

REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF PHILO, ILLINOIS
August 5, 2009

The meeting was called to order by President Craig Eckert at 7:00 p.m. at the R.E. Franks Meeting Center in the Eileen Painter room.

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

GUESTS: Christine Walsh, Dave Traxler, Dave Phillippe, Bob Rice, Susan Helmink, Bob Daly, Tom Payne, Dave Laker, Marc Miller and 47 guests that signed in (see list attached).

MINUTES: Trustee Susan Miller made a motion, seconded by Trustee Alta Tarter, to approve the meeting minutes of July 2, 2009. Voice vote; all "ayes," motion carried unanimously.

ACCOUNTS PAYABLE WARRANT: Trustee Asklund made a motion, seconded by Trustee Susan Miller, to pay the bills as presented. Roll call vote; "Aye's," President Eckert, Trustees Miller, Tarter and Asklund. Motion passed unanimously.

President Eckert spoke to the audience, saying sometimes it seems like there is an edge to his voice, adding that it may be, in part, his eastern accent. He stated he was the proudest of being Village President at the sewer meeting held across the hall. He liked the large turnout, everyone was polite and respectful and it was the best public meeting and hoped it is characteristic of the meeting tonight. He reminded everyone attending of the established policy to notify the Deputy Clerk, Susan Helmink, or Clerk, Judy Kirby, if you want to be added to the agenda to speak at the BOT meeting. He will recognize the three guests that asked to be on the agenda, Bob Daly, Tom Payne and Dave Laker. President Eckert also remarked that the three Trustees that were absent tonight rarely miss a meeting. All need to hear what you say, including the missing Trustees. If you want to speak, and the Trustees agree, you will have two minutes to speak and then I will recognize the next person. Craig was overjoyed to see such a public turnout. He then asked Tom Payne to speak first.

TOM PAYNE: Tom said the turnout reminded him of 2003, but we're in a larger and nicer facility. He stated for those that don't know him, he is a lifelong resident of Philo. Tom indicated he has spoken with various police departments and his statements are not just a kneejerk reaction. He wants to stimulate discussion, saying there has been a lot of information in the newspaper and he liked the open manner and input by everyone. In Tom's research he noted 50-60 percent of accidents were related to alcohol. He added Philo residents have a high quality of life, pride of ownership and are clean, tranquil people. Possible problems are an increase in taxes for added police protection. Tom said smoking is not allowed 15' in front of establishment; won't this hamper people using the sidewalk? He asked "What is best for Philo? Why does it need another bar?" Mr. Payne asked if the Board would have to pass a new liquor ordinance. President Eckert replied "yes." Tom also asked about the classification of the bar license. President Eckert stated he would have to defer to the attorney. The question of what

happens to the license if the business was sold was brought up. The issue of training was discussed. There are two programs for owners and staff. One called BEST (Bar Employee Staff Training) and another called BASSET, are offered by the State of Illinois. Tom suggested training be a requirement to help curtail problems. He will provide examples of training to Craig. Will the bar have bands? If so, this can create problems such as long hours and noise. Proper insurance should be required. Tom suggested high standards and suggested the proposed bar restrict minors' access unless accompanied by a parent. In these financial hard times, Tom noted a lot of bars are closing due to lack of financial capitalization.

BOB (R.J.) DALY: Bob stated this is the 3rd or 4th time he has come before the Board to discuss opening a small sports bar. He will be putting in a multi-flow septic system. In doing his remodeling about 7 to 8 construction jobs were created. He will be employing 5 to 6 people to staff the bar. Bob will bring revenue to Philo and plans to help with fund-raising for various events. He has over 250 people's signatures in favor of a sports bar. Bob contacted the Champaign Public Health Department and is following its requirements. In response to questions raised by Mr. Payne, he said he will not be having bands and has \$2 million insurance coverage. His business will seat approximately 45 people. Bob invited anyone that is interested to stop by his building that has been gutted, rewired and fixed up.

DAVE LAKER: Dave said his feeling is to be sure a businessman won't mess his own kit. People and Board should give him a fair shot. Still in America, we have a chance to fail. Dave said "I've listened to him (Bob) and taken that into consideration." Mr. Lake stated he ran a business for 12 to 14 years here, likes Philo and doesn't think a small sports bar will hurt the town. He hopes the Board doesn't drag this out like the other issues; the Board owes Bob an answer. This would be an endeavor that can benefit the Village. Mr. Laker noted that Tom Payne brought up good ideas and issues, adding the Board needs to get everything out in the open.

President Eckert indicated he wanted to follow up, because he can. He is not an opponent to capitalism. A business can fly-not fly and has the right to fail. The concern is then, what happens to the store front and license, he has experience in business. What happens if he fails?

Margaret Rawdin answered that Bob has done his homework. Without a liquor license he could repurpose the building.

Trustee Susan Miller noted that Bob had been in the bar business for about 5 years. She asked him if he ever had any nuisance calls. Bob replied he had not. He said one of his largest events was an antique tractor pull that about 1,500 people attended and he also had a horse poker run. Bob said his clientele for the sports bar would be 40 to 60 year- olds. He has talked with Brad Bollman (co-owner of the Philo Tavern) and he doesn't see any problem with competition. In regard to smoking on main street, Bob plans to have a small patio in the back for smoking and a 20' backroom for storage.

Bob said he was willing to have employees complete training. If someone underage attempted to make a purchase, Bob said he would keep the license and ask the person to leave and call police if necessary. He said if a 20 year-old girlfriend is there with a legal age person, she would not be served. R.J. said if given the opportunity, the Village would be proud and he would run a good establishment. He is still looking into the purchase of the building next door (to the west). The multi-flow is estimated at \$10,000.00. Trustee Tarter asked and was told there was no mortgage on Bob's building, everything is paid for.

Trustee Asklund asked about the hours of business. Bob thought 1:00 or 2:00 p.m. to 10:00 or 11:00 p.m. on weekdays and later on Friday and Saturday nights. Trustee Tarter asked if he still wanted Sunday hours. Bob would like to be open for special events, or say for Bears games noon to 6:00 p.m. Bob said he could use Town & Country Catering or the Apple Dumpling, for events like birthdays.

Bob said if he does purchase the building next door, he might just use the 300' in the back and possibly use the front 450' for an ice cream shop or whatever, or rent out.

Resident Gary Franks commented "Can't you revoke a liquor license?" President Eckert responded that you can, but it can be complicated to close down establishment or expensive to pull license. Craig added that the Village attorney would be best to answer and he should be here at 8:00 p.m.

When asked about poker machines, Bob stated he has not given that any thought yet. He may have some, like the tavern does, but not like Bunny's, maybe just one machine. Some people were concerned about the mafia. Bob said "This Daly is not related to the Chicago Daleys!"

Bob Hale commented that back in the 60's there was not a middle-class, working man's bar. Every town needs two bars, one for blue-collar workers, due to cultural differences.

President Eckert then asked if anyone else had any questions or wanted to speak. Ted Myhre commented that he rents two doors down and from his perspective a bar would not be good. They hold services on Sunday and may meet Tuesdays and Fridays. It was noted that 25% of issues are related to alcohol, we don't want Philo to be like Tolono and have similar reputation of fights, etc. The issue of having ample parking was also mentioned.

Philo resident Rick Kirby said "Philo would never be like Tolono, we have class." Another resident, Margarine Rawdin, inquired as to how soon the Board could act. President Eckert responded by saying he wants every Trustee to be present at a meeting August 12th at 7:00 to vote on issue. The notice for this meeting will be posted as soon as possible and within requirements. John Lewis spoke, saying his experience with the Board was good, has known Bob Daly a number of years and he's a man of his word. Mr. Lewis asked the Board to give him a chance.

Mr. Brady stated he was not for or against the bar issue, but wanted to express his concerns like ADA, the American with Disabilities Act, exits and entrances, smoking, emergency situations and inspections. Trustee Miller asked if Dave Traxler would be the one to inspect. She stated she is a safety compliance officer and would be willing to inspect if needed. Bill Hubert stated he has known Bob 30 to 40 years and he highly recommends giving him a chance and hopes it (the vote) goes through. Chris Douglas has lived in Philo 10 years and thinks Bob deserves a chance.

BOB RICE: Bob presented his usual monthly report, noting two entries in regard to a renewed CD investment. When asked what he found out about the REFMC loan, Bob said Busey is not interested in lowering the interest rate. Bob said the Philo Exchange Bank talked to the attorney and it may be less to redo the initial loan, possibly \$2,000.00.

HEATLAND BIBLE: Jerry Hughes and Ted Myhre asked if they could put some kind of sign out for their church at the Village rental building. The Board suggested they look into various options and bring their ideas to the next regular meeting, Sept. 2, 2009. President Eckert also indicated the sign would need to meet the current zoning ordinance. Trustee Asklund suggested they give the Board a drawing for the Village engineer to review. The group also asked if a fence could be put up in the back of building at their cost. This was agreeable to the Board.

VILLAGE ENGINEER: Dave Phillippe will have an update on the facilities plan by the September meetings. Dave Traxler met with the contractor to determine what they would do about the sidewalks. Dave anticipates they will start next week on the sidewalks. That work will be coordinated with the MFT work.

MARC MILLER: Marc explained the Letter of Understanding that empowers the President to sign and suggested we discuss this issue at the end of the meeting. The Board asked Marc what would happen to the liquor license, if we grant a liquor license, and the business fails. They also asked him if we can restrict the business from being open on Sundays. Mark stated we can discipline, fine, or revoke the license for violations. Basically, we can design the ordinance anyway we want. Trustee Tarter commented that Bob plans to have a sports bar and no food and will not allow a minor unless accompanied by a parent during certain hours. Marc said we should look at this like a variance. Trustee Miller said we are obligated to make a speedy/timely decision.

DAVE TRAXLER: Mr. Forrest is okay with the plan and the drainage work should be done by Friday. They picked up 6 loads of brush today and will finish brush pick up tomorrow. Wayne Shroyer's drainage work is done and Dave just needs to seed the area. Clerk Kirby asked if another trash container could be purchased like the one near the bank and post office. Trustee Tarter asked about the pipe sticking out of the ground at a house on Cleveland. She also mentioned the noise from a street light on Washington Street, which has been taken care of already, according to Dave.

OLD BUSINESS: There have not been anymore golf carts licensed.

The sheriff will be contacted about the egging and vandalism and asked to do some late night and early morning patrols. Mitch Keeler's car was broken into and speed bumps were placed across the Washington Street near the water tower.

President Eckert reported he had a conversation with Kevin Rogers, President of the Philo Exchange Bank, who indicated he would be willing to speak to the Board about the REFMC loan. The size of the note is out of normal range of the bank, but they would be willing to consider. Craig will invite him to a BOT meeting in March.

Susan Helmink reported that Valerie McCord, with One Call Now, will send maps to make possible changes. They will get numbers. The training is online and with Valerie on the phone with as many people as we want allowed to take part in the training.

NEW BUSINESS: Craig explained that Steve Sappenfield can't serve on the Plan Commission and be a Village Trustee and suggested Karl Helmink to take his place. President Eckert asked the Board to ratify his appointment of Karl Helmink to the Plan Commission. Voice vote, all "aye's." It was also mentioned, and Craig will suggest, that Steve also resign from the Park Association.

Marvin Lee has contacted the Village in hopes to use the Hale Park pavilion for evening concerts beginning August 17th. He will be contacted that the pavilion is already booked. It is his practice to pass the hat to cover fees. Leo Clennon noted that Marvin Lee is a great promoter and was instrumental in helping Allison Krause. President Eckert will contact Marvin and ask him to contact Susan Helmink in regard to the pavilion schedule. Trustee Miller suggested the Parks Committee meet to consider possible fees to rent the pavilion, but not make any changes retroactive.

The Board will discuss and determine if they will make a contribution to the Fall Festival at the September 2nd meeting. If needed, the Clerk will add the donation amount to the other bills considered for payment.

The Mahomet Aquifer request for a donation will be forwarded to the Trustees for consideration of an agreed amount to donate for research. This will be discussed at the Sept. 2nd meeting.

Susan Helmink asked the Board to consider approving an amount to spend for hand-out items for students that visit the Village offices each year and for items to give out at the Village booth for the Fall Festival. The items will be red, white and blue such as pencils, huggies, etc. Trustee Asklund made a motion, seconded by Trustee Miller to authorize spending \$200.00 for promotional items. Roll call vote; "aye's," Trustees Eckert, Miller, Tarter and Asklund. Motion passed unanimously.

The Fat, Dumb and Happy Club fundraiser was discussed. President Eckert recalled at a prior meeting that Pat Flynn requested to have a tractor show with a parade and to use Hale Park. The question of liability for the Village was asked and our Village attorney stated Hale Park would be

covered. The Board approved their request for the event. Pat told the Board at that meeting that the group is raising funds to provide a new scoreboard at the ball park. Alta, Susan and Mary Jones voiced concerns about accountability of the group and also the fact they expanded on the event from what they were initially going to do. President Eckert feels there concerns are legitimate, but thinks there may be a squabble between the groups. Is it the Board's business? It was not proper to have all the add-ons and will suggest Pat or the group come to a Board meeting and be upfront, citizens will want to know where money went. Trustee Asklund said Pat Flynn was upset. Trustee Miller said the Fall Festival has guidelines to follow. The FD&H golf outing was also discussed. The fact that alcohol may be involved was brought up. Trustee Tarter asked if the Village can be held responsible. Marc Miller responded that it would be highly unlikely. Both President Eckert and Trustee Asklund will talk with Pat Flynn.

Former Trustee Ault has the access code for the wireless access at the REFMC. In the mean time, we will check on bids in regard to wireless internet access in the building. Susan Helmink has done some research on possibly switching from Prairieinet to Comcast.

MISCELLANEOUS DISCUSSION:

Trustee Asklund: The Hugs and Bugs lease will be discussed at a September meeting.

Trustee Tarter: Nothing

Trustee Miller: Susan asked who she should contact to receive approval if Stevie Jay wants to telecast from the water tower. She was told to contact Tom Bruns (Aqua Illinois).

Judy: Nothing

Craig: Nothing

President Eckert reminded the Trustees of the special meeting on August 12, 2009 at 7:00 p.m.

MOTION TO ADJOURN: Trustee Asklund made a motion, seconded by Trustee Miller, to adjourn the meeting. Voice vote, all "aye's," meeting adjourned.

VILLAGE CLERK

VILLAGE PRESIDENT