

VILLAGE OF CAPAC  
REGULAR MEETING  
OFFICIAL MINUTES  
JULY 19,2021  
AMERICAN LEGION HALL  
115 N MAIN ST  
7:00 PM

**Called to order at 7:00 p.m.**

**Council Members Present:** Lynne Mandeville, Mary Klug, Debbie Hlubic, Samantha Ramirez, Joe H, Joe Nemecek, President John Grzyb, Clerk Lisa Lulis, Chief Heather Fantin

**Council Members Absent:** None

**Approval of the agenda:**

**Motion:** Joe Nemecek

**Support:** Lynne Mandeville

Add the public hearing

All ayes. Motion carried.

**Approval of Previous Meeting's Minutes:**

**Motion:** Joe Nemecek to approve June 14, 2021 meeting minutes with corrections.

**Support:** Samantha Ramirez

All ayes. Motion carried

**Approval of Special Meeting Minutes:**

**Motion:** Joe Nemecek to approve the June 30, 2021 Budget meeting minutes

**Support:** Debbie Hlubic

All ayes motion carried

**Bills:**

**Motion:** Joe Nemecek to pay the bills in the amount of \$67,699.09

**Support:** Lynne Mandeville

Roll call vote. All ayes motion carried

**President's Report:** resolution 2021-08- for the water rate- motion Mary Klug to approve resolution 2021-08 for the water rate increase.

Support Joe Nemecek

Lynne Mandeville abstained

Ayes. Mary Klug, Debbie Hlubic, Samantha Ramirez, Joe Herrington, Joe Nemecek, John Grzyb

Motion passed.

Motion Joe Nemecek to close the regular meeting at 7:09, support Mary Klug. All ayes motion carried

Motion Joe Nemecek to open the public hearing for 415 N Walker at 7:10. Support Samantha Ramirez. All ayes. Motion carried.

**Public hearing:** Mike from CCA, states the owners have not contacted CCA- inground is full of weeds, pool has not been addressed, since it is not being used as it is intended for it is a dangerous building, 2 options fill the pool in or clean it up and use it as a pool. Need a court order to go on to the property. The property owners were given notice to appear at the public hearing, owners have not shown up. Motion Joe Nemecek to close the public hearing at 7:15. Support Mary Klug. All ayes. Motion carried.

Motion Joe Nemecek to open the regular meeting at 7:16. Support Joe Herrington. All ayes. Motion carried.

The homeowner's have options, fill the pool in, repair the pool. Al Francis recommends a court order. Motion Joe Nemecek to declare the pool a dangerous building. Support Mary. Roll call. All ayes motion carried

Motion Mary Klug to have the pool at 415 N Walker removed and filled in with in 30 days, must obtain a building permit. Support Debbie Hlubic. Roll call vote. All ayes, motion carried.

Motion Joe Nemecek to close the regular meeting at 7:23. Support Mary Klug. All ayes, motion carried

Motion Lynne Mandeville to open public hearing on 401 N Main at 7:24. Support Mary Klug. All ayes. Motion carried.

Mike from CCA walked through the property, house is burned, they are working on rebuilding the house. Mike told owner/ manager that we need to see progress. Owners want to rebuild. There has been a building permit pulled. The house has been gutted. Windows and doors have been ordered. Estimated time of completion of roof and siding is October. Unable to give an estimate on when the home will be habitable. Permit was

pulled 7-30-2020. Lisa Tice wants to state this is a personal vendetta against Tyler Shull. There have not been any recent complaints against the building. Mike states the building is secure, house is locked up and he does not feel it is dangerous.

Motion Lynne Mandeville to close the hearing at 7:46. Support Mary Klug. All aye motion carried

Motion Mary Klug to open regular meeting at 7:47. Support Lynne Mandeville . All ayes motion carried. Motion Joe Nemecek that 401 N Main, based on the building official the building is not dangerous at this time. Support Lynne. Roll call all ayes motion carried.

**Correspondence:** None

**Public comment:** Bryan Shull has decided to repropose the building for agriculture. Feels the Village has done a breach of contract because the water and sewer were not hooked up when the property was annexed into the village The water is right there on the property it is ready to tap, the sewer is across the road. He would like to be removed the village.

Mike from CCA states as long as the roof is open it is still a dangerous building. Ordinance states the building has to be brought back up to original. Al states the council can changed the original motion if they chose, recommends a time frame. He could to planning and rezone the property R1. Brian Shull is going to go to planning commission to rezone the property.

Spicer- Steve Rutkowski working with the USDA to do bidding, hopefully this will be this fall. Need a couple of easements from Armada grain, and Bronkowiak LLC. Motion Joe Nemecek for Al Francis to pursue the easements from Armada grain and Bronkowiak LLC. Support Mary Klug. Roll call vote. All ayes motion carried

Resolution 2021-09 for the publications of issuing bonds-Motion Joe Nemecek to approve the resolution 2021-09 for the publication of issuing bonds. Support Lynne Mandeville for the publication of bonds for 1.5 million. Roll call vote. All ayes. Motion carried.

Jennifer Garza from Spicer- arsenic plant- different media options- report was in packet. More economical to replace the media with a different media. A pilot test is needed. Some pipes will need to be replaced. Joe Herrington would like to take a core sample and see if regeneration is possible. State limit for arsenic is 10 the testing is now at 5.

Jennifer Garza requests a weekly test over a period of time like 8 weeks. The plant was backwashed 2 weeks ago. Jennifer Garza states we have to replace the controls along with the valves as a package. It would take quite a bit of time for funding, if we applied for funding tomorrow it will still be next year before any approval is possible. This proposal is for the pilot program done for \$5,000.00. Motion Joe Nemecek to go ahead with proposal from Spicer to schedule the pilot program for \$5,000. Support Lynne Mandeville. Roll call vote. All ayes motion carried

Motion Joe Nemecek to move forward on the Wes Tech proposal for \$26,000.00 to get on their schedule contingent on there not be a cancelation fee. Support Samantha Ramirez. Roll call vote. All ayes motion carried.

Joe Nemecek wants to move forward ASAP.

**Old Business:** None

**Personnel/ Finance Committee:** Meeting on Thursday July 22,2021 at 4:30.

**Police Committee:** None

**D.P.W. Report:** For the new DPW truck -\$45,000.00 out of the village funds and \$120,000.00 financing. Resolution 2021-10 to finance and purchase new dump truck. Motion Joe Nemecek to adopt the resolution 2021-10 for the loan and purchase of the DPW dump truck. Support Lynne Mandeville. Roll call vote. All ayes motion carried. Road loan- not to take out a loan just use the mileage funds for the roads. Motion Joe Nemecek to not go ahead with the funding for the roads. Support Samantha Ramirez. Roll call vote. All ayes motion carried.

**Library Committee Report:** None

**Park and Recreation Report:** Did receive reimbursement for 201 N Main in the amount of \$18,294.89. Just sent in another form for another reimbursement.

**Clerk's Report:** ASRP application is being worked on. Watkins and Ross working on an actuary. Motion Joe Nemecek to spend \$3,800.00 to Watkins and Ross for the actuary. Support Lynne Mandeville. All ayes. Motion carried.

**Treasurers' Report:** In packet, motion Joe Nemecek to approve mileage request as presented by Marilyn Price. Support Debbie Hlubic. Roll call vote. All ayes, motion carried

**Zoning Administrator Report/ CCA:** None

**DDA Report:** None

**ZBA Report:** None

**Planning Commission Report:** Joe Herrington states that Nino's came to the meeting, site plan was approved, however cannot do indoor dining do to only having one bathroom, it will be takeout only.

Corner slice- is doing some remodeling- the site plan was approved.

**Police Report:** None

**DPW Report:** Dixson inspection fees for the water tower- was authorized in December. Al is going to serve Dr Grubb. The F550 has been taken out of service, the hydraulics are not working, mechanic recommends not to drive it.

Applications for DPW position- would like to also hire summer help to cover Diann Moran and Bryan Miller while they go on vacation. Would like to hire teenagers. Motion Joe Nemecek to allow Dave Schultz to hire summer help up to \$15 hr. up to 29.5 hours until school starts. Support Lynne Mandeville. Roll call vote. All ayes motion carried.

**New Business:** Motion Joe Herrington to make Dave Schultz acting superintendent of the DPW. Support Joe Nemecek. Roll call vote. All ayes. Motion carried

### **Unfinished Business**

**A. Hill Street Project** in Progress

**B. Middle School** None

**C. Railroad crossing – Hunter St**-in progress

**D. Update Job descriptions- do away with contracts** in progress

**E. Sign ordinance.** In Progress

**F. Tree removal/ replacement:**

**G. Water ordinance-** Motion Joe Nemecek to remove the water ordinance. Support Mary Klug. All ayes. Motion carried.

H. **Vendor insurance-** Motion Joe Nemecek to remove vendor insurance. Support Lynne Mandeville. All ayes. Motion carried.

I. **Dangerous building-**previously discussed.

COUNCIL BUSINESS: Diann Moran applied for the open position- going to personnel meeting. Motion Joe Nemecek to give Diann Moran a \$2.00 per hour raise. Support Debbie Hlubic. Roll call vote- all ayes. Motion carried.

Bryan Miller is interested in comp time- comp time is after 40 hours; the village would need a policy; Al will look into it.

Joe Herrington would like to have a special meeting on Wednesday for a personnel issue at 6 pm at the Village office.

Joe Nemecek states that the DPW workers and Lisa Lulis did a wonderful job when we had the water problems.

**Adjourn at:**

**Motion:** Mary Klug to adjourn at 9:51

**Support:** Lynne Mandeville

All ayes motion carried.

**Lisa M Lulis**

**Village Clerk**

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PROVIDER & EMPLOYER”**