

REGULAR MEETING OF THE BOARD OF TRUSTEES  
VILLAGE OF PHILO, ILLINOIS  
November 4, 2009

The meeting was called to order by President Craig Eckert at 7:03 p.m. in the R.E. Franks Meeting Center (REFMC) in the Eileen Painter room.

ROLL CALL: Present-Trustees Steve Sappenfield, Alta Tarter and Neal Asklund. Absent-Trustees John Mumma, Larry Franks and Susan Miller. President Eckert makes a quorum.

GUESTS: Leo Clennon, David Laker, Angela Ferriman, Chris Payne, Barbara Socha, Herschel Hammerschmidt, Jim Griffith, R.J. Daly and Christine Walsh. The Village attorney, Marc Miller, arrived at 7:30 p.m. The Village treasurer, Bob Rice, arrived at 8:25 p.m.

MINUTES: Trustee Tarter made a motion, seconded by Trustee Sappenfield, to approve the October 21 Regular Meeting Minutes as written. Voice vote; all "ayes," motion carried unanimously.

ACCOUNTS PAYABLE WARRANT: In addition to the bills listed on the check journal, Deputy Clerk Helmink presented three bills for review from Casey's General Store, Marathon Petroleum Company and Menards. Trustee Tarter made a motion, seconded by Trustee Asklund, to pay the bills as presented. Roll call vote; "ayes," Trustees Sappenfield, Tarter, Asklund and Eckert. Motion carried unanimously.

The Village received a \$7,000 invoice from Dale Shipley for the septic tank installed at the new Hazen Park concession stand. President Eckert requested clarification on what is needed for the Philo Ball Park Association. Trustee Sappenfield explained that the association does not currently have enough funds to pay the bill and that its loan at the bank is extendable. There was discussion of what has been paid and what was promised by the Village. President Eckert asked Deputy Clerk Helmink to confirm that the Village agreed to pay up to \$24,500 for the concession stand and requested that payment of the Shipley bill be tabled until the November 18 meeting. Trustee Asklund requested a breakdown of costs from the park association at the meeting.

GUESTS:

Dave Laker said the new stop sign on Garfield Street is working well to slow down drivers.

Angela Ferriman asked the Board to talk to the County Sheriff's office and request that they spend more time enforcing stop signs in the Village. She is particularly concerned about the bus stop at Adams and McKinley Streets where she has witnessed drivers not stopping with children nearby. Mrs. Ferriman is a trauma nurse and has seen children injured and killed by motorists. She believes that leaving the speed bumps on the roads all year long would help, although she understands that makes snow removal more difficult. President Eckert voiced his appreciation for her comments. President Eckert

explained that in situations like this residents tend to complain when they receive tickets; however, he will talk to Sheriff Walsh and request an increased presence in that area. Mrs. Ferriman worries that a presence is not enough, as several policemen live nearby and it does not appear to make a difference. Trustee Tarter pointed out that more tickets were given this summer because of complaints like Mrs. Ferriman's.

VILLAGE ENGINEER: President Eckert noted that Dave Phillippe did not have anything new to report regarding the facilities plan. Dave will attend the November 18 regular meeting.

DAVID TRAXLER: Deputy Clerk Helmink provided Dave's report in his absence. Six loads of brush were collected on November 2. The old tennis court area at Hazen Park will be tilled and seeded in the spring. The culvert is gone at the property on Cleveland Street, but the clean-out pipe sticking out of the ground has not been cut yet. The trees have been procured from the Wendell Tree Trust. Dave has spoken to CILCO regarding the ditch on Van Buren. Trees need to be cut in the alley between Van Buren and McKinley for accessibility. Dave is working on getting the trucks ready for winter work.

OLD BUSINESS:

The Board directed President Eckert to sign a letter of support for Volo Broadband's federal stimulus grant application to improve Internet access in un-served and underserved communities.

Bundy Business Systems provided a \$276 proposal to train Village staff and secure wireless Internet access in the gymnasium. Trustee Sappenfield made a motion, seconded by Trustee Asklund, to approve the proposal for wireless Internet work at a cost of \$276. Roll call vote; "ayes," Trustees Sappenfield, Tarter, Asklund and Eckert. Motion carried unanimously.

President Eckert voiced his pleasure at last meeting's positive reaction to changing the Board meeting schedule to the second Wednesday of the month beginning in January 2010. The proposed schedule is good for the Village attorney and engineer. Meeting once a month rather than twice a month should help ensure a quorum and allow time for committee meetings. A meeting schedule ordinance is normally passed in December.

NEW BUSINESS:

Deputy Clerk Helmink presented the October REFMC report. Dennis Happ commented to Deputy Clerk Helmink that it is difficult to hear patrons when he uses the ticket booth for basketball games. President Eckert will talk to Scott Butler at Bacon & Van Buskirk Glass Company about making the hole larger on the glass front of the ticket booth.

Miscellaneous discussion: none

PROPOSED LIQUOR ORDINANCE:

President Eckert explained that the latest version of the proposed liquor ordinance includes comments by members of the Board. Copies were made available to the guests for review. Tonight's goal is to fill in the remaining blanks and clear up any disagreements and discrepancies. The corrected version will then be posted on the

Village's web site, reviewed by the Trustees and voted on at the November 18 regular meeting.

Section 2, (6). Definition of Liquor Control Advisory Commission. Change "three residents" to "two residents and one trustee".

Section 4. Compensation of Commissioner. Trustee Asklund asked what the pay rate shall be per year. Trustee Sappenfield believes something nominal should be provided since it is a separate office; he suggested \$250. Trustee Asklund suggested \$100. Marc Miller said it can be zero, but usually some amount is given because of the work involved. The Board agreed on \$120 per year, or \$10/month.

Section 5. Powers and Duties of Commissioner and Commission. Change "five residents" to "two residents and one trustee".

Section 7. Classification of Licenses - Fees, Class "A" Restaurant/Bar. The percentage of sales for food (minimum) and alcohol (maximum) was discussed. Trustee Asklund inquired if the Philo Tavern has to abide by percentages. It does not. Trustee Sappenfield would like to see the percentage of food be higher than that of alcohol. Marc Miller commented that 50% is typically used. President Eckert suggested 60% food, 40% alcohol and the Board agreed.

Section 7. Classification of Licenses - Fees, Class "A" Restaurant/Bar. The fee for a Class "A" license is currently \$650 per year. After some discussion, it was decided to raise the fee to \$700 per year.

Section 7. Classification of Licenses - Fees, Class "B" Bar. The minimum allowable age without a parent or guardian escort was discussed. Trustee Sappenfield prefers 19 years rather than 21 years, but what about situations where a 19-year-old is dating a 21-year-old? Herschel Hammerschmidt noted a number of bar busts have been reported in the newspaper lately. If Philo uses 19 years as the minimum, would young people from the Champaign area come to town to drink? Trustee Tarter has mixed feelings about the issue. Trustee Asklund does not want to promote low-age admittance to a bar in Philo. Chris Payne is against allowing persons under 21 years open access. Since there is not a clear consensus, President Eckert said this would be discussed at the November 18 regular meeting when more Board members should be present.

Blanks defining the maximum size for exterior and window signs still need to be filled in. It was pointed out that sign size restriction and gaming/gambling machine restrictions are not included in the Class "A" license description. Both items will be discussed further at the November 18 regular meeting.

Hours of operation were discussed. The proposed hours are 1 p.m. to 1 a.m. Monday through Friday, 11 a.m. to 1 a.m. Saturday and 12 p.m. (noon) to 11 p.m. Sunday.

President Eckert suggested not allowing package sales through a Class "B" Bar license. Trustee Sappenfield believes it should be consistent across licenses, and package sales are allowed under the Class "A" Restaurant/Bar license. Trustees Asklund and Tarter

agreed. Marc Miller was directed to modify the ordinance to reflect that package sales are allowed by a Class "B" Bar license.

The suggested fee for a Class "B" license ranged from \$500 (Trustee Sappenfield) to \$750 (President Eckert). Trustee Asklund believes it should be the same as a Class "A" license (\$700 proposed) or \$750. Marc Miller pointed out that there is more enforcement involved with a Class "B" license. The fee was set at \$750 but will be discussed further at the November 18 regular meeting.

Section 7. Classification of Licenses - Fees, Class "C" Package. The fee shall be \$500.

Section 7. Classification of Licenses - Fees, Class "D" Special Event. The fee shall be changed from \$7 to \$30 per day. No more than 2 licenses of this type shall be issued for the same day(s).

Section 10, D. The transfer fee of \$100 was considered. This is an application fee and does not guarantee approval. It was pointed out that background checks are expensive and the fee should cover those costs. President Eckert directed Marc Miller to find out how much a typical background check costs. Herschel Hammerschmidt suggested that the applicants be required to pay the background check fees rather than listing a set amount since costs will increase over time.

Section 29. Penalties. Marc Miller explained that the State may impose fines on an establishment and the Village may also impose penalties through its ordinance. Imposing penalties via the ordinance usually incurs costs, i.e. attorney fees. The Board suggested a maximum penalty of \$500 per day and will discuss it further at the November 18 regular meeting.

Marc Miller will make changes to the proposed ordinance as discussed. A few items will be left blank for further discussion. Hard copies will be made available to the public by November 16. An electronic file will be posted on the Village's web site.

President Eckert is confirming Trustee Miller's intent to resign from the Board. Trustees Mumma and Franks should be finished with the harvest and able to attend the next meeting.

VILLAGE TREASURER: Bob Rice presented the October 2009 Treasury report. Mr. Rice noted two corrections. In the right margin under Certificates of Deposit, the dollar sign (\$) should be '4'. At the bottom under Itemization, General Fund Receipts; Income Tax, it should read "2 mos" rather than "9 mos".

MOTION TO ADJOURN: Trustee Sappenfield made a motion to adjourn the meeting at 8:26 p.m. Voice vote: all "ayes," motion carried unanimously.

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DEPUTY VILLAGE CLERK

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VILLAGE PRESIDENT