protect the general public welfare and not punish or hinder the general public.

1) We need to improve our code violation notices to make them more accommodating for the needs of the community. They must require a first notice warning that is not threatening in nature and progress to a final warning. Each must include instructions to remedy the specific code that is in violation, the means to dispute it, and the time frame to action.
2) Stop work orders must contain the same detailed information explaining the code in violation, instructions how to remedy the situation, and how to dispute it.
3) The building permit process must differentiate between simple repairs and construction. Basic repairs do not need permits.

I spoke with Drew Bliss the Boone County Building Inspector. I spoke with Craig Wilcox the Belvidere Fire and Building Inspector. I spoke with Kipp Countryman the Belvidere Director of Code Enforcement. I looked up code enforcement from other communities including Chicago. I spoke with our code enforcement contractor that Karri and Eric work with. I spoke with the Health Departments.

Presidents Report by Don Sattler

In my research I have found code enforcement and permitting differentiates between new construction and maintenance. The general rule of thumb is basic maintenance does not require building permits. New Construction Building requires "Building Permits". Maintenance is not building; therefore, it does not require building permits. Building Code is typically written to protect the consumer from contractors that are not qualified or licensed to do work. It is also written for the safety and well-being of the community as a whole. The building codes are relatively specific for a lot of construction practices, plumbing and electrical practices. There is a lot of common sense written into it. There is also a lot missing in the code.

The building code does not identify much detail about repairs. There is a lot of gray area subject to interpretation that can be arbitrary depending on the individual interpreting the code. Common sense and care must go into interpretation. When the code is not clear or is ambiguous then the benefit must go to the citizen. Not the bureaucrat. Every building inspector I have spoken to agrees in general the goal is not to develop a hostile relationship with the community. The building department must work with the community and not over burden the community with senseless fees for nothing.

The question is...When do you need a permit? The general rule of thumb is no permit required for basic repairs, replacement of like kind materials, or replacement of existing fixtures. Many communities spell this out for their citizens to easily look up and know. The focus of the building departments is not on the private homeowner, but rather on the contractors, new construction and remodeling who provide service for home owners and businesses. Chicago actually has an extensive web page outlining when you don't need a permit.

City of Chicago :: When is a Building Permit NOT Required?
https://www.chicago.gov/city/en/depts/bldgs/provdrs/permits/svcs/no-permit-reqd.html

The building department inspectors I spoke with are consistent with the city of Chicago web page. Many things do not require permits. More specifically the 2 big questions behind this report are:

1) If you replace one rotting joist, stair stringer, or post on your deck, do you need a permit? Or what if you replace 2 rotting joists, etc.?

This is typically a $40 repair for the average do-it-yourselfer. In Poplar Grove that would cost you $132 permit plus $25 application fee in Poplar Grove plus a required drawing. This is a major point of disagreement I have with the existing husband and wife take over of the building department. Common sense and standard practices are no permit required for a basic repair, unless you are Karri and Eric. Bottom line is if you do not change the shape or structure of the deck a home owner does not need a permit. Common sense must prevail. Write it into our code.

1) If you are replacing a toilet, do you need a building permit?

The standard answer is replacing an existing fixture in any building is a basic repair and does not need a permit. Not if Karri and Eric get their way. You will pay $130 permit plus a $25 application fee to replace an existing toilet. No common sense here.

I have received no cooperation from Karri, Eric, or the Village Board on any of these citizens complaints. The hostile treatment I have received is how they have treated other citizens in our community. A permit should not cost more than the repair. Charging fees for things that are not documented in code, is arbitrary and capricious and has no room in our community.

I will not support this activity by our entire Village Board, and I will continue to campaign for common sense and fair treatment of all citizens of our community. Building codes and permits are used to protect our community with common sense. Not over charge our citizens with fees, and unfairly treat them with disrespect, and unproductive codes and permits.