

OFFICIAL PROCEEDINGS
OF
VILLAGE BOARD

STATE OF ILLINOIS)
COUNTY OF HENRY)
VILLAGE OF ORION)

The regular meeting of the President and Board of Trustees was held at 7:30 p.m., September 20, 2010 at the Village Hall, 1202 4th Street, Orion, Henry, Illinois. The following members were present: Cooper, Stiles, Peterson, O'Leary, Drucker, and Cline. Absent: Lawson.

President Cooper called the meeting to order and led the board in the Pledge of Allegiance.

It was moved by Drucker, seconded by Peterson to approve the minutes of the regular meeting held September 8, 2010. Ayes: Stiles, Peterson, O'Leary, Drucker, and Cline. Noes: None. Absent: Lawson.

It was moved by Drucker, seconded by Peterson to approve the bills for the month: General Fund-\$36,358.46, General Depreciation-\$2,100.00, Recycle Collections-\$1,738.80, Water O&M-\$5,350.65, Water Depreciation-\$619.38, Sewer O&M-\$9,178.13, Sewer Depreciation-\$1,300.89, Phase II Loan Retirement-\$97,859.69, Motor Fuel Tax-\$5,275.25, and Fines-\$5,075.74. Ayes: Stiles, Peterson, O'Leary, Drucker, and Cline. Noes: None. Absent: Lawson.

President Cooper addressed three young boys who were discovered riding bicycles on the band shell stage floor. He told the boys that the structure had been rehabilitated at great cost and bike riding on the stage was prohibited. The boys were somewhat new to the area and apologized for the infraction.

Trustee Peterson said the work on the shelter in Love Park had been completed. Trustee Peterson noted the \$500 donation from the Lion's Club for the shelter work had not yet been received. Additionally, he said a boy scout was considering the construction of some benches at Love Park.

Trustee O'Leary discussed with the board a response to the violation letter received from the Illinois EPA regarding sewer backups. The board reviewed the proposed response letter prepared by John Roegiers from Missman-Stanley and recommended two changes be made before the final letter was typed and mailed. President Cooper asked Trustee O'Leary to get a cost estimate for Congressman Bill Foster's office for the installation of an interceptor sewer in the vicinity of the Catholic Church. President Cooper expressed dismay about not getting funds promised from the state capital bill to help alleviate the sewer backup problem.

The lining of the 1st Street sewer main was completed, according to Trustee O'Leary, and for an additional sum the lining quality was upgraded, due to the possibility of gasoline contamination eroding a lesser quality material more quickly. The ventilation fan and

OFFICIAL PROCEEDINGS
OF
VILLAGE BOARD

STATE OF ILLINOIS)
COUNTY OF HENRY)
VILLAGE OF ORION)

The minutes of September 20, 2010 continued:

picnic table covering it were removed from the 10th Avenue manhole, and the 10th Avenue main will be repaired in mid-October by Myers Plumbing & Htg. It was reported that 13th Street between 10th and 11th Avenues was blacktopped and the Henry County Highway Department engineer said the surface had been well prepared for the application. In other street business, President Cooper said an outside shed would be purchased for the storage of snowplows.

Trustee Drucker said the water superintendent would be attending a conference in Springfield later in the week, and Putnam County Painting plan to be in Orion next Tuesday to touch up spots on the tower and ground tank. He also said he had been reminding the water superintendent about correcting a water problem at 8th Street and 14th Avenue, which was found to be a malfunctioning valve.

Regarding finance matters, one employee was allowed to increase the credit limit on their village credit card to \$5,000. The card could be used for any department's large purchases.

Village attorney John Ames told the board that federal regulations for cell phone towers were rather unfriendly to local governments and the courts were very strict in upholding the letter of the law. He went on to say that Orion is in the 7th Circuit of the Federal Court and that particular court upheld one county zoning board's denial of a permit for construction of a tower. Municipalities cannot prohibit towers but may have limited authority as to the placement of such structures. Attorney Ames said some municipalities allow towers in a commercial or industrial district without the requirement of a hearing. He said if the village wanted to add towers to the zoning code, they could also be added as a special use. Since U.S. Cellular had not yet determined the lot offered by the village would work for placement of a tower, the board decided to postpone a decision to add cell tower regulations to the zoning code. Clerk Sampson said the company was concerned about the width of two easements on the lot in relation to placing a structure there, but had forwarded a copy of a lease agreement for the village's review. Trustee Drucker feared the power of negotiation on the village's behalf could be reduced in light of the strict federal regulations that were in place.

President Cooper reviewed with the board a meeting that took place with Burlington Northern Santa Fe Railway officials, Illinois Department of Transportation officials, the Henry County Highway Department engineer, himself, Trustee Drucker, and Clerk Sampson. The group met to discuss the extension of steel guardrails on the earthen area on both ends of the 7th Street bridge. BNSF is re-decking the bridge and installing guardrails on the structure per a previous agreement with the village; however, it was later found that since the structure was being modified, guardrails were required off the

OFFICIAL PROCEEDINGS
OF
VILLAGE BOARD

STATE OF ILLINOIS)
COUNTY OF HENRY)
VILLAGE OF ORION)

The minutes of September 20, 2010 continued:

structure as well. State officials said they would not participate in the installation of guardrails because the bridge was privately owned. President Cooper felt the village had no responsibility to pay for the estimated \$120,000 project since the bridge is not located in village limits. He also said the board would never have agreed to let BNSF remove the 13th Avenue bridge in exchange for \$65,000 if it had any inkling the village would be expected to install guardrails at another site. President Cooper felt the railroad should be responsible for paying for the project. The railroad officials in attendance did agree to perform an engineering study and get accurate cost estimates. Improvements to the bridge will be delayed until the issue is resolved and may therefore exceed the deadline in the agreement. When the bridge is repaired it will be closed 6-8 weeks.

There being no further business to come before the meeting, it was moved by Drucker, seconded by O'Leary to adjourn. Ayes: Stiles, Peterson, O'Leary, Drucker, and Cline. Noes: None. Absent: Lawson.

Lori A. Sampson
Village Clerk

ERROR: undefined
OFFENDING COMMAND:

STACK: