

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

**Held at the Village Hall  
February 16, 2010**

**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:

Allsup, Reed, Rasho, Morr, Hubbard.

Absent: Johnson.

**Also Physically Present**

Chuck Hunsinger, Darrell Woolums, Larry Coloni, Charlyn Brautigam, Rhonda Stewart, Jimmy Peck, Dale Colee, Phil Cochran, Cathy Anderson, Denene Wilmeth, Lori Sturgill, Clarice Lancaster, Teri Hammel, Phil Romano, Larry Katt, Jeff Hendricks, Cindy Deadrick, Deputy Halk, Deputy Hickey.

**Adoption of Consent Agenda**

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

1. Approval of Minutes of the Special Village Board meeting held January 28, 2010.
2. Approval of Minutes of the Regular Village Board meeting held February 1, 2010.
3. Approval of Bills presented for payment, February 5, 2010. *\*\*Invoice was always available for review upon request.*
4. Approval of Bills presented for payment, February 16, 2010. *\*\*Invoices are always available for review upon request.*
5. Approval of Treasurer's Report, January 2010.

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

Yeas: 5—Allsup, Reed, Rasho, Morr, Hubbard.

Nays: 0—None.

Absent: 1—Johnson.

Motion declared carried by omnibus vote.

**Public Comment**

No public comment was made.

## **ADMINISTRATION REPORT**

### **LAW ENFORCEMENT—**

Deputies Halk and Hickey were in attendance to comment on law enforcement issues officers have responded to during the past two weeks. Deputy Hickey mentioned that since both officers were new to Forsyth, they were not aware of any major incidents to comment on. Deputy Hickey commented that in his opinion, things have been pretty quiet.

### **FUNDING REQUESTS**

Mayor Gilbert recognized representatives in the audience from several organizations who were invited to tonight's meeting to personally request the Board consider making a financial contribution to each specific group. He pointed out that if donations are approved, funding would come from two different sources. The first source for funding comes from the General Fund, and the second comes from Hotel/Motel Tax receipts, which can only be spent on tourism efforts.

Treasurer, Rhonda Stewart provided Trustees with a summary of contribution made last year from each source. Mayor Gilbert asked each representative in attendance, to address the Board in the order listed on the agenda.

- General Fund
  - Economic Development Corporation  
Mayor Gilbert mentioned that although Craig Coil, President of the Economic Development Corporation (EDC) had planned to be here tonight, he called this morning to say he was ill. A letter was sent to the Board with details on the funding request for the EDC. The letter states that the financial support received from the Village, and input and participation as a member of the Board of Directors is vital to the future of the EDC and the Decatur and the Macon County Region. Mayor Gilbert remarked that if the Board is not satisfied with accepting the letter on behalf of the EDC, Mr. Coil is willing to attend the next meeting to personally ask the Board for an annual contribution of \$17,550 and answer any questions Trustees might have.
  - Maroa/Forsyth Post Prom Committee  
Clarice Lancaster was in attendance to speak on behalf of the Post Prom Committee for the Maroa/Forsyth High School. She thanked the Board for its generous contribution of \$1,200 last year, and asked the Board to consider continuing its financial support again this year. Clarice pointed out that the event provides a fun, safe option for students following the Prom.  
  
Mayor Gilbert thanked Clarice for coming tonight, and also expressed his appreciation to the committee and parents who help put the event together. He pointed out that it takes a lot to keep this event going each year
  - Warrensburg/Latham Post Prom Committee  
No one was in attendance to formally present this request. However, a letter outlining the request was provided for review. Last year the Village donated \$250 to help offset expenses of the Warrensburg/Latham Post Prom event.

- Hotel/Motel Tax Receipts

- Futures Charity Golf Tournament

Dale Colee and Cindy Deadrick, Co-Director for the Future Tournament were in attendance on behalf of the organization to present their request for funding. Dale pointed out that this will be the 25<sup>th</sup> year this summer for the event and organizers hope to highlight the tournament and make it a very special occasion. He commented that the economic impact from the Futures Tournament benefits the entire community.

Cindy reported that she believes this will be the best tournament on the tour this year and mentioned that the event is scheduled from June 8<sup>th</sup> through the 14<sup>th</sup>. She remarked that plans include naming a new title sponsor this year, but the announcement will not be made until next week. Cindy reported that the Village has sponsored the Corporate Village the past few years and expressed her hopes that the Board would do so again this year. Cindy acknowledged that that tournament is struggling financially, and noted that the Steering Committee has decided to make some changes to help increase financial support. One decision made will be a decrease in the number of pavilion passes made available to sponsors, in addition to charging an admission price into the pavilion area. Cindy referred to the list of different sponsorship levels available for consideration. She asked the Board to think about other levels to help with the event this year.

Mayor Gilbert mentioned that he also serves on the Steering Committee for the tournament. He commented that in his opinion, organizers are trying their best to make this a successful event. Mayor Gilbert stated that he would like to see the Village consider a contribution in the neighborhood of \$10,000 this year. Last year the Board contributed \$5,650 to the Futures Charity Golf Tournament. Mayor Gilbert asked Cindy to provide more details on sponsorship levels for the Board to review before the next meeting. Cindy agreed that she would get the information to the Board as soon as it is available. She thanked the Board for the opportunity to present this request on behalf of the organization.

- Decatur Celebration

Lori Sturgill was in attendance tonight to address the Board on behalf of the Decatur Celebration. She mentioned that Fred Puglia was unable to make it tonight. Lori pointed out that this will be the 25<sup>th</sup> year of the street festival, which is planned for August 6, 7<sup>th</sup>, and 8<sup>th</sup> this year. She mentioned that last year, \$100,000 was given to not-for-profit groups through the community for helping with the event. Lori acknowledged that the street festival has been losing money over the last few years, and unless organizers find a long-term financial solution, 2010 may be the last year the festival is held. Lori commented that she was in attendance tonight to formally request a donation in the amount of \$8,000 on behalf of the Decatur Celebration. A little more than that amount, would help even more. She thanked the Board for consideration of her request.

- Decatur Area Convention & Visitors Bureau

Mayor Gilbert recognized Denene Wilmeth, Cathy Anderson, Teri Hammel, Phil Romano, Larry Katt, Jeff Hendricks, and Jimmy peck, who were all present on behalf of the Decatur Area Convention & Visitors Bureau (DACVB). Denene

acknowledged her retirement with the DACVB and mentioned that this will be the last time she will formally be making a funding request. She thanked the Board for their continued support of the organization and commented that it has.

Denene described Macon County as being in the top 21 counties in Illinois that showed positive revenues for 2008. She provided Trustees with printed material showing the economic impact from tourism in the area for 2009. The Farm Progress Show as an example, had an impact of approximately \$3M in 2007, but increased to \$5M in 2009. Denene also mentioned that approximately 500 golf packages were sold last year for area hotels in an attempt to bring more visitors to central Illinois. She referred to the new Homewood Suites now open in the Village, and noted that it provides another option for visitors to stay at. Denene mentioned that Homewood Suites has chosen not to participate in the golf packages. She pointed out that the Village contributed \$55,000 last year, but was asking for a little more this year. Denene suggested the Board consider a donation in the amount of \$75,000.

Trustee Rasho acknowledged and thanked Denene for keeping the Board informed as to what is going on with the DACVB. He specifically referred to the agendas and meetings notes that are sent to Trustees throughout the year. The information provided is helpful to Trustees.

- Lakeside Music & Arts Festival  
No was present to comment on this organization. Village Clerk Kathy Mizer mentioned that she did invite representatives to attend.

Mayor Gilbert thanked each one for coming to the meeting. He mentioned that action on the requests will be made at the next regular meeting. This will allow Trustees to review each request prior to taking any action on each one.

## **ENGINEERING—**

Engineer Chuck Hunsinger was present to comment on items listed in his Engineering Status Report provided for Trustees to review.

### *County Highway 20 Road Improvement Project*

Chuck mentioned that the preliminary plans for the project have been completed, but noted that details of the storm drain system cannot be completed until an agreement is reached with Ameren/IP on where the lines should be located along the north side of the road. As a result the design details are being finalized.

### *Oreana Water Main Project*

Chuck mentioned that the Village of Oreana continues easement negotiations for the project, but noted that a pump site has been selected. He mentioned that he believe there has been an agreement reached between property owners and Forsyth regarding a water main easement.

## **LEGAL—**

Attorney Darrell Woolums reported that he was given a copy of a proposed contract between the Village of Forsyth and Caldwell Tanks, Inc. to review. The contract concerns maintenance of the Village's water towers. Darrell cited three areas that in his opinion need to be addressed

before finalizing any agreement with the company. First of all, there needs to be a prevailing wage provision in the document that states that the labor utilized in the performance of the contract shall be paid a wage of no less than the prevailing wage as provided in Illinois law. Secondly, the insurance requirements should be clarified to ensure that an adequate amount of coverage has been provided by the company to the Village. Lastly, Darrell expressed concern with the Paragraph 10 that reads “Caldwell will not be responsible or liable for the containment of blast cleaning debris or for any environmental problems or conditions associated with a Tank or Owner’s adjacent property.” Darrell recommended this language be removed from the proposed contract.

Trustee Rasho asked if the copy of the agreement that the Attorney reviewed was the same document that Larry Coloni, Chuck Hunsinger, and Public Works Committee member Terry Taylor work on. Larry Coloni replied that it was. Larry commented that he plans to meet with the contractor on Thursday to discuss the agreement, and would relay Darrell’s concerns to him. Once the contract has been revised, Larry stated that it would be presented to the Board for approval.

#### **PUBLIC WORKS DIRECTOR’S REPORT—**

Public Works Director Larry Coloni provided a written activities report for Trustees to review regarding the status of ongoing projects in the Village.

Items mentioned included:

- *The Village needs to comply with National Incident Management System (NIMS) requirements as outlined by the Emergency Management Agency. As part of the certification process, there is also a financial format that the Treasurer is required to complete. Larry explained that if the Village is not NIMS certified and a local disaster hits the area, Forsyth would not be eligible for any Federal funding to respond to the event.*
- *Work has been suspended on the relocation of the sand volleyball pit.*
- *Continue working on the Water Storage Tank Maintenance agreement with Caldwell Tank. Larry reported that he plans on meeting with company representatives on Thursday morning to discuss the proposed agreement with the Village.*
- *Public Works Employees are removing trees and brush along Village right-of-ways in an effort to enhance Forsyth’s appearance.*
- *Sump pump inspections and changing out old meters has been suspended until spring.*
- *The wiring upgrade for the concession stand has been completed.*

#### **COMMITTEES—**

##### **Public Works Committee Report**

###### *Weaver Road Bridge Repairs/Inspection*

Chair Trustee Rasho reported that the committee met on February 8, 2010, and noted that members focused their discussion on two major issues. The first item was the Weaver Road Bridge and its condition. Trustee Rasho mentioned that although there was no formal vote on what to do about the issues related to the bridge, there was a consensus from members to bring the item before the Board for action.

Trustee Rasho reported that in 2007 SKS Engineers inspected the bridge and documented its finding in a report provided to the Board for review. Deficiencies noted at that time included: minor cracking in the deck, vertical hairline cracks at the east abutment, rusting anchor bolts, broken concrete, and railing that was either missing or deteriorated. That inspection cost \$1,200 to complete. The report showed the bridge was beginning to show signs of its age. Following a review of the inspection report, the Board asked the former Administrator to investigate this item and provide a cost benefit analysis to Trustees before discussing how to proceed further with the repairs identified in the inspection report.

Trustee Rasho mentioned that a minimal amount of work was done on the bridge in late 2007 and in 2008. Specifically, some concrete patching and painting were done, and the Board did approve replacing the pedestrian handrail for the bridge. The Public Works Director wrote a memo to the former Village Administrator to request the repairs needed to the bridge that were identified in the inspection report be included in the 2008-2009 Fiscal Year budget. Trustee Rasho noted that did not happen. He asked the Public Works Director to provide further comment on this item.

Larry Coloni reported that the Illinois Department of Transportation (IDOT) requires that bridges be inspected every two years. He mentioned that this bridge is in need of inspection since the last one was completed in 2007 and the repairs noted at that time, have not been done. Larry mentioned that he contacted SKS Engineering to ask for a cost estimate for the bi-annual inspection requirement since the firm conducted the previous inspection.

Chris Shafer from SKS Engineering came out to Forsyth to take a brief look at the bridge and then prepared a preliminary report to present to the Public Works Committee detailing what he anticipates it might cost for inspecting the bridge. He provided the committee with a \$24,000 cost estimate that would include filing IDOT reports, and a cost for preparing the bid specifications needed to bid the repairs. Trustee Rasho commented that he did check with the Treasurer to ensure funds are available for the \$24,000 inspection fees in the current budget.

Trustee Rasho mentioned that Chris Shafer also provided a preliminary estimate for the repairs needed to the bridge. That cost could be approximately \$250,000. Rasho suggested the Board authorize spending the \$24,000 for the inspection this fiscal year and add the repair costs to the 2010-2011 Five-Year Capital Improvement Plan.

Trustees discussed this item briefly. Trustee Rasho moved, and Trustee Allsup seconded, to authorize SKS Engineering to prepare a cost estimate for a bridge inspection (including filing IDOT reports) and a cost estimate for preparing bid specifications needed to bid the bridge repairs. Upon a call of the roll, the vote was:

Yeas: 5—Hubbard, Johnson, Allsup, Reed, Rasho, Morr  
Nays: 0—None.  
Absent: 1—Johnson.  
Motion declared carried.

*Street Overlay Project: 2010-2011 Fiscal Year Budget*

Chair Trustee Rasho reported that the second major issue discussed at the meeting was the planned street overlay project identified in the Five-Year Capital Improvement Plan. He noted that again, the committee did not vote on this issue, but it was unanimous that it be brought before the Board for discussion. Trustee Rasho mentioned he again spoke with the Treasurer to see if funds were available to begin the engineering for this project this fiscal year. Rhonda provided a written memo to outline where the money to cover the engineering costs could be taken from. Overlays are planned for Koester Drive South, Highland Drive, Lucile Avenue, and roads within the Forsyth Estates Subdivision. Village Engineer Chuck Hunsinger recommends the four road projects be combined into one in an effort to reduce the overall costs.

Trustee Rasho mentioned that Chuck estimates the total cost for engineering to be approximately \$60,000, and suggested \$40,000 be budgeted this year. The remaining \$20,000 should then be included in next year's budget along with construction costs estimated at \$400,000.

Rasho moved, and Morr seconded, to authorize spending \$40,000 for engineering of the four street overlay projects outlined in the Five-Year Capital Improvement Plan (CIP). Following a lengthy discussion, the motion was withdrawn. Trustees agreed to postpone acting on these projects until the next meeting when the revised CIP is presented and discussed.

*Long-Range Maintenance Plan*

Chair Trustee Rasho reported that members discussed the Public Works Department developing a long-range maintenance plan for the Village. The plan should identify all required or planned inspections or repairs for bridges, sewers, hydrants, parks, water mains, etc.

**Economic Development Committee**

*Member Appointment)*

Chair Mayor Gilbert recommended Jack Hilberling be appointed to the Economic Development Committee. He noted that the committee is now full. Trustee Rasho asked the Mayor if Mr. Hilberling had submitted a bio on himself. Mayor Gilbert replied that he did not, but stated that Jack was a retired Caterpillar employee, and has been involved with committee activities in the past. He added that in his opinion, Jack will be an asset to this committee. Trustee Rasho suggested that in the future Committee Chairs provide a brief bio on individuals they would like to appoint to the advisory committees.

Hubbard moved, and Reed seconded, to appoint Jack Hilberling who lives at 415 Loma Drive to service on the Economic Development Committee. Upon a call of the roll, the vote was:

Yeas: 5—Hubbard, Johnson, Allsup, Reed, Rasho, Morr

Nays: 0—None.

Absent: 1—Johnson.

Motion declared carried.

**Finance Committee**

Chair Trustee Hubbard mentioned that at the February 2, 2010 Finance Committee meeting, members discussed reviewing the water rates for the Village. Currently the Village charges of \$2.37 per 1,000 gallons of consumption for water per month. After 20,000 gallons of water has

been used, the rate drops to \$1.98 per 1,000 gallons. Trustee Hubbard mentioned that committee members have discussed eliminating the two tier billing for residents, but not for commercial users. He asked Trustees to be thinking about this issue.

## **OLD BUSINESS:**

### **Phillip Circle Drainage**

Mayor Gilbert asked if Trustees had anything to discuss on this matter. There were no comments received.

### **Sanitary Sewer Backup Problems**

Mayor Gilbert referred to a revised letter presented for review based upon changes agreed to at the last meeting. The letter was written by Attorney Darrell Woolums concerning the sanitary sewer backup claims filed with the Village.

Village Clerk Kathy Mizer asked for clarification on the following items before the letter is sent out:

- Should the letter be sent out to only the residents who filed claims regarding sanitary sewer issues or should it be sent to anyone who filed a claim for damages during the September 2008 storm?
- Should it be sent to residents who sustained damages, but did not file a claim with the Village, even though the Village is aware of damages to their property from the heavy rain event in September?
- Should the letter be sent to residents from the Village Attorney, or should it be sent out by the Mayor on Village letterhead?

Trustees discussed this issue briefly and agreed that the attorney should send the letters out to only the homeowners that sustained damages from the heavy rain event and who filed a claim with the Village. Mayor Gilbert asked Kathy to provide the names and addresses to the attorney.

### **Plans for Old Village Hall**

Mayor Gilbert asked for input on what should be done with the Old Village Hall building and property. Trustees discussed the pros and cons of whether to sell the property with the building on it, or if the building should be demolished and the land sold as a vacant lot. Mayor Gilbert mentioned that if the Village wants to sell this property, the first step is to declare the building as surplus property. Trustees agreed to try and sell the building first.

Trustee Morr moved, and Trustee Rasha seconded, to declare the Old Village Hall located at 424 S. Elwood Street as surplus property. Upon a call of the roll, the vote was:

Yeas: 5—Allsup, Reed, Rasha, Morr, Hubbard.  
Nays: 0—None.  
Absent: 1—Johnson.  
Motion declared carried.

## **NEW BUSINESS**

### **Approval of Plan for Payment of Village VISA Card Invoice**

Mayor Gilbert referred to a memo from Treasurer Rhonda Stewart concerning this request and asked her to comment on it. Rhonda explained that the billing cycle for the Village's VISA card runs from the 2nd of each month to the 1<sup>st</sup> of the next month. The due date is the 21<sup>st</sup> of each month. In review of the 2010 calendar, Rhonda pointed out that because of when the Village Board meets, it is difficult to make a credit card payment on time. The due date falls in between the two regular Board meetings for several months during the year. To avoid having a late fee assessed to the account, Rhonda suggested that she be allowed process the credit card invoice on time, and then prepare a separate warrants list for the Board to review at its 2<sup>nd</sup> meeting of the month. She commented that she would only proceed with this process if the risk of being charged a late fee for this invoice was unavoidable. Rhonda stated that she will continue the practice of making the statements available for review, and all charges will continue to be initialed by those assigned to do so.

Hubbard moved, and Rasho seconded, to authorize the Treasurer to proceed with paying the Village's Visa Credit Card Statement between the 1<sup>st</sup> and 2<sup>nd</sup> Village Board meetings to avoid the risk of being charged a late fee. Upon a call of the roll, the vote was:

Yeas: 5—Allsup, Reed, Rasho, Morr, Hubbard.

Nays: 0—None.

Absent: 1—Johnson.

Motion declared carried.

### **Review Operations and Maintenance Fiscal Year 2010-2011 Budget**

Mayor Gilbert asked Finance Committee Chair and Trustee Steve Hubbard to comment on this item. Trustee Hubbard reported that the Finance Committee met on February 2, 2010 to review and discuss the Operations and Maintenance portion of the annual budget. Members did suggest a few changes be made, but overall feel comfortable with the information presented. Treasurer Rhonda Stewart mentioned that the copy presented tonight reflects the recommended changes. Those changes included:

- Reducing sales tax revenue by \$200,000 due to the current trend of sales tax revenue
- Eliminating \$300,000 Federal/ State Grants revenue due to the uncertainty of receipt
- Reducing Engineering Services and Other Professional Services included in the category of Administrative - Contractual Services by \$10,000 each since prior history has shown the reduced amounts to be adequate
- Reducing Utilities by \$4,000 and Traffic Lights and Repairs by \$16,000 under General Fund-Streets-Contractual Services to reflect prior historical amounts
- Reducing Operating Supplies by \$6,000 under General Fund – Parks to reflect no change from current year usage
- Reducing the Regular Salaries line for General Funds – Library by \$6,000 to accurately reflect the estimated 3% increase in salaries

Trustee Hubbard asked the Board if they wanted the committee to review the revised Capital Improvement Plan (CIP) portion of the budget, or if the revised copy should just be presented to the Board for review. Trustees agreed to go through the CIP at the March 1, 2010 regular meeting. The entire budget will be presented for approval in April.

### **Review OPEB Actuaries Request for Proposals (RFP)**

Mayor Gilbert referred to a memo written by Treasurer Rhonda Stewart, and asked her to comment on this item. Rhonda explained that OPEB stands for Other Post Employment Benefits and is part of the GASB rules and regulations the Village is required to comply with. GASB 45 applies to entities with a separate trust established in order to pre-fund OPEB benefits, which are referred to, in GASB regulations, as plans.

Rhonda also provided Trustees with copies of two RFPs for completing the OPEB, information from the Illinois Government Finance Officers Association concerning GASB 43 and 45, and an email from Village Auditor Chad Lucas, from Sikich. Rhonda mentioned that last year during the annual audit, Sikich auditors reminded her that OPEB would need to be completed in 2009-2010 Fiscal Year. Rhonda reported that she tried to comply with the implementation, by doing the actuary calculations herself. Following the completion of the actuary, Sikich notified Rhonda that the work could not be done in house. Rhonda contacted Sikich to ask for help in identifying someone to help with this task. She was given two names of individuals that could provide this service. Rhonda mentioned that she also contacted the Village of Mt Zion and Village of Mahomet, to see who they use to complete the actuary calculations for their municipalities. The response was that their auditors do not require an OPEB actuary because they currently do not have any retirees on their insurance plans. Since Forsyth doesn't either, Rhonda contacted Sikich again to question whether the OPEB was really necessary. Chad Lucas sent her the following email in response.

*"I checked with Fred Lantz, Director of Government Services, and he agreed that while you may not pay any of the cost of retiree insurance and you may currently not have any retirees on your plan, the OPEB liability is being earned active employees. Because you have an implicit subsidy situation, your OPEB obligation will likely be relatively small...but we won't know what the amount is until the valuation is done.*

*Chad A. Lucas, CPA  
Sikich LLP"*

Rhonda mentioned that if the Village does not comply with this request, it may be an item that is mentioned in the annual Management Letter as a deficiency. Trustees acknowledge this concern but agreed that the OPEB was not needed.

Hubbard moved, and Allsup seconded, to direct the Treasurer not to pursue seeking an OPEB actuary, as requested by Sikich, the Village's auditor. Upon a call of the roll, the vote was:

Yeas: 5—Allsup, Reed, Rasha, Morr, Hubbard.

Nays: 0—None.

Absent: 1—Johnson.

Motion declared carried.

### **Approval of Relocation of Shadow Ridge Estates Pump Station**

Mayor Gilbert recognized the developer's Engineer Phil Cochran, who was present to comment on this item.

Phil reported that on January 18, 2010, he wrote a letter to Engineer Chuck Hunsinger relative to a request to change the location of the proposed pump station and bike path from the approved Shadow Ridge Estates Preliminary Plat location on the North side of County Highway 20 to a revised location on the south side of County Highway 20. After speaking with Chuck, it was agreed that a meeting should be scheduled with the Village to discuss this issue further.

Phil reported that he met with, Mayor Gilbert, Larry Coloni, Chuck Hunsinger, and Kathy Mizer on February 4, 2010 to discuss this idea. He mentioned that a copy of all correspondence concerning this issue, and a memo from Kathy has been provided to Trustees to review.

Phil explained that during the bidding process for the new Shadow Ridge Estates infrastructure, contractors expressed concern with the construction sequencing of the proposed pump station and new bike path planned to be built along the North side of County Highway 20. These concerns caused him to revisit the design and location for these improvements. Phil suggested that he believes a better location for the pump station and bike trail would be on the south side of County Highway 20.

The proposed new location for the pump station will provide safer access to it for maintenance department employees. Access can be made off of Hundley Road rather than off of County Highway 20. He added that in his opinion, the new site is “a better fit” into the existing topography. Phil referred to proposed drawings showing the new location and mentioned that the developer does plan to provide landscaping around the site to help with aesthetics.

Phil mentioned that since Horve Developers has dedicated Lot 1 of the Grayhawk Subdivision for the purpose of the Village building a future pocket park it only makes sense to build the new bike path on the south side of the highway. This will also provide a connection with the bike path recently completed between Hundley Road and West Forsyth Parkway.

Phil reported that in his opinion and the consensus from those he met with on February 4, 2010, that this request does not warrant going back to the Plan Commission for its review. There were no major discussions about either the bike trail location or a pump station location at either the Plan Commission meeting or at the Village Board meetings where these plans were discussed. Phil added that the proposed revisions do not affect the subdivision design.

Trustee Morr asked if the pump station could be moved to the south to allow construction of the bike path between it and the highway. This would also allow the pedestrian crossing to be built closer to the intersection of Hundley Road and County Highway 20, and not have multiple crossings. Phil replied that he doesn't see a problem with this idea. He added that it makes sense.

Trustee Rasho commended Phil and Staff for the documentation provided on this issue and keeping the Board informed on plans for this subdivision. He suggested the Clerk send copies of all the correspondence to the Plan Commission, just as a matter of courtesy.

Trustee Morr moved, and Trustee Rasho seconded, to grant the request for changing the pump station and bike path location for the Shadow Ridge Estates Subdivision from the North side of County Highway 20 to the south side of the highway, and to construct the bike path from the

new proposed pocket park located on Lot 1, Grayhawk Subdivision, Third Addition in between the highway and the pump station, contingent upon a review by the Village Engineer on the plans. Upon a call of the roll, the vote was:

Yeas: 5—Allsup, Reed, Rasho, Morr, Hubbard.  
Nays: 0—None.  
Absent: 1—Johnson.  
Motion declared carried.

### **Approval of Temporary Outdoor Display Permit – Junz Asian Grill and Bar**

Mayor Gilbert referred to a Temporary Outdoor Display Permit request received from Junz Asian Grill and Bar. The owner has requested approval to place two banners on the front and north side of the restaurant building. Mayor Gilbert commented that he believes the banners are to advertise daily lunch and dinner specials. Effective dates stated in the request are from February 1 through April 31, 2010. Trustees noted that April does not have 31 days in it. Allsup moved, and Rasho seconded, to grant the Temporary Outdoor Display Permit for Junz Asian Grill and Bar. Approval is to place two banners on the front and north side of the building between February 17 and April 30, 2010. Upon a call of the roll, the vote was:

Yeas: 5—Allsup, Reed, Rasho, Morr, Hubbard.  
Nays: 0—None.  
Absent: 1—Johnson.  
Motion declared carried.

### **Approval of Ordinance No. 787: Variance for 2 Woodland Drive**

Allsup moved, and Rasho seconded, to approve Ordinance No. 787: An ordinance approving zoning ordinance variance for property located at 2 Woodland Drive, as presented. Upon a call of the roll, the vote was:

Yeas: 5—Allsup, Reed, Rasho, Morr, Hubbard.  
Nays: 0—None.  
Absent: 1—Johnson.  
Motion declared carried.

### **Approval of Ordinance No. 788: Special Use Permit for Steak n Shake Restaurant**

Allsup moved, and Rasho seconded, to approve Ordinance No. 789: An ordinance granting a Special Use Permit for Signage at 920 S. Rt 51, Steak n Shake Restaurant, as presented. Upon a call of the roll, the vote was:

Yeas: 5—Allsup, Reed, Rasho, Morr, Hubbard.  
Nays: 0—None.  
Absent: 1—Johnson.  
Motion declared carried.

**Approval of Ordinance No. 789:**

**Major Change to a Planned Unit Development for Hickory Point Christian Homes**

Allsup moved, and Rasho seconded, to approve Ordinance No. 789: An ordinance amending the Hickory Point Christian Homes Planned Unit Development, as presented. Upon a call of the roll, the vote was:

Yeas: 5—Allsup, Reed, Rasho, Morr, Hubbard.

Nays: 0—None.

Absent: 1—Johnson.

Motion declared carried.

**Adjournment**

Allsup moved, and Hubbard seconded, that the meeting be adjourned. The meeting was adjourned at 8:51 p.m. by voice vote.

By: \_\_\_\_\_  
Village Clerk