

## MINUTES

### PALESTINE VILLAGE BOARD OF TRUSTEES MEETING

May 3, 2012

The Palestine Board of Trustees met on May 3, 2012, at 6:00 PM. Trustees answering the roll call were Gene Purcell, J.R. Dunlap, Greta Dennison, Larry Miller, Larry Surrells, and J.D. Kimberlin.

Other Staff Members present: Margaret Littlejohn, Utility Clerk, and Shirley Adams, Village Clerk.

Visitors present: Mario Bantican, Don York, Bob Taylor, Brett and Sarah Callaway, Chris Forde (WTYE) and Tom Osborn (Robinson Daily News).

Meeting called to order by Mayor Schofield.

The meeting began with all present reciting the Pledge of Allegiance

Minutes were taken by the Village Clerk.

The Minutes of April 5, 2012, were accepted with an amendment to paragraph #5 and #8; changing J.D. to read J.R. Dunlap.

#### **OLD BUSINESS:**

1) Update of Matteson property – 205 N. Rush Street. Mayor Schofield gave a copy of the newest proposal to the Trustees. A lot of the cleanup has been done and the pit has been filled in but Mr. Matteson wants to board the house up. Gene Purcell feels this is not acceptable and that the house needs to be torn down. Larry Surrells was upset because, apparently, Mr. Matteson is saying that the Village Board has been complaining to the newspaper about him and his situation. Larry voiced that there has never been a complaint made to the newspaper concerning Mr. Matteson. Larry Surrells moved that the house and garage should be demolished and gone by August 1, 2012. Gene Purcell seconded motion. Motion passed. Police Chief, Jim Clark, will advise our attorney of the Board's decision.

2) Update on Animal Control. Mayor Schofield has spoken with Don Richart and he says it is their intention that things will be directed toward taking care of everyone, just as in the past. The Mayor will give us another update in June.

3) Update on Hotel/Motel Tax process. Larry Surrells said he has not heard anything as of yet.

#### **NEW BUSINESS:**

1) Notice of Public Hearing and Special Board Meeting will be held at 5:30 PM, Monday, May 7, 2012 in reference to the Flexible-Funding Grant. Lisa Cramer is scheduled to attend and give us an update.

2) Discussion – New liquor license for new business. Don York and Mario Bantican presented the Board with their business plan and objectives. They do not need a complete new license at this time as Llama's and 2 Ralfs have beer and wine licenses at present. When Don and Mario are ready to request one, we will build a new license for them which will include mixed drinks. They would like to obtain a 'summer permit' for a beer garden at their new location. This business is going to be a "sports bar and restaurant". The bar area will be separate from the family restaurant area. J.R. Dunlap made a motion to allow for a new full liquor license to be built. Greta Dennison seconded motion. Motion passed.

2) Suzie Hancock lot – NW/c Perry/Jackson. Suzie was ill and not able to attend. She has a chance to sell her lot to a person who has a manufactured home but it doesn't meet with our Ordinance as it is too old. She is requesting a variance be made to allow this manufactured home. Larry Miller reminded everyone that if we give a variance for this, it would create precedence for the future. The reason for the original Ordinance was due to the fact that we had so many sub-standard mobile homes in the Village at the time. Our Ordinance states no manufactured homes older than 10 years can be moved into the Village. Mayor Schofield has viewed pictures of the home and it looks to be in good condition and is around 15 years old. Larry Surrells suggested we leave it to the discretion of the Board. J.R. Dunlap asked if we could change the Ordinance to allow for older manufactured homes and Gene Purcell feels we should not change the Ordinance. After more discussion, Gene Purcell made a motion that we do not change the Ordinance at any time for adding a specific variance. Larry Miller seconded motion. Motion did not pass. After further discussion, Larry Surrells made a motion to reconsider our 10 year strict policy on manufactured homes, and that it be left to the Board's discretion on each case whether to allow a variance based on the age, location and condition of the manufactured home. J.R. Dunlap seconded motion. Motion passed.

3) Adopt FY2012 Annual Appropriation Ordinance. Larry Miller moved to approve the FY2012 Annual Appropriation Ordinance. Larry Surrells seconded motion. Motion passed.

4) Adopt FY2012 Annual Prevailing Wage Ordinance. Greta Dennison made a motion to approve the FY2012 Annual Prevailing Wage Ordinance. Gene Purcell seconded motion. Motion passed.

5) Senior Citizen Annual Report. Mayor Schofield handed out copies of the Senior Citizens Annual Report to the Trustees.

6) Board discussion and ruling re: complaint against a Village lot being maintained as a public nuisance. A neighbor's concern is that there is a lot of wildlife on this lot due to the timber and disarray on the property. Larry Surrells suggested that Larry Miller prepare a draft for a new ordinance which would cover this kind of situation. In the meantime, we'll have Chief Clark evaluate the situation. The question is do we consider this a nuisance or not? J.R. Dunlap and Larry Miller feel that a casual request, either in person or by letter, should be made to the owner to get the property cleaned up in a timely manner before issuing a summons. It was the consensus to leave this matter to Jim's discretion.

6) Michael Fulling has submitted a request for a Liquor License for the Winery. The new name will be Bella Vista LLC; the Building Permit for the back patio has also been submitted, approved, and work has begun. Michael will be bottling and labeling his own wine and hopeful he'll be ready for the Wine and Arts Festival.

FYI ... Frontier will be here on Tuesday to change our phone lines and internet. The amounts should be about the same as before; we'll just have both services with one company.

FYI ... Received a letter from the FCC saying the Verizon tower is a go. Leases have been signed and the site at 207 N. Main St. is being readied. Information was passed around to the Board Members.

FYI ... Salt can be purchased from the Crawford County Highway Dept.

Bob Taylor reminded us all that Memorial Day is fast approaching and the Am Vets will be having a program at the Cemetery.

**DPW REPORT:** Kathy Fuller, Superintendent. Kathy was not present.

**POLICE REPORT:** Chief of Police, Jim Clark. Jim was not present to address the Police Report but it was handed out to Board Members.

**Pioneer Room – May – J.D. Kimberlin**

**Committee Reports:**

**Budget Committee:** Shirley Adams, Chairman. Handed out reports showing the State revenue we received in FY 2011-2012 along with a comparison of same from the previous fiscal year.

**Building Regulations: Permits; Maintenance:** Larry Surrells, Chairman. We've had several Building Permits recently, one on 501 W. Harrison. There has been a lot of activity.

**Streets, Sidewalks and Alleys Committee:** Larry Surrells, Chairman. We will be repairing a cover on Main Street in the near future.

**Sewer committee:** Larry Surrells, Chairman. Larry asked if we are any closer to finding a used generator. Mayor Schofield said has not heard anything more from her source.

**Other Business:**

Greta Dennison said in reference to the Nuisance Ordinance, there are some tree limbs down over sidewalks in several places in the Village and would like to have the DPW take a look. Mayor Schofield said some of these issues will be taken care of with the Safe Routes to School project.

The Village has received a complaint about the lawns at W. Grand Prairie and W. Lamotte Streets.

Greta Dennison moved to go into Executive Session at 7:25 PM. Larry Miller seconded.

Regular session resumed at 7:42 PM. The Executive Session was in regard to the real estate purchase update and Ordinance to approve. Greta Dennison made a motion to accept the proposed two contracts with Phase I. Gene Purcell seconded motion. Motion passed unanimously.

With no further business to discuss, a motion to adjourn was made by Larry Miller. Greta Dennison seconded motion. Meeting adjourned at 8:45 PM.

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PRESIDENT

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CLERK