

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

Held at the Village Hall
April 4, 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:

Allsup, Morr, Johnson, Reed, Rasho

Absent: Hubbard.

Also Physically Present

Deputy Rodgers, Darrell Woolums, Zeth Giles, Rhonda Stewart, Larry Coloni, Jean Campbell, Charlyn Brautigam, Heather Kimmons, Chuck Hunsinger, Kathy Mizer, Kerstin Trachtenberg, Angie Woodhall, Pritpal Singh, Chris Lusvardi, Shane Major, Linn Summers, Lowell Mielke.

Public Hearing: 2011-2012 Fiscal Year Budget

Mayor Gilbert opened the meeting with an opportunity for Village residents to address the Board concerning the proposed 2011-2012 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 25, 2011, which is required by State Statute prior to adoption of the budget.

Lowell Mielke who lives at 763 Christopher Drive was present to comment on the draft budget and ask a couple of questions about its contents. He asked Trustees how they proposed to cover all of the expenses included in the proposed Fiscal Year 2011-2012 Budget. The draft states that expected revenues for next year will be about \$7 M and planned expenses about \$8 M. Lowell asked Trustees how they plan to cover the difference. He also referred to the costs for the Oreana Water Line Project and the water line extension for the Shadow Ridge Estates Subdivision listed as proposed capital projects for next year, and stated that it appears that these two capital items will result in the Water Fund being in the red.

Mayor Gilbert replied that the Village plans to dip into its reserves to cover the difference between the revenues and expenses.

Lowell remarked that although he understands what the Board is planning to do to fill the gap, the budget does not reflect that.

Mayor Gilbert suggested Staff add a brief explanation in the budget to show where funding is going to come from for expenditures that exceed the expected revenues.

There were no further comments. 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 6:42 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 21, 2011.
2. Approval of Bills presented for payment, April 4, 2011. ***Invoices were always available for review upon request.*

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

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

Nays: 0—None.

Absent: 1—Hubbard.

Motion declared carried by omnibus vote.

Public Comment

Zeth Giles who lives at 942 W. Forsyth Parkway was in attendance to speak again with Trustees about his concerns with the lack of, and inconsistent speed limits in different parts of the Village. He presented Trustees with a signed petition from neighboring residents who have the same concerns. He asked Trustees to authorize placing a stop sign at the intersection of West Forsyth Parkway and the west end of Phillip Circle as soon as possible.

Mayor Gilbert asked Staff to look into this issue and respond appropriately.

Lowell Mielke who lives at 763 Christopher Drive stated that he would like to comment on the issue of “*Advisory Committees*”. He remarked that the committees have not been used the way they were designed to operate when they were established. The committee meetings were to be chaired by one Board member, who would rotate every two years. The committees were also setup with the intent that members of each one would also rotate every two years. There was never any intent for members to stay on year after year such as six, eight, or more years. Lowell also pointed out that the committees began with items discussed by each committee coming from the Board. The Board told the committees what issues they wanted the committees to research and talk about. The plan was that the committee would follow the Board’s direction and then report back to the Board with their findings. Lowell stated that, in his opinion, the current committee system is working backwards. Trustees have neglected to use the committee system properly or effectively. Lowell commented that although he believes the committee system is good, it needs to be clarified.

ADMINISTRATION REPORT

LAW ENFORCEMENT—

- Deputy Rodgers was in attendance to comment on recent activity in the Village officers have responded to. Items mentioned include:

- Deputy Rodgers stated in response to the comments made by Mr. Giles that in his opinion, the majority of the people who are speeding through the area mentioned are Forsyth residents. He added that he believes it has always been a problem, but will alert other officers to the situation in an effort to try and slow traffic down.

- Bike patrol will begin soon, weather permitting.

ADMINISTRATIVE REPORTS —

Village Administrator Heather Kimmons mentioned that in addition to her report, Trustees have been provided with written reports or narratives from the Attorney, Engineer, Treasurer, Librarian, and Public Works Director to review. Mayor Gilbert asked if there were any questions concerning any of these reports. There were none.

Trustee Rasho asked Attorney Darrell Woolums about his report concerning the abandoned railroad right-of-way project. Specifically, he asked if there was anything the Village needed to do pertaining to this issue. Darrell replied that in his opinion, the Village doesn't need to do anything at this time. Trustee stated that at some point, he is hopeful the Board will be given more information on this item. Darrell replied that he will keep the Board advised as more information becomes available.

Public Works Director Larry Coloni mentioned that the Village entrance signs have been refurbished and reinstalled. The new population numbers have also been updated on the signs

OLD BUSINESS:

Fiscal Year 2011-2012 Operating and Capital Budget – Review and/or Discussion/Modifications

Mayor Gilbert commented that he believes there should be a brief note included in the budget to show which funds will be tapped to cover the budget shortfall mentioned earlier.

Treasurer Rhonda Stewart pointed out that on Page 2 of the proposed budget, it does include an estimated beginning balance for each of the funds, it also includes estimated projected revenues, expenditures and ending balances for each of the funds. Mayor Gilbert replied that the draft budget shows where the funds are decreased, but there is no real clear explanation of what is happening or where the funds are coming from.

With no further discussion on the proposed budget, Mayor Gilbert stated that the final budget for Fiscal Year 2011-2012 will be placed on the next meeting agenda for approval.

NEW BUSINESS

2011 Summer Recreation Program

Mayor Gilbert asked Village Administrator Heather Kimmons to comment on this item. Heather referred to information included in the meeting packets outlining options discussed with Angie Woodhall, who is here tonight concerning the 2011 Summer Recreation Program. Angie is one of the co-directors for the program and has been working in this capacity for the past several summers. Heather mentioned she has met with Angie on several occasions to try and find a way to minimize some of the costs for the program this summer. Ideas discussed and agreed too, included trying to keep better track of attendance for each event, reduce the hours per day, eliminate the offsite trips on Fridays, and reduce the number of staff. The hope is that the Village will be in a better position at

the end of this year's program to determine whether the program is serving an optimum number of children to continue to fund it in the future. Heather summarized her description of the Summer Recreation Program as a very "back to the basics" approach. Efforts will be to try and concentrate daily activities to Forsyth parks and its facilities.

Trustees talked about the program briefly. Heather was commended on her efforts in working diligently on a very difficult task. She was also complimented on working with Angie on preparation of the proposal presented.

Trustee Rasho moved, and Trustee Johnson seconded, to accept Staff's recommendation, as presented. Upon a call of the roll, the vote was: (**A copy of the proposal will be filed with the minutes.)

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

Nays: 0—None.

Absent: 1—Hubbard.

Motion declared carried.

Plan Commission Recommendations

○ *Taj of India Restaurant*

Village Administrator Heather Kimmons explained that a hearing was held on March 24, 2011 to consider a petition presented by the Taj of India Restaurant owner, Mr. Pritpal Singh. He asked the Plan Commission for approval to place two additional signs on the building to advertise the new restaurant. One sign was to be installed above the front door for the business and the other placed on the south side of the building. Heather reported that after listening to Mr. Singh's request, the Plan Commission voted on the petition. Two members voted in favor of granting the special use permit, and three voted against it. The result was "no recommendation" to present to the Board. Following the vote, Mr. Singh was asked to submit the postage paid return receipt cards to the Clerk to verify property owners within 250' of the restaurant were notified of the hearing. Mr. Singh indicated that he had opted not to mail the notices out because of the short turnaround time before the hearing. Instead Mr. Singh reported that he visited each property and asked the owner to sign their name on the list of owners provided by the Village. It was noted that not all of the property owners signed the list. Heather recommended that action on this petition be tabled until the April 18, 2011 meeting, pending the petitioner mailing proper notice as instructed to each adjoining landowner to let them know the Board will be discussing this request at that meeting. Trustees agreed.

○ *Hickory Point Mall/Bendsen Signs*

Village Administrator Heather Kimmons reported that the Plan Commission held a second hearing on March 24, 2011 concerning a request from Bendsen Signs on behalf of Hickory Point Mall regarding signage. The mall has asked to upgrade their non-conforming sign located on the northwest corner of Barnet Avenue and US Rt 51. Plan Commission members voted to recommend the petition be granted but asked that the Mall maintain the restrictions on the reader board as outlined in the minutes from the December 2, 2002 meeting. At that meeting, Trustees stipulated that the Mall sign not consist of flashing, animated, chasing, scintillating or other illumination conveying the sense of movement, and that the sign change no more frequently than every 15 seconds. Heather asked Shane Major from Bendsen Signs to comment on this request.

Shane mentioned that the Mall is simply asking for permission to update their existing sign with new technology that is more energy efficient. The new sign will be smaller in size than the current sign, will be in full color, have LED lights that can be dimmed during evening hours, and should last approximately twenty years. Shane also mentioned that the sign structure will not change, and the existing power for the sign will not be affected and need to be changed. He stated that the Mall was aware of the restrictions pertaining to the sign and would adhere to the Board's decision concerning changeable reader boards. Shane stated that the new sign will be software driven, and the content and movement will be handled by Mall Management.

Trustees talked about the proposal presented before agreed to act on the petition. Trustee Morr moved, and Trustee Rasho seconded, to grant the Special Use Permit, as recommended by the Plan Commission. Upon a call of the roll, the vote was:

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

Request from Antique Village Mall to modify Special Use Permit granted on March 7, 2011

Village Administrator Heather Kimmons explained that she placed this item on tonight's agenda to ask for clarification and guidance from the Board on how to handle a request presented by the Forsyth Antique Mall to revise the Special Use Permit approved last month. The ordinance approved granted Ms. Kathy Duncan permission to construct and operate a "*garden area*" and a "*bistro area*" pursuant to the diagram and representations made by her subject to construction of a three foot picket fence around both areas. The diagram or plan referred to and approved was included as part of the ordinance. Heather mentioned that Ms. Duncan is now asking modify or deviate from that ordinance. She asked Ms. Duncan to comment on her request.

Kathy mentioned that she originally asked for permission to place a 42" to 46" picket fence around the garden area. However, the Board only approved the standard 36" fence for this area. When the fencing was delivered, Kathy explained that she found out that the fencing was 44" in height and was in individual panels. She brought one of the panels with her to the meeting to show Trustees what the fencing was going to look like. Kathy stated that before putting the fencing up, she thought she would call the Village to ask if it would be okay to use. She described different ideas she had for fencing in the garden area. Plans to enclose the bistro area include taking 16' lengths of antique scaffolding, supported by planters, and then placing small plants underneath each section. Kathy stated that when the fencing in this area is finished it will look like a Danish bench.

Trustees discussed this request at length. It was agreed that the ordinance was very clear on exactly what was approved by the Board. Any change to the ordinance or to the plans for this business will have to go back through the Plan Commission process.

Appointment to Decatur Area Convention and Visitors Bureau (DACVB) Board of Directors

Mayor Gilbert asked that he and Tim Patton be reappointed to serve on the DACVB Board of Directors for another year. May, will start a new year.

Trustee Morr moved, and Trustee Allsup seconded, to appoint Mayor Gilbert and Tim Patton to the DACVB Board of Directors to represent the Village of Forsyth for next year. Upon a call of the roll, the vote was:

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

Nays: 0—None.

Absent: 1—Hubbard.

Motion declared carried.

**Future of Standing Advisory Committees -
Activities and Events, Economic Development, Finance, Health & Safety
Library, Parks & Recreation, and Public Works**

Mayor Gilbert asked that this item be tabled until the next meeting since not all of six Trustees were present. Trustees agreed.

Legal and Engineering Contracts

Mayor Gilbert also asked that this item be tabled until the next meeting.

Miscellaneous Items

- Community Leader's Breakfast

Mayor Gilbert mentioned that tickets are available for the upcoming Community Leader's Breakfast scheduled for May 5, 2011. He encouraged Trustees to attend if available.

- Weaver Road Bridge Repairs

Village Administrator Heather Kimmons announced that the contractor reports that he plans to get started on the bridge project beginning April 25, 2011. The bridge will be closed for approximately six weeks. Heather mentioned that she has contacted emergency agencies to inform them of the upcoming closure.

Adjournment

Trustee Allsup moved, and Trustee Reed seconded, that the meeting be adjourned. The meeting was adjourned at 7:38 p.m. on voice vote.

By: _____
Village Clerk