

REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF PHILO, ILLINOIS
June 17, 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 Mumma, Franks, Sappenfield, Miller, Tarter and Asklund.

GUESTS: Christine Walsh, Dave Traxler, Dave Phillippe, Josh Gabehart, Leo Clennon, R.J. Daly, Rachael Garrett, Susan Helmink, and Bob Rice.

MINUTES: Trustee John Mumma made a motion, seconded by Trustee Larry Franks, to approve the meeting minutes of June 3, 2009. Voice vote; all "ayes," motion carried unanimously.

JOSH GABEHART: President Eckert introduced Josh from Aqua Illinois, and explained the paving project at the new water tower and Hayes Street. The proposed paving is hot mix asphalt with the section on Hayes to be a 3" total to the recycle bins, then 4" for heavy traffic use and pick up of bins, not inside the fence. The paving is tentatively set for Wednesday, June 24th. Trustee Mumma asked if there was a good base, and was told yes and that there is flow to the north with a lip at the recycle bins. The proposal for the Village to pay for the paving of Hayes Street north of Washington Street was discussed. Josh indicated Aqua would take care of the signage for vehicles entering the area. Besides being cosmetically better for the neighbors and looking more complete, they thought this area would be a good test to see how well asphalt holds up. Mr. Phillippe estimated costs of about \$1,000 to oil and chip this area but that asphalt would last much longer. Trustee John Mumma made a motion, seconded by Trustee Asklund, to approve the paving of north Hayes Street in the amount of \$7,645.00. Roll call vote; "aye's," Trustees Mumma, Franks, Sappenfield, Miller, Tarter and Asklund. Motion carried unanimously.

Josh reminded the Board of the tank dedication and said invitations were mailed today. Tom Bruns and representatives from three states will be present at the pipe cutting. Josh also noted 2010 projects by the company will include work along Route 130 and projects along Harrison and Van Buren streets.

BOB DALY: Bob (R.J.) Daly spoke to the Board, saying it had been three years since he first came to a Board meeting to express his interest in opening a sports bar in town. Bob said he is updating and remodeling his building on north Washington Street and would like to request a liquor license. He said the Philo Tavern is great, but it is mainly a restaurant. He would like to give people another place to go. President Eckert stated, as he has said before, when another person wanted to open a bar in town, it was the largest outpouring of people, most spoke against it. He wanted to go on record to say he (Bob) is local, people know you to be fair and consistent. Trustees Mumma and Franks recalled getting more calls than on any other issue. Trustee Mumma asked if he planned to serve food. R.J. said maybe food, such as snacks and pizza. He plans to have a big screen television to watch games or a place to gather after a Unity event,

similar to Murphy's. Planned hours of operation would be weekdays 2 to 10:30 and Friday and Saturday later to 1:00 a.m. or whatever is allowed. Trustee Asklund asked about Sundays and Bob said possibly if a special event, like Super Bowl Sunday. Trustee Mumma thought the fact people know R.J. that might make a difference and hoped he didn't have expectations tonight to get approval. R.J. said he wanted to make his request in order to know how to proceed.

Trustee Tarter was not a Trustee when the other person tried to get a bar approved and asked what the concerns were then. She was informed that Mr. Payne had the most thought out presentation against the bar. Trustee Franks said he received about 75 calls with 70 against it.

Paul Hendren will review the Village's current liquor license ordinance and report to the Board at their next meeting. Trustee Asklund asked R.J. about the sewer system at the location, noting all the problems the Park Association had with getting a system in at Hazen Park. Trustee Sappenfield stated he won't have the same requirements, because he won't have a kitchen, and thus will not need a grease trap. R.J. will check with the Board of Health. When asked about the number of feet in the building, R.J. said there is approximately 1200 square feet and the occupancy would be about 50 people.

Trustee Mumma brought up the possible problem with a bar being located within a certain amount of feet from a daycare. Attorney Hendren will check to see if a daycare is considered the same as a school with respect to the distance from the proposed tavern. Trustee Miller commented that R.J. seems to know what he's doing and she would like to hear both pro's and con's for his request. Trustee Sappenfield said Mr. Payne's facts sound good, but his information was based on Tolono, which has several differences from Philo. Trustee Mumma added that you always hear more negative with any situation and now a different person is involved. Trustee Tarter wanted to know if the interest he has shown in the building next door would mean expansion of the number of people he could have in the bar. Bob stated, should he purchase the building next door, it would be for used for bathrooms and storage, not to enlarge his capacity. When asked about a time-frame, Bob indicated he would like to be open by football season.

DAVE PHILLIPPE: Dave, Paul and Craig met to discuss the sanitary sewer system and agreed Dave is "lead oar". Dave said the next item is to determine the supply treatment to determine if 1) Village will own it 2) partner with Sidney or Tolono and 3) negotiate with those communities. President Eckert added that he has no update from Sidney and that Tolono has yet to meet to determine its capacity. The Board was reminded until that is decided, we can't complete the Facilities Plan or submit it to the EPA for consideration. Trustee Franks said this has been ongoing for two months and believes we should move forward with our own collection system, he doesn't like to be "swinging in the wind." Trustee Franks is afraid we may miss another grant deadline. Trustee Mumma asked how long it may be before Sidney knows and the response was they are hopeful to hear something by fall. Trustee Asklund feels we should plan as if we would operate our own sanitary sewer system. Trustee Franks said we are over half-way done, move ahead, doesn't want to rely on someone else. President Eckert said if the Board was

in agreement to move ahead we should direct the engineer to complete the plan and provide a draft for the July 1st meeting.

Trustee Franks made a motion, seconded by Trustee Susan Miller, to direct the Village Engineer, Dave Phillippe, to complete the Facilities Plan with the option of the Village operating its own sanitary treatment system. Roll call vote; "aye's," Trustees Mumma, Franks, Sappenfield, Miller, Tarter and Asklund. Motion passed unanimously.

MFT: Mr. Phillippe informed the Board that bids are due at 11:00 a.m. June 30, 2009, and will be reviewed at the July 1, 2009, meeting. Dave noted there are four locations about existing streets that will need ADA grooves and colored detectors with bumps. Mr. Phillippe also stated if residents take up bricks from old sidewalks, we should require them to barricade the area. This information will be communicated to Dave Traxler.

PAUL HENDREN: Paul will be meeting with Roger Miller of Grand Prairie to discuss the detention basin and indicated when it is discussed at the next board meeting, it may be best to discuss in closed session.

When Mr. Tendick applied for a building permit to build a garage at his property, he was informed he was within Philo's 1.5 mile limit and would need our approval. Paul explained to the new Trustees the 1.5 mile extra territorial jurisdiction (ETJ). Mr. Hendren indicated he spoke to President Eckert about this earlier and that they would be exempt anyway. Paul has written a letter and the matter has been taken care of.

Comcast is going around the state to update their franchise fee information. Paul has spoken to the Champaign city attorney and knows Mr. Lierman has been meeting with smaller communities.

DAVE TRAXLER: Dave notified the Board that Wayne Shroyer wants to do the plan as quoted by D.J. Stewart in the amount of \$3,730.00. The Board asked Dave to talk to Wayne again to see if he is willing to pay 1/3 of the project.

Cleveland drainage work is being completed. The Forrest drainage issue is on hold.

The hard materials have been removed at the "Welcome to Philo" sign and the area is ready for the gardeners.

The Board decided it would be best for the sidewalk to go around the tree at Mike Swaney's rather than taking the chance of damaging the tree. Mr. Hendren suggested the Village get an easement since the sidewalk will be on the homeowners property. President Eckert asked Dave to leave him a message.

Richard will do the tree trimming. Dave reported six loads of brush were picked up.

Trustee Asklund asked Dave to arrange for more mosquito spraying.

Trustee Tarter asked about the applications for the part-time help. Trustee Franks suggested the REFMC committee meet to review the 19 applications. Trustees Asklund and Sappenfield will meet with Dave Traxler to review the applications.

Trustee Miller asked if Dave could mark 100 and 500 feet in preparation of the golf cart inspections. She also asked if he had completed the air brake endorsement for the new C Class trucks. She also asked who can legally drive the truck if neither he nor Allan has completed the endorsement. This is the truck used for brush pick-up. The Board instructed Dave to be sure he and Allan both complete the test. It was noted that you get three tries to pass the test.

Dave reported a bee problem in the trees by the water plant. He asked the Board to approve Bill Storm removing them. Trustee Franks made a motion, seconded by Trustee Asklund to approve hiring Mr. Storm to remove the bees. Roll call vote; "aye's" Trustees Mumma, Franks, Sappenfield, Miller, Tarter and Asklund. Motion carried unanimously.

The Village has some junk dirt at the burn pile they would like to get rid of by hauling to 411 West Monroe. The Board agreed as long as it does not interfere with their regular Village work.

BOB RICE: Bob prepared and handed out information in regard to the possible refinance of the REFMC bond/loan. He pointed out a clause in the agreement of a 45 day written notice prior to July 15th of any year. He suggested this information be reviewed and if advantageous to the Village move forward in March or April of next year. It cost the Village over \$3,000 six years ago to obtain the loan certificate. The loan amount will be \$320,000 on 7-15-2010. Trustee Asklund made a motion, seconded by Trustee Mumma directing the Village Treasurer to ask Busey if they will re-negotiate the rate and also discuss and determine if other banks are interested.

OLD BUSINESS:

The Board did not take any action on the Burn Ordinance.

One Call Now contract has been signed and submitted to them. Clerk Kirby indicated they are processing the contract and will be notifying us when we can proceed.

Susan Helmink stated we only received on bid for the computer work. One company contacted was not interested and the other did not return a bid. Trustee Asklund made a motion, seconded by Trustee Franks, to approve the bid from Code 4 PC and approve the work to be done in an amount not to exceed \$600.00. Roll call vote; "aye's," Trustees Mumma, Franks, Sappenfield, Tarter and Asklund. "Nay" Trustee Miller. Motion passed 5 to 1.

Trustee Asklund said the meeting with Susan, Alta, Dennis and Lois Happ, and he was good. They are trying to work out a way to avoid multiple trips to the building and late (early a.m.) closings of the building. There will be two new schools coming to rent the gym. Lois stated to them that her cell phone is always with her. The group talked about alarm issues and will be changing the password. Susan suggested capping the late times. Neal said they will meet at

least once a year. They also plan to keep keys to a minimum. Trustee Tarter sees two separate issues: One, that the Happs are occasionally not on time to open the building; two, that they occasionally do not lock the building. It was suggested to keep a log of complaints to document any problems. Trustee Franks suggested a simple comment card that renters can complete and return. President Eckert wrapped up the discussions by asking the committee to come up with solutions and bring them to the July 1st meeting.

PREVAILING WAGE ORDINANCE: Trustee Larry Franks made a motion, seconded by Trustee John Mumma, to approve the Prevailing Wage Ordinance #2009-555. Roll call vote; “aye’s,” Trustees Mumma, Franks, Sappenfield, Miller, Tarter and Asklund. Motion carried unanimously.

MISCELLANEOUS DISCUSSION:

Trustee Mumma: Inquired about the property at Knolls and Cleveland and if we can determine if the truck is licensed. He asked if we could send a letter in regard to the junk truck and wood, etc. on the property.

Trustee Franks: The property at the corner of Van Buren and Garfield needs a letter in regard to the weeds, as well as the two properties to the west.

Trustee Sappenfield: Asked if Dave could set some traps for the wildlife around his house on Van Buren.

Clerk Kirby: Nothing

Trustee Miller: Speed on Cleveland needs to be addressed by notifying sheriff, speed bumps or speed indicator. The sheriff’s office will be contacted.

Trustee Tarter: Had an inquiry to see if age limit for golf cart could be waived for Dalton Flowers. Paul did not believe this was a good idea. Alta also asked how we received the money from fines. It would go to the general fund-police fund fines, less any prosecution or court fees.

Trustee Asklund: Nothing

MOTION TO ADJOURN: Trustee Franks made a motion to adjourn. Voice vote, all “aye’s,” motion carried unanimously.

VILLAGE CLERK

VILLAGE PRESIDENT