

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

**Held at the Village Hall  
April 5, 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, Johnson, Morr, Hubbard, Reed, Rasho.

Absent: None.

**Also Physically Present**

Chuck Hunsinger, Darrell Woolums, Rhonda Stewart, Deb Kirchner, Kathy Mizer, David Greenwell, Debbie and Tim Coziahr, Karla Miller, Lori Kerans, Dr. and Mrs. Schrodt, Dr. Bukhari.

**Public Hearing: 20010-2011 Fiscal Year Budget**

Mayor Gilbert opened the meeting with an opportunity for Village residents to address the Board concerning the proposed 20010-2011 Fiscal Year Budget. Copies of the proposed budget have been on display in the Library and Village Hall for anyone interested to review. A notice of the Public Hearing was also published in the Herald and Review Newspaper on March 28, 2010, which is required by State Statute prior to adoption of the budget. No comments were voiced from those in attendance. Mayor Gilbert thanked Staff for their hard work in preparation of the proposed budget and noted that it would be placed on the next meeting agenda for approval. He closed the Public Hearing at 6:38 p.m.

**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 March 15, 2010.
2. Approval of Minutes of the Special Village Board meeting held March 25, 2010.
3. Approval of Bills presented for payment, March 18, 2010. *\*\*Invoices are always available for review upon request.*
4. Approval of Bills presented for payment, April 5, 2010. *\*\*Invoices are always available for review upon request.*

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

Yeas:           6—Allsup, Johnson, Morr, Hubbard, Reed, Rasho.  
Nays:           0—None.

Absent: 0—None.

Motion declared carried by omnibus vote.

### **Public Comment**

Dr. Faisal Bukhari was in attendance to express his ongoing concerns with the drainage problem from the farm fields located south of his home at 1085 Greenbrier Blvd. He mentioned that the farmer who farms the property is unable to plant crops in this section of the ground due to the ponding in this area. Dr. Bukhari stated that the water stands following heavy rains and then becomes a breeding place for mosquitoes, and added that the stagnant water also smells bad. He mentioned that Dr. Schrodts, who owns one of the parcels of property to the south of the Greenbrier Subdivision, has stated that he is willing to help resolve the drainage problem in this area, but needs the cooperation from all the neighboring property owners to do so. Dr. Bukhari commented that as of now any attempts to contact the individuals who own the parcel of land east of Dr. Schrodts' property have been unsuccessful. There is a storm sewer located between the homes in the Greenbrier subdivision and the farm fields to the south, which Mayor Gilbert states the property would be allowed to tap into to resolve this drainage issue.

Dr. Schrodts and his wife were also present to comment on this issue. Dr. Schrodts mentioned that he has talked with the ladies who own the parcel of land to the east of his, but noted that they are not interested in investing any money in resolving this issue. The owners state they are aware of the ponding issue, but note that the standing water has never been a real concern in the past. The water goes away within a short amount of time.

Dr. Bukhari acknowledged that the ponding water is on private property, but stated that in his opinion, the government needs to get involved. This problem has been going on for a long time.

Following a lengthy discussion on this issue, Dr. Bukhari and Dr. Schrodts were asked to contact the Macon County Health Department to express their concerns. They were also asked to request a written response from the agency with their findings this problem. Mayor Gilbert asked that a copy of any written communication received be given to the Village. Upon a receipt of the Health Department's opinion, the Village will write a letter to each property owner affected by this drainage issue to encourage them to work in a cooperative effort to resolve this problem. A copy of the statement from the Health Department will also be sent with this letter.

Mayor Gilbert thanked Dr. Bukhari for his patience concerning this issue. He mentioned that to his knowledge, there is only one other person who has called Village Hall to complain about this matter, but noted that the individual lives a couple of blocks away.

### **LAW ENFORCEMENT—**

No officers were in attendance to present a report to the Board.

### **ADMINISTRATION REPORT**

### **ENGINEERING—**

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

### *Weaver Road Bridge*

Chuck reported that SKS Engineering continues working on the design for the bridge repair project and is hopeful to have the report completed to review at the next regular meeting.

Trustee Rasho expressed his hopes in having something for members of the Public Works Committee to review prior to bringing it to the Trustees to look at. Chuck replied that he will have to see if something can be ready in time for the April 12, 2010 meeting. Trustee Rasho commented that if more time is needed, the Public Works Committee meeting could be postponed to a later date.

### *Oreana Water Main Project*

Chuck mentioned that the Village of Oreana continues easement negotiations for the project. The Village of Oreana needs one easement, but at this time do not have it secured. Chuck commented that in his opinion, they are making progress though. The Village of Forsyth needs four easements for the project, but has only obtained one.

## **LEGAL—**

Attorney Darrell Woolums stated that he had nothing to report at this time.

## **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:

- *Work has begun on preparing a written maintenance plan*
- *Continuing with sump pump inspections and changing out old meters. Larry reported that eight illegal connections have been found to date.*
- *Work has been suspended on moving the sand volleyball pit in the park.*
- *The tree limb chipping program continues.*
- *Employees have been patching pot holes in streets throughout the Village.*
- *The ball diamonds are ready for High School play. The park restrooms are also now open for the season.*
- *Some sidewalk repairs were completed in the Eagle Ridge and Forsyth Park Estates Subdivisions.*

## **COMMITTEES—**

### **Plan Commission**

In the absence of the Chair of the Plan Commission, Village Clerk Kathy Mizer was asked to present the report and recommendation from the meeting. Kathy explained one Public Hearing was held on March 25, 2010.

- *Special Use Permit – Signage for Coziahr Harley Davidson*  
Tim and Debbie Coziahr, owners of the dealership and David Greenwell from BWC Architects, were all present to comment on the petition. Kathy reported that Tim and Debbie Coziahr have asked for approval to install an additional sign on the east side of the building to clarify where the service entrance is located. Currently, customers needing service work on their motorcycles enter the main doors on the front side of the building, and then are directed to the service area. The proposed new “Service” sign would clearly indicate where

the service entrance is, and therefore allow customers to bring their bikes directly back to the service department upon arriving at the dealership.

Section 8.4 C (1) (a) in the Zoning Ordinance regulates the numbers of signs allowed on a building façade. The ordinance allows one sign on the building, but the Coziahr's are requesting one more be allowed. Section 8.4 C (1) (a) (ii) allows an additional sign on the side of the building if the business establishment has more than one (1) business frontage. In this case, the business frontage is a parking lot that serves the business. Details regarding the sign include: The east façade contains an existing 98 square-foot wall sign which represents 2.3% of the façade area. The proposed sign is 42.5 square feet which would represent an additional 1.0%. When combined, the two signs would total 140.5 square feet, which is less than the 200 square foot maximum allowed, and 3.3% of the façade area, which is less than the maximum of 5% allowed. Section 8.4 C (1) (b) of the Zoning Ordinance. The proposed sign will not be illuminated, will be two-sided and will project six feet out from the building. The overall design of the proposed sign is consistent and harmonious with the design of the existing signs on the building. Pictures of the proposed sign were made of available for members to review.

Kathy mentioned that Plan Commission members expressed their gratitude in the completeness of the petition submitted. Following a very brief discussion the Plan Commission voted unanimously to recommend approval of the Special Use Permit for this business.

Trustee Morr moved, and Trustee Rasho seconded, to approve the Special Use Permit for the Coziahr Harley Davidson dealership. Approval is for the installation of a 42.5 square foot sign on the east building façade area for the purpose of designating where the service area is located for the business. Section 8.4 C (1) (a) (ii) and 8.4 C (1) (b) of the Forsyth Zoning Ordinance. Upon a call of the roll, the vote was:

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

### **Library Committee**

- *Approval to hold Magazine Sale for purpose of disposing of outdated library materials*  
Chair Trustee Reed referred to a memo submitted by Head Librarian Jean Campbell regarding this matter. The memo stated that the Library Advisory Committee is requesting approval to dispose of outdated library materials, specifically periodicals and audio books on tape, through a public sale held in the library conference room. This is an annual event that has been held for the last four years and has become something of a community event. Jean emphasized in her memo that this sale is not a fundraising event, but simply a means of a way to dispose of surplus library materials that previously were thrown away.

Trustee Reed moved, and Trustee Allsup seconded, to approve holding a Magazine Sale in the library conference room for the purpose of disposing outdated library materials. The sale is scheduled for April 16 and 17, 2010. Upon a call of the roll, the vote was:

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

## **OLD BUSINESS:**

### **Funding Requests – Hotel/Motel Tax**

#### ○ *Rodney T. Miller Lakeside Triathlon*

Mayor Gilbert recognized representatives Karla Miller and Lori Kerans, who were in attendance on behalf of the Rodney T. Miller Lakeside Triathlon organization. He asked them to comment on their funding request.

Karla Miller explained that the event was named after her husband, Rodney T. Miller who died in the line of duty as a police officer. Rodney was a very accomplished athlete, and was known as one of the most outstanding swimmers in NCAA Division II during his career. The Triathlon event started in 2007. Karla stated that she believes organizers have done a good job in attracting visitors from all over the country and noted that last year, participants came from 22 states. She added that those participating in the event stay in Forsyth hotels, shop at the Mall, and eat in Forsyth restaurants.

Lori Kerans provided more details concerning the plans for this year's event, which is scheduled to be held Sunday, July 11, 2010 in Decatur. The Adult Race will be held in Nelson Park and the Youth Race in Fairview Park. Lori stated in summary that the event is an opportunity for good people in the community to come together for a worthwhile cause. Lori asked the Board to consider contributing \$2,500 to the organization.

Trustee Reed asked if Forsyth would be recognized as one of the sponsors in any marketing planned for the event. Lori replied that the Village would be included in all advertising done.

Trustee Rasho moved, and Trustee Johnson seconded, to approve contributing \$2,500 to the Rodney T. Miller Lakeside Triathlon organization. The funding would be taken from Hotel/Motel Tax Receipts. Upon a call of the roll, the vote was:

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

### **Discuss Non-Conforming Businesses**

Mayor Gilbert referred to the additional information proved by Village Clerk Kathy Mizer concerning businesses that are not in compliance with Village Ordinances. He asked Kathy to comment on the issue.

Kathy explained the process that was completed to formulate the list provided. First the Building Inspector, Linn Summers was asked to go out and evaluate each business property in the Village to determine what code violations currently exist. Following the inspection, Linn and Kathy sat down and discussed each item found that was not conforming to regulations outlined in the Village of Forsyth Zoning Ordinance. Some of the problems noted, such as setbacks or non-conforming lot sizes cannot be addressed because the business was built prior to the Zoning Ordinance being adopted. However, things like dumpster enclosures that are missing, or dumpster not being kept in a

trash enclosure that is available on the property are items that can easily be addressed. Some of the issues found may also require a Special Use Permit or Variance be applied for.

Trustees discussed the list at length and agreed that each business should be notified of items that pertain to their business that are in violation to Village Code. Kathy was asked to draft a letter to send to each business owner that would advise them of what items they need to address regarding their business or their property where the business is located. She was also asked to also to include in the letter let that there is a process in place for applying for a Special Use Permit or Variance if needed. Trustee Hubbard requested a copy of the letter Kathy intends to send out be reviewed by the Board prior to its mailing. Kathy replied that she would prepare a draft letter and email it to each of the Trustees to review.

### **Approval to Proceed with Schematics for Library Expansion**

Mayor Gilbert asked Chair Trustee Reed to comment on this item. Trustee Reed mentioned that discussion on this matter was postponed from the last meeting to allow more time for Trustee Morr to thoroughly read the studies done on the Library before making a decision on this project. He reported that the Library Committee would still like to proceed with the next step in the planning process, and noted that selecting an architect to prepare a “rendering” of the Library would complete this course of action.

Trustee Allsup referred to the number of big projects that the Village is considering, and noted that all are going to require large amounts of funding. He asked if the Library Committee had discussed how the expansion project was going to be paid for. Trustee Allsup commented that he is aware that the Village wants to expand the Library and also wants to build a Community Center. He asked if the Library Committee had ever discussed expanding the facility in phases instead of all at once. Trustee Allsup referred to the existing Community Center and asked what the plans were for the room.

Trustee Reed stated that the Library Committee believes that the current Community Center should be maintained as a meeting room regardless of where a new center is built and what amenities are included in a new facility. The current room would still be utilized for programs. He also replied that the Committee does not want to do the expansion project in phases and did not include the meeting room in any of its expansion plans.

Trustee Allsup expressed his concerns with how this project is going to be financed and referred to the proposed \$2M cost for the Library expansion that has been projected in the budget.

Trustee Reed replied that the Village has all of its bonding power is available if the Board would choose to finance the expansion with bonds. Another funding option is grants but noted that unless the schematics are done, grants can't be applied for.

Trustee Allsup stated that in his opinion, it would have been nice if funding had been discussed as part of the planning process, especially with the large price tag for this project.

Trustee Rasha referred to a memo written by Trustee Morr that in his opinion clearly outlines his recommendations for this project and includes options for the Board to consider. He suggested this matter be tabled tonight and discussed further tomorrow evening at the Strategic Planning Meeting. Another idea is too postponed until the next regular meeting to allow time for more discussion on it.

Mayor Gilbert suggested the Board proceed with the architect selection process in order to help determine funding. An architect could help the Village utilize its needs for an expanded library. Mayor Gilbert mentioned that no one has heard what a new Community Center will look like or what it will cost. He commented that he has no problem planning both projects at the same time.

Trustee Johnson stated that she has several problems with proceeding with the library expansion process. She asked if the Library Long Range Plan is going to be redone in 2011. Trustee Johnson commented that in her opinion, the Village has a lovely library now and noted that the facility is not being used like it used to be since the new school has been built.

Trustee Reed mentioned that the population in Forsyth is about 3,200, but the Library is serving a population of approximately 6,000 in its circulation. He commented that the Library is beginning to have problems, but noted that most of the issues are things that most people don't see. As an example, he mentioned that hot water in the bathrooms is an issue.

Trustee Morr thanked the Board for allowing him the opportunity to study the materials provided concerning this matter. He stated that following his review, he found that the studies do not address the existing Community Center. Also, Trustee Morr mentioned that in his opinion the scope is too big, and should be done in phases. Plans for the expansion should be clearly defined. Trustee Morr mentioned that although he wants the Library to continue to be a premier facility in this area, he believes that adding 8,500 square feet to the existing building for a future population of 10,000 people this far in advance is too aggressive. He suggested that some of the maintenance issues be addressed, and find a way to integrate the existing community room into the day-to-day operations of the library.

Mayor Gilbert replied to Trustee Morr's comments. He stated that the Village has talked many times about using the Community Center Room for Library spaced, but noted that the Village will still need meeting space even if this room is used.

Trustee Morr commented that he doesn't know right now what Phase I of a new Community Center will look like. He mentioned again that in his opinion, the current scope of the Library expansion is too big. If the Village is going to move forward with a plan, all options need to be studied.

Trustee Rasho commented that in his opinion, it is time to vote. He mentioned that he supports comments from Trustee Johnson and Trustee Morr.

Following a lengthy discussion Trustee Reed moved, and Trustee Hubbard seconded, to authorize the Library Committee to proceed with selecting an architect to prepare a "rendering" for expansion of the Forsyth Public Library at an estimated cost of \$75,000. Upon a call of the roll, the vote was:

Yeas: 2—Hubbard, Reed.  
Nays: 4—Allsup, Johnson, Morr, Rasho.  
Absent: 0—None.  
Motion declared failed.

### **Approval of Water Storage Tank Maintenance Plan**

Mayor Gilbert asked Engineer Chuck Hunsinger to comment on this item. Chuck mentioned that the agreement presented has been reviewed by Terry Taylor from the Public Works Committee, Attorney Scott Garwood, and himself and noted that all agreed to recommend the Board approve it. Trustee

Rasho commended all parties involved for their efforts in working together in preparation of this agreement.

Trustee Rasho moved, and Trustee Allsup seconded, to approve the Water Storage Tank Maintenance Plan Agreement between Caldwell Tanks, Inc. and the Village of Forsyth, and authorize the Mayor to sign such agreement. Upon a call of the roll, the vote was:

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

Nays: 0—None.

Absent: 0—None.

Motion declared carried.

### **Approval of Prairie Winds**

Mayor Gilbert mentioned that at the last regular meeting Trustees authorized Staff to proceed with requesting an appraisal for Lot 1 of the Prairie Winds Development. After discussing the cost for this appraisal with different appraisers, he was informed that it may be beneficial to have all the parcels within the development appraised at the same time instead of just the one. The cost was not that much for having the other parcels included. Mayor Gilbert reported that he discussed this idea with the Village Attorney who recommended only having Lot 1 appraised at this time due to the current economy. Based upon this recommendation, an appraiser has been selected and is currently working on a report.

### **NEW BUSINESS**

#### **Purchase of Easter bunny Suit**

Mayor Gilbert referred to a written memo from Treasurer, Rhonda Stewart concerning the rental or purchase of the Easter Bunny Suit used each year for the Village's Easter Egg Hunt. The owner of the business where the suit is usually rented is going out of business and has offered to sell the costume to the Village for \$120. Rhonda noted in her memo that the rental fee has been \$65 per year.

Following a brief discussion Trustee Johnson moved, and Trustee Rasho seconded, to authorize purchasing the Easter Bunny Suite from Broadway Bazaar Costumes for a total of \$120.00. Upon a call of the roll, the vote was:

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

Nays: 0—None.

Absent: 0—None.

Motion declared carried.

#### **Miscellaneous Items**

Chair Trustee Hubbard mentioned that he had received several letters this week concerning the Senior Center. The letters inferred that he was against a community center because he appeared to be willing to move forward with the library expansion project.

Trustee Johnson replied that this issue was discussed at one of the senior meals recently, and noted that resident remember two campaign promises Trustee Hubbard made. His two priorities were:

1. Address the flooding issues in the Village; and
2. Address the need in Forsyth for a Senior Center.

Trustee Hubbard acknowledged his two campaign promises, but pointed out that he was surprised to receive the letters in the mail. At no time has he voiced opposition toward building a Senior Center.

Trustee Reed stated that to his knowledge, no one has voted against building a Senior Center.

**Adjournment**

Trustee Allsup moved, and Trustee Hubbard seconded, that the meeting be adjourned. The meeting was adjourned at 8:08 p.m. by voice vote.

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