

VILLAGE OF DOWNS BOARD OF TRUSTEES
REGULAR MEETING MINUTES

7:00 PM
June 5, 2014

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

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1. Mayor Mike James called the meeting to order at 7:02 pm.
 2. Roll call was taken with Trustees Roach, Goveia, Freimann and Luke present. Trustee Lush arrived at 7:07 pm and Trustee Myszka at 7:30 pm. Also present were Clerk James, Treasurer Zwilling and Attorney Dawn Wall.
 3. The Pledge of Allegiance was led by Boy Scout Steven Kretz.
 4. Trustee Goveia made a motion to approve the agenda order Trustee Roach seconded the motion. Approved 5-0
Items b. and d. were flopped to wait for Trustee Lush to arrive later.
Item f. was added to the discussion.
 5. Eagle Scout Project(s):
Kyle Stinemates reported on his Eagle Scout project. He will not be landscaping around the sign by cemetery because of an issue with it being in a state right away. His plan has changed to landscaping the side of the Village Hall. All of the plants were donated by Prochnow Landscaping. He received \$300 in donations. His parents will donate the rest of the money. Kyle asked for dirt from the village for his work day on Saturday. Trustee Lush will help him with that.
Steven Kretz reported on his Eagle Scout project. He is extending the parking lot at Kickapoo Park into an "L" shape. Stark Excavating is requesting a topography map. Shawn from Farnsworth said he will donate their time to do this. Mayor James signed off on his project plan. The actual plan was already approved on 6/6/13. The board will file a variance on the parking lot. Steven would like to get started in June or July. Steven will need to use some of the Village's resources. He needs an auger for post hole digging and a truck to haul gravel.
 6. Superintendent Report-
Kevin Whitehouse reported that we had some substantial main breaks this month. There was a service line leak on N. Gadwall and East St. The Village of Heyworth helped with the one East St. Kevin repaired a leak on Woodlawn from a meter pit leak. Another leak was fixed on W. Washington. The consumer confidence report was sent out in a mass mailing.
 7. Engineer Report-
Shawn gave the board an engineering review of Beecher Trails. He identified a few issues that will get resolved. They will be breaking ground soon. The road is going to have to be hot mix to be up to code. It is up to the village once we take it over if the village wants to keep up with that.
Mr. Bowers finally settled on a private easement with Stark and Norman to get water. The water will hook in at Mallard Point. They have already bid out water and sewer.
Shawn said there will be a road gap between Rt. 150 to the start of Beecher Trails that isn't going to be upgraded. The Village feels that the church is to be responsible that area. According to our code, at a bare minimum they are responsible for at least half the cost to upgrade.
The village needs to review the easements because we will be assuming those easements after they are done. Beecher Trails may start in building July.
Cross creek is waiting for a road inspection.
Shawn said the water easements at Downs Crossing have not been a high priority.

8. Treasurer Report-

Treasurer Zwilling reported that we need to approve the appropriation ordinance tonight. We have the audit coming up in end of June.

9. Mayoral Report-

Epay is being delayed by VISA again. We are at their mercy.

Adkisson's got their liquor license and should be opening next week. Living Hope Church wrote a letter saying they were "ok" with it having Adkisson's selling alcohol next door.

Mayor James polled the board to see if they were interested in a pursuing medical marijuana facility in Downs. Trustee Roach, Freimann, Luke and Lush all were in favor.

Trustee Myszka was not in favor. Trustee Goveia was not sure.

Mayor James let the board know that the bill from last month for advertising for Tri-Valley was \$140.

The Mayor has written a letter to the railroad about our concerns. He would like the board's feedback.

All of our IDOT requests were denied. No traffic signal, no speed limit reduction, and no action on the blind spot at seminary at RT 150 were deemed necessary. They did make mention of the entrance for Beecher Trails, but that was all.

The property on Huff Rd. has tall grass and abandoned car. Trustee Freimann will send them a letter. Trustee Roach will contact them about the car.

10. Trustee Reports-

a. Building Report-

Trustee Freimann had nothing to add.

b. Water and Sewer Report-

Trustee Myszka said hydrant flushing has already started will be going on June. \$116/mo. meter reading why is this so high? Once everyone is on a radio read we will take another look at this amount.

There are 3 remaining sewer hook ups and nothing has changed.

c. Police and Services Report-

Trustee Roach is still considering options for police. We are still committed to 26 hrs. / Week with McLean County.

d. Streets Report-

Trustee Lush reported they have started spray patching a couple roads. The Village's clean-up day was a success.

The streets department is still picking up debris on Monday's. He is asking that there be no nails and spikes.

Trustee Lush had a phone from a citizen about how to get rid of her cars. Tony from Anytime Towing is giving us \$50/vehicle. He can legally dispose of these vehicles without a title. He will be able to get us certification after this done.

e. Parks, Community Center and Food Pantry Report-

Trustee Goveia reported the food pantry is going well. A Walmart grant came in for \$250.

She would like to put together a future fund for some open air buildings in the park.

Trustee Goveia got a bid from Oak Brothers to take a tree down.

There will be a Village breakfast this Saturday.

Tyler James Eagle Scout Court of Honor is June 22. His project is in Kickapoo Park.

f. Finance Report-

Trustee Luke reported that we will be voting on the budget tonight.

11. Discussion

a. DUMC Annexation Agreement-

Attorney Wall has reached out to their attorney. She doesn't know what their agreement looks like. The Mayor wants to wait until they present their annexation agreement to the board.

b. Anytime Towing and Recover-

Tony from Anytime Towing purchased some property on Schaeffer Drive and wants annex into the Village. He is asking to be annexed because McLean County said he is within 1 mile and the Village has the right to annex him in.

Currently, he is moving his business to Danny Thomas' building on Harvey Rd. because it is already zoned commercial.

He doesn't want to do water and sewer right away. Currently, sewer and water in not within 200 ft. of him. He would have to tap on if he ever becomes within 200 ft. of the sewer.

He wants a variance for fence that will surround the pole barn he is building. In C2 we could allow that fence. His business plan is to do heavy truck work since he is next to the interstate. He is looking into getting on the State police rotation and that requires a covered enclosed fence.

Mayor and Attorney Wall are working on a template for annexations.

Board is going to review next month and vote for it in August.

For now Tony is going to consult with Lyndall Cuba about the fence around the Thomas-Craft building.

c. Pavilion Rental-

A complaint came in about charging rental for senior citizens.

Mary said someone from seniors chose to pay \$40. Originally the agreement was to bring to supplies, garbage bags etc. or to do something for the Village.

Full day rental for the park pavilion is \$40.

Trustee Goveia said the criteria to make the pavilion free is they have to be "not for profit".

Citizens have been complaining that there have been some inconsistencies happening among groups.

We need to maybe publish some checklist, waivers, agreement and rental fees on the website. Trustee Luke agreed to take on this task.

d. Water Usage Adjustment-

It was asked if the water usage be adjusted because they left hose on, a water pipe broke, etc. At this time we will not be making any water adjustments.

Maybe we can on the sewer side.

e. Building

Trustee Luke and Lush have been looking at numbers to purchase the Downs Township building. She will email these numbers out. She polled the board to

see if the board move towards this direction. The streets department can't afford by itself.

Trustee Lush, Luke, Goveia, Roach are all in favor. Trustees Freimann and Myszka were not in favor.

f. Living hope annexation agreement-

Trustee Freimann wants to let the record show that he didn't agree to letting Living Hope Church hook up to well and sewer if they were unable to get water and sewer. Attorney Wall said that was not the case. This is not what the ordinance says. The ordinance language says we will explore whatever we can to help get them water and sewer.

Trustee Goveia and Trustee Myszka agree with Trustee Freimann.

Trustee Roach agrees with Attorney Wall

The board could listen to the tape and possibly continue the meeting.

Mayor James said it should be on record. He usually restates what we talked about.

A break was taken and the meeting was reconvened at 9:53 pm.

12. There was no public comment.

13. Trustee Lush made a motion and Trustee Luke seconded to approve Items Contained within the Consent Agenda Approved 6-0

14. Motion to Approve Consent Agenda was made by Trustee Lush and seconded by Luke. Approved 6-0

Discussion: It was decided that streets didn't need to be closed on 7/3. The parade doesn't go through the park this year.

a. Motions

- i. Motion to Approve the May 1, 2014 Village Board of Trustees Regular Meeting Minutes
- ii. Motion to Approve the Payment of Bills on July 5th as Approved by Clerk and Finance Trustee
- iii. Motion to Approve the Extension of Dooley Park Hours on July 3 and 4, 2014 to 12 am Each Day
- iv. Motion to Approve Parade Route and Road Closures During the Parade on July 4, 2014
- v. Motion to Approve Washington St Road Closure from Lincoln to Woodlawn on July 4, 2014
- vi. Motion to Approve Final Plat of Midwest Subdivision Tract 1

b. Resolutions

- i. Resolution 2014-R08 Authorizing the Execution of an Annexation Agreement Between the Village of Downs and 104 N Huff Rd

c. Ordinances

- i. Ordinance 2014-07 Approving 2014-2015 Annual Appropriations Ordinance for the Village of Downs
- ii. Ordinance 2014-08 of the Village of Downs, McLean County, Illinois, Ascertain and Adopting the Prevailing Rate of Wages for the Laborers, Workers, and Mechanics Employed on Public Works of the Village of Downs

- iii. Ordinance 2014-09 Annexing the Territory Set Forth in the Annexation Agreement Executed Between the Village of Downs and 104 N Huff Rd

15. New Business

a. Motions

- . Motion to Approve continuance of the Village of Downs Regular Board Meeting to _____, 7:00 pm at the Village Hall No Action
- i. Motion to approve _____ as 4th of July Grand Marshal was made by Trustee Luke and seconded by Trustee Lush.
- ii. Motion amended to Approve Mr. & Mrs. Ralph Bustle as 4th of July Grand Marshal was made by Trustee Luke and seconded by Trustee Lush.
Approved 5-0 Trustee Freimann Abstained
Discussion: Nominations this year were Mary Goveia, Ken Adkisson, Mr. and Mrs. Ralph Bustle, Amber Virden and Jim Kirk.
Amber Virden has been involved in the food pantry, beautification committee, and Downs Caring.
The Bustles have been long time residents. They had long time service to the fire department and fire maids.
Mr. Kirk is an American Legion member, longtime resident and works at the food pantry.
Ken Adkisson operated 2 businesses, has rental property and was a former board member.
Mary is a board member and has long time service to park.
The board would like to set some precedence or criteria on how to choose.
- iii. Motion to Approve Payment of Freedom Run, July 3rd and July 4th Vendors as Approved by Village Clerk, Treasurer and Finance Trustee was made by Trustee Lush and seconded by Trustee Roach. Approved 6-0
Discussion: This is to cover 4th of July expenses that may pop up.
- iv. Motion to Post Job Opening for Assistant Treasurer was made by Trustee Luke and Trustee Lush. Approved 6-0
Discussion: Our assistant treasurer has taken another job. Trustee Lush would like to hire another Streets Dept. person. He wants to generalize our hiring so they can just work for Village of Downs. This way we don't have to change their pay rate. Trustee Lush has a verbal agreement with them. They are aware that job classifications have different pay grades and they can get paid a different wage for doing different jobs.
Treasurer Zwilling is looking for someone with QuickBooks. It's an hourly position. The board decided to hire only for an assistant treasurer.

b. Resolutions

- i. Resolution 2014-R09 Authorizing and Approving the Contract for Fireworks on July 3, 2014 with DCV Imports for \$7,000 was made by Trustee Freimann and Trustee Myszka. Approved 6-0
Discussion: This includes a \$5 million insurance policy with them.
They may consider doing it on the 4th next year for us.
Donation letters have been sent out and donations have been coming in.
The donation is tax deductible.

16. Old Business

a. Postponed

- i. Motion to Approve Recommended Village Donation of \$___ to Steven Kretz' Boy Scout Eagle Project

17. Executive Session was not entered.

18. Action on Executive Session Items

19. A motion to approve payment of bills was made by Lush and seconded by Luke. Approved 6-0

Discussion: \$214 for postage for flyers, and permits was added to the bills.

20. Motion to Adjourn at 10:40 pm was made by Trustee Roach and seconded by Trustee Myszka. Approved 6-0

A handwritten signature in cursive script that reads "Julie James". The signature is written in a light grey or blue ink and is located in the lower-left quadrant of the page.