

REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF PHILO, ILLINOIS
October 21, 2009

The meeting was called to order by President Craig Eckert at 7:07 p.m. at the R.E. Franks Meeting Center in the Eileen Painter room.

ROLL CALL: Present-Trustees Franks, Sappenfield, and Tarter. Absent Trustees Mumma, Asklund ,and Miller. President Eckert makes a quorum.

GUESTS: See the attached list of guests present. The village attorney, Paul Hendren, is also present.

President Eckert said he felt more time was needed to consider the proposed Liquor Ordinance and announced there would not be a vote on it at tonight's meeting. He also stated a representative of the Church wrote Susan a two sentence email, asking us to do a walkthrough of the rental building and that the last service there will be Sunday, October 27th. President Eckert was extremely disappointed that we are losing them as a tenant. Trustee Tarter asked if the email was received before or after we asked to do a safety check of the building.

MINUTES: Trustee Larry Franks made a motion, seconded by Trustee Tarter, to approve the meeting minutes of October 7, 2009. Voice vote; all "ayes," motion carried unanimously.

VOLO: Peter Folk spoke to the Board and explained their company is an internet service provider in Champaign. He stated the federal stimulus plan helped him decide to apply for a grant. His goal is to improve access to un-served and underserved communities. Peter said there are 17 towers county wide. They are no upfront costs, Volo is faster than Comcast and they are not here requesting any money. They are, however, asking for support by signing a letter. President Eckert appreciated them coming this evening and indicated he and the Board would review the letter and decide a course of action.

PAUL HENDREN: Paul reviewed the status of the proposed liquor ordinance, saying Marc Miller discussed the draft that was prepared and the Board offered suggestions at the last meeting. He said we could walk through the proposed ordinance line by line tonight. President Eckert and the Board agreed they would not do that. Craig and the Trustees want to review the proposed ordinance and give suggestions and comments to attorney Hendren prior to Nov. 4th and then have a clean copy presented on Nov. 4th to possibly approve.

In regard to the Firearms-Home Occupation issue, on October 14th, Paul wrote a 2 page summary of the situation and provided five separate options. Trustee Tarter would like to put this to rest and then re-do the ordinance. The Board has been respectful and accommodating and had asked Sean Talbott to keep President Eckert and the Board apprised of his efforts to take care of the steps required (opening his business). This has gone on a long time and he is not meeting the reasonable demands of the Board. Trustee Tarter had suggested part of two different options. Attorney Hendren stated the Board could 1) Go with the opinion of that existing Board 2) This Board group can re-consider that advisory opinion or 3) Get ordinance amended by the attorney

(if we want it to be more specific). Paul suggested the Board look over his memo and suggestions.

Trustee Franks said the number one thing is to give Mr. Talbott a timetable, say by end of November we need to know his response. Secondly, Trustee Franks strongly recommend changing the zoning ordinance. He still needs to satisfy all seven requirements imposed by the Board. President Eckert suggested the letter should come from the attorney.

Trustee Larry Franks made a motion, seconded by Trustee Alta Tarter, directing the Village Attorney to notify Sean Talbott he has until Nov. 31, 2009, to meet the requirements that were approved April 1, 2009. Roll call vote; "aye's," Trustees Franks, Sappenfield, Eckert and Tarter. Motion carried unanimously.

Trustee Steve Sappenfield made a motion, seconded by Trustee Larry Franks, to direct the Zoning Board of Appeals to consider amendments to our current ordinance for home occupancy. Roll call vote; "aye's," Trustees Franks, Sappenfield, Eckert and Tarter. Motion carried unanimously. With suggestions by the Board, attorney Hendren will give information to Rick Gallivan, Zoning Board of Appeals chairman and instruct them to post the meeting and agenda for the meeting. Paul indicated the Zoning Board of Appeals will report their findings to the Village Board of Trustees.

Mr. Hendren did not have anything to report in regard to the possible land purchase.

Paul reminded the President and Trustees that the Tax Levy Ordinance should be reviewed in November in order to approve by the December deadline. He also stated the inflation rate is so low, the tax cap will limit the increase to 1%. Paul added that the levy usually follows the Appropriations Ordinance.

DAVE TRAXLER: Dave reported that 3 loads of brush were picked up October 15th and the last pick-up will be December 1st. The Case tractor is back and the fence work is done. Dave suggested we take off the flag pole issue until he notifies Craig. Two bids have been received for a possible half-court basketball court area at Hazen Park. The first from Randy Brown is \$4.75 a square foot and is a 30x30 area for a bid of \$4,275.00. The second bid is from Dale Shipley for a 30x30 area, 5" thick at \$5.00 a square foot for a total bid of \$4,500.00. The Board decided to table action and consider with a full Board and after reviewing the Appropriations Ordinance.

The condensation pump may be installed Friday. The pipe on Cleveland should be cut before the next meeting. Dave hasn't heard anything yet after placing the tree order. The "Stop Ahead" signs will be in place for two weeks at the newly posted "Stop" sign areas. Mr. Fleming, of CILCO, hasn't called Dave back in regard to the ditch on Van Buren and Route 130. The Board directed Dave to make the alley between Van Buren and McKinley accessible from Garfield to Hayes. Bill Bolger commented that his daughter, Sue, has already moved everything out of their way.

ROBERT RICE: Bob presented a report he was asked to prepare, comparing last year's figures to this fiscal year, to help the Board decide whether to withdrawal a portion of a CD that is to mature soon. The Board suggested he withdrawal \$20,000.00 and deposit to the Clearing Account and renew the balance of the CD. Mr. Rice reminded the Board the annual report is to be filed by November 1st. Bob discussed a meeting he had with the auditor and the Board decided to authorize Bob to publish his Treasurer's report.

OLD BUSINESS: The Board agreed to authorize Susan Helmink to contact Bundy Business to complete the work to secure the Internet access hardware that is in place at the REFMC.

President Eckert will redo the IDOT papers that were accidentally signed in the wrong area.

Jerry Hughes gave his permission for Dave Philippe and Brett Stillwell to enter the rental building at 120 West Washington to check possible safety concerns.

Craig stated he and Dave Philippe talked about Homer and the fact there is no money for their project. President Eckert indicated he will design a survey for the Village's Facilities Plan. He noted that a minimum 50% response rate of 400 to 500 households are needed, which is about 250 answers. It is always better to have more, noting seriousness, we should expect at least a 50% response from a well designed survey. Craig would hope a story by the *County Star* would help.

NEW BUSINESS: Trustee Larry Franks made a motion, seconded by Trustee Steve Sappenfield, to approve the Champaign County Sheriff's contract. Roll call vote; "aye's," Trustees Franks, Sappenfield, Eckert and Tarter. Motion carried unanimously.

The idea of changing to meeting just one time a month was discussed. Clerk Kirby suggested, if they change to one meeting per month, that it not be the first Wednesday of the month, but possibly the second Wednesday. Trustee Franks said we would have to be sure the committee meetings were held prior to the scheduled Board of Trustees meetings. Attorney Hendren indicted the second Wednesday would work for them.

MISCELLANEOUS DISCUSSION:

Trustee Franks – Nothing
Trustee Sappenfield – Nothing
Clerk Kirby – Nothing
Trustee Tarter – Nothing

MOTION TO ADJOURN: Trustee Franks made a motion, seconded by Trustee Sappenfield to adjourn the meeting. Voice vote; all "aye's" motion carried unanimously.

VILLAGE CLERK

VILLAGE PRESIDENT