

REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF PHILO, ILLINOIS
September 2, 2009

The meeting was called to order by President Craig Eckert at 7:06 p.m. at the R.E. Franks Meeting Center in the Eileen Painter room.

ROLL CALL: Present-Trustees Miumma, Franks, Sappenfield and Asklund. Absent-Trustee Miller.

GUESTS: See list attached.

MINUTES: Trustee John Mumma made a motion, seconded by Trustee Alta Tarter, to approve the meeting minutes of August 5, 2009. Voice vote; all “ayes,” motion carried unanimously. Trustee Larry Franks made a motion, seconded by Trustee Alta Tarter, to approve the Grant Committee meeting minutes of July 15, 2009. Trustee Steve Sappenfield made a motion, seconded by Trustee Neal Asklund, to approve the Ad Hoc Sanitary Sewer meeting minutes of July 15, 2009. Trustee Steve Sappenfield made a motion, seconded by Trustee Alta Tarter, to approve the Special Meeting minutes of August 12, 2009.

ACCOUNTS PAYABLE WARRANT: Trustee Asklund made a motion, seconded by Trustee Franks, to pay the bills as presented. Roll call vote; all “aye’s”, motion passed unanimously.

President Eckert opened the meeting with the following statement. 1) That there would be no vote to authorize a new liquor ordinance. 2) In part because Trustees, Bob Daly and Ted Myhre just received a memo from the Village attorney. In line with that, because attorney isn’t scheduled to come, but Marc Miller will arrive later to answer any questions. 3) At last meeting the Board took a straw vote that there was sentiment to potentially authorize a liquor license. President Eckert said he and the Board appreciated the comments and information presented at prior meetings meant to ensure if it (the license) is granted that we have thought out all issues such as hours, etc. He indicated that is how things stand now and asked if there were any questions. Given there were none, the meeting proceeded with him asking the first of four guests to speak.

DAVE LAKER: Mr. Laker would like a stop sign at Garfield and Knolls Drive. He has agreed to again trim his trees so people can see around the corner. It was explained that stop signs aren’t meant to control traffic; we don’t want the town to be one big stop sign. There are already “Slow, Children at Play” signs along Garfield. President Eckert will ask the Sheriff to patrol that corner and will also request Dave Phillippe look at the corner.

The next guest, Bob Hale, is sick and not present to speak. The Board had already received his letter in regard to the liquor ordinance.

MARY JONES: Mary pointed out that the sidewalk work completed in the 200 block of Madison Street wasn’t very good. She and Trustee Tarter said there is a stretch where it goes in and out, it is below grade and at one point has a 15 degree angle. They said that the sidewalk at

Swaney's looks good. When Mary asked when sidewalks would be installed in front of her house, Trustee Franks indicated we are limited in funds for this type of work and that residents often share the cost with the Village, allowing more work to be completed. The Village plans to complete that section of town next year. President Eckert instructed Dave Phillippe to take a look at the problem area and report back to the Board. Payment for the work will also be held off until the issue is resolved.

PAT FLYNN & SCOTT SHORT: Pat stated they would like to apologize to the Board for not letting them know how big the Farm Show was going to be. President Eckert said he thinks all the Board wants to support events but want to be sure they make us aware of the scope. Pat said it may be bigger next year and not Fat, Dumb and Happy group, but himself and may include a carnival. They plan to use the funds for a new scoreboard at the ballpark. Craig thanked them for coming and added nobody knew how it would develop, just reminded them to keep the Board informed.

DAVE PHILLIPPE: Dave reported the Facilities Plan, originally to be completed in September, will be completed in October due to some information not available to HDC yet. Mr. Phillippe presented the Board with the 2009-10 MFT work bills completed by Illiana Construction and Duce Construction. The sidewalk work is to be paid from both General and MFT funds. Trustee L.R. Franks made a motion, seconded by Trustee John Mumma, to approve the payment to Illiana Construction in the amount of \$28,317.98 from the MFT fund for the maintenance of streets. Roll call vote; all "aye's," motion passed unanimously.

DAVE TRAXLER: The Forrest drainage work is done, the fence is down, dirt filled in and he's happy with the work. Trees have been trimmed and they picked up 27 loads of brush today and had 8 on Sept. 1st. The garbage rollers have been moved off Washington Street to the alley. Dave said they continue to work with the Extreme Makeover group. President Eckert indicated Jonathan Weber and Bill Hayes are both amenable to say "it's not done until the Village says it's done." Steve Sappenfield asked how the outfield and ball diamond looked. Dave said with rolling it should be good. SK Fence will put the fence back. Dave was reminded that there will be a soft ball tournament coming up in conjunction with the Fall Festival. Trustee Asklund asked that a new flag pole be installed at the ballpark.

The fall Clean-Up Day is scheduled for October 3rd from 7:00 a.m. to noon. Resident Mr. Brady asked if the Village would be interested in a "Put & Take" where residents put out items at the curb for taking by anyone for free. If not picked up by October 3rd they can bring to the Clean-Up Day site. Susan Helmink will work on notifying residents of this and include a hazardous items warning.

Susan also asked where we were with the tennis court issue. Prior to asking the two interested parties to re-submit bids based on the same criteria, Dave Traxler will attempt to break up and dispose of the material himself. Trustee Mumma asked Dave to let him know when he planned to do that.

OLD BUSINESS: Trustee Steve Sappenfield made a motion, seconded by Trustee Larry Franks, to adopt the Multi-Jurisdictional Plan. Roll call vote; all “aye’s,” motion passed unanimously.

President Eckert asked for the Board’s support to endorse the Census Letter of Intent and the entire Board agreed.

We had one more person register their golf cart, bringing our total to two.

One Call Now training will be scheduled soon to include the ESDA administrator, Dave Traxler, Susan Helmink, Judy Kirby and members of the Safety Committee.

The request for a donation to the Philo Fall Festival was considered. Trustee Sappenfield asked if this was “seed money.” Craig explained we gave “seed money” last year, but it was not returned. It was decided that instead of a cash donation, the Village would provide the labor of Dave Traxler and Allan Miller and hope this would qualify the Village as a benefactor level of contributor to the event.

The request for a donation to the Mahomet Aquifer was discussed. Trustee Franks made a motion, seconded by Trustee Tarter, to approve a \$250.00 donation to the Mahomet Aquifer. Roll call vote; all “aye’s,” motion carried unanimously. As a side note, Trustee Franks requested the mayor check with Aqua Illinois or Tom Bruns to see if they made a contribution.

President Eckert stated in regard to the Letter of Understanding with Grand Prairie, he took the initiative to authorize an appraisal. The company is booked solid and his waiting for full Board approval would have meant a delay in progress of the possible land purchase. Attorney Hendren will report to the Board at the September 16th meeting.

It was reported that 100 to 200 people attended the Marvin Lee concert at Hale Park on Tuesday evening. If it works out, Mr. Lee would like to return on the 15th. He would like to know if any complaints by residents are made. It was suggested that the lights in the pavilion be accessible if Mr. Lee returns for another concert.

The draft of changes to the Hugs & Bugs Daycare lease agreement was discussed. There will be a slight increase in rent and if available, the gym will be used more by the group for various extra events for the children. The changes will be sent to Mr. Hendren for review and clean copies prepared for approval and signatures. It will not be necessary for Michelle or Dorella to attend the September 16th meeting, unless they choose to.

Ms. Fyffe stated there is still abuse of the golf carts with 7 kids or so on one cart. President Eckert replied that the deputies are instructed to warn on the first offense, take issue to parents on the second offense and issue a ticket/fine for a third offense. She also asked why speed limit signs are not posted in town. The Trustee Asklund suggested Dave Traxler look into the price of the signs. Trustee Franks reminded everyone that we can’t just start posting signs; we need to

check into ordinances, etc. first. President Eckert will email Mr. Hendren of the situation. Ms. Fyffe also thanked Dave Traxler for getting the garbage cans off main street.

Bob Rice presented the August Treasurer's Report. He stated the report is routine with the exception of the certificate of deposit for the MFT Fund that matured and needs to be redeemed in order to pay for this year's MFT work. He also requested window envelopes be ordered that he uses to mail the Village bills. Clerk Kirby assured him the supply of envelopes would be replenished. Bob also noted that we will need to remit a total of \$11.48 payable to the State of Illinois for abandoned property for prior water refund checks that were never cashed.

NEW BUSINESS: Susan presented her monthly REFMC report, noting that August is generally a slow month for rentals. President Eckert stated the Board is very appreciative of the monthly reports. Trustee Asklund requested Extreme check out the REFMC units.

Switching to Comcast will be a \$20.00 per month savings from what PrairieInet is charging. Trustee Franks made a motion, seconded by Trustee Sappenfield, to approve entering into a contract with Comcast as our ISP. Voice vote; all "aye's," motion passed unanimously.

A discussion about providing an Internet connection to renters continued, considering the number of requests for the service (3 or 4 in the last couple of years) and problems that may arise from making it available, such as security of existing computers in the offices. Trustee Mumma asked for an example of how or why it would be used. Generally it could be used for webcasts or going to various website for pictures, etc. The Board felt it may be an advertising tool for the building if we offered it. Scott Yeazel of Bundy Business Systems will be invited to a future meeting to discuss our options and explain costs, etc. Susan Helmink stated the hardware is here, it is just not being utilized and the existing code would have to be reset since a former trustee set it up.

Trustee Tarter reported that the Fall Festival is falling into place and there will be two more committee meetings before the event. Washington Street from Harrison to Jackson will be closed on Friday, Sept. 18th at 3:00 p.m. in order for vendors to set up. Susan brought up her request for a banner to use at the Village information tent. Trustee Franks made a motion, seconded by Trustee Mumma to purchase a banner, not to exceed \$150.00. Roll call vote; all "aye's," motion carried unanimously.

President Eckert then opened the meeting to questions in regard to the memo provided by the Village attorney. Attorney Marc Miller stated now would be a great opportunity for the Village to update its current liquor license ordinance. He can provide copies of Fisher's liquor license ordinance with the idea to use it to make a proposed new one for our use. We could make additional line items if we want. Certainly, we want to preserve quality of the community. Another suggestion was a liquor advisory committee, not composed of Board of Trustees members. This committee would oversee training, hours of operation and recommendations to the Board. It may even be the appeals body. In considering the attorney suggestion to update the liquor license, President Eckert stated he would like to see Fisher's ordinance. Marc Miller will

change their ordinance to read more like what Philo needs to cover. Trustee Tarter asked if tavern has a license, if it sells, does the license transfer or does the new owner apply and have to meet same requirements. President Eckert stated to follow up Alta's point; Board has right to issue if language is number of license reduced by one. Dave Laker said his understanding is that a liquor license is not transferable or can't be sold. Trustee Asklund asked if there is a new ordinance, how it will be classified: for example, 4 licenses that are 2 package liquor, 1 restaurant/tavern and 1 bar. Marc Miller indicated it can be however the Trustees want it to be. Trustee Sappenfield thought the biggest issue is giving same restrictions of existing bar and a new business. Mr. Miller said he doesn't have answer, just suggestions. Resident Tom Payne asked about control over silent partners. The attorney stated if a bar is doing bad things, such as being deceptive, the Village can shut it down, yank license and then the bar can appeal. The community's safety net is knowing the mayor, where he is and how to contact him. Bob Daly said, read this (memo) over and if we can work out, it is still up to the Board, the lease is up in October. He still has 2 to 3 months of work to do to get open. Ted Myhre commented that they are just in the middle of issue and is not sure what can be accomplished by talking with Mr. Daly. President Eckert agreed 100% that they are in a tough position, somewhat Board's fault, attorney's fault, while complex it is very strange and hurtful and this memo and discussion might provide a solution. We lose nothing to talk to each other. He doesn't want to fail and wants something positive to come out of this, it may be a solution that isn't perfect. Bob Daly stated he goes to church, too, and this is a hard situation. He said the business district goes from the Post Office to the woodshop and doesn't think the business district is a place for a church. Ted Myhre said they would have to weigh options to renew a lease without moving. How would it increase or decrease rent? How does it affect long term investment? President Eckert said if this goes down and it winds up you leave, I will lose a lot of respect for myself. I will feel badly, not to twist your arm, I'll never think about the water tower or the sewer system, I'll always think about this. Trustee Tarter thinks the memo suggestion may allow each one to get what they want. Would the church want a month to month lease (to be sure the arrangement works)? The Board pointed out that each party in the current lease may cancel with a 30-day notice. Ms. Fyffe asked if they needed to have an ordained minister. President Eckert said to amplify, he and everyone referred to Heartland Bible Chapel as the "church." Trustee Mumma asked "If we work this out, the bar is opened and then if it is sold, for whatever reason, will we find ourselves in the same predicament with the new owner?" If the bar was closed, license cancelled and then someone bought the building & business, yes. Trustee Franks weighed the communication and said each of the Trustees was elected to make these kinds of decisions. The trustees want what is best for everybody. He respects (the fact) some don't want a bar, we're not Tolono, if there are problems, we can control them; this is not a done deal. I hope we can work it out.

Building coordinator, Susan Helmink, stated the church wouldn't be coming back to where they were, because Hugs & Bugs took over that room.

Dave Laker commented as an individual, he felt the Board should look at options as possibilities.

Trustee Franks recalled that it was Jerry Hughes that approached us to rent the former Village Hall and that it was a win/win situation because the Hugs & Bugs Daycare wanted to expand.

Trustee Asklund said it was a “big deal” to make the improvements to the downtown building. Mr. Brady said no matter what they decide-they will be seen as kicking the church out. They want a place they can hang their sign and there is no place in this building (REFMC) to do this. President Eckert stated he appreciated everyone’s comments this evening.

Trustee Franks made a motion, seconded by Trustee Tarter, to adjourn the meeting. Voice vote; all “aye’s,” motion carried unanimously.

VILLAGE CLERK

VILLAGE PRESIDENT