

**VILLAGE OF KINGSTON  
REGULAR VILLAGE BOARD MEETING MINUTES  
December 1, 2008  
UNOFFICIAL UNTIL APPROVED AS WRITTEN X  
OR AS AMENDED \_ BY THE VILLAGE BOARD  
ON January 5, 2009.**

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 John Munro, Monday, December 1, 2008, 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: President John Munro, Trustees Jim Baenziger, Jennifer Butler, David McNamara, and Robert Ruehl Jr.

Absent: Trustees Jack Fischer and Joe Hengels.

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

MINUTES

Motion by Trustee Baenziger, seconded by Trustee McNamara to approve the November 3, 2008, minutes as written.

ROLL CALL VOTE:

Ayes: 3, Trustees Baenziger, Butler, and McNamara.

Nays: 1, Trustee Ruehl.

Absent: 2, Trustees Fischer and Hengels.

Motion Carried.

VILLAGE OFFICERS REPORT

Police Department No report.

Attorney Attorney Buick reported that the ordinance prosecution for property maintenance, at 315 S. Main St., the individual admitted to the violations and plead guilty. The individual is working with Gary Williams, with ICCI, to bring the property into

compliance. The case goes back to court on Jan. 8, 2009, for certification of compliance with property maintenance standards. The fine is suspended pending compliance.

Attorney Buick reported that a cable company, from Wisconsin, contacted him wanting to know the status of Compton Cable. Attorney Buick will follow up and inform the company that the village will entertain any potential franchise agreement, but will not get in the middle of claiming ownership.

Public Works No report.

Village Engineer No report.

Village Clerk No report.

### UNFINISHED BUSINESS

Driveways Nothing new to report.

Downtown Parking (2008-04) Nothing new to report.

Wastewater Treatment Study Nothing new to report.

Water Meters President Munro reported that the staff still has not received a price on the software.

City of Genoa (Wastewater) President Munro reported that several engineers from Smith Engineering, Attorney Buick, and himself meet to discuss the letter that Genoa sent on October 24, 2008. Engineer Berry reported that there is a large difference in gallons being used from lift station one to lift station three. Engineer Berry requested that the board consider putting in a flow meter near the high school to see if there is infiltration. Engineer Berry will get a bid. Engineer Berry reported that per the agreement the meter at lift station three is to be calibrated once a year. Trustee Ruehl requested that the meters be calibrated and a sub committee formed. The sub committee will consist of Trustee Ruehl, Trustee Baenziger, Attorney Buick, and Engineer Berry. Discussion followed.

Subdivision A & B Nothing new to report.

ICCI Attorney Buick reported that there is still ongoing litigation. The defendant has

(Johnson Subdivision)	filed three affirmative defenses and Attorney Buick filed to dismiss them. They will go back to court to argue the motion on December 18, 2008. President Munro will request Jeff Johnson to put money in an escrow account showing that he plans on paving his driveway.
Dixon Engineering Report (4 <sup>th</sup> Street Well House)	Nothing new to report.
Wastewater (Flow meters)	Engineer Berry reported that they have one bid in with regard to televising the sewer lines. Engineer Berry will ask to have a bid done for televising the sewer line in front of the high school.
Drinking Water Rate Study	Engineer Berry reported that they are compiling the information.
Karen Street (Water Line)	President Munro reported that one out of the four homes has been completed, with regard to hooking up to the buffalo box. President Munro reported that a couple of property owners want to place the buffalo boxes in different locations. Attorney Buick will talk with Gary Williams, with ICCI, about the issue.
Nicor Gas Permit (Shady Lane)	Attorney Buick reported that Shady Lane is privately owned. Attorney Buick will draft a letter to send to the homeowners.
Chipper	Nothing new to report.
611 Sandra Street	Nothing new to report.
Ord. 2008-12 (Prohibited Acts)	Nothing new to report.
Waste Management	Mr. Hernandez, with Waste Management, was present at the meeting. The garbage rate is currently \$17.49. The new rate would be \$17.20 and have a fixed 4% increase every year for the next five years. Attorney Buick requested to review the original contract prior to the village approving the amendment.
Police Tickets	Attorney Buick reported that the village has implemented a ticketing system to settle ordinance violation offenses in a set amount of time. Attorney Buick reported that the village needs to have a way to handle people who don't pay and who want to challenge the ticket. Discussion followed.
Employee	Trustee Ruehl reported that he would like to give the staff the same amount as

Christmas Bonus last year. The community relations budget doesn't have enough money to cover the entire amount. The board requested Treasurer Taunya Fischer to find money in the budget to cover the cost.

### NEW BUSINESS

Tax Levy (Ord. 2008- Trustee Ruehl motion second by Trustee McNamara to approve Ordinance 2008-18 (Tax Levy) of the Kingston Municipal Code.  
ROLL CALL VOTE:

Ayes: 4, Trustees Baenziger, Butler, McNamara, and Ruehl.  
Nays: 0.  
Absent: 2, Trustees Fischer and Hengels.  
Motion carried.

Kingston United Methodist Church (Street Light) President Munro reported that the proposal was in the packets. President Munro commented that the village can ask ComEd for a bid, but the village doesn't have the ability to pay for it.

Ord. 2008-17 (Outdoor Seating Area; Permit Required) Trustee McNamara reported that by allowing people to smoke in the beer garden area it alleviates the problem of having people smoking in front of the building and people going outside with drinks. Trustee Ruehl commented that by taking out (The outdoor seating area may not be used for the sole purpose of serving alcoholic beverages.) it allows for just alcohol to be served out there. The beer garden area is no longer just an extension of the dining area.

Trustee McNamara motion second by Trustee Butler to approve Ordinance 2008-17 (Outdoor Seating Area; Permit Required) of the Kingston Municipal Code.  
ROLL CALL VOTE:

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

Trustee McNamara motion second by Trustee Butler to adjourn to closed session to approve October 6, 2008, minutes, review closed session minutes, to determine if any can be opened, the destruction of audio tapes (Resolution 2008-05), and imminent litigation at 8:59 p.m.

### ROLL CALL VOTE:

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

Present: President John Munro, Trustees Jim Baenziger, Jennifer Butler, David

McNamara, and Robert Ruehl Jr.

Absent: Trustees Jack Fischer and Joe Hengels.

Trustee Butler motion seconded by Trustee McNamara to open October 6, 2008, and June 2, 2008, closed session minutes and adopt Resolution 2008-05, the destruction of audio tapes.

ROLL CALL VOTE:

Ayes: 4, Trustees Baenziger, Butler, McNamara, and Ruehl.

Nays: 0.

Absent: 2, Trustees Fischer and Hengels.

Motion carried.

PETITIONS AND COMMUNICATIONS:

President Munro commented that Tim Hughes may be interested in a position on the Planning Commission or Zoning Board.

ADJOURNMENT

Trustee Baenziger motion, second by Trustee Butler to adjourn the meeting at 9:08 p.m.

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Heather Edwards, Village Clerk