

**VILLAGE OF KINGSTON  
REGULAR VILLAGE BOARD MEETING MINUTES  
August 6, 2007  
UNOFFICIAL UNTIL APPROVED AS WRITTEN X  
OR AS AMENDED    BY THE VILLAGE BOARD  
ON September 4, 2007.**

MEETING CALL:

The Regular Village Board Meeting with the President and Board of Trustees of the Village of Kingston was called to order at 7:00 PM by President Pro Tem Jim Baenziger, Monday, August 6, 2007, in the Village Board Room, at the Kingston Municipal Building, 101 E. Railroad St., Kingston, DeKalb County, Illinois.

ROLL CALL:

Upon roll call by Clerk Edwards, the following were in attendance:

Present: Trustees Jim Baenziger, Jennifer Butler, Jack Fischer, and Robert Ruehl Jr.

Absent: President John Munro, Trustees Joe Hengels and David McNamara.

Also in attendance were Village Attorney Kevin Buick, with the firm Foster & Buick Group LLC, Police Chief Berna Popenhagen, and Village Engineer Kevin Berry, with Smith Engineering.

*Trustee Hengels arrived at 7:05 p.m.*

AMENDMENT TO THE AGENDA:

Trustee Baenziger added Mr. Frank Tijerina to New Business.

MINUTES

Motion by Trustee Fischer, seconded by Trustee Butler to approve the July 2, 2007, minutes as written.

ROLL CALL VOTE:

Ayes: 4, Trustees Baenziger, Fischer, Hengels, and Ruehl.

Nays: 1, Trustee Butler.

Absent: 1, Trustee McNamara.

Motion Carried.

## VILLAGE OFFICERS REPORT

Police Department Chief Popenhagen reported that Officer Taft contacted I.D.O.T. on July 3<sup>rd</sup> with regard to the telephone pole at the intersection of Rt. 72 and Main St. Chief Popenhagen reported that an I.D.O.T. intersection consultant was to come out, but has not yet. Chief Popenhagen reported that she will have Officer Taft contact I.D.O.T. again.

Attorney Attorney Buick reported that he received a letter from ICCI. The letter indicated that there is a property in town that is not in compliance. The property owner has two weeks to bring the property in to compliance. Attorney Buick reported as long as there is no objection, he will follow through after the deadline has passed, if the property still has not come in to compliance. There were no objections.

Public Works No report.

Village Engineer No report.

Village Clerk No report.

## UNFINISHED BUSINESS

Development Team Nothing new to report.

Driveways Nothing new to report.

Township Park District Nothing new to report.

Downtown Parking Trustee Baenziger reported that Mr. Klein contacted him concerned that there is not enough downtown parking for his patrons.

Wastewater Treatment Study Nothing new to report.

Habitat For Humanity Of DeKalb County Attorney Buick reported that he will write a letter to the attorney representing Habitat for Humanity, with regard that there probably won't be a dramatic waiver of permit fees.

Water Meters Steve Lancaster, with Water Products, was present at the meeting and explained how their product worked. Discussion followed.

City of Genoa (Wastewater) Trustee Fischer reported that the flow meter has been installed and it will take three months before they have the results.

Water Tank Engineer Berry reported that Smith Engineering is recommending that the water tanks at the 4<sup>th</sup> Street well house are inspected to determine how much life is left in the tanks before painting them. Engineer Berry handed out a proposal from Dixon Engineering, who can do the preliminary maintenance inspection. Engineer Berry reported that he will find out if the Village could use only one tank, at the 4<sup>th</sup> Street well house, if they needed too. Attorney Buick recommended that the Board review the proposal and vote on it at the next meeting.

Ordinance 2007-08 (Amending Section 78-343 Manner of Billing and 78-350 Notice of Delinquency Termination Of Service) Attorney Buick reported that the ordinance was reviewed and revised. Clerk Edwards reported that the first reading was at the July 16<sup>th</sup> meeting. Attorney Buick reported that bills unpaid after 30 days (not 20 days) shall be considered delinquent. Trustee Ruehl motion seconded by Trustee Hengels to approve Ordinance 2007-08 (Amending Section 78-343 Manner of Billing and 78-350 Notice of Delinquency Termination of Service), as amended (Bills remaining unpaid for 30 days after they have been mailed shall be considered delinquent.), of the Kingston Municipal Code.  
ROLL CALL VOTE:  
Ayes: 5, Trustees Baenziger, Butler, Fischer, Hengels, and Ruehl.  
Nays: 0.  
Absent: 1, Trustee McNamara.  
Motion carried.

Windhaven Drainage (IDOT Engineering Agreement) Trustee Ruehl motion, seconded by Trustee Fischer to accept Smith Engineering Services Agreement for the use of Motor Fuel Tax Funds on the Windhaven Project.  
ROLL CALL VOTE:  
Ayes: 5, Trustees Baenziger, Butler, Fischer, Hengels, and Ruehl.  
Nays: 0.  
Absent: 1, Trustee McNamara.  
Motion carried.

NEW BUSINESS:

MFT Trustee Ruehl motion seconded by Trustee Baenziger to adopt Resolution  
2007-02 2007-02 (Maintenance of Streets and Highways by Municipality Under the Illinois  
Resolution Highway Code.)  
ROLL CALL VOTE:

Ayes: 5, Trustees Baenziger, Butler, Fischer, Hengels, and Ruehl.  
Nays: 0.  
Absent: 1, Trustee McNamara.  
Motion carried.

Kingston Dan Rodwick, owner of the Kingston Roadhouse, was present and explained that  
Roadhouse they were asked to participate in a bike run. The bike run will benefit a  
(103 W. young girl that was injured in a sports related activity. The money raised will  
Railroad) help pay for her medical bills. Mr. Rodwick is concerned that with the amount of  
people that will be participating that he may not have enough room inside his  
facility and is requesting that Section 10-3 be suspended for two hours to allow  
room for overflow outside. Trustee Ruehl requested that an area be roped off.  
Chief Popenhagen reported that she is fine with allowing the outdoor area, as long  
as the area is monitored.

Trustee Ruehl motion seconded by Trustee Butler to allow the suspension of  
Section 10-3 (Prohibition of Curb Services) on August 11, 2007, from 2:30 to  
4:30 p.m. for the Kingston Roadhouse with the specific purpose to host a  
fundraiser, subject to the discretion of Chief Popenhagen.  
ROLL CALL VOTE:

Ayes: 3, Trustees Baenziger, Butler, and Ruehl.  
Nays: 2, Trustees Fischer and Hengels.  
Absent: 1, Trustee McNamara.  
Motion carried.

The Varsity Jerry Kline, owner of the Varsity Pub, was present and explained that he is  
Pub (101 & requesting to have a mural painted on the side of his building. Mr. Kline  
105 S. Main reported that ICCI rejected the Miller painting artwork for the north side of  
St.) his building, but Mr. Dettmer informed him that he could bring it to the Board to  
see if the Board would overturn ICCI's ruling. Consensus was expressed by the  
Board that they would like to see more of a mural and not an advertisement for  
Miller. Mr. Kline reported that he will go back to Miller and see if they could  
come up with a new idea.

Chief Berna Chief Popenhagen requested that the topic be deferred till September 4<sup>th</sup>, 2007,  
Popenhagen so she can talk with Attorney Buick.  
(Sponsorship)

Ord. 2007-09 (Amending Outdoor Seating Area Times) Jerry Kline explained to those not present at the last meeting that he was requesting that the outdoor dining area hours be extended until 11:00 p.m. on Fridays and Saturdays.

Trustee Ruehl motion seconded by Trustee Hengels to approve Ordinance 2007-09 (Amending Outdoor Seating Area Times) of the Kingston Municipal Code.

ROLL CALL VOTE:

Ayes: 5, Trustees Baenziger, Butler, Fischer, Hengels, and Ruehl.  
Nays: 0.  
Absent: 1, Trustee McNamara.  
Motion carried.

Frank Tijerina Frank Tijerina was present at the meeting and explained that he wanted his property to be part of the mixed use district. Mr. Tijerina explained that his lawyer had sent a letter to Mr. Dettmer, with ICCI, and Trustee Hengels, but had not heard anything back. Attorney Buick reported that the appropriate spot to start the process would be the planning commission, they would then make a recommendation to the Board.

#### ADJOURNMENT

Trustee Fischer motion, seconded by Trustee Hengels to adjourn the meeting at 8:34 p.m.

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Heather Edwards, Village Clerk