



VILLAGE OF DOWNS BOARD OF TRUSTEES
REGULAR MEETING MINUTES
7:00 PM
May 7, 2015

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

1. Mayor Mike James called the May 7, 2015 meeting to order at 7:00pm.
2. Clerk James swore in newly elected officials, Mary Goveia and Paul Messamore. Each of them took the Oath of Office.
3. Roll Call was taken with Trustees Goveia, Roach, Messamore, Luke, and Lush. Also present were Clerk James, Attorney Dawn Wall and Treasurer Zwilling. Mayor James declared a quorum present.
4. The Pledge of Allegiance was taken and led by Life Scout Brandon James.
5. A Motion to Approve Agenda order was made by Lush and seconded by Luke. Approved 5-0

Discussion:

- Removing item R14-1G (Motion to Approve Payroll Schedule for FY2016).
 - Moving resolution (Resolution 2015-R13 Approving the Amended Intergovernmental Agreement between the Village of Downs and the Village of Bellflower for Police Services) to discuss after executive session.
 - We are adding Laura Grant to park committee.
 - The motion for continuance is scratched from the agenda.
6. Eagle Scout Project(s) Report - Brandon James Final Report
Brandon has completed his project. He told the trustees to go and check the signs out in Kickapoo Park. Brandon passed around photos of his completed project. Brandon explained a little about his project and mentioned volunteers who helped. He stated that his Eagle Scout book has been sent in to be approved with the Boy Scouts of America.
 7. Corn Belt Energy Update
 - Mr. Hancock, from Cornbelt, handed Mayor James the signed Development Agreement passed at the April Board meeting.
 - Mr. Hancock handed out a map of One Energy Way. It will be a heavily constructed concrete road with curb and gutter. There are some areas of concern. One potential concern is that there may be some run-off from the culverts at Rt. 150. The retention pond only drains for the bank building. Mr. Hancock thinks this important because we will be impacting future development. Cornbelt would like to take the drainage to east of Gilliam Rd by boring underground. Or take the drainage south towards Corn Belt's farm ground. They completed some dirt work yesterday.
 - He explained that Corn Belt Energy is different other than other electric companies. They take working and helping with communities very seriously. The goal at this point is to bring back construction plans in June for the board to approve.
 - They intend to build the road in one week under best case scenarios.
 - Mr. Hancock is getting considerable inquiries on that corner. After the road, he will help find the funding for the Village to complete running water to Downs Crossing.
 - The Mayor expressed he prefers going the south route as does Shawn from Farnsworth.

- The Mayor said he can't stress how important that corner is. We have everything there but water.
- Mr. Hancock said the interest is mostly on the bank. However, he has had some interest in the commercial property such as fuel.
- He is not from the area but people see him in his Cornbelt shirt and ask him what is going on at the corner.

8. Engineer Report

Shawn, from Farnsworth, reported that Stark is planning on putting asphalt down on 2000E soon. The base all tested out good. The road is open for now. Electric and Nicor Gas is coming next week at Beecher Trails. They got approval back from IDOT for this year's MFT.

9. Mayoral Report

- Trustee Goveia has asked for liquor percentages. Adkisson's prior to the remodel was running between 56-57%. They should be over 60% after the remodel.
- The Mayor wanted to go over some documents he sent to the trustees. One of them was the Expectation Document. Over the past two years he had worked to keep an open and less formal board meeting. He is going to press harder for legislation to be discussed and reviewed at the meeting prior to taking action. He would like the sponsors for legislature to bring it forward.
- He asked that trustees at least put some sort of a report in flyer. We have been getting away from doing that. He has received many compliments from residents about the information in the newsletter. Trustees should be able to find something to report on each month. The report can be submitted after the meeting to make it in the flyer.
- He reminded the trustees that all committees have to adhere to the OMA act, without exception.
- The newly elected trustees need to take the OMA, NIMS and FOIA training.
- Mayor James named Maureen Roach as the President Pro-Tem for consent agenda.
- Susan Luke and Clerk James will remain the FOIA officers
- Mayor James noted that he regards being a trustee and mayor an honor and duty to the community. It can be frustrating. He hopes that the trustees feel it is an honor as well. He reminded the trustees that they represent the Village not necessarily their opinions.

10. Trustee Reports

1. Building Report

Mike Freimann and Goveia met last week. They went over a building permit. We have no outstanding permits at this time. There is a meeting on Monday night to go over the new permit process. Mayor James stated it is a working meeting but we still need to post an agenda.

2. Water and Sewer Report

- Superintendent Kevin Whitehouse reported there was an uptick in water and sewer usage. The iron content for the month was .52 content. There were no main breaks.
- Kevin recently toured a Tonka plant in Ohio, IL. They have similar issues as us.

- He said he got good contacts to keep in touch with from Ohio
- Paul Messamore, the new trustee for water and sewer introduced himself. Messamore has lived in Downs for about 5 years. He loves the village, people and school. He is excited and hopes to be an asset. Mayor James noted that Messamore was head of the development committee.

3. Police and Services Report

- Trusteed Roach reported that golf cart renewals are up.
- She reminded the trustees that they need to complete the NIMS training.
- She recently spoke with Eric Brown, who owns Downs Automotive about the police car. Roach says there may be potential for making money on selling the police car.
- Currently the police car is running. She stated that we don't put any money in it for repairs.
- Mayor James noted there is a disposal process for getting rid of our assets.
- Chief Dingler reported he went on 27 calls, issued 9 warnings, 9 tickets, and performed 290 business checks. There is a tornado meeting tomorrow. Being prepared in an emergency was his biggest project and it is nearing completion.
- The bike patrol has started and is going well.
- He said "Operation rolling stop signs" has been imitated.

4. Streets Report

- Trustee Lush has already had a busy mowing season.
- He asked the board for direction for debris pickup. Commercial people are taking down trees and putting the debris out on our property.
- Should tax payers be paying for man hours to clean this up? The business is making money we shouldn't have to incur labor costs to perform clean up. Then, when the village burns the debris, they have to have someone watch while debris is burning.
- Attorney Wall said some communities are amending their ordinances to prohibit this. We have anything nothing written in our ordinances. But we can modify the statement in newsletter.
- Trustee Lush will bring some verbiage back and we will vote on it. We can formalize it and put it in chapter 8 or in chapter 16.
- Years ago we had this service and it was discontinued for this reason.
- Attorney Wall says putting the statement in the flyer to lower the residents' expectations.
- The debris pick-up to keep people from burning in the ditches.
- Mayor James says we have an issue with McMannus Park. We may have encroachment on village property. Neighbors have planted a tree and are mowing farther into the park property. We don't want them to just assume this is property.
- They can either dedicate the tree to us or move it.

5. Parks, Community Center and Food Pantry Report

- Goveia reported the food pantry distribution is set for this Sat. Currently, there are 40-42 families using the food pantry. There are 27 kids in back pack program.
- The breakfast in April went well. The next one is June 20.
- Mayor James noted that trustee assignments have been shifted. Currently, the parks chair is open. A building trustee is needed more right now.
- Mayor will be the interim chair until we get one.

6. Finance Report

- Treasurer Zwilling reported that as of April 30, 2015 the village had \$1.1 million in cash flow.
- The debt is down \$5.2 million.
- There is a surplus of \$80,000 in the general fund.
- The water fund has \$25,000 deficit, due from not getting the grant.
- The sewer fund will break even.
- Everywhere else is break-even as well.

11. Discussion

1. Redevelopment Agreement for Gameday Grill

- Gameday Grill is looking to build and relocate in Cross Creek. He will be looking for some TIF 3 fund help. He wants to get started in Aug. or Sept. Gameday is doing well and the daycare is doing well. The daycare will be taking over the whole building.
- There is no update on the road in Farmland Subdivision.
- Cross Creek is looking to finish their road soon. They are ready for us to put the street signs in. The developer feels he needs to get the road in so he can get more building going on.

2. Village Code Revisions

Mayor James sent everyone 3 chapters. It has been re-formatted hopefully easier to read. He has highlighted items that may need to be changed. He wants to get rid of ordinances that we don't want on the books. Send your changes to the Mayor in the word document.

3. Other

- a) Trustee Goveia reported that Tri-Valley CUSD is purchasing the Robert's property and the house next to it. They are going to tear it down and have a new entrance and parking. We may need to re-zone the property.
- b) Goveia reported the ditch by fire station is mess. It should be the fire station's responsibility to clean up. It is their property. Chief Dingler will have polite discussion with them. We will assist them if they need our help.

12. Public Comment

- Several members from Living Hope wanted to discuss Huff Rd. They were planning on widening the road but without curb. However, Beecher Trails has asked Living Hope to extend the curb.
- Their initial bid to compete the widening was \$26,000. They gave Mayor James a copy of their bid and proposal from MSAA in 2012. Now Farnsworth, our engineer, wants them to extend and sent Living Hope an estimate costing between \$80,000-\$100,000.

- Their annexation documents had nothing to do with improving the road.
- The Village agreement with Beecher Trails requires them to improve the road. The developer indicated to the village that they had an agreement with Living Hope that we were not privy too.
- Members from Living Hope say they have not agreed to anything except to put in a construction road.
- The board's stance has always been that we not incur any cost for the road.
- Trustee Lush and the Mayor will take Living Hope's new bid to Farnsworth. This bid needs to be compared to the other bid to determine what the difference in road construction cost is. The board's only concern is that the road stands up.
- Mayor James says a meeting may need to happen with the developer, the church, Village, and Farnsworth.
- The board's understanding was that Living Hope had an agreement with the developer.
- Going forward would be happy to review the new bid from MSA. We can foster a meeting with the developer and Living Hope.
- Living Hope estimated not putting in the road in about 5 years. Not sure why the developer is putting the road so soon.
- Currently the church is putting in the rough-in, in the basement. They are looking to be in before the end of the year.
- Living Hope members asked why they were sent a new annexation agreement. They were under the understanding that it was recorded. Attorney Wall explained that at the meeting we went back and forth and did the amendments on the fly. The amended changes did match up with what the trustees remembered. This is why there was a need for the new annexation agreement. We wanted to make sure the developer wouldn't leave the church without water and sewer.
- Margaret Keylin asked some questions. She wanted to know how the direction of Cornbelt's new road was decided. The road is being built the way it was according to the preliminary design.
- She stated that future upkeep expenses for this new road would be expensive.
- She asked how we are repaying Cornbelt back for the road. We would be paying them out of TIF over 5 years.
- She suggested mulching the wood rather than burning. The wood could be made into mulch in Bloomington.
- She states that there is more and more traffic on Seminary. It is becoming a problem for people trying to cross. She suggested the need to put in 4-way stop signs on Seminary.

A break was taken until 9:34pm.

13. A Motion to Approve Items Contained within the Consent Agenda was made by Luke and seconded by Lush. Approved 5-0
14. A Motion to Approve Consent Agenda was made by Luke and seconded by Lush. Approved 5-0
 1. Motions

- a. Motion to Approve the April 2, 2015 Village Board of Trustees Regular Meeting Minutes
 - b. Motion to Approve Village of Downs Regular Board of Trustees Meeting Location, Dates and Time for FY 2015-2016
 - c. Motion to Approve Parks Committee Meetings on a as needed basis for FY 2015-2016
 - d. Motion to Approve Public Safety Meetings on a as needed basis for FY 2015-2016
 - e. Motion to Approve Mayor's Assignments for Village Board of Trustees
 - f. Motion to Approve Mayor's Assignment for President Pro Tem
 - g. Motion to Approve Payroll Schedule for FY2016-moved
 - h. Motion to Approve Park Committee Member Laura Grant
2. Ordinances
- a. Ordinance 2015-06 Approving an Ordinance of the Village of Downs, McLean County, Illinois, Ascertain and Adopting the Annual Appropriations for the Fiscal Year Commencing May 1, 2015 and Ending April 30, 2016
 - b. Ordinance 2015-07 Approving an Ordinance 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
 - c. Ordinance 2015-08 Authorizing Execution of the Illinois Public Works Mutual Aid Network Agreement

15. New Business

1. Motions

- a. Motion to Approve continuance of the Village of Downs Regular Board Meeting to _____, 7:00 pm at the Village Hall - Scratched
- b. A motion to Approve Advertising in the Tri-Valley Fall/Winter Sports Program not to exceed \$250 was made by Luke and Roach. Approved 5-0
Discussion:
 - We will be doing a 1/8 page ad in the program for fall and winter.

15. Old Business

16. A motion to Approve Payment of Bills was made by Lush and seconded by Luke. Approved 5-0

Discussion:

- The Mayor asked the trustees to start scanning in their own bills. This way we know you have reviewed them.
- A bill added \$99.95 was to Menards for ash tree treatment.

17. A motion to go into Executive Session for Personnel was made by Luke and seconded by Roach. Approved 5-0

A short break was taken.

Executive session was entered at 9:44pm.

The regular meeting for May 7, 2015 was re-entered at 10:09 pm.

Roll call was taken with Trustees Roach, Goveia, Messamore, Luke and Lush all present. The Mayor, the Clerk and Attorney Dawn Wall were also present. Quorum was declared.

18. Action on Executive Session Items

1. A motion to Approve Chief Dingler as full time employee in the Village of Downs at a Salary of \$37,440.00 with a \$2,000.00 Annual Stipend and two weeks' vacation was made by Roach and seconded by Goveia. Approved 4-1 (Luke abstained but counted as affirmative.) Lush voted no.

2. A motion to approve Resolution 2015-R13 Approving the Amended Intergovernmental Agreement between the Village of Downs and the Village of Bellflower for Police Services was made by Luke and seconded by Roach. Approved 5-0

19. A motion to adjourn the meeting at 10:13pm. was made by Roach and seconded by Luke. Approved 5-0

A handwritten signature in cursive script that reads "Julie James". The signature is written in black ink on a white background.

Julie James
Village Clerk