

**VILLAGE OF VOLO  
MINUTES OF THE REGULARLY SCHEDULED  
BOARD OF TRUSTEES MEETING  
AUGUST 11, 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 Engineer Bud Reed,, 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.)

**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>\$1,141,716.10</b>
<b>Water Operations Fund</b>	<b>133,239.61</b>
<b>Water Construction Fund</b>	<b>1,225,942.44</b>
<b>Impact Fee Fund</b>	<b><u>995,774.21</u></b>
<b>TOTAL VILLAGE ASSETS</b>	<b>\$3,496,672.36</b>

**TRUST & AGENCY OUTSTANDING SUMMARY**

<b>TOTAL</b>	<b>\$ 76,459.77</b>
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**PROFIT & LOSS REPORT**

General Fund Net Income	\$265,910.61
Water Operations Fund Net Income	32,449.35
Impact Fee Fund Income	33,231.28
Impact Fee Fund Expense	
Water Construction Fund Income	
Water Construction Fund Expense	- 102,164.37

**ACCOUNTS PAYABLE SUMMARY**

General Fund	\$ 106,620.06
Water Operations Fund	45,189.17
Water Construction Fund	52,289.84
Impact Fee Fund	<u>24,462.96</u>
TOTAL	\$ 228,562.03

**MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE HENLEY 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 HENLEY AND SECONDED BY TRUSTEE WAGNER TO PAY BILLS AS PRESENTED IN THE AMOUNT OF \$228,562.03.**

**ROLL CALL VOTE:**

TRUSTEE BUSCHICK	AYE
TRUSTEE EVANS	AYE
TRUSTEE HENLEY	AYE
TRUSTEE PORTER	AYE

**TRUSTEE WAGNER  
TRUSTEE WEGENER**

**AYE  
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 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 members of the Board.

Village Administrator Ken Buchardt also reported that bid packages were being prepared for storage tank expansion at the Volo Village South Water Facilities.

**MOTION WAS MADE BY TRUSTEE HENLEY AND SECONDED BY TRUSTEE PORTER 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**

Mr. James Scott inquired about the trees along the parkway in Terra Springs Subdivision. He reported that there were several trees which needed replacing and asked when that might be accomplished.

President Russell responded by asking Mr. Scott to locate the trees that need replacing and send a report back to the Village so it can be reviewed by the Village staff and the problem can then be remedied.

Ms. Lori Ward of Terra Springs Subdivision reported that two street lights in Terra Springs need attention; one is located at the corner of Terra Springs Drive and

Terra Springs Circle, across the street from the Club House. The other is at the south end of the subdivision near the Remington development; a light pole that is leaning very badly and creating a hazardous situation.

Village Administrator Ken Buchardt responded to Ms. Ward, stating that he had been through the subdivision on the week-end and saw that these two light poles need attention as soon as possible. Village Administrator Buchardt reported that he had spoken to Bilski Electric and they agreed to do the necessary repairs as quickly as possible.

### **COMMENTS FROM GUESTS OUTSIDE VILLAGE**

There were no comments or questions from any guests outside the Village at this time.

### **PRESIDENT'S REPORT**

#### 1. Transportation Committee Meeting

President Russell asked both Trustee Wegener and Trustee Henley for comments regarding the meeting on Tuesday, August 4, 2009. Trustee Wegener made several brief comments, then Village Engineer Bud Reed proceeded to explain the purpose of the Route 120 Corridor Planning Council.

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

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

### **ATTORNEY'S REPORT – VILLAGE ATTORNEY NANCY HARBOTTLE**

Village Attorney Nancy Harbottle deferred her report to the "Ordinances, Resolutions and Motions to be Considered" portion of the meeting.

### **PLANNER'S REPORT – VILLAGE PLANNER JON WILDENBERG**

Village Planner Jon Wildenberg stated that there was no report at this time.

### **ENGINEER'S REPORT – VILLAGE ENGINEER BUD REED**

Village Engineer Bud Reed stated that there was no report at this time.

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

1. Motion to Approve Ordinance No. 0-09-416, and Ordinance Amending Village Code Section 7-2-3 to Prohibit Parking on public Streets in Terra Springs Subdivision

**MOTION WAS MADE BY TRUSTEE HENLEY AND SECONDED BY TRUSTEE PORTER TO APPROVE ORDINANCE NO. 0-09-416, AN ORDINANCE AMENDING VILLAGE CODE SECTION 7-2-3 TO PROHIBIT PARKING ON PUBLIC STREETS IN TERRA SPRINGS SUBDIVISION.**

President Russell opened the floor for discussion.

Mr. Ken Barnick introduced himself as the President of the Homeowners' Association for the Terra Springs Subdivision, then began to address the members of the Board regarding the parking situation on Terra Springs Circle in the Terra Springs Subdivision.

Several residents of Terra Springs Subdivision also spoke to the members of the Board to express how a "No Parking" Ordinance on Terra Springs Circle would only create more problems for the residents rather than solve them.

Fire Marshall Dave Becker of the Fox Lake Fire District addressed the members of the Board and expressed his support of the approval of the "No Parking" Ordinance.

The comments which were made by the members of the Board indicated that a decision could not be made at this time and further discussion was in order.

**MOTION WAS MADE BY TRUSTEE HENLEY AND SECONDED BY TRUSTEE PORTER TO TABLE THIS MATTER FOR FURTHER DISCUSSION AT A LATER DATE. VOICE VOTE: ALL AYES.**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

President Russell suggested this matter be re-visited at the next regularly scheduled Board meeting.

8:35 P.M.: Trustee Buschick left the meeting.

2. Motion to Approve Ordinance No. 0-09-417, an Ordinance Amending

Village Code Section 4-6-6 "Personal Vehicle Sales"

**MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE HENLEY TO APPROVE ORDINANCE #0-09-417, AN ORDINANCE AMENDING VILLAGE CODE SECTION 4-6-6 "PERSONAL VEHICLE SALES"**

Village Attorney Nancy Harbottle reviewed the Ordinance with the members of the Board.

Discussion followed.

**MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE HENLEY TO AMEND THE ORIGINAL MOTION TO APPROVE ORDINANCE #0-09-417, TO READ THERE SHALL BE NO VEHICLE OFFERED FOR SALE ON RESIDENTIAL PUBLIC STREETS.**

**ROLL CALL VOTE:**

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

**AYES – 4, NAYS –1, ABSENT - 1**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

- 3. Motion to Approve Agreement with Gewalt-Hamilton for Professional Transportation Planning Services for Route 120/Gilmer Road - \$5,500.00

**MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE WEGENER TO APPROVE AND RATIFY THE AGREEMENT WITH GEWALT-HAMILTON FOR PROFESSIONAL TRANSPORTATION PLANNING SERVICES FOR ROUTE 120/GILMER ROAD, \$5,500.00**

**ROLL CALL VOTE:**

<b>TRUSTEE BUSCHICK</b>	<b>ABSENT</b>
<b>TRUSTEE EVANS</b>	<b>AYE</b>

<b>TRUSTEE HENLEY</b>	<b>AYE</b>
<b>TRUSTEE PORTER</b>	<b>AYE</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.**

4. Motion to Repeal Approval of June 23, 2009 Intergovernmental Agreement between the Village of Volo and Lakes Region Sanitary District Re: Sanitary Sewer Service to Certain Properties in the Volo Historic Area

**MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY HENLEY TO REPEAL APPROVAL OF THE JUNE 23, 2009 INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF VOLO AND LAKES REGION SANITARY DISTRICT RE: SANITARY SEWER SERVICE TO CERTAIN PROPERTIES IN THE VOLO HISTORIC AREA.**

**ROLL CALL VOTE:**

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

**AYES – 5, NAYS – 0, ABSENT – 1**

5. Motion to Approve Intergovernmental Agreement between the Village of Volo and Lakes Region Sanitary District Re: Sanitary \ Sewer Service to Certain Properties in the Volo Historic Area

**MOTION WAS MADE BY TRUSTEE EVANS AND SECONDED BY TRUSTEE WAGNER TO APPROVE INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF VOLO AND LAKES REGION SANITARY DISTRICT RE: SANITARY SEWER SERVICE TO CERTAIN PROPERTIES IN THE VOLO HISTORIC AREA.**

**ROLL CALL VOTE:**

<b>TRUSTEE BUSCHICK</b>	<b>ABSENT</b>
<b>TRUSTEE EVANS</b>	<b>AYE</b>
<b>TRUSTEE HENLEY</b>	<b>AYE</b>
<b>TRUSTEE PORTER</b>	<b>AYE</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.**

6. Motion to Authorize the Village Treasurer to Draw Down \$20,000.00 From the Chase Loan Account Re: Millennium Trail Expenses

**MOTION WAS MADE BY TRUSTEE PORTER AND SECONDED BY TRUSTEE WEGENER TO AUTHORIZE THE VILLAGE TREASURER TO DRAW DOWN \$20,000.00 FROM THE CHASE LOAN ACCOUNT RE: MILLENNIUM TRAIL EXPENSES**

**ROLL CALL VOTE:**

<b>TRUSTEE BUSCHICK</b>	<b>ABSENT</b>
<b>TRUSTEE EVANS</b>	<b>AYE</b>
<b>TRUSTEE HENLEY</b>	<b>AYE</b>
<b>TRUSTEE PORTER</b>	<b>AYE</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.**

**MOTION WAS MADE BY TRUSTEE HENLEY AND SECONDED BY TRUSTEE PORTER TO GO INTO EXECUTIVE SESSION WITH NO BUSINESS TO FOLLOW.**

**ROLL CALL VOTE:**

<b>TRUSTEE BUSCHICK</b>	<b>ABSENT</b>
<b>TRUSTEE EVANS</b>	<b>AYE</b>
<b>TRUSTEE HENLEY</b>	<b>AYE</b>
<b>TRUSTEE PORTER</b>	<b>AYE</b>
<b>TRUSTEE WAGNER</b>	<b>AYE</b>

**TRUSTEE WEGENER**

**AYE**

**AYES – 5, NAYS – 0, ABSENT – 1**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

9:05 P.M.: Meeting went into Executive Session

**MOTION WAS MADE BY HENLEY AND SECONDED BY TRUSTEE WEGENER TO RE-CONVENE THE REGULAR BOARD OF TRUSTEES MEETING. VOICE VOTE: ALL AYES.**

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

9:25 P.M.: Meeting was re-convened.

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

**PRESIDENT RUSSELL DECLARED THE MOTION APPROVED.**

9:27 P.M.: Meeting was adjourned.

**MINUTES SUBMITTED BY** \_\_\_\_\_

**Judith T. Rutishauser, Village Clerk**

**MINUTES APPROVED ON SEPTEMBER 8, 2009**