

**MINUTES OF A REGULAR MEETING
MAYOR AND BOARD OF TRUSTEES
FOR THE VILLAGE OF FORSYTH, IL**

**Held at the Village Hall
September 19, 2011**

Call to Order

Mayor Harold Gilbert called the meeting to order at 6:30 p.m.

Pledge of Allegiance

Roll Call

Upon call of the roll, the following Trustees were physically present:

Steve Hubbard, Bob Rasho, Marilyn Johnson, Kerstin Trachtenberg, Eric Morr, Larry Reed.

Absent: None.

Also Physically Present

Fred Brown, Summer Park Recreation Director Michael Poe, Deputy Jennifer Harris, Village Vision Editor Deb Kirchner, Attorney Darrell Woolums, Village Administrator Heather Kimmons, Library Director Jean Campbell, Engineer Chuck Hunsinger, Don Van Lyssel, Chris Lusvardi, Village Clerk Kathy Mizer.

Adoption of Consent Agenda

*** Consideration of items listed on the Consent Agenda under the omnibus vote designation:*

1. Approval of Minutes of the Regular Village Board meeting held September 6, 2011.
2. Approval of Treasurer's Report, August 31, 2011.
3. Approval of Bills presented for payment, September 19, 2011. ***Invoices were always available for review upon request.*

Trustee Hubbard moved, and Trustee Reed seconded, to approve the Consent Agenda, as presented. Upon a call of the roll, the vote was:

Yeas: 6—Hubbard, Rasho, Johnson, Trachtenberg, Morr, Reed.

Nays: 0—None.

Absent: 0—None.

Motion declared carried by omnibus vote.

Public Comment

No public comment was presented.

ADMINISTRATION REPORT

LAW ENFORCEMENT—

- Deputy Harris was present to talk about recent activity that officers have responded to within the Village and answer any questions Trustees may have. She mentioned that there have been no significant issues to

report. Officers remain busy, but the Village has been pretty quiet over the past two weeks. Trustee Morr mentioned that he has had two residents contact him to express their concerns with there being no right hand turn lane off of US Rt 51 as drivers heading north turn east on Weaver Road. He pointed out that the turn is more than a ninety degree turn and traffic heading north along the highway is traveling at a pretty good rate of speed. Trustee Morr added that this is the first intersection in the Village along US Rt 51 for northbound traffic that does not have a right turn lane. He asked what the process would be to determine if a right turn lane is needed at this intersection.

Engineer Chuck Hunsinger replied that this issue would have to be addressed through the Illinois Department of Transportation (IDOT) because US Rt 51 is a State highway. If IDOT initiates the need for a right turn lane at this location, which would be based on traffic counts in that area, they would do all of the work to make this change. However, if the Village wants to initiate making a change, there would be a need for an intersection design study and more than likely, if it was not part of an IDOT project the Village would be required to pay for it. Chuck mentioned that there is a possibility that IDOT may pay half of the costs associated with making this modification since Weaver Road intersects with a State highway. Chuck pointed out that if the Village wants to look into this idea, the place to start would be to contact the IDOT office in Effingham.

Trustee Johnson mentioned that there is no right turn lane off of US Rt 51 at Ruehl Street either. She added that in her opinion, Ruehl Street going east is busier than Weaver Road going east. Trustee Rasho also pointed out that there is no stop sign or traffic light at Ruehl Street, but noted that there is a light at Weaver. Trustee Johnson commented that if drivers turn on their turn signal in time, vehicles behind them know they are slowing down to make the turn. She emphasized the need for drivers to pay attention. Trustees agreed that drivers should wear their seatbelts and turn on their right turn signal in plenty of time to alert drivers behind them of their intent to turn right off of US Rt 51.

ADMINISTRATIVE REPORTS —

Village Administrator Heather Kimmons mentioned that in addition to her report, Trustees have been provided with written reports or narratives to review from the Attorney, Engineer, Head Librarian, Treasurer, and Public Works Director. Mayor Gilbert asked if there were any questions concerning any of these reports.

Trustee Hubbard asked what the Village was waiting for to proceed with the Oreana Water Main Project. Chuck replied that the Village of Oreana bid the project last spring, and so did the Village of Forsyth. However, Oreana decided to reject their bids to allow time to work out their financing for the project, which they are still working on. Chuck stated that Oreana is hoping to rebid the project next spring.

Village Administrator Heather Kimmons mentioned that Forsyth has been reimbursed by the Village of Oreana for the costs associated with preparing this project for bidding, which was requested by the Board.

OLD BUSINESS:

Maroa/Forsyth School District Issue

Trustee Hubbard mentioned that he was a little surprised to not see something on tonight's agenda regarding the school district issue. He explained that when the matter was discussed at the last meeting, he was hoping that there would some type of resolve reached by tonight.

Village Administrator Heather Kimmons pointed out that since some members of the Board were out of the office part of last week attending the Illinois Municipal Conference, and the letter Trustees requested from the School District was not received until Wednesday, there wasn't enough time to prepare a

response to present to the Board for tonight's meeting. Trustee Hubbard commented that he understands, but would like to see something listed on the October 3, 2011 meeting agenda.

NEW BUSINESS

Summer Recreation 2011 Report

Village Administrator Heather Kimmons referred to copies of the Summer Recreation Report which was included in meeting packets for review. She mentioned that the report was prepared by Director Mike Poe, who was in attendance this evening to answer any questions Trustees may have. Heather commented that in her opinion, Mike did an excellent job summarizing the activities for the year. Copies of the financials were also included in the meeting packets for Trustees to review.

Mike referred to the report and commented that he tried to be as complete as he could. He explained that this year was a "season of change" and noted that this would possibly be the best way to describe the 2011 Program. There was a change in the number of employees hired, change in the number of days and hours the program was held, and there were changes in the programming. Mike mentioned that although change is often a necessity for programs, sometimes the results take a little time to be realized.

Trustee Rasho complimented the Village Administrator, as well as Mike and the Park Program Staff for turning a very difficult situation for everyone into a successful program this year. Trustee Rasho commented that he was hopeful Mike's efforts can be built upon next year. Again, Trustee Rasho stated, "good job".

Village Administrator Heather Kimmons referred to some of the suggestions Mike mentioned to in his report, and stated that she hopes they can discuss these more as the planning for next year's program begins.

Trustee Reed thanked Mike for providing the report. He commented that this was the first time Trustees have been given a year-end report in a long time. Trustee Reed stated that in his opinion, it was very helpful.

Heather mentioned that in her opinion, Mike did an outstanding job this year. She thanked Mike for all he did to make the 2011 Summer Recreation Program a success.

Staff Request for Authorization to Dispose of Leaf Collector

Village Administrator Heather Kimmons reported that sealed bids were opened on Monday, September 12. The Village was fortunate to receive five bids, ranging from \$1,010 to the high bid of \$5,125. On behalf of Staff, Heather asked for authorization to accept the high bid from Luke Schmid of Equipment City, LLC in Clinton. She mentioned that the Board authorized the disposal of this surplus equipment on August 1, 2011

Trustee Rasho moved, and Trustee Hubbard seconded, to authorize the sale of the surplus leaf vacuum to Luke Schmid, of Equipment City, LLC, Cinton, IL, in the amount of \$5,125 upon the receipt of a cashier's check, money order or cash payment of the same to the Village. Upon a call of the roll, the vote was:

Yeas: 6—Hubbard, Rasho, Johnson, Trachtenberg, Morr, Reed.

Nays: 0—None.

Absent: 0—None.

Motion declared carried

Staff Request to Update Authorized Depositories for Village Funds

Village Administrator Heather Kimmons explained that this item was added to the agenda at the request of the Treasurer, and believes it is a housekeeping matter. She pointed out that it has been several years since the Board authorized a list of acceptable depositories for the Village to consider. A list was approved in 1996, and then again in 2004. At this point, the Treasurer suggests the Board formally authorize Staff to consider updating its list of depositories to use for Village funds. The Treasurer is currently using Illinois Funds and Hickory Point Bank, but has suggested the Board approve adding Busey Bank, Soy Capital, and Regions Bank. Heather mentioned that Request For Proposals (RFP's) were sent out to each banking facility at the direction of the Board, and all but Town and Country Bank responded. Rhondda is simply asking that the Board authorize her to consider these banking institutions when depositing Village funds.

Trustee Reed asked if there was any reason why the Board should not just authorize using Forsyth banks rather than considering banking facilities in Decatur. Heather replied that in her opinion, this practice is consistent with our general philosophy, which is what is good for the Village of Forsyth is good for the City of Decatur. This plan will also allow the Village to hopefully get the most competitive rates when depositing Village funds.

Trustees talked briefly about whether or not the Decatur Earthmover Credit Union should also be added to this list. They agreed to not add it at this time, but noted that the list could always be updated again.

Trustee Rasho pointed out that from the information the Treasurer provided, it appears Soy Capital Bank is currently offering the highest rate of return. Trustee Hubbard mentioned out that this specific request was only for authorization to update the list of banking institutions that can be used for depositing Village funds.

Trustee Hubbard moved, and Trustee Rasho seconded, to authorize the Village Treasurer to consider as a matter of course the following banks be used for the purpose of depositing Village funds: Hickory Point Bank and Trust, Busey Bank, Illinois Funds, Soy Capital Bank and Trust, and Regions Bank. Upon a call of the roll, the vote was:

Yeas: 6—Hubbard, Rasho, Johnson, Trachtenberg, Morr, Reed.
Nays: 0—None.
Absent: 0—None.
Motion declared carried

Staff Recommendation for Diversification of Reserve Funds/Request to Authorize New General Fund Account

Village Administrator Heather Kimmons reported that the Village received responses from all of the banks which were sent RFPs to, and in just looking at the summary Village Treasurer Rhonda Stewart prepared, the two most favorable appear to be Soy Capital and Hickory Point Bank in terms of interest rates. Both are rated as a five star banking facility and both are offering competitive rates. Rhonda's suggestion is to transfer \$2M of the Village's reserves from Illinois Funds into another banking institution. Heather mentioned that this amount is a little less than half of the total amount in the reserves account.

Heather explained that the Board needs to decide if they want to move the total amount (\$2M) into one of the approved banking facilities, or if they want to split the amount transferred and deposit \$1M into two different banks.

Mayor Gilbert replied that in his opinion, it does not matter. Heather commented that it didn't matter to the Treasurer either. Rhonda suggested leaving the decision up to the Board.

Trustee Reed suggested Rhonda call both of the banks selected and see what their rates are for that day and whoever is offering the best rate, open the account with them.

Trustee Morr commented that he believes if the Village is going to diversify its funds, they should go ahead and split the amount equally into two banks unless it would cause undue account pressure. Trustee Hubbard replied that although he believes it would not take a lot of time to make the transfer, it would be a little extra work to do so.

Following a brief discussion, Trustee Reed moved, and Trustee Morr seconded, to direct the Treasurer to call one of the two selected banks and ask what the rate is for a \$1M dollar deposit and for a \$2M deposit. Then the Treasurer should call the other bank and ask the same two questions. The funds should be deposited into the bank who is offering the best rate on that day. Upon a call of the roll, the vote was:

Yeas: 4—Trachtenberg, Morr, Reed, Gilbert.

Nays: 3—Hubbard, Rasho, Johnson.

Absent: 0—None.

Motion declared carried

Staff Request to Authorize Advertising for Bids, Shadow Ridge Estates Water Main

Mayor Gilbert asked Engineer Chuck Hunsinger to comment on this item. Chuck explained that the plans and specifications for this project have been approved and a permit application has been submitted to the Illinois Environmental Protection Agency (IEPA), which should be back soon. He mentioned that if the Village wants to build this water line this fall, they should go ahead and get the project advertised. Chuck reported that other than the IEPA Permit, the Village has the necessary easements and other permits already in place to proceed.

Village Administrator Heather Kimmons commented in her report that Staff initially thought about delaying the project until spring and bid this project at the same time as the Oreana Water Line is advertised. However, it is not known exactly when that will happen. Chuck added that he would not suggest Forsyth go ahead and build their part of the Oreana Water Line if the Village of Oreana choose not to do so.

Chuck reported that if the Board authorizes advertising this project now, the bids can be held until the IEPA Permit is received. This will allow the construction to be started earlier than if the Board chooses to wait until the IEPA Permit is received in order to advertise. Chuck mentioned that he believes the project could be completed within three or four weeks, depending on weather conditions.

Trustee Rasho asked if Chuck had included the construction engineering fees in the estimate of \$172,900 that he provided. Chuck replied that he had not. When Chuck was asked what that amount would be, he replied that 10% would be about right. Trustee Rasho remarked that he just wants to ensure this amount is reflected into the total amount for the project. Heather mentioned that the Village budgeted \$151,100 for the current fiscal year, and noted that \$15,000 was budgeted for engineering fees last year.

Following a brief discussion Trustee Hubbard moved, and Trustee Rasho seconded, to authorize Staff to advertise for bids on the Shadow Ridge Water Main project. Upon a call of the roll, the vote was:

Yeas: 6—Hubbard, Rasho, Johnson, Trachtenberg, Morr, Reed.

Nays: 0—None.

Absent: 0—None.
Motion declared carried

Request from Miles Chevrolet for \$7.00 Per Car Rebate at Hickory Point Mall/Fall Tent Sale

Trustee Morr moved, and Trustee Hubbard seconded, to approve a \$7.00 per car rebate to Miles' Chevrolet for their upcoming fall tent sale scheduled at the Hickory Point Mall from September 22-26, 2011. Upon a call of the roll, the vote was:

Yeas: 6—Hubbard, Rasho, Johnson, Trachtenberg, Morr, Reed.
Nays: 0—None.
Absent: 0—None.
Motion declared carried

Preliminary Discussion, 2011 Tax Levy

Mayor Gilbert referred to the documentation provided in the meeting packets and commented that he believes it is a pretty good reflection of what the Village has done over the last several years. He stated that in his opinion, the practice the Village has been following has worked very well. This has allowed the Village to increase the levy gradually without making a big impact for anyone. However, Mayor Gilbert expressed a little bit of concern with the overall assessed valuation of the Village. There hasn't been a lot of new construction over the last year so the numbers or the assessed valuation may have plateaued for now because of the economic downturn. Even with this reminder, Mayor Gilbert stated that he would still recommend the Village increase the levy this year by 4.9%

Trustee Morr mentioned that as a counter argument to what the Mayor said, the Board just voted to authorize moving \$2M of its \$4.8M reserves to another banking institution. He emphasized that in his opinion, the Village does not need any more income going forward. Trustee Morr implored other Trustees to vote with him to not increase the amount of income coming into the Village. He suggested the Village take a breather on this issue and vote down increasing the tax levy.

Trustee Trachtenberg mentioned that another thing Trustees may want to consider when making a decision on the tax levy is that the State income tax increase that was passed and everybody is having to live with.

Trustee Rasho commented that he understands some of the comments that were mentioned by Trustee Morr. However, if you look at the amount of the 2010 levy (\$431.328), it was an increase of only \$5,000 from the prior year. Trustee Rasho mentioned that although the Village does not levy for the Forsyth Library, it is evident that the levy amount does not cover the amount needed to operate it. He stated that he agrees with the previous practice of trying to build up the levy to cover expenses in the event of an emergency, and noted that the Village has done this since 1996. If the Village had not made the decision to do this, the levy would be about half of what it is now. Trustee Rasho commented that in his opinion, the impact of the levy for property owners is minimal, and noted that it is not like the Village is trying to avoid putting a referendum before the voters. He commented that by increasing the levy by 4.9% allows the Village to gradually reduce its heavy reliance on sales tax.

Trustee Hubbard commented that Trustees need to keep in mind that although the levy is increased, people will be paying less in property taxes as long as the assessed valuation goes up. Trustee Reed asked the question, will it go up?

Mayor Gilbert commented that for now, this item was only brought up for preliminary discussion and to get Trustees to begin thinking about this issue. The levy will have to be set in November so it will be back on the agenda in a few weeks.

Village Administrator commented that she will try and get some information from other communities across the state who may be in similar situations to see what they are doing with their tax levies. This may help the Trustees decide on what action should be taken when talking about the levy in November.

Pavement Maintenance Repairs

Village Administrator Heather Kimmons referred to information provided by the Public Works Director concerning street maintenance. Larry Coloni has identified several streets that are in need of repair. Two quotes were received, with the low being from B & W paving in the amount of \$48,700. Heather reported that Larry recommends the Board waive the formal bidding process and award a contract to this company.

Heather mentioned that a total of \$68,000 was budgeted for these repairs across three line items in this year's fiscal budget. In the Street Department, \$50,000 was budgeted for street maintenance, and \$8,000 for joint repairs in the Eagle Ridge Estates Subdivision. In the Parks Department, \$10,000 was budgeted for trail maintenance.

Trustee Rasho moved, and Trustee Trachtenberg seconded, to waive the formal bidding process and award a contract to B & W Paving in the amount of \$48,700. Upon a call of the roll, the vote was:

Yeas: 6—Hubbard, Rasho, Johnson, Trachtenberg, Morr, Reed.

Nays: 0—None.

Absent: 0—None.

Motion declared carried

Adjournment

Trustee Hubbard moved, and Trustee Johnson seconded, that the meeting be adjourned. The meeting was adjourned at 8:38 p.m. on voice vote.

By: Kathy S. Mizer
Village Clerk