

MEETING MINUTES DECEMBER 1, 2011

Maureen Roach, Mary Goveia, Mike James, Mike Freimann and Paul Myszka all present

Mike Sumner absent

Motion to approve previous meeting minutes by Mike James

Second by Mike Freimann

Motion carried unanimously

Public Comment

Ken Bays presented documents for the Board to review concerning the roads in Farmland Subdivision and whether they are private or public roads.

Several other property owners in Farmland Subdivision expressed their concern that the road has not been completed and would like to know what steps are going to be taken to insure the road will be completed and who's responsibility it will be .

The proposed Resolution for completion was read to all present so the property owners know there is a time-line that will be in place for the Developer to complete the road if the Resolution is passed.

The Resolution simply states that the Developer still owns the road because it has not been accepted by the Village of Downs, therefore it is still responsibility of the Developer. In order for the road to be the responsibility of the Village it would have been previously accepted by the Village and there is no record of that occurring.

The Road is dedicated for Public use, but not accepted by the Village to maintain

Motion to approve Resolution 2011-20 approving the deadline of completion of Farmland Subdivision road by Developer by Mike Freimann

Second by Mike James

Discussion

The previous administration was going to try and get the expense of completing the road covered by either TIF or Motor Fuel funds. The Developer was asked not to complete the road prior to sewer construction. Allot of this is verbal but it does not seem like we are treating the Developer in a proper manner. Yes ,the Developer is responsible for the road but there should have been more discussion prior to this resolution being brought before the board for vote . The Village needs to talk to the TIF attorney to find out if funds can be used.

From a legal standpoint this municipality does not have the authority to grant TIF funds that are not bartered for. This should have been negotiated with the original development agreement. The original agreement cannot be located so the Ordinance is what the Village needs to enforce. As a municipal authority you cannot create new agreements for old deals. If you create a redevelopment agreement after the development is done you open yourself up to any prior developer to coming back to try and renegotiate.

We need to follow the Ordinance to service the citizens of the community

Maureen Roach and Mary Goveia voted no

Mike James, Mike Freimann, Paul Myszka and Ryan McLaughlin voted yes

Motion carried

Motion to approve bid letting for the Village trash collection by Paul Myszka

Second by Mike Freimann

Motion carried unanimously

Engineers report

Have a letter to review before sending out to the citizens

Construction status

Testing done- all came back good.

Fischer sent in several change orders- most were related to the 74 bore. It's not recommended to pay them at this point

Motion to approve a work changed order for Phase A by Maureen Roach

Second by Mike Freimann

Motion carried unanimously

Need to address damage to Huff Road and erosion control in the Spring. Drainage on Huff road also needs to be addressed

Have As-built drawings of the construction- sewer pipe. Look at it for connection and locating the T's.

Any future Julie locates would use the as-builts.

Reviewed the close circuit televising- stark has fixed some issues in the pipe.

Televising of the Mallard continues.

What if someone hires a contractor how do they find the T? –Either by looking at the as-builts or there should be a 2x4 in the yard where the T is.

Need to address vandalism at the lift station- already have had vandalism

Pre-annexation

Need to consider a notice to BNWRD that we want to recend the original agreement.

Need to have pre-annexation agreement with BNWRD- BNWRD will approve it then we will ratify it.

One consideration is anyone who does not join now will have to pay for the hook up-people outside the current area- like a subdivision that wants to use the sewer

Draft Letter to homeowners to review and give suggestions prior to sending out. The letter is step by step of what is going to happen and how to go about hooking up. All Commercial property will go through BNWRD directly

Chapter 20 and the usage calculation spreadsheet

If a property owner has a working system they are not required to hook up but will still have to pay the usage

A resident from Farmland Subdivision asked the question-

Is TIF money being spent for sewer construction outside the TIF area?

The pipe that goes to Downs Crossing is being paid for by TIF funds which is allowed because it's providing the service to Downs Crossing

Motion to move to closed session for possible litigation by Mike James

Second by Paul Myszka

Motion carried unanimously

Back in open session at 9:22

Motion to approve the easement agreement with CIRBN as amended with correct legal description in accordance with what's on record at the McLean county Recorder's office for Lots located at the village Hall and the Village water treatment plant by Mike James

Second by Mike Freimann

Discussion

When fiber optic comes through the contractors do not pay attention to the Julie. They install were they want and should not be trusted. If this is allowed the Village needs to be sure to pay attention to what the contractor is doing

Motion carried unanimously

Motion to approve easement agreement with CIRBN contingent upon the county granting the necessary approval for CRBN to install what's necessary on County Property Maureen Roach

Second by Mike James

Motion carried unanimously

Motion to approve hiring of temporary employees for Street Department by Mike James

Second by Paul Myszka

Discussion

Hiring 2 people for snow plowing- they will be in addition to volunteers. Would be \$15.00 an hour, like last year. They must have a class C license.

Motion carried unanimously

Motion to approve work on the Village Hall for handicap ramp and upgrades by Maureen Roach

Second by Mary Goveia

Discussion

The expense will be supplies only- volunteers will do the work

A list has been made of what work needs to be done to make the Village Hall handicap accessible.

would like to use kids that need hours for eagle scouts or other groups.

Eagle Scout projects might take longer than would like to spend on construction

Motion carried unanimously

Motion to approve Tax Levy Ordinance 2011-21 for the fiscal year ending April 30, 2013 by Maureen Roach

Second by Mary Goveia

Motion carried unanimously

Mayor Report

Keep everyone posted on Fisher

Building

Not much

Water/Sewer

4 registers that are not reading

have a few citizens that did not pay in full

Streets

approved a truck permit

cost estimates on purchasing a tractor for future use- worse case would be \$48,200.00. waiting on another bid hope to have something more concrete in the future as well as how it's going to be paid for

Met with county to discuss the intergovernmental agreement that will be needed when the resurfacing is done on Washington. The new road will have a curb and gutter system down Washington. The street will not be a heavy load road any longer. Want to do a sidewalk along Washington from Seminary to Route 150. The County recommended a cost sharing on the sidewalk but the Village will not do that.

Parks/Youth Center

Approved old meeting minutes

Set the calendar for the next 6 months

Trail work in Kickapoo Park will begin in 2012

Finance

Nothing

Motion to pay bills by Maureen Roach

Second by Paul Myszka

Motion carried unanimously

Discussion items

Township shed- Village property

The village paid \$1.00 for the shed but it's never been transferred.

Motion to adjourn by Mary Goveia

Second by Paul Myszka

Motion carried