

**VILLAGE OF KINGSTON
REGULAR VILLAGE BOARD MEETING MINUTES
February 5, 2007
UNOFFICIAL UNTIL APPROVED AS WRITTEN X
OR AS AMENDED BY THE VILLAGE BOARD
ON March 5, 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 John Munro, Monday, February 5, 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: President John Munro, Trustees Jennifer Butler, Jack Fischer, Joe Hengels, and Steve Nece.

Absent: Trustees Jim Baenziger and Robert Ruehl Jr.

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

AMENDMENT TO THE AGENDA

Trustee Fischer added Ordinance 2007-01 an Ordinance amending Section 10 (Alcoholic Beverages)

Trustee Ruehl arrived at 7:03p.m.

MINUTES

Motion by Trustee Nece, seconded by Trustee Fischer to approve the January 2, 2007, minutes as written.

ROLL CALL VOTE:

Ayes: 4, Trustees Butler, Fischer, Nece, and Ruehl.

Nays: 1, Trustees Hengels.

Absent: 1, Trustee Baenziger.

Motion Carried.

VILLAGE OFFICERS REPORT

Police Department No report.

Attorney No report.

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 Nothing new to report.

4th Street Well House President Munro reported that the well control upgrade, with regard to the 4th Street Well House, will cost \$4,750.00. President Munro reported that the Windhaven wells and the 4th Street wells will be tied together and there will be a manual override.

Trustee Nece motion, second by Trustee Hengels to authorize expenditure of Village funds to install the well control upgrade at the 4th Street well house not to exceed \$4,750.00.

ROLL CALL VOTE:

Ayes: 5, Trustees Butler, Fischer, Hengels, Nece, and Ruehl.

Nays: 0.

Absent: 1, Trustee Baenziger.

Motion carried.

Storm Water Drainage at Rt. 72 and Windhaven Engineer Pete Huinker reported that he is looking for partial payment, with regard to the water drainage project that was done at Rt. 72 and Windhaven. Trustee Hengels expressed concern that the east side still isn't draining properly. Engineer Huinker reported that he will make sure it gets fixed in the spring.

Trustee Ruehl motion, seconded by Trustee Butler to authorize expenditure of Village funds to make a partial payment to Strenstrom Excavation and Blacktop in the amount of \$36,999.90.

ROLL CALL VOTE:

Ayes: 4, Trustees Butler, Fischer, Nece, and Ruehl.

Nays: 1, Trustee Hengels.

Absent: 1, Trustee Baenziger.

Motion carried.

Zoning Map Trustee Ruehl reported that Walter Magdziarz dropped off two copies of the zoning map with the changes. Trustee Ruehl reported that the Village can now proceed with notifying the affected property owners of the public hearing, with regard to the zoning change.

Wastewater Treatment Study Paul Gassman with Smith Engineering explained how he evaluated the wastewater treatment needs for the village because of Pacific Homes desire to build homes. Mr. Gassman reported that Smith Engineering recommends that the Village begin initial discussions with the City of Genoa to determine, if any, agreement can be reached regarding future capital costs and user rates to be charged by Genoa. While the Village is negotiating with the City of Genoa they can also be looking for a suitable site for the construction of an aerated lagoon system. This will give the Village a "fall-back position" in case the negotiations, with the City of Genoa, do not progress in a suitable manner. Discussion followed.

A representative with Pacific Homes was present and requested that they have a chance to present the Board with how the Sheaffer system could be phased in for future growth.

4th Street Well House Roof Nothing new to report.

Water Authority Attorney Buick reported that at the Board's direction in January he had filed a Motion for Leave to File Suggestions in the Water Authority case on behalf of the Village of Kingston. The Water Authority's petitioners and attorney surprisingly opposed the Village's motion to put its Suggestions before the Court, but Judge Klein allowed Kingston leave to file its Suggestions. The Water Authority's proponents then filed a Motion to Strike the Suggestions, arguing that municipalities lacked standing to make suggestions to the Court. Judge Klein ruled in favor of the local municipalities on the standing issue, and will be hearing

their Suggestions. Attorney Buick reported that he will be appearing before Judge Klein on Tuesday Feb. 6th to ask 1) that DeKalb County be excluded from the Territory of the Kishwaukee Valley Water Authority in its entirety, if possible. 2) That if the judge is going to include DeKalb County in the territory, that all of the county, including Sycamore and DeKalb (whose populations have been excluded by the Petitioners) be entitled to vote on whether the Water Authority should come into existence; 3) That if some municipalities are going to be excluded from the Kishwaukee Valley Water Authority territory, then the Village of Kingston and the 1.5 mile planning jurisdiction also be excluded from the territory.

NEW BUSINESS:

Re-appoint
ment of
Regional
Planning
Commission
Rep. Village President John Munro re-appointed Frank Altmaier to the Regional Planning Commission.
Trustee Fischer motion, seconded by Trustee Nece to confirm President Munro’s appointment of Frank Altmaier to the Regional Planning Commission.
ROLL CALL VOTE:

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

DeKalb
County
Stormwater
Management
Ordinance Engineer Pete Huinker reported that Kingston’s ordinance on stormwater management calls on DeKalb County’s ordinance. Engineer Huinker recommends adopting something similar to DeKalb County’s Ordinance. The Village can then file for an exemption from the County’s proposed ordinance, which would eliminate getting approval of the County for projects that require a grading/stormwater management plan. Attorney Buick recommends that the Village require a site development permit, with regard to moving dirt. Discussion followed.

Brianna
Schrader
(30706
Five Point
Rd.) Brianna Schrader was present at the board meeting and requested that the Board approve the start of her newspaper. Miss Schrader presented the Board with an example of the newspaper and reported that she will be distributing the paper herself. President Munro reported that there is nothing that would prohibit her from starting a newspaper.

Habitat
For
Humanity
Of DeKalb
County Several representatives from Habitat for Humanity were present at the board meeting and were requesting that the application, zoning, and impact fees be reduced or eliminated for the lot that they purchased. Lori reported that Habitat for Humanity builds affordable housing for people who make too much for government housing and are unable to get a conventional mortgage. President Munro reported that the issue can be discussed further at the next board meeting, so there is time to review the different fees that will apply to the property.

Ordinance 2007-01 Amending Section 10 (Alcoholic Beverages) Attorney Buick reported that the ordinance would require the liquor license holder to have documentation on file ensuring that all bartenders have gone through the bassett training. Discussion followed.

PETITIONS AND COMMUNICATIONS:

Trustee Ruehl requested that the village staff have their 2007-2008 fiscal year budgets ready by the next board meeting.

Trustee Fischer reported that he attended the DCEDC meeting and there were two aerial photos of Kingston.

Trustee Fischer motion, seconded by Trustee Nece to adjourn to closed session to approve December 4, 2006 minutes at 8:37 p.m.

MEETING CALL:

President Munro called the Village Board meeting back to order at 8:45 p.m.

ROLL CALL:

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

Present: President John Munro, Trustees Jennifer Butler, Jack Fischer, Joe Hengels, Steve Nece, and Robert Ruehl Jr.

Absent: Trustee Jim Baenziger.

Also in attendance was Village Attorney Kevin Buick, with the firm Foster & Buick Group LLC.

ADJOURNMENT

Trustee Fischer motion, seconded by Trustee Nece to adjourn the meeting at 8:46 p.m.

Heather Edwards, Village Clerk