

REGULAR MEETING OF THE BOARD OF TRUSTEES  
VILLAGE OF PHILO, ILLINOIS  
October 13, 2010

The meeting was called to order by President Craig Eckert at 7:05 p.m. at the R.E. Franks Meeting Center in the Eileen Painter room.

ROLL CALL: Present-Trustees Franks, Sappenfield, Pioletti and Tarter. Absent-Trustee Mumma.

GUESTS: Dave & Susan Laker, Dave Traxler, Paul Brady, Bob Rice, Christine Walsh, Leo Clennon, Bill Bolger, Barb Socha, Paul Hendren and Dave Phillippe.

MINUTES: With a correction to the spelling of Syed, Trustee Franks made a motion, seconded by Trustee Pioletti, to approve the meeting minutes of September 8, 2010. Voice vote; all "ayes," motion carried unanimously.

ACCOUNTS PAYABLE WARRANT: Trustee Sappenfield made a motion, seconded by Trustee Pioletti, to pay the bills as presented. Roll call vote; "ayes" Trustees Franks, Sappenfield, Pioletti and Tarter. Motion carried unanimously.

VILLAGE ENGINEER: President Eckert has not heard anything from Larry Johnson or Mayor Plackett about the sanitary sewer system to gauge their interest. No items were presented to Dave Phillippe.

PAUL HENDREN: The Village attorney presented information in regard to the sale of the lot and alley and went through the process of the sale. A  $\frac{3}{4}$  vote is needed or 5 of 6, which will require President Eckert to vote since Trustee Mumma is absent. All present would have to approve or decide later. Mr. Hendren stated a minimum bid of \$1,200.00 was required. President Eckert opened the only bid received from Rodney Schweighart in the amount of \$1,400 plus extra costs per the conditions set. The ordinance was already provided to the Board and if it is passed, Mr. Hendren will prepare the deed.

Trustee Pat Pioletti made a motion, seconded by Trustee Alta Tarter, to accept the bid of \$1,400 from Rodney Schweighart for the purchase of the stated Village property. Voice vote, all "aye's," motion carried unanimously. Trustee Steve Sappenfield, made a motion, seconded by Trustee Larry Franks, to pass Ordinance 2010-564, Ordinance Authorizing the Sale of Surplus Real Estate, Philo, Illinois. Roll call vote; "aye's," Trustees Franks, Sappenfield, Pioletti, Tarter and President Eckert. Motion passed 5-0.

Paul then reviewed the ordinance to vacate the alley north of the triangular land, noting the proper notices were published conducting public considerations of vacating the alley. The intention of the ownership would be to the abutting property owner of lots 1, 2 & 3 to the north and would release the Village from upkeep for the public good. The Board determined that the only amount due would be the actual costs to vacate the alley. Mr. Hendren indicated the amount of land would be minuscule for lots 4 and 5 and the cost of giving to them, recording

new plat, if we recoup all expenses, they don't care. The document Paul prepares would say that.

Trustee Larry Franks made a motion, seconded by Trustee Alta Tarter, to pass Ordinance 2010-565, An Ordinance Vacating a Public Alley in Block 11 E. B. Hale's First Addition to the Village of Philo. Roll call vote; "aye's" Trustees Franks, Sappenfield, Pioletti, Tarter and President Eckert. Motion passed 5-0.

President Eckert noted that resident David Witt at 106 West Grant inquired about wanting to buy the alley at his residence. Dave Phillippe stated his records indicated the alley was vacated in 1963 and Paul Hendren said he mailed a letter to respond. Dave Traxler was not contacted about the information included in an email about permit.

LIQUOR ORDINANCE (Philo Country Store site): Attorney Hendren explained that since Mr. Syed surrendered his license there is none available, unless we approve the proposed Liquor License Ordinance. The beer, wine and liquor ordinance, if passed, then a license could be applied for and possibly approved. Paul stated Mr. Chawla has received copies of the ordinance from him. We could approve the ordinance now or with an application. Trustee Franks asked why this requires a new ordinance. Paul explained our ordinance provides that if any Class "A", "B" or "C" license is revoked, surrendered without approved transfer, or is not renewed, the number of authorized licenses in that licensed category is automatically reduced by one (1). President Eckert said there are actually two issues: 1) To consider a refund to Mr. Syed and 2) although Mr. Chawla seems ready to open, Craig is not anxious to approve license. Trustee Tarter said until the business is sold there is no reason to grant license. President Eckert stated the septic is okay at the PCS per Jeff Blackford and added he is not aware of any work being started there yet. Craig is not in favor of approving a license since the business is not up and running.

Trustee Franks made a motion, seconded by Trustee Pioletti, to pass Ordinance 2010-566, Ordinance Amending Liquor Control and Licensing Ordinance for the Village of Philo, Illinois. Roll call vote; "aye's," Trustees Franks, Sappenfield, Pioletti and Tarter. Motion passed unanimously.

Trustee Franks made a motion, seconded by Trustee Sappenfield, to reimburse Mr. Syed all but \$100 of the license fee paid. Roll call vote; "aye's," Trustees Franks, Sappenfield, Pioletti and Tarter. Motion passed unanimously. President Eckert will send a letter to Mr. Syed with the check for \$400.00.

PROPERTY PURCHASE: Mr. Hendren informed the Board of Philo Exchange Bank's foreclosure process on Mitch and Rhonda Keeler's business and residence. He explained lawyers for the bank are handling the foreclosure. President Eckert and Paul Hendren met to discuss the Village acquiring a portion of property. Craig suggested Paul Hendren contact the bank's attorney in regard to the vacant property south and to the east to see if they would consider selling it to the Village and talk to the Board. President Eckert said Mitch had

contacted him about any interest in the building, etc. and Craig indicated the Village is not financially able to purchase all of it. The Village's interest might be in the property south and east to possibly expand the maintenance building. No idea of cost or as to whether the bank would slice off that piece of property and it would also be up to Mitch and Rhonda if they want to agree to that arrangement. Trustee Tarter asked how big an area they are talking about. It is approximately 10x15' to the south by 70'. Trustee Franks said to see if the attorney or the Keelers are interested. Trustee Pioletti wondered if our interest would postpone foreclosure. Attorney Hendren was not aware of any reason this would complicate the issue. The question is really even if they want to discuss the proposal. Trustee Sappenfield felt it doesn't hurt to ask. Trustee Tarter said this is just another example of the loss of a business in Philo and is okay for Village to check out land. The Board authorized President Eckert to direct Paul Hendren to inquire about the possibility of purchasing the land discussed.

Mr. Hendren suggested the Clerk and Treasurer review the appropriations in preparation of the Tax Levy that will be presented at the November meeting for December passage.

DAVE TRAXLER: Dave T. reported they had 7 loads of brush in October. He also stated the street light on the north side of Jackson Street is fixed and the tree at Kirby's on Van Buren is done. During the Philo Clean-Up Day, five dumpsters were filled. The Village received a thank you from Eworks for trimming the tree.

Mr. Traxler presented the Board a proposal for \$1,400 for a condensation pump. He indicated we replaced one about a year ago that was connected to the boiler. Problems with the heaters were reported. One has holes in the coils and the one in the room rented by Hugs and Bugs has a bearing going out. Dave T. explained there isn't a valve to shut off. The cost from A & R for two heaters is \$7,630 and the bid from Xtreme Mechanical is \$4,600 for one heater. Trustee Pioletti asked what the lead time was and Dave T. indicated 4 to 6 weeks out. Trustee Franks said it is best to deal with the heating problem now, not later. Trustee Sappenfield suggested replacing one and ask Neal Asklund about the north room.

Trustee Franks made a motion, seconded by Trustee Pioletti, to purchase two heaters in the amount of \$7,630 and a condensation pump at \$1,400 for a total of \$9,030. Roll call vote; "aye's," Trustees Franks, Sappenfield, Pioletti and Tarter.

ROBERT RICE: Mr. Rice presented his regular monthly report. Bob reported we have a CD maturing and said he projected the cash flow for 3 months. If the same, we would still have \$79,000 in the Clearing Account in January. He said his projection did not include \$5,500 to A & R. The CD matures October 21, 2010. Trustee Sappenfield suggested rolling over the CD and the Board agreed.

OLD BUSINESS:

Unleashed Dogs: Stephanie Joos will be invited to the November meeting to clarify the Animal Control Agreement between the village and Champaign County Animal Control.

Hugs & Bugs door chimes: Dave Traxler just received quote today. The Board decided to table until November meeting.

Fuzzy Bikes lease: The current lease expires October 15<sup>th</sup>, this Friday. After discussing their options, Trustee Pioletti made a motion, seconded by Trustee Sappenfield, to extend the written lease to Ryan and Mitch Keeler at 120 W. Washington on a month-to-month basis. Roll call vote; aye's," Trustees Franks, Sappenfield, Pioletti and Tarter.

NEW BUSINESS:

The REFMC report was delivered to the Board.

Update on Dinesh Chawla's effort to open PCS was discussed earlier in the meeting.

Trick or Treat Hours were set for October 31, 2010 from 6-8 p.m.

Daly's Bar: President Eckert informed the Board that Clerk Kirby had received copies of letters sent to Bob Daly from the Board of Health. He likes Bob, has been supportive of the bar to give him a chance and is both upset and disappointed by this notice. It was possibly the worst thing he could have done. President Eckert wants the Board to know, if Bob opens again without approval from the Board of Health that as Liquor Commissioner, Craig would have to suspend his liquor license. Bob needs a valid septic system before opening. Bob has voluntarily shut down. Trustee Tarter asked if he is buying land behind the building. Craig said he doesn't know, but the Village sent a letter of support to the railroad to help Bob. Mr. Brady asked if money was exchanged and Board members answered "yes".

The CIMOA meeting will be held in Arthur on October 21, 2010. Reservations should be submitted by October 15<sup>th</sup>.

Joe and Amy O'Neill sent a donation of \$400 to help reimburse the expense of mulch, etc. at Caleb's playground. Craig will send a thank you letter.

President Eckert will also send thank you letters to Rod Schweighart and Bob Daly for their clean-up and landscape efforts for Village residents.

**Trustee Sappenfield**-Nothing

**Clerk Kirby**-Nothing

**Trustee Pioletti**-Asked about final report on Fall Festival

**Trustee Tarter**- Reported the Fall Festival did have a profit, even with the cancellation of Saturday's band because of the rain. The Philo Fall Festival committee will report to the Village at the November meeting. Alta is concerned about the strong sewer smells in front of the Philo Tavern during the festival. She asked if the problem could be at the downtown apartment since

they are now occupied. The Board recalled there was a new system installed at the back of that building.

Resident Paul Brady informed the Board there are approximately 124 Ash trees in the Village with 21 on public property. These trees are threatened by the emerald ash borer, for which we can thank China. He estimates it will cost \$21,000 to take down and burn the trees. To save the trees a yearly systemic insecticide needs to be applied. Emerald ash borers kill all ash trees. They have been sighted in Rantoul and south and are like “maggots on road kill.” The Board noted they should appropriate for the additional expense to remove trees.

MOTION TO ADJOURN: Trustee Franks made a motion, seconded by Trustee Sappenfield, to adjourn the meeting. Voice vote; all “aye’s,” meeting adjourned at 8:50 p.m.

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VILLAGE CLERK

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VILLAGE PRESIDENT