

# VILLAGE OF BIG ROCK



## Regular Board Meeting/Committee of the Whole

Tuesday, December 12, 2023

7:00 PM

Park District Building

7S 405 Madison

Big Rock, Illinois

### CALL TO ORDER

*President Matt Fitzpatrick called the meeting to order at 7:00 PM.*

### ROLL CALL

**PRESENT:** *President MATT FITZPATRICK*  
*Trustee TIM MAY, Trustee JOE WALSH, Trustee TED MCCANNON (arrived after roll call),*  
*Trustee MARK LYNCH, Trustee KELLY MAY, Trustee KATHY METZGER*

**ALSO PRESENT:** *Village Attorney JOHN ZEMENEK, Village Treasurer BRIAN PHILLIPS,*  
*Village Clerk LINDSEY ZAMBRANO*

**ABSENT:** *None*

### PLEDGE OF ALLEGIANCE

*President Fitzpatrick led the group in the Pledge of Allegiance.*

### MOMENT OF SILENCE

*President Fitzpatrick asked for a moment of silence in honor of our Armed Forces and their Allies.*

### PUBLIC PARTICIPATION

*Gene Nehring, Big Rock Park District President, asked about the status of 611 locating services, and the fact that it does not currently locate city sewer lines or Mediacom in the Village. President Fitzpatrick confirmed that there were issues with the locating services, and that he and John Zemenak have reached out to the service, with no success of resolution yet. Gene Nehring also asked about the status of a potential new road project that the Village has discussed for a Northern way out of MADISON ST., and how he can continue to be an advocate. President Fitzpatrick outlined that an investigative committee could be assembled in which Mr. Nehring and others can participate to examine road location options, financing possibilities, potential partnerships, etc.*

*Haley Volkoun, resident, asked about the protocol the Village is using for enforcement and decision-making of the Village Maintenance Code, as her property has received violations. President Fitzpatrick and John Zemenak explained current protocol, which is that the Village hires a 3<sup>rd</sup> party Code Enforcement Officer to issue and monitor all violations based on the "Big Rock Property Maintenance Code". Board Members are notified of the violations as they occur but have no authority or input on who receives a violation or why. Haley Volkoun expressed concern that a Trustee may have had influence on what violations were cited. The*

*Village Attorney and President reiterated that no Trustee has any authority to influence the enforcement process in any way. It was clarified that **Trustee Metzger** was recently involved with code enforcement to fulfill management duties because of the absence of a **Clerk**. The **Acting Clerk** is now managing the **Code Enforcement Officer** and will speak to them to encourage consistency in issuing violations, as well as manage protocol on how citations are documented.*

*Dean Hummell asked if the Village had more information about the Electric Company change from **COMED** to **MC2**. The Village did not have any additional information.*

## **ITEMS REMOVED FROM THE CONSENT AGENDA**

*None.*

## **CONSENT AGENDA**

*Approval of Bills for December 12, 2023*

*President Fitzpatrick gave an executive summary of transfers the **Treasurer** made from one Village account to another, to meet bank monetary requirements. He also summarized other larger amounts that have moved to and from the accounts for payments. **President Fitzpatrick** clarified some questions from board members about what services were provided on a few bills. **Treasurer Phillips** asked if the **Village Board** could make any decisions in regards to charges for locates being initiated by non-village entities, over and over in the same locations. **John Zemenak** stated that there is contract language that supports the **Village** is only responsible for “village initiated” locates only. **John Zemenak** has been in contact with the locate company without resolution yet. The contract can ultimately be reviewed and amended in August. **Trustees** verbally agreed to pay bills for legit locates only until further notice.*

*Approval of the November 14, 2023 Village Board Minutes*

*Motion to approve Consent Agenda: **Joe Walsh** ; Second: **Kelly May***

*Role Call Vote 6-0 - (Y= Yay, N= Nay, A= Absent)*

***Tim May- Y Ted McCannon- Y Mark Lynch- Y Joe Walsh- Y Kelly May- Y Kathy Metzger- Y***

## **RECESS TO THE COMMITTEE OF THE WHOLE**

*Motion to recess to the Committee of the Whole:*

*Motion: Kathy Metzger, Second: Joe Walsh Voice Vote: 6-0, Time: 7:27 pm*

## **PRESIDENT FITZPATRICK**

*President Fitzpatrick apologized that the Gazebo holiday lights were forgotten this year.*

## **COMMITTEE OF THE WHOLE CONSIDERATIONS**

### **DRAINAGE COMMITTEE REPORT**

*President Fitzpatrick updated that **ELA** is the current engineer company for drainage project on RT. 30 organized thru **Kane County** who is facilitating preliminary comments with the **Village** about drainage issues.*

### **STREET MAINTENANCE REPORT**

*President Fitzpatrick updated that the stop signs, warning signs and no parking signs are in the process of being shipped to complete the stop sign and no parking ordinances passed at recent meetings.*

***Kane County** is working with **President Fitzpatrick** to help get funding from the **IDOT** Bridge program.*

### **DEPT. OF BUILDING/SAFETY/ZONING REPORT**

*Zoning Ordinance text amendment for outdoor storage*

*Moratorium for outdoor storage – the **Planning and Zoning Committee** heard the **Village’s** recommendation to restrict outdoor storage to business districts. Notice was given in the newspaper. **Attorney Zemenak** circulated an ordinance up for vote tonight.*

***President Fitzpatrick** mentioned before the vote of the ordinances that he had additional updates for Drainage/ Planning Issues. He met with David at **Chapel West** who is working with **Kane County** on preliminary plans of water detention on the site. **Sotomayn, LLC** is also working with the Village and will be submitting plans to the **Planning and Zoning Commission** shortly.*

#### FINANCIAL REPORT SSA tax levy ordinance

***Joe Walsh** initiated a reduction in the SSA tax levy, collected for drainage improvements and maintenance of Tenerelli Subdivision. **Dean Hummell** (former President) offered that it was originally set up to cover costs for maintenance to drainage systems. The SSA account is reaching the point of exceeding what may be necessary for future projects. This is why it is proposed to lessen the SSA Tax Levy so the residents are not continuing to build a large surplus.*

#### COMMUNITY REPORT

*None.*

#### COUNCIL MEMBER COMMENTS

***Mark Lynch** had a resident directly contact him about a code violation they had received. **President Fitzpatrick** noted the resident was indeed cited by our **Code Violation Officer**.*

***Ted McCannon** asked **President Fitzpatrick** about an annexation issue. **President Fitzpatrick** and **Ted McCannon** will set up a meeting with an official to discuss further preliminary details.*

#### VILLAGE EMPLOYEES

***Clerk Zambrano** thanked **Tim May**, former village clerk, for his help training aspects of the position.*

***Attorney Zemenak** updated that 6S706 DAUBERMAN has now fully complied on the code violations cited that were about enter administrative adjudication. Semi-trucks are now removed from the property. **Attorney Zemenak** also reminded the **Board** that every year by March 31 the **Village** is required to update our zoning map with **GIS**.*

#### **Paid Leave for All Workers Act**

***John Zemenak** gave an explanation of the recent Illinois mandate **Paid Leave for All Workers Act**. The **Village** already has an existing paid leave policy in place for its employees, which under this Act can remain because it exceeds the mandated requirements of the State. **Attorney Zemenak** explained that the existing policy would only change in which it would offer employees that work less than 20 hours paid leave, which will now be mandated by law. If the Village doesn't vote to confirm the policy by January 1, 2024, then some extra Illinois policy details would be enacted if our Village does not have an enacted policy in place. **Mark Lynch** and **Kathy Metzger** expressed concern that Village employees receive 6 days of holiday pay (part-time employees receive 4 hours of pay per holiday). Members had a discussion and **Ted McCannon** proposed to cut holiday pay for any new hires of the Village that have not already agreed to an employment contract. During clarifications and discussion, **Kelly May** did not agree that a future full-time employee should have unpaid holidays. The board members discussed and then verbally agreed that future part-time employees would not receive holiday pay, future full-time employees would receive holiday pay. The board verbally agreed to the addition to the policy “commencing with new hires after January 1<sup>st</sup> 2024, there shall be no holiday pay for part-time employees.”*

**RECONVENE THE REGULAR VILLAGE BOARD MEETING**

*Motion to reconvene the Regular Board Meeting:*

*Motion: Joe Walsh, Second: Tim May      Voice Vote: 6-0*

***Motion to Approve Ordinance No. 2023-23, an Ordinance Adopting a Tax Levy for the Village of Big Rock's SSA No. 1 and SSA No. 2***

*Motion to approve Ordinance No. 2023-23: Motion: Joe Walsh      Second: Tim May*

*Role Call Vote: 6 -0      (Y= Yay, N= Nay, A= Absent)*

***Tim May- Y    Ted McCannon- Y    Mark Lynch- Y    Joe Walsh- Y    Kelly May- Y    Kathy Metzger- Y***

***Motion to Approve Ordinance No. 2023-24, an Ordinance Approving Zoning Ordinance text amendments to Article VIII, Section 8.02 and Section 8.03, regarding accessory outdoor storage uses as a special use.***

*Motion to approve Ordinance No. 2023-24: Motion: Joe Walsh      Second: Kelly May*

*Role Call Vote: 6-0      (Y= Yay, N= Nay, A= Absent)*

***Tim May- Y    Ted McCannon- Y    Mark Lynch- Y    Joe Walsh- Y    Kelly May- Y    Kathy Metzger- Y***

***Motion to Approve Ordinance No. 2023-25, an Ordinance Approving a PTO/ Holiday Pay Policy for Village Employees***

*Motion to approve Ordinance No. 2023-25: Motion: Kelly May      Second: Joe Walsh*

*Role Call Vote: 4-2      (Y= Yay, N= Nay, A= Absent)*

***Tim May- Y    Ted McCannon- Y    Mark Lynch- N    Joe Walsh- Y    Kelly May- Y    Kathy Metzger- N***

**EXECUTIVE SESSION**

*None.*

**ADJOURNMENT**

*Motion to adjourn: Joe Walsh      Second: Kelly May      Voice vote: 6-0      Time: 8:04 pm*