

VILLAGE OF DOWNS BOARD OF TRUSTEES
REGULAR MEETING MINUTES
7:00 PM
October 3, 2013

Village Hall
211 S. Seminary St,
PO Box 18
Downs, IL 61736

1. The meeting was called to order by Honorable Mayor Pro Tempore Mike Freimann at 7:00 pm.
2. Roll Call was taken with Trustees Roach, Goveia, Myszka and Luke present. Trustee Luke acted as Village Clerk. Village Attorney Dawn Wall and Village Treasurer Alan Zwilling were also present. Trustee Lush, Mayor James and Clerk James were absent. Mayor James and Clerk James arrived at 7:38 pm.
3. Pledge of Allegiance
4. Approval of Agenda order Motion by Myszka seconded by Goveia approved 5-0
5. Kevin Whitehouse provided the board with the current status in his Superintendent Report. It is attached in the flyer.
6. No Engineer's Report was given.
7. Discussion
 - a. **Abandoned and Junk Cars**- Trustee Luke will send a template for first notice on abandoned and junk cars to Trustee Myszka. The board agrees to send out first notice letters out to residences with inoperable cars.
 - b. **Village Employee Random Drug/Alcohol Testing**- Attorney Wall said there needs to be a policy in place. Most municipalities only test when there is reasonable suspicion. Reasonable suspicion is the cost approach versus scheduled or cycled testing.
 - c. **Advertising Water Filter Rehabilitation Project**- Attorney Wall asked that this topic get moved to next month's agenda so she can get addition information. Village will announce the bid information to the website.
 - d. **TIF Application and Process**-We need to clarify the total amount due. The language is unclear and sound like it is a line of credit or reimbursable.
 - e. **Farm Land Lease**-The current lease is \$1000 for the 14 acres. We need to keep this lease conversation on the October agenda, so if we did not want to renew the lease we can give notice by November. Possibly the Village may want to build on our own land.

Mayor James and Clerk James arrive at 7:38 pm.

- f. **Deanna Mocchi Report(s)**-Certain topics were light on recommendations such as the online water billing, clerk duties, cash basis vs. accrual accounting methods. Could the clerk fulfill the assistant treasurer? What are the duties of the clerk? Is Julie assuming the duties that Tammie was having Janice do? Do we need a co treasurer? Will this extra position put burden on finance trustee? The board would like to have Deanna look at the clerk's job, its processes, flow, and responsibilities.
Online billing could eliminate the amount of shut offs.
- g. **MMBOWERS, INC. Letter**- Attorney Wall wants the Board to take a look at this letter and make sure it captures what we want to say. Trustee Lush and Mayor James talked to Phil Reynolds about Huff Rd. at Mr. Bowers request.
The letter says he is responsible to improve the road per the engineer's opinion. Mr. Bowers should be ok with this because we conceded with the lower frontage

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of 85 ft. As of 9/17/13 the church wants to be annexed into the Village. The church will be also responsible for their own road improvements. Russell Francois is the church's consultant, but we haven't seen any plans. They won't start until next year. Attorney Wall is working on a letter to the church similar to the letter to MMBowers, Inc. The board is ok with the letter as it is.

8. Public Comment came from Dave Bach representing the Downs Village Market. Mr. Bach shared with us some facts about the market. This is the market's 11th year. Attendance was good and vendors were up. Average attendance is 200. Next year the market is looking at rewarding frequent attendees, adding trees, and fixing an area that is hard to navigate with strollers and wheelchairs. Dave wanted to thank Ruth Hood for her many years of service as a member on the Village Market Committee.
9. Approval of Consent Agenda-Motion made by Freimann and seconded by Luke Approved 5-0
10. Consent Agenda-Motion made by Luke and seconded by Freimann Approved 5-0
 - i. Motions to approve agenda Motion to approve September 5, 2013 Village Board of Trustees Regular Meeting Minutes
 - ii. Motion to approve Fiscal Year Audit 2013
 - iii. Motion to approve Annual Treasurer's Report

Discussion-Mayor James added this to the agenda so that the board was aware and approved of what was being published.
11. New Business
 - a. Ordinances – Motion made by Luke and seconded by Freimann Approved 5-0
 - i. Ordinance 2013-33 approving Assistant Treasurer position in the Village of Downs

Discussion-Alan was told this was 20 hours per week. He has a full time job. He thinks he can be more efficient with Deanna's recommendations. He has taken this job with 1/3 of the salary. We can utilize Janice but her time is limited with her new job. Other municipalities have assistant treasurers. The assistant does more of the administrative duties. This would be a 1 year appointment like the treasurer position and we can add this to the ordinance.

Maureen was not clear on what Alan was going to be doing when we appointed him. She would like to wait another month to think about it. Mary wants a continuance until Deanna gets the clerk's position done. Paul sees the need.

Mike F. says it's up to the Mayor if he is ready to call the vote.

Susan agrees with Paul to create the position.

Alan prefers not to wait another month because he feels he will just get farther behind. He also says he may need to reconsider this appointment.

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Mayor James felt he work hard to get this completed tonite. If it's going to get postpone, then what would change? Someone would need to be responsible for making that change.

b. Motions

- i. Motion to approve extending service of Janice Cuba as Co-Treasurer for the term up to and including November 30, 2013 at a rate of \$25/hr. up to a maximum of 40 hours per month-Made by Freimann and seconded by Myszka Approved 5-0
- ii. Motion to approve additional Coverage by McLean County Sheriff's Department in the Village of Downs-Motion made by Roach and seconded by Freimann Approved 5-0

Discussion-Originally Maureen was going to ask for additional 3 hour coverage in the park on Friday and Saturday nights (6 hours extra). This is due to some issues that have come up in the surveys. However, if we are not able to get coverage during this time she will ask for coverage during commuter time.

Typical coverage is 74 hours a month. We are getting about 10% return on our investment. Our contract is up in December and will probably extend. We are not ready to hire our own police presence.

- iii. Motion to approve contract with George Gildner, Inc. to replace/repair water filter valves, not to exceed \$3,400-Motion made by Freimann and seconded by Myszka Approved 5-0

Discussion-Filter is flushed daily and the valves are going to break imminently. If it is not fixed we will not have filtered water. We have the money in the budget.

Break taken at 9:10 for 12 minutes

- iv. Motion to approve action for sewer connection situation at 610 E. Washington, 102 N. Highway and 104 N. Highway, 207 W. Cleveland- Motion made by Freimann and seconded by Luke Approved 4-0 Trustee Luke Abstained

Discussion-15 owners didn't meet deadline originally, 3 owners are not connected now. Only one owner has had their water shut off because of broken shut offs etc. Trustee Freimann wants to know what action we are going to take on these 6 residences.

One person has legal issues and doesn't want to connect. Everyone has had over a year to connect. Everyone else has managed to come up with the money to connect and it's not fair to them. His legal problems are not our problem.

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It's an important decision to shut someone's water off. Some of these homes have tenants that are paying their water bill on time. The ordinance allows us to grant a variance. We could do this for the tenant with a disability.

Our action plan will be to give 72 hour notice to the tenants before shutting their water off. The homeowner will have his turned off immediately. He will need to pay permit fees and come up with a contractor. He will need to have a date of when the connection will be done. It will be Trustee Freeman's discretion when the water can be turned back on.

- v. Motion to approve action for sewer connection situation at 107 N. Price-
Motion made by Freimann and seconded by Myszka Approved 5-0

Discussion-We have never heard from this owner until we posted notice that we shut his water off. It was turned off on 9/25/13. It is possible that he may have turned it back on himself. Trustee Freimann will have Kevin periodically do meter reads so the water will remain off. Trustee Freimann will also check with the health department after 21 days, in case that is necessary.

- vi. Motion to approve action for partial sewer connection situation at 307 W.
Kickapoo-Motion made by Freimann and seconded by Myszka Approved
5-0

Discussion-This homeowner is connected by the failed the inside plumbing inspection. They still have a softener or something else running into their septic. We were not able to shut them off because the shut off is broken at curb side. Kevin has ordered parts and will fix it. Once it is fixed their water will also be shut off.

- vii. Motion to approve Job Posting through October 31, 2013 for an Assistant
Treasurer-Motion made by Myszka and seconded by Freimann Approved
5-0

Discussion-The job posting will be in the Leroy Journal and on our website.
We don't have an exact job posting yet.

- viii. A motion for continuance was not needed

12. Old Business

a. Postponed

- i. Motion to approve recommended Village donation of \$___ to Steven
Kretz' Boy Scout Eagle Project
- ii. Motion to approve purchase of Village Hall signage for building
identification not to exceed \$2500-Motion made by Luke and seconded by
Myszka
Motion amended to purchase of Village Hall signage for building
identification not to exceed \$100-Motion made by Luke and seconded by
Myszka Approved 5-0

Discussion-Trustee Myszka spoke with Jim's Signs and can get a 3'x1' sign for
approximately \$70.

13. Executive Session was not entered

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14. No action on executive session items.
15. Motion to approve payment of bills-Motion made by Freimann and seconded by Luke
Approved 5-0
16. The Mayoral Report was presented earlier and is in the flyer.
Mayor James asked Attorney Wall to check with Mediacom. We are supposed to be receiving 3% of their sales. They are at least \$1000 behind and they owe us \$500 in a donation to the park. Attorney Wall says she has and will try again to contact them again.
17. The Trustee Reports were presented earlier and are in the flyer.
 - a. Trustee Goveia reported that she would like to see the Youth Center go back to being called the Community Center. This name better reflects what is going on inside. This is the 22nd year for the haunted house. I Rock is doing a live broadcast from the haunted house this year. There will be a bluegrass band one evening. The admission was raised to \$3 this year.
The Boy Scouts are about ½ done painting the posts.
 - b. Trustee Luke reported the annual audit is complete and the levy report needs to be submitted by 12/3/13.Motion to adjourn made by Roach and seconded Luke Approved 5-0
Adjournment at 10:28 pm