

**VILLAGE OF VOLO
MINUTES OF THE REGULARLY SCHEDULED
BOARD OF TRUSTEES MEETING
JULY 14, 2009**

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

Present: President Burnell Russell
Trustee Buschick
Trustee Evans
Trustee Henley
Trustee Porter
Trustee Wagner
Trustee Wegener

President Russell declared a Quorum present.

Other Staff in attendance were Village Administrator Ken Buchardt, Village Attorney Nancy Harbottle, Village Engineers Bud Reed and Peter Stoehr, Village Planner Jon Wildenberg, Village Technical Administrator Eric Tison, 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 June 9, 2009 Regularly Scheduled Board of Trustees meeting were presented for review and approval. An error was identified and the minutes corrected.

**MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED
BY TRUSTEE HENLEY TO APPROVE THE MINUTES AS
CORRECTED.**

ROLL CALL VOTE:

TRUSTEE BUSCHICK	AYE
TRUSTEE EVANS	AYE
TRUSTEE HENLEY	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSTAIN
TRUSTEE WEGENER	AYE

AYES – 5, NAYS – 0, ABSTAIN – 1

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

Minutes of the June 23, 2009 Bi-Monthly Board of Trustees meeting were presented for review and approval. Errors were identified and corrected.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE WEGENER TO APPROVE THE MINUTES AS CORRECTED.

ROLL CALL VOTE:

TRUSTEE BUSCHICK	AYE
TRUSTEE EVANS	ABSTAIN
TRUSTEE HENLEY	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	ABSTAIN
TRUSTEE WEGENER	AYE

AYES – 4, NAYS – 0, ABSTAIN - 2

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

TREASURER’S REPORT – VILLAGE TREASURER CHERYL GROLLE

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

STATEMENT OF ASSETS

General Fund	\$1,097,164.10
Water Operations Fund	117,383.12
Water Construction Fund	1,309,520.26
Impact Fee Fund	<u>978,268.88</u>
TOTAL VILLAGE ASSETS	\$3,502,336.36

TRUST & AGENCY OUTSTANDING SUMMARY

TOTAL	\$ 65,619.11
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PROFIT & LOSS REPORT

General Fund Net Income	\$244,442.18
Water Operations Fund Net Income	16,592.86
Impact Fee Fund Income	58,065.81
Impact Fee Fund Expense	- 42,339.86
Water Construction Fund Income	39,824.29
Water Construction Fund Expense	- 58,410.84

ACCOUNTS PAYABLE SUMMARY

General Fund	\$ 133,847.77
Water Operations Fund	37,229.56
Water Construction Fund	102,577.82
Impact Fee Fund	<u>7,991.89</u>
TOTAL	\$ 281,647.04

MOTION WAS MADE BY TRUSTEE HENLEY AND SECONDED BY TRUSTEE PORTER 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 PORTER AND SECONDED BY TRUSTEE WAGNER TO PAY BILLS AS PRESENTED IN THE AMOUNT OF \$281,647.04.

ROLL CALL VOTE:

TRUSTEE BUSCHICK	AYE
TRUSTEE EVANS	AYE
TRUSTEE HENLEY	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	AYE
TRUSTEE WEGENER	AYE

AYES – 6, NAYS – 0

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.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE HENLEY 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 members of the Board.

Village Administrator Ken Buchardt also mentioned that sales for Cambridge Homes were on the rise from previous months.

Discussion followed.

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

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

At this time, President Russell introduced Mr. Kevin Davis, representing William Ryan Homes, to the members of the Board. Mr. Davis reviewed changes made to the original engineering drawings for roadway improvements in Autumn Grove along Fish Lake Road for the Trustees.

One change is the elimination of the sidewalk along Fish Lake Road south of the entrance to Autumn Grove, then extending it north of the entrance to Autumn Grove to the Trail.

The second change involved a storm drainage change to make sure the pond doesn't flood and the storm drainage is adequate.

Discussion followed.

MOTION WAS MADE BY TRUSTEE HENLEY AND SECONDED BY TRUSTEE PORTER TO APPROVE THE REQUEST BY AUTUMN GROVE TO ELIMINATE SIDEWALK ALONG FISH LAKE ROAD SOUTH OF NIAGARA DRIVE.

ROLL CALL VOTE:

TRUSTEE BUSCHICK	AYE
TRUSTEE EVANS	AYE
TRUSTEE HENLEY	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	AYE
TRUSTEE WEGENER	AYE

AYES – 6, NAYS - 0

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

President Russell then introduced Mr. Jay Dulla, Manager of Remington Pointe, and Mr. Tom Burney, attorney representing Remington Homes who explained their request for an extension of time to complete the public improvements in Remington Pointe, as stated in the Village Subdivision Ordinance, which allows 2 years from final plat approval for completion of public improvements.

Remington Point received final plat approval on August 9, 2005; therefore, Remington Point is two years beyond the date for the completion of public improvements, such as curb and gutter, sidewalks, street lights, streets, etc. Remington Point has a letter of credit in the amount of \$784,000.00 in place with the Bank of America which will renew on August 9, 2009 for an additional year.

Discussion followed.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE EVANS TO APPROVE THREE (3) SIX MONTH EXTENSIONS TO REMINGTON HOMES FOR THE COMPLETION OF PUBLIC IMPROVEMENTS IN THE REMINGTON POINTE SUBDIVISION, TO BRING THE DEVELOPER INTO COMPLIANCE AS OF FEBRUARY 9, 2009.

ROLL CALL VOTE:

TRUSTEE BUSCHICK	AYE
TRUSTEE EVANS	AYE

TRUSTEE HENLEY	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	AYE
TRUSTEE WEGENER	AYE

AYES – 6, NAYS – 0

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

MOTION WAS MADE BY TRUSTEE HENLEY AND SECONDED BY TRUSTEE WEGENER TO APPROVE TWO (2) SIX MONTH EXTENSIONS TO REMINGTON HOMES FOR THE COMPLETION OF PUBLIC IMPROVEMENTS IN THE REMINGTON POINT SUB-DIVISION, OR UNTIL FEBRUARY 9, 2010.

ROLL CALL VOTE:

TRUSTEE BUSCHICK	AYE
TRUSTEE EVANS	AYE
TRUSTEE HENLEY	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	AYE
TRUSTEE WEGENER	AYE

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

PRESIDENT’S REPORT

1. Report on bidding process for Village hall, lower level build-out

President Russell reported that Dan Robison has been told to proceed with the preparation of the bid package for the lower level build-out.

2. Discussion regarding Code Amendment – Sale of a Personal Vehicle

President Russell suggested that the Code Amendment be re-scheduled for the next meeting on July 28, 2009.

3. Parade Trailer

The trailer which had been purchased for parade appearances was on display in the parking lot for all to view.

4. Request by Autumn Grove to Eliminate Sidewalk Along Fish Lake Road South of Niagara Drive

This matter had been discussed and voted on previously during the meeting.

5. \$9,990.00 Proposal for North Lake Michigan Water Work

Village Attorney Nancy Harbottle suggested that this matter be re-scheduled for the next meeting on July 28, 2009.

6. Request for Extension for Completion of Public Improvements Pursuant to the Subdivision Ordinance – Remington Pointe

This matter had been discussed and voted on previously during the meeting.

President Russell also mentioned that he had met with the Mayor of Lakemoor regarding providing sewer and water along Volo Village Road and the meeting had gone very well.

MOTION WAS MADE BY TRUSTEE WEGENER AND SECONDED BY TRUSTEE WAGNER TO APPROVE THE REPORT OF THE VILLAGE PRESIDENT AND PLACE IT ON FILE. VOICE VOTE: ALL AYES.

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

ENGINEER'S REPORT – VILLAGE ENGINEER BUD REED

1. Report on bids for Village Hall Parking Lot

Village Engineer Bud Reed reviewed a memo, which he had prepared, with the members of the Board.

ORDINANCES, RESOLUTIONS AND MOTIONS TO BE CONSIDERED

1. Motion to Accept a Bid for the Village Hall Upper Parking Lot
2. Motion to Accept a Bid for the Village Hall Lower Parking Lot

President Russell suggested both the bid for the upper parking lot and the lower parking lot be re-scheduled for a future meeting.

3. Motion to Approve Manhard Consulting Proposal for Additional Surveying Services, Volo Millennium Trail (North of Route 120) - \$1,500.00

Village Engineer Bud Reed reviewed the proposal with the members of the Board.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE HENLEY TO APPROVE THE MANHARD CONSULTING PROPOSAL FOR ADDITIONAL SURVEYING SERVICES, VOLO MILLENNIUM TRAIL (NORTH OF ROUTE 120) - \$1,500.00

ROLL CALL VOTE:

TRUSTEE BUSCHICK	AYE
TRUSTEE EVANS	AYE
TRUSTEE HENLEY	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	AYE
TRUSTEE WEGENER	AYE

AYES – 6, NAYS – 0

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

4. Motion to Approve Manhard Consulting Proposal for Additional Surveying Services Historic Area Water Distribution System - \$1,800.00

Village Engineer Bud Reed reviewed the proposal with the members of the Board.

MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE EVANS TO APPROVE THE MANHARD CONSULTING PROPOSAL FOR ADDITIONAL SURVEYING SERVICES – HISTORIC AREA WATER DISTRIBUTION SYSTEM - \$1,800.00

TRUSTEE BUSCHICK	AYE
TRUSTEE EVANS	AYE
TRUSTEE HENLEY	AYE
TRUSTEE PORTER	AYE
TRUSTEE WAGNER	AYE
TRUSTEE WEGENER	AYE

AYES – 6, NAYS – 0

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

COMMENTS FROM RESIDENTS

Mr. Kurt Johnson, a resident of Lancaster Falls, inquired about stop signs that had been requested at Shelbourne and Bellows Way in the Lancaster Falls Subdivision.

Village Engineer Bud Reed responded that he has a memo regarding the signs and will continue to follow up on the progress of this matter.

Mr. Johnson also reported that, while the soccer field in the Lancaster Falls North Subdivision had been seeded, the rain we have experienced recently has eroded the field very badly. He was concerned that the field needs to be inspected before the Village will accept ownership from the Developer.

He was assured by both President Russell and Village Engineer Bud Reed that the park and field will be inspected by the Village prior to being turned over by the Developer.

COMMENTS FROM GUESTS OUTSIDE VILLAGE

There were no comments from the public at this time.

WEBSITE – VILLAGE TECHNICAL ADMINISTRATOR ERIC TISON

Village Technical Administrator Eric Tison reminded everyone that the Volo Second Annual Craft and Small Business Fair is scheduled for the last Saturday in August (the 29th) or Sunday (the 30th) in case of rain.

Eric also advised that “Volofest” is scheduled for September 26, 2009 and invitations will be included in the newsletter which should be distributed by the first week of August.

COMMENTS FROM BOARD MEMBERS

Trustee Wegener reported that there are two street lights in need of repair. One stays on all day.

Trustee Evans inquired who is responsible for painting the lines designating the turn lanes on Route 120 onto Route 60. The lines have faded and people seem confused as to where the turn lane begins.

Village Engineer Bud Reed responded that it is the responsibility of the developer to see that the lines are kept clearly visible and agreed to follow up on this matter.

MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED BY TRUSTEE PORTER TO ADJOURN THE MEETING OF THE BOARD OF TRUSTEES. VOICE VOTE: ALL AYES.

PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.

8:25 P.M.: Meeting was adjourned

Next regularly scheduled meeting is scheduled for July 28, 2009.

MINUTES SUBMITTED BY

Judith T. Rutishauser, Village Clerk

MINUTES APPROVED ON SEPTEMBER 8, 2009