

**VILLAGE OF VOLO  
MINUTES OF THE REGULARLY SCHEDULED  
BOARD OF TRUSTEE MEETING  
APRIL 15, 2008**

7:30 P.M.: Meeting was Called to Order  
Pledge to the Flag  
Roll Call

Present: President Burnell Russell  
Trustee Buschick  
Trustee Crow  
Trustee Evans  
Trustee Wagner  
Trustee Wegener

Absent: Trustee Porter

President Russell declared a quorum present.

Other Staff in attendance were Village Administrator Ken Buchardt, Attorney Donna McDonald, Village Engineer Bud Reed, Village Treasurer Cheryl Grolle and Village Clerk Judith Rutishauser. Also present were members of the public. (See attached sign in sheet.)

**APPROVAL OF MINUTES**

Minutes of the March 11, 2008 Regularly Scheduled Board of Trustees meeting and the March 25, 2008 Bi-Monthly Board of Trustees meeting were tabled until the April 22, 2008 Board meeting.

**TREASURER'S REPORT – VILLAGE TREASURER CHERYL GROLLE**

Village Treasurer Cheryl Grolle reviewed the Treasurer's Report with the Board of Trustees.

**STATEMENT OF ASSETS**

<b>General Fund</b>	<b>\$ 1,241,957.08</b>
<b>Water Operations Fund</b>	<b>55,551.17</b>

Water Construction Fund	1,496,431.02
Impact Fee Fund	<u>1,129,722.22</u>
<b>TOTAL VILLAGE ASSETS</b>	<b>\$3,923,661.49</b>

**TRUST & AGENCY OUTSTANDING SUMMARY**

<b>TOTAL</b>	<b>\$ 154,151.93</b>
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**PROFIT & LOSS REPORT**

General Fund Net Loss	\$ - 221,317.18
Water Operations Fund Net Loss	- 46,227.30
Impact Fee Fund Income	610,665.58
Impact Fee Fund Expense	3,406,691.87
Water Construction Fund Income	1,879,627.20
Water Construction Fund Expense	- 706,885.63

**ACCOUNTS PAYABLE SUMMARY**

General Fund	\$ 134,837.16
Water Operations Fund	34,243.92
Water Construction Fund	7,842.00
Impact Fee Fund	<u>47,860.61</u>
<b>TOTAL</b>	<b>\$ 224,783.69</b>

**MOTION WAS MADE BY TRUSTEE BUSCHICK AND SECONDED BY TRUSTEE WAGNER TO ACCEPT THE STATEMENT OF ASSETS, THE TRUST AND AGENCY OUTSTANDING SUMMARY AND THE PROFIT AND LOSS REPORT AND PLACE IT ON FILE. VOICE VOTE: ALL AYES.**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

**MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED BY TRUSTEE WEGENER TO PAY BILLS AS PRESENTED IN THE AMOUNT OF \$224,783.69.**

**ROLL CALL VOTE:**

<b>TRUSTEE BUSCHICK</b>	<b>AYE</b>
<b>TRUSTEE CROW</b>	<b>AYE</b>
<b>TRUSTEE EVANS</b>	<b>AYE</b>
<b>TRUSTEE PORTER</b>	<b>ABSENT</b>
<b>TRUSTEE WAGNER</b>	<b>AYE</b>
<b>TRUSTEE WEGENER</b>	<b>AYE</b>

**AYES – 5, NAYS – 0, ABSENT – 1**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

**OFFICE REPORT – VILLAGE CLERK JUDITH RUTISHAUSER**

Village Clerk Judith Rutishauser reviewed the Office Report with the members of the Board of Trustees.

**MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED BY TRUSTEE WEGENER TO ACCEPT THE OFFICE REPORT AS PRESENTED AND PLACE IT ON FILE. VOICE VOTE: ALL AYES.**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

**ADMINISTRATOR’S REPORT – VILLAGE ADMINISTRATOR KEN BUCHARDT**

The Village Administrator’s Report was reviewed by the Board.

Village Administrator Buchardt also reported that HSBC is requesting a Bond Reduction for Bond # 6446488 from the original amount of \$1,159,725.00 to \$190,972.50. Village Engineer Bud Reed had approved the request.

**MOTION WAS MADE BY TRUSTEE CROW AND SECONDED BY TRUSTEE BUSCHICK TO APPROVE THE REDUCTION OF HSBC BOND #6446488 FROM \$1,159,725.00 TO \$190,972.50.**

**ROLL CALL VOTE:**

<b>TRUSTEE BUSCHICK</b>	<b>AYE</b>
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TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	ABSENT
TRUSTEE WAGNER	AYE
TRUSTEE WEGENER	AYE

**AYES – 5, NAYS – 0, ABSENT - 1**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

HSBC is also requesting a Bond Reduction for Bond # 6446417 from the original amount of \$1,109,360.00 to \$112,136.00. Village Engineer Bud Reed had also approved this request.

**MOTION WAS MADE BY TRUSTEE BUSCHICK AND SECONDED BY TRUSTEE WEGENER TO APPROVE THE REDUCTION OF HSBC BOND #6446417 FROM \$1,109,360.00 TO \$112,136.00 VOICE VOTE:**

**ROLL CALL VOTE:**

TRUSTEE BUSCHICK	AYE
TRUSTEE CROW	AYE
TRUSTEE EVANS	AYE
TRUSTEE PORTER	ABSENT
TRUSTEE WAGNER	AYE
TRUSTEE WEGENER	AYE

**AYES – 5, NAYS – 0, ABSENT – 1**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

**MOTION WAS MADE BY TRUSTEE WEGENER AND SECONDED BY TRUSTEE CROW TO ACCEPT THE REPORT BY THE VILLAGE ADMINISTRATOR AND PLACE IT ON FILE. VOICE VOTE: ALL AYES.**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

**COMMENTS FROM RESIDENTS**

There were no comments from the residents at this time.

**COMMENTS FROM GUESTS OUTSIDE VILLAGE**

There were no comments at this time.

## **PRESIDENT'S REPORT**

1. Sale of Furniture from Former Office

President suggested the Village contact the high school drama Department or Good Will regarding the furniture.

2. Final Move from Former Office – 04-22-08

President Russell reported that the final move was scheduled for April 22, 2008.

3. Financial Proposals to be Discussed at April 22, 2008 Meeting

President Russell informed the Board that Volo Village Marketplace Was scheduled to be on the agenda for the April 22, 2008 meeting To discuss a revised Term Sheet between W2007VLO Real Estate L.L.C. and the Village of Volo.

**MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED BY TRUSTEE WAGNER TO ACCEPT THE VILLAGE PRESIDENT'S REPORT AND PLACE IT ON FILE. VOICE VOTE: ALL AYES.**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

## **ATTORNEY'S REPORT**

Village Attorney Donna McDonald deferred her report to the Ordinances, Resolutions and Motions to be Considered sections of the agenda.

## **ORDINANCES, RESOLUTIONS AND MOTIONS TO BE CONSIDERED**

1. Motion to Repeal Ordinance #0-08-367

Village Attorney Donna McDonald reviewed her memo, which had previously been provided in the Board folders, with the members of The Board. The memo explained that the Village had received correspondence from the Illinois Department of Revenue acknowledging receipt of the Village of Volo's Ordinance No. 0-08-367, which imposes the Home Rule Municipal Retailers' Occupation Tax and Home Rule Service Occupation Tax.

As per the Department of Revenue, “food for human consumption which is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption)” must be excluded from the tax.

Therefore Ordinance #0-08-367 will be repealed and a revised Ordinance approved.

**MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED BY TRUSTEE WAGNER TO REPEAL ORDINANCE #0-08-367 – IMPOSING THE HOME RULE MUNICIPAL RETAILERS’ OCCUPATION TAX AND HOME RULE SERVICE OCCUPATION TAX.**

**ROLL CALL VOTE:**

<b>TRUSTEE BUSCHICK</b>	<b>AYE</b>
<b>TRUSTEE CROW</b>	<b>AYE</b>
<b>TRUSTEE EVANS</b>	<b>AYE</b>
<b>TRUSTEE PORTER</b>	<b>ABSENT</b>
<b>TRUSTEE WAGNER</b>	<b>AYE</b>
<b>TRUSTEE WEGENER</b>	<b>AYE</b>

**AYES – 5, NAYS – 0, ABSENT – 1**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

2. Motion to Approve Ordinance #0-08-371 – Home Rule Municipal Retailer’s and Service Occupation Tax Ordinance

**MOTION WAS MADE BY TRUSTEE BUSCHICK AND SECONDED BY TRUSTEE WEGENER TO APPROVE ORDINANCE #0-08-371 – HOME RULE MUNICIPAL RETAILER’S AND SERVICE OCCUPATION TAX ORDINANCE.**

**ROLL CALL VOTE:**

<b>TRUSTEE BUSCHICK</b>	<b>AYE</b>
<b>TRUSTEE CROW</b>	<b>AYE</b>
<b>TRUSTEE EVANS</b>	<b>AYE</b>
<b>TRUSTEE PORTER</b>	<b>ABSENT</b>
<b>TRUSTEE WAGNER</b>	<b>AYE</b>
<b>TRUSTEE WEGENER</b>	<b>AYE</b>

**AYES – 5, NAYS – 0**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

- 3. Motion to Approve Wetland Credit Agreement and Ratify Execution Thereof (Wetlands Credits Necessary for Millennium Trail or Village Hall Site)

**MOTION WAS MADE BY TRUSTEE BUSCHICK AND SECONDED BY TRUSTEE WEGENER TO RATIFY THE WETLAND MITIGATION CREDIT AGREEMENT AS PREVIOUSLY INITIATED BY PRESIDENT RUSSELL IN THE AMOUNT OF \$54,120,00.**

<b>TRUSTEE BUSCHICK</b>	<b>AYE</b>
<b>TRUSTEE CROW</b>	<b>AYE</b>
<b>TRUSTEE EVANS</b>	<b>AYE</b>
<b>TRUSTEE PORTER</b>	<b>ABSENT</b>
<b>TRUSTEE WAGNER</b>	<b>AYE</b>
<b>TRUSTEE WEGENER</b>	<b>AYE</b>

**AYES – 5, NAYS – 0**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

**COMMENTS FROM BOARD MEMBERS**

It was suggested that Fisher Road be considered for repairs.

**MOTION WAS MADE BY TRUSTEE WAGNER AND SECONDED BY TRUSTEE CROW TO ADJOURN THE MEETING. VOICE VOTE: ALL AYES.**

8:10 P.M.: Meeting was adjourned.

**MINUTES SUBMITTED BY** \_\_\_\_\_  
**Judith T. Rutishauser, Village Clerk**

**MINUTES APPROVED ON** \_\_\_\_\_

Next meeting is scheduled for April 22, 2008.