

# **MINUTES**

REGULAR VILLAGE BOARD MEETING  
6:30 PM, JULY 14, 2009

A. MOMENT OF SILENCE

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Board: Trustees Herr - absent, Mau – present, Boyle – present, Reynolds – present, Kavanagh – absent, Schatteman – present, and President Gray – present.

Others: - Clerk Schad, Treasurer Dierking, Directors Branham and McCord and Village Attorney John Myers.

D. HEARING OF CITIZENS

(1) Several residents complained about dangerous dogs – including attacks.

Jim Howard started the dog discussions on behalf of Ms. June Kendall. Ms. Kendall was attacked by a dog named “Roxy”, July 6. Ms. Kendall spoke. She claimed to be suffering from Post Traumatic Stress Disorder and wanted to know what has to be done to keep this dog away from the neighborhood. Roxy does not live at the home from which it attacked Ms. Kendall. No bite marks were found but an ordinance violation warning for an unleashed dog was issued by police to the dog’s owners.

Attorney Myers briefly explained the process of dealing with difficult dogs, working with local police departments, Sangamon County Animal Control, rules of the Illinois Department of Agriculture, and Illinois statutes. Attorney Myers asked for a copy of Ms. Kendall's police report to see if Sangamon County Animal Control can have the dog declared dangerous.

Kris Cannon, who attended a previous board meeting about a dangerous dog named "Chaos", returned to the board to enquire about the status and progress being done to protect her neighborhood. Again, Attorney Myers discussed the legal process to have dogs declare dangerous, then vicious, and in some cases removed. Chaos has been declared dangerous three times by county animal control. The village is now working to have the dog declared vicious by the courts. This designation requires a suit because a judge declares a dog vicious. If declared vicious Chaos must be confined to its home and muzzled. If these rules are violated the dog can be removed.

Deputy Chief Vern Foli of the Chatham Police Department said the department checks every call about loose or threatening dogs. Further, the owners of Chaos have paid several thousand dollars in fines for ordinance violations.

The village considers cases of loose, threatening, dangerous, or vicious dogs very seriously. All legal procedures will be followed and resolutions pursued as carefully and quickly as possible.

(2) Jennifer Monsour of Ptarmigan Drive in the Foxx Creek subdivision discussed her and several neighbors desire to have three-way stop signs put up at the Ptarmigan/Karros Point intersection. There have been others from that neighborhood at previous board meetings also asking for stops signs at

that location. As with all stop sign requests, professional engineers hired by the village will research the matter and make recommendations to village officials.

(3) Several residents attending the meeting spoke on behalf of Chatham police officer John Wehmhoff and asked questions. Officer Wehmhoff has been on administrative leave since an April 24 traffic stop after several shots were fired from his service revolver at a fleeing vehicle while occupied by three people. Officer Wehmhoff thought his life was in danger. No criminal charges were filed by the States Attorney against Officer Wehmhoff after a Sangamon County Sheriff's investigation but charges are expected to be filed against him by the Chatham Police Department for violating policy, orders or procedures. Among those speaking were Chuck and Mary Jo Wehmhoff, parents of Officer Wehmhoff, Gene and Cindy Wheeler, Jason Johnson, and Jim Power.

In an attempt to answer several questions, attorney Myers explained the process after charges are filed with the Chatham Board of Fire and Police Commissioners. Those charges could result in termination, which was the primary concern of those attending in support of Officer Wehmhoff. They wanted the board to remove the possibility of termination.

Attorney Myers said that by law all municipalities of at least 5000 must have a Board of Fire and Police Commissioners which is solely responsible with hiring, firing and disciplining police officers. As such, the village board is completely uninvolved in the hiring, firing and discipline of police officers. Furthermore, any member of the village board trying to influence the commission's process could be charged with official misconduct.

#### E. CONSENT AGENDA

Trustee Mau moved, seconded by Trustee Reynolds, to approve the Consent Agenda.

Consent Agenda item(s):

1. Regular Board Meeting Minutes (07-14-09)
2. Payment of Warrants (Res. 25-09)
3. Committee Reports

Without discussion, the motion to approve the Consent Agenda passed by roll call vote 4 yes, 0 no, 2 absent as follows: Herr – absent, Mau – yes, Boyle – yes, Reynolds – yes, Kavanagh – absent, Schatteman - yes.

F. PRESIDENT'S REPORT – No Report

G. CLERK'S REPORT – No Report

H. OLD BUSINESS – No Old Business

I. NEW BUSINESS

Trustee Reynolds moved, seconded by Trustee Mau, to bring to the table **Ordinance 09-31, An Ordinance in Reference to Village Employment.** 09-31 hires David F. Leach to be a full time Chatham Policeman. This placement fills a vacancy created by Chief Roy Barnett's retirement. Officer Leach will be paid \$18.71 based on the police budget. 09-31 passed by roll call vote 4 yes, 0 no, 2 absent as follows: Herr – absent, Mau – yes, Boyle – yes, Reynolds – yes, Kavanagh – absent, Schatteman - yes.

Trustee Reynolds moved, seconded by Trustee Mau, to bring to the table **Ordinance 09-32, An Ordinance Approving a Bid for a Walnut Street TIF Project.** This project will add a middle turn lane on Walnut from Route

Four east to East Street. Walnut will remain two lanes over the railroad tracks. 09-32 passed by roll call vote 4 yes, 0 no, 2 absent as follows: Herr – absent, Mau – yes, Boyle – yes, Reynolds – yes, Kavanagh – absent, Schatteman - yes.

Approving a TIF Agreement with Kemp Industrial was moved from New Business to Old Business for the July 28 board meeting.

#### J. CALENDAR OF EVENTS

Committee meetings are held every 1<sup>st</sup> and 3<sup>rd</sup> Tuesday at 6:00 PM. The first committee to meet, if scheduled, is the Public Property Committee. That meeting is followed by the Administrative Committee, which is always followed by the Public Works Committee. The Public Property Committee meets rarely. Most committee meeting evenings start with the Administrative committee meeting.

The Village Board meets every 2<sup>nd</sup> and 4<sup>th</sup> Tuesday at 6:30 PM, except in December when there is only one scheduled, on the 3<sup>rd</sup> Tuesday.

All Planning Commission meetings are the 3<sup>rd</sup> Thursday at 7:00 PM.

All meetings are open to the public, unless in executive session, and are posted in advance at the municipal hall bulletin board.

#### K. EXECUTIVE SESSION

Trustee Reynolds made a motion, seconded by Trustee Mau, to go into an Executive Session to discuss topics of personnel and litigation. The motion

passed by roll call vote 4 yes, 0 no, 2 absent as follows: Herr – absent, Mau – yes, Boyle – yes, Reynolds – yes, Kavanagh – absent, Schatteman - yes.

#### L. RECONVENE OPEN SESSION

Trustee Mau made a motion, seconded by Trustee Boyle, to reconvene the open session of the regular village board meeting. The motion was approved roll call vote 4 yes, 0 no, 2 absent as follows: Herr – absent, Mau – yes, Boyle – yes, Reynolds – yes, Kavanagh – absent, Schatteman - yes.

Mayor Gray made the announcement that after a thorough evaluation process Chatham police officer John Holm was selected to be the new police chief and Vern Foli will fill the new position of deputy chief.

#### M. ADJOURNMENT

Having no further business to come before the board, Trustee Reynolds moved, seconded by Trustee Boyle, to adjourn. The Motion passed by voice vote.

Respectfully Submitted,  
Pat Schad, Village Clerk