Village of Roberts
Village Board Meeting
Monday, January 8, 2024

The Village Board Meeting was called to order at 6:00 pm by President Kapaun.
The meeting was properly noticed in the Village of Roberts.
The Pledge of Allegiance was said.

Present: Katy Kapaun, Peter Tharp, Jeff Vogt, Shawn Dakovich, Mary Shemon, Brain Tremblay, and Tim Johnson
Absent: None
Guest: Jerry Strohbusch, John Bond, Chuck Pizzi, Tori Schoess, Gabby Lubich, Mary Grupe, Peter Close, Jeremiah Wendt, Pam Deleon, Michelle Sweeney, Josue Gonzeles, Mark Paschke, Josh Low, Scott Gerhardt

Meeting Minutes
Motion to approve the Village Board minutes of December 11, 2023, by Dakovich, seconded by Tremblay. Motion carried.

Treasurer's Report
Tharp asked to include the RLC balancing sheet.

Public Concerns:
None

Communications – Kapaun
Legal Update: no changes since last month
Transportation Grant – we did not qualify for this round, but we stayed in the queue incase someone does not do their project.
Talked to an aide from Senators Stafsholts office regarding no left turn signs out by the new Kwik Trip that have not been installed. The DOT agrees that this needs to be added and hopefully this will be up soon.

Department Reports
Report from Police Department – Chief Strohbusch
Report is in the packet.

Discussion/Approval-adjusting forfeiture schedule for municipal ordinance violations to reflect current circuit court fees.
Chief Strohbusch is looking to add the forfeiture amount to increase by the circuit court fee to match. Strohbusch is looking for approval to increase this fee. Motion to approve the adjustment of the forfeiture schedule by Dakovich, seconded by Johnson. Discussion continued with Tharp asking where this schedule will be available, and Chief said he can send the table out. Motion carried.

Discussion/Approval-to approve purchasing Dell Latitude 5430 Computer and Dell Thunderbolt docking station not to exceed $3,000.00 with ARPA Funds.

This laptop would be identical to what the officers are using now but for Lisa. Tharp asked about needing ARPA funds and yes, they will be needed as this was taken out of the budget and earmarked for ARPA funds. Tharp thinks that he would prefer to use the remaining money towards the water/sewer projects. Kapaun said she would like to see the funds used by each department. Dakovich agrees that this was promised from ARPRA funds. Motion to approve the purchase of the Dell latitude 5430 Computer and docking station not to exceed $3,000 by Dakovich, seconded by Tremblay. Motion caried with Tharp opposing.

Discussion/Approval-AED's replacement/maintenance on Village owned property.
Currently have five AED's. Strohbusch is writing a grant for two AEDs for police vehicles. Wants to match what the EMT/Rescue runs. The current AEDs were purchased in 2018 and are usually a 10-year life cycle. The battery packs cost $400 for replacement. The pads are currently expired, and they are part of the battery pack. The Chief wants to match the squads to EMS. Tharp asked the age of them. They run approximately $1500 each and look at up to $1,700 each. $5,000 is the maximum for the grant. Who is responsible for maintaining the other three in the village? Kapaun asked if the new ones come with a maintenance program, and Chief is not sure. Dakovich thinks we should go ahead with the grant. Vogt will look at them and see what is needed. See what we get for a grant first and check with Jason Fouks to see if he will take over the maintenance for this? This would come back to the Village.

Discussion- Vacant Patrol Officer job posting.
Discuss options of potentially asking for a lateral transfer from one department to another for the hiring process. The benefits that the Village offers compared to others but not sure if there is anything else besides the wage to attract the attention of applicants. Tharp would like to contract out with the County to cover when we are shorthanded. Kapaun said that if this is our intention there must be a declaration saying that we would dissolve the department, and this is not what we are looking at. Put together a complete job posting before it is put out. Kapaun said that there was a panel for interviewing the new candidate last time and asked if that will be the process this time. The chief will do his own interview after the process is done. Johnson asked about a pay scale and yes there is a step program. Kapaun asked about the internal discussion coming in with a higher pay scale and they are interested in attracting someone with experience. Tharp asked if others are having problems retaining officers and it is not retaining but recruiting and attracting.

Report from Director of Public Works – John Bond
Bond thanked the Board for the employees' lunch. The hydrant at the park was leaking and this has been completed. The new pump is in at the lift station and while they were here Bond also had them inspect all the pumps and there are two that have minor wear. The meter reading equipment is no longer being supported so we need to upgrade what we have. We are looking at similar equipment like what we have, or the Clerk's office could do it do it. The rear tires on tandem truck have been replaced. We are averaging four to ten

water meter installations per week for new and replacement meters. We have old meters that were at the plant that are over 20 years old. Some of the old meters do not meet code so they cannot be reused. They were taken out of houses but not taken out of service/stock so there will be a bunch of brass bottoms to be scrapped if the board is ok with this. Bond handed out an email regarding some new legislation being proposed that would have a huge impact on the Villages providing services to the urban areas. There is also a sample letter to send in to oppose this rule. Bond would recommend that we send this letter. With the proposal they are recommending it will allow you to enforce your city ordinances but not sure how this affects our ordinances and reduces the ability to annex land to grow. During the budget process we looked at part-time help and how we want to proceed. Kapaun asked if we are ready to post this with the change to half time hours to be seasonal. Need to look at union fees, etc. for part time. Johnson asked if the potty pumper trucks could hook up and dump to our system with this new rule. Johnson also noted that there were two people coming out of the pump house at the park and there is an issue with the electrical phases, and this is looking like the phase monitors are the issue.

Report from Library Director – Tori Schoess
The Library Board did not meet last month. Schoess said they had 189 people for Christmas on Main. This month Schoess is putting out a community survey to see what people think and she is trying to get the survey into the hands of people that do not use the library. Kapaun asked about the vacant board appointment on the agenda.

Report from the Village Clerk – Dull

Committee Reports and Recommendations
Park Board
Discussion/approval of Agreement with Ayres and Associates for the topographical survey services for the new pavilion.
Tharp is concerned about the additional services, etc. This needs to be done as the first step of the process to replace the pavilion. Tharp discussed that this is still open ended. Move to accept the survey at less than under $2,600 by Tharp. Motion died for a lack of second. Kapaun asked if this $600 is outside of the $2,600 and it is. Would need field processing of $1,800 put need the $600 for the outside services. Motion to accept the proposal from Ayres for the Pavilion for the topo survey, reducing the rate from $2,600 to $1,800 and keeping the rest as is (meaning the located fee and would not include the deliverables and we eventually do but) seconded by Shemon. Discussion continued with Kapaun saying we should take the deliverable, which is $800, and we would have to have these in the end. Brian rescinds his motion. Motion to accept the proposal as presented by Vogt, seconded by Shemon. Motion carried with Tremblay and Tharp opposing. Dakovich added that the slab looks better than most driveways and sidewalks. Let Chief Strohbusch work on a storm structure and maybe look to use the extra money towards the Rolling Meadows Park.

Pizzi also added that Mark Paschke is here from Ayres to answer the questions regarding the pavilion. Tharp asked why it was tabled for new concept designs and we have not seen them yet.

Plan Commission

Building permits issued report was in the packet.

Discussion/approval of carryover of building permits from 2023/2024 including how these impacts future infrastructure of water/sewer.

Josh Low is here from Ehlers to discuss the impacts this will have on the future infrastructure of the Village. He is looking at the financial impacts for the future infrastructure that is needed. The well, water tower and new water main for 2025, sewer project in 2026 and 2028 are new tubes and greenhouse. The Village created TIDs in 2021 and 2022 and assumed that they would pick up some of these costs and possibly pick up 100% of the cost. TIDs 2 and 3 each have allotted 25% each and TID 4 is at 50%. Interest rates are set by the State. Low walked thru the loan financing and how it would be paid back. TID #2 projections of revenue and expenses does not show all the potential growth with existing value and known projects. Most important columns are the last two. The most important thing is that we are not in the negative and are the entire length of the district. This could be close to being able to payoff early. This is for the value of Interpress Solutions and the tax rate staying the same. TID #3 already has 1880 Warehouse. With no new growth there is a very healthy cumulative value in this TID. TID #4 is the interesting part because it is a new district, and it is residential in nature. This will be more incremental over time. TID #4 has started very strong with Kwik Trip being added for revenue in 2025. A higher proportion of payments are being paid for in this district. These are not all the projects needed in TID #4, so we are only focusing on the current needs for infrastructure. The Plan Commission recommends carrying over all the unused permits as Trevor Bruce needs to show that there is availability for permit. He is looking to build 20 units and they are not all online for a year or two. Johnson asked where Low feels we are at with our impact fees and Low is not sure. Kapaun said we are among the higher ones for fees, but we could restructure where this money is allocated. With water there is no existing water debt. In looking at the project costs and current revenue this would imply a 200% rate increase to do this. Water is controlled by PSC, and they will tell you what the rates will need to be for this kind of project. They will want to see some strong revenue growth from the district before using the TID. This will need a full rate case with the PSC, rate of return and operation of utility. Kapaun said we are not making any decisions today, but this lays the path on how we go forward with our needs. Tharp asked what the time frame is, and it is six to nine months. Revenues are based on 2022 audit so these will go up and might not need to go up quit as steep. Looking for a motion to carry over the 65

permits to 2024 with a total of 140 permits for 2024. Unlikely that all of these will be pulled but it helps to solidify being able to finance his project. Tharp said that there was discussion of a lag of occupancy to what is pulled. Any permits that he would pull in 2024 would be under construction and occupied by the end of 2025. If you don't carry everything over it pushed the needs back a year. It could also push the timeline up if everything went in right away. Well demands are currently needed in 2027 but would be needed in 2026 if everything went thru. Tharp was wondering if this many permits would push the piping up and this is the cheapest part of this scenario. Tremblay said that this is the tight rope that we need to walk but need to balance how we proceed. Bruce would like to point out that they have six occupied units currently, 2024 will be at 64 and 2025 at 104. Bruce only has 22 units left to develop. The issue is when he goes to get financing, he needs to have at least 94 permits available for financing. Motion to approve the carryover of permits from 2023 to 2024 including the impacts by Tremblay, seconded by Shemon. Motion carried with Vogt opposing.

Discussion/approval of amending the B-3 General Business District ordinance 70-122 to allow living quarters on the ground level to be updated and sent for public hearing. Looking to review this ordinance and make changes. There are four properties on Main Street that our similar in nature and maybe this should be permitted. Tharp asked why Susan Badtke's recommendation was not taken. Goodwin provided this option, and we did not comply with this. Every business could be turned into residential on the first floor. This is going to come back to this body with the recommendations.

Public Works Committee – Dakovich.
They will meet later this week. Committee had a lengthy discussion regarding snow plowing. It was recommended replacement of the 2006 Ford pickup truck. They also discussed maybe getting a side by side instead of the pickup or maybe a Ford Ranger and a side by side. Would like to see the replacement of the truck. Shemon and Johnson asked what is wrong with the truck. They did make a recommendation to sell and replace the current truck. We will need to have a cost of repairs compared to the new truck.

Joint Comprehensive Plan Committee
There is a Community Visioning Workshop at the park building next week.

Old Business
Discussion/action on side yard driveway issue in Rolling Meadows.
Attorney Mahler is working on Rolling Meadows side yard issue. No new updates currently.

Discussion/follow-up to revise the Special Assessment Ordinance 54-6 & 54-4 for clarification. Kapaun asked how we feel about ordinance when special assessments can

be applied and is wondering what the board feels about this. What are your feelings on a very generic ordinance regarding special assessments. Vogt's opinion is that this benefits everyone, and everyone should pay for it. Dakovich added that the curb and gutter and he disagreed that this does not benefit the homeowner and it does. Stop doing special assessments at a future date. Curb and gutter enhance the streets and slows the breaking up of the streets. The state recommends putting curb and gutter in on TT and we opted not to do this. Johnson would like to see it included in the street repair cost. Dakovich would like to see a sunset date of them but since they are few and far between. There is Interest in keeping it part of the process.

Discussion of sewer/water bill restructuring.
Tremblay discussed the handouts. Dakovich from funding did the analysis from the funding standpoint and Tremblay from the residential impact. You can see in the blue chart where most of the billing is at from 0 to 20,000 gallons. The bottom report shows a closer picture of the top info. Knowing where everyone is at the blue line is where we are at today. What Dakovich is proposing is either eliminating or reducing this fee. People on the bottom side will save money and people who use more will pay more. The breakeven point is 10,100 gallons. The adjustment being proposed would help the people who conserve save money and look for a different way to fund it which would be by the users that use more water. Currently if you use 1,000 gallons, they pay $100 per thousand to use the sewer. Someone with a 20,000 gallon bill the cost per gallon is $21.82. The low-end users are subsidizing the higher users. The best course of action is a zero-base rate. Took the number that we took in last year for sewer income and estimated income for 2024 and took the gallons logged divided by what you took in and this is $26/1,000 and this estimate is shy due to the new construction and new gas station. Kapaun said this is a restructuring on how the cost is shared and incentivized the lower users which is desirable with us. The less water we use the less need for infrastructure. This adjustment should not affect the bottom line. There is currently a cap on public authority and residential to cap the billing for sewer use at 35,000 gallons. We need to take the WWTP and put them under their own authority. The school would be affected by this cap being removed. We either need to eliminate the cap or raise the cap for the sewer side. Johnson asked about how the annual audit plays into this and if these numbers hold. Kapaun would like to look at the restructuring and if they are off, we can draw back. There are approximately 68% that are within the "normal" range and 17% are above. Tharp asked if a proposal could be put together to go through for this and this is the proposal. The only fear is that the number might be too high. There might be some variabilities for this. Tremblay thinks they have thought and worked thru several scenarios. The only thing we are changing the sewer rates. Dakovich said that the current base rate is way too high, and the restructuring will allow everyone to pay their fair share for what they use. $26/1000 gallons. Tharp asked how many would be paying more and if it would be anyone over 9,133 gallons. Tharp asked if we are seeking public input on this and we can, but it may not change the overall decision made. 349 residents would have their bills start to increase. Johnson would like to see this as two different motions. Move to adjust the sewer rate from $17.74/1,000 gallons to

$26/1,000 gallons and remove the base rate of $81.50 by Dakovich, seconded by Johnson. Tharp continued that he thinks that there could be residents that will think that this is unfair because they are paying more. Motion carried with Tharp opposing.
Motion to eliminate the sewer fee cap across all categories and move the WWTP to their own category and charge $0.00 for the sewer portion by Dakovich, seconded by Tremblay. Motion carried with Tharp opposing.

Discussion of grain elevator photos next steps -
John Michaelson is stopping to drop of some drawing for his proposal.

Update Budget ordinance in December.
Present a revision to the ordinance to present more accurately what we are currently doing. Tharp feels that this gives less public input on this. Tharp is looking for a different format than what we are doing. Finance committee has the look back period of three years. Reflect what we are doing now.

Discussion/action regarding the Wastewater Treatment Plant roof issues/repairs in the mechanical building.
At the last meeting this was going to be sent out to the lawyer to pursue who was going to pay for this. Johnson asked what the original cost of this was to compare apples to apples of the original cost. This is for the insulation and of the building. Johnson asked about the fine that we could incur because of not fixing. Tharp asked where we would get this money from. Dakovich would like to see us pursue this and not pay for it. Jeremiah Wendt asked if we should ask the bidder if they are willing to hold their bid, but they do not have to do this. We have a number, but this assumes that we award the contract, and we can rebid it in the future, and we are not sure what that will be. Motion to have the repair bid extended with Parko until February 13th so we can discuss with Attorney Mahler regarding this item by Johnson, seconded by Tharp. Motion carried.

New Business
Discussion/approval of updated Operator's License Form.
Motion to accept her application if Becker wants to make the appropriate changes to the application by Tharp, seconded Vogt. Motion carried.

Discussion regarding using a consent agenda for future meetings.
Kapaun would like to see if there is interest in using a consent agenda and having Attorney Mahler come to the next meeting to discuss further and what the implication is to this. Dakovich and Shemon would like to have this discussion. Consent agendas and open records requests and wanting to designate an employee for public records should be added to the conversation.

Discussion/approval of non-compliance letter from the DNR regarding the WWTP limits.
The Village received a non-compliance letter from Wale at the DNR for the non-compliance of the six-month limit. There is also a second set of limits that we would not hit because of the upset. Kapaun is focused on how to respond and what our action plan is. The .04 six-month limit is difficult from a mathematical standpoint. We can look for more trading options to help offset the limit. Kapaun said this is probably not what the DNR wants to hear. We could take 20 acres of land out of farming and do whatever we need to do to it, this would help offset this issue. Jeremiah Wendt said that this would not only give the trade in ability it would be a buffer between residential and commercial properties. Would the pumping from the lakes to the retention pond for TBuck help to offset this? This option should be considered since it has been discussed. What happens if we say this is a hardship case? Could we change the makeup? Dakovich thinks we need to petition the State to raise these limits as they are not able to be met. We are meeting the bi-weekly reporting and S.E.H. will submit the response. Tremblay asked about trading using the TBuck holding pond and if this would be useable if the ponds by the plant are not. Wendt fees that a more reliable route is land management changes.

Discussion/approval of 2023-2024 Committee Assignments to add Andy Foster to the Zoning Board of Appeals.
Motion to approve Andy Foster to the Zoning Board of Appeals by Tremblay seconded by Johnson. Tharp would like to see the chairs identified. Motion carried. Kapaun also asked for inactive people be brought to her attention by April.

Discussion/approval of railroad sidewalk changes needed and how we want to proceed forward.
Johnson asked if we should follow the state recommendations for the specs. Could coordinate this with the Railroad. Ayres would be part of the design of this project. Regarding the issue with Vine Street not having the marking, we worked with the RR Commission, and they would not be required due to the location. Bond is waiting for a phone call from the new sign Forman to discuss this with him. All other stripping has been done. We would also need to discuss the curb and gutter for stormwater management. This was surveyed in late 2022. Still waiting on the sidewalk grant in March because this was included in that request and could be funded through this or could be incorporated into 2024 street projects. Dull to respond to the RR Commission regarding their questions.

Discussion/approval of preliminary plan approval for Pleasant and Spring Street general design direction for driveway aprons and special assessments.
There are some high-level bullet points in the memo for this design. Pleasant and Spring are 25 feet wide so no room for parking. Could widen to 36 feet face to face. Adding curb and gutter and sidewalks are not proposed as part of the project. There is space for them but not planned. Driveway aprons – do we want to go all the way to the right of way with the driveway aprons or how should we proceed? We want them to all line up. Dakovich thinks

we could have angry homeowners if we pushed the street to 36 feet. Could go down to 30 feet and make it no parking on one side of the street. Concrete uniform aprons are needed does not care how far they go. Could we pour an entire driveway for the cost of an apron? We did not have a comparison between the two. There are a few that have gravel driveways. If we change the roadway to 30 feet, are we replacing apron to the right of way and what about assessments for the curb and gutter. Dakovich would like to see assessments since we just did them in Rolling Meadows. Tharp asked if the residents are aware of what trees would be removed. We could add driveways to this as a special assessment. The red lines are the right of way. The only trees impacted are on Spring Street. There are currently not any no parking signs but there is no curb and gutter. Storm sewer improvements Cherry has some existing and Pleasant will be a new low point. Currently do not have any on Spring but need to review this to see if new are required. Would need to ensure that the grading is kept because of the existing ditches. Reducing the amount of runoff adding the curb and gutter but there is still runoff that could be prone to flooding. Johnson asked if this is flowing east or west, and it is east. Close asked about the driveway at 313 Pleasant because the driveway slops towards the garage. They will make sure the new part of the driveway slops to the street and the rest will still flow towards the garage. Street needs to be discussed to move forward. Right now, we are looking at 30-foot width with curb and gutter with assessments, to try to save the trees, fill in the ditches and conforming driveways to align and a driveway replacement option. Tharp asked if the residents have been made aware and they are not at this point. If we went 32 feet, would there be an advantage to what curb we use? Vogt thinks that this is one place the sidewalks would not be needed. Dakovich asked about adding stormwater mitigation during construction. Motion to move forward between 30-to-36-foot streets, with uniform aprons, allow to replace driveways, and allow for special assessments by Dakovich, seconded by Tremblay. Discussion continues with Tharp asking about going 30 to 36 could this be voted at 36 and yes it can. Motion carried with Tharp opposing.

Discussion/approval of purchasing the new key fobs/security for Village Hall using ARPA funds.

Discussed the quote regarding the monitoring and activation for new security system for Village Hall. Went through the quote and discussed the upfront cost and monthly fees. Tharp prefers to spend ARPA funds for sewer water projects. Motion to deny the key fobs by Tharp, seconded by Dakovich. Motion carried.

Discussion/approval of the corner issue at N. Cheyenne and E. Cheyenne and if this should be made no parking.

There is an ordinance regarding vision triangles. Move to approve no parking on the corner of N Cheyenne and E Cheyenne by Dakovich, seconded by Shemon. Tharp asked about how this would be done by painting or signs if this is passed. Strohbusch would recommend that this is signed because of the flat curb that is used. This would be only on one side. Tharp said that there are no stated issues noted at this area. Motion carried with Tharp and Vogt opposing.

Discussion/approval of Village acceptance for the public improvements for Kwik Trip.
Motion to postpone the village acceptance until our next meeting by Dakovich, seconded by Tremblay. Motion carried.

Discussion of the 2024-2025 Kleven Property Assessment contract.
Noted that it excluded this wording. Act 12 removed this as there is no place for personal property.

Discussion of providing and seeking information to/from Village employed personnel and contracted personnel.
Kapaun said we put procedures in place regarding this issue, but Trustee Tharp continues to include Attorney Mahler in your emails. We discussed that we were not going to run up attorney bills unless approved by two trustees. You hold me to this policy, but you don't follow the rules. Tharp asked If he sees an ordinance violation, he can't point this out to the attorney. Tharp is going to include whomever he wants from his personal email. Tharp is not going to care about this and if he must reimburse his legal fees put it on the agenda for next month. Agreed to add Reimbursement of legal fees for next month by Tharp and Dakovich.

Discussion of designated authority to approve Village employees and/or contracted personnel to attend Village meetings, take minutes, and participate in discussions while being paid for the time in attendance.
Kapaun asked Tharp what he wanted to discuss on this item as he had submitted a slew of questions to Dick Reese regarding the public safety board when they met. Tharps's concern is that Lisa's name is not noted in the minutes, or the minutes signed by Mann showing that she took the minutes. If it is a committee that the Clerk or Deputy Clerk does not attend normally the chair takes the minutes. There does not seem to be a policy regarding employees appearing at meetings or coming in and taking the minutes. Tharp would like to see some kind of policy regarding this. Kapaun suggested to Tharp that he makes his edit to the minutes to express your concern on this when the Public Safety Board meets again. Kapaun does not want to micromanage this and asked if we can continue with what we are doing? Johnson added that it is not reflected in the handbook, and the handbook is outdated and not updated. The employment contracts already address this. Kapaun added that we did not account for this in comp time. Johnson would like the Negotiation Committee to accept them to take legal minutes. Johnson called the County Attorney to discuss this. Tharp wants to know who has the authority to appoint the people to come to the meeting.

Approval of payment of the bills
Motion to pay the bills by Shemon, seconded by Vogt. Motion carried.
Items for future agendas.

Others Business

Motion to adjourn at 9:45 pm by Shemon, seconded by Johnson. Motion carried.

Megan Dull
Village Clerk