

**VILLAGE OF KINGSTON
REGULAR VILLAGE BOARD MEETING MINUTES
October 5, 2009
UNOFFICIAL UNTIL APPROVED AS WRITTEN X
OR AS AMENDED BY THE VILLAGE BOARD
ON November 2, 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, October 5, 2009, 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, Jack Fischer, Joe Hengels, and David McNamara.

Absent: 1, Trustee Robert Ruehl Jr.

Also in attendance were Village Attorney Kevin Buick, with the firm Foster & Buick Group LLC, Chief of Police Gerald Taft, and Village Engineer Kevin Berry, with SEC Group Inc.

ADDITIONS OR CORRECTIONS:

Trustee Fischer added Prohibited Acts to New Business.

MINUTES

Motion by Trustee Fischer, seconded by Trustee McNamara to approve the September 8, 2009, minutes as written.

ROLL CALL VOTE:

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

Nays: 2, Trustees Fischer and Hengels.

Absent: 1, Trustee Ruehl.

Motion Carried.

VILLAGE OFFICERS REPORT

Police Department Chief Gerald Taft reported that there has been a lot of activity. Trustee Fischer requested that Chief Taft check the bartenders to verify that they have their Bassett training.

Attorney Attorney Buick reported that he will need to know how the village would like to proceed with regard to outstanding village ordinance tickets. Attorney Buick will further discuss this issue at the November meeting.

The property ordinance prosecution will go back to court October 15, 2009. The defendant was unable to appear in court back in September.

Public Works No report.

Village No report.

Village Clerk No Report.

UNFINISHED BUSINESS

Driveways Nothing new to report.

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

City of Genoa (Wastewater) Engineer Berry reported that the PE readings in September were 66,000 at lift station 3 and 33,000 at lift station 1. There is still infiltration coming in because the school is still hooked up to the sewer line.

Subdivision A & B Nothing new to report.

ICCI (Johnson Subdivision) Attorney Buick reported that he will follow up with Jeff Johnson to see if the driveway has been paved. Bill Dettmer, ICCI code enforcer, will look to see if the driveway has been paved.

Cable Franchise Agreement Attorney Buick reported that he sent Mr. Francis, with Heartland, a draft proposal of a franchise agreement.

Mr. Vowell, representative from Charter Cable, was present. Mr. Vowell reported that they reviewed the changes that the village made to the franchise agreement and were fine with the changes. Attorney Buick reported that the board wanted to make sure all of Kingston was served. Attorney Buick suggested that the map of Kingston be added to the

agreement as Exhibit A, minimum amount of service. Mr. Vowell reported that they would restore any right-of-way back to its original state. Mr. Vowell reported that the village would receive discounted services.

Trustee Fischer motion seconded by Trustee Hengels to approve the cable franchise agreement between the Village of Kingston and Charter Cable subject to modifications that were discussed tonight.

ROLL CALL VOTE:

Ayes: 5, Trustees Baenziger, Butler, Fischer, Hengels, and McNamara.

Nays: 0.

Absent: 1, Trustee Ruehl.

Motion carried.

Russell
Barber
(200 East
Street)

Nothing new to report.

Aida
Rodriguez
(810 S.
Linda
Lane)

Mrs. Rodriguez was not present.

Bill
Morgan
(209 West
St.)

Mr. and Mrs. Morgan were present. Mr. Morgan requested a temporary variance, allowing their daughter to live in a trailer behind their home. Attorney Buick commented that there is no provision in the village code that would allow for a variance. The process that would have to be taken would be going to the zoning board to get an appeal from the order. Attorney Buick explained that there would be costs associated with going to the zoning board.

Plan
Commission

Attorney Buick commented that the board has before them a drafted letter of response to the Plan Commission. Attorney Buick requested that the Trustees review the letter and if acceptable it can be put on Village letterhead and signed by the board.

NEW BUSINESS:

Earl
West
(8617
North
Rood Rd.)

Mr. West was present. Mr. West requested that the board waive the water penalty fee. Mr. West reported that he put the check in the drop box on September 4, 2009, before leaving for his trip. The check has not cleared the bank. Mr. West showed evidence that he was in town that day and that he always pays his water bills at the beginning of the month. President Munro reported that he will talk to the staff and Mr. West will be contacted by the end of the week as to the decision.

Ben
Gordan
Dodgeball
Tournament

Trustee McNamara motion seconded by Trustee Butler to authorize the expenditure of Village funds to pay for the team fee of \$100.00 for the Ben Gordon Dodgeball Tournament.

ROLL CALL VOTE:

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

Nays: 0.

Absent: 1, Trustee Ruehl.

Abstain: 1, Trustee Fischer.

Motion carried.

Prohibited
Acts

Trustee Fischer reported that he discussed the ordinance with Trustee McNamara. Trustee Fischer will contact Attorney Buick to review the ordinance. At the next meeting, there will be a first reading.

ADJOURNMENT

Trustee Hengels motion, second by Trustee Butler to adjourn the meeting at 8:02 p.m.

Heather Edwards, Village Clerk