

VILLAGE OF DOWNS BOARD OF TRUSTEES
REGULAR MEETING MINUTES
7:00 PM
February 6, 2014

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

1. Mayor Mike James called the meeting to order at 7:00 PM.
2. Roll Call was taken. Trustees Roach, Goveia, Freimann, Myszka, Luke and Lush were all present. Also present was Treasurer Zwilling, Clerk James and Attorney Dawn Wall.
3. Pledge of Allegiance
4. The agenda order was approved. Resolution 2014-3 item will be scratched and discussion items a and b were added.
5. Kevin Whitehouse gave the superintendent report.
Kevin's goal of going to all radio reads was hampered by weather. There were no water main leaks in January. However, he found one on Monday Feb 3 that is substantial. Inclement weather has caused other problems at the plant.
6. Alan Zwilling gave the treasurer report. Alan sent out financial statements. In the general fund police payments may go over budget with 3 more payments this fiscal year. In snowplowing, we will go over.
We need to try and consolidate the Verizon and Sprint cell phone bills.
We received our annual payment from Mediacom this year. But we did not receive our grant. The treasurer is converting to Quick Books. This is going to create some efficiency with the clerk.
7. Mayoral Report. Mayor James had a meeting with Cornbelt and Farnsworth that went well. He will be attending a resources workshop in February. Also attending in February, a pipeline safety meeting for Enbridge and a grant writing class.

Mayor James asked the trustees to post their agendas for their meetings at the village hall. The only committee meeting that he is most concerned about is the park's committee, because they don't meet at the village hall. This agenda needs to be posted at the village hall.

The board has gotten their first TIF request.

The Leroy Press is going to be highlighting the Eagle Scout projects that have been done in the Village.

Ups and Downs is now open for food.

8. Trustee Reports
 - a. Building Report-Trustee Myszka gave a report on the Heyworth Public Library. He says it is a great resource. Paul would like to add the library's website link to our website.
 - b. Water and Sewer Report- Trustee Freimann has no formal report this month. He is working on the DCEO survey. He also worked on Chapter 12 changes.
 - c. Police and Services Report- The Mayor and Trustee Roach and met with Sheriff Emery, Jon Sandage and Lt. Mike Kline. Our service with the McLean County will continue until July.
Trustee Roach has gotten some reminders from Casali (our garbage service provider). Recycle collection is on the 2nd and 4th Saturdays. They asked they ask that no plastic bags or Styrofoam be recycled. They report 30-35% of Downs recycles. They would like to see that to increase.
 - d. Streets Report- Trustee Lush asks that if you have any comments or suggestions to please send them in. The snowplowing crew is doing the best they can to clear. The county has cut off the salt supply. They are not letting anyone have any more salt. Therefore, we have to ration what we have.
 - e. Parks, Community Center and Food Pantry Report-Trustee Goveia said they have set up a breakfast for April 5th with an Easter egg hunt. Then, a fall festival in September or

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October as a fundraiser, is also being planned. Currently, we have 36 food pantry participants. We haven't been opening on Saturday because everything has been distributed by Friday. But if we have someone new let Trustee Goveia know. Julie Hahn donated her \$500 State Farm Grant to be used on the furnace or electrical in the Community Center.

- f. Finance Report- Trustee Luke reported that the Treasurer is migrating to Quick Books. This will allow us to do fund accounting and have fewer checking accounts to manage. The Treasurer has become proficient in Quick Books. Trustee Luke will be getting with the trustees about setting up their budgets.

9. Discussion

- a. Government Aggregation - Electricity Supply-Rob Wielt from Affordable Gas and Electric spoke to the board. His company is owned by two brothers, which is out of Mt. Vernon, IL. Mr. Wielt says as customers we do not have a choice on our delivery of Ameren IL, but we have a choice of suppliers.

Ameren doesn't care who you buy your supply from. However, you will pay the default rate if you don't choose your supplier. Municipal regulation gives residents a choice to pool or aggregate together to get a lower rate. Affordable Gas and Electric can be your broker/consultant and get bids for a lower rate. They currently represent 28 communities. They have 40 more coming on the ballot in April. They are reaching out to us. We have until August 8th to pass an ordinance to put a referendum on the ballot in November.

They could save our residents about a \$200 savings a year (8/10 savings per kilowatt). However, last year Ameren IL did lower their default rate. The average savings was \$150 last year. If a resident wants to opt out they can fill out a post card and pay the Ameren IL default rate. Affordable Gas and Electric gets paid .00075/kilowatt or \$.75/ house.

Mr. Wielt will get our community registered with the Ameren IL portal if we pass it.

If a person has already gotten a supplier, they need to ride their contract out. Those contracts have cancellation fees that far out way the savings. They need to look at their contract to see if it is comparable to Affordable Gas and Electric's.

All communities have to choose the same supplier. This is how you gain the best rate.

- b. Eagle Scout Report

Kyle Steinmates reported on his Eagle Scout project. He is going to be landscaping the Welcome to Downs signs. He is working with a landscaper. He figures that the total cost for both signs would be \$700. He asked if the board would be willing to donate. Currently, the board has \$165 left in the Eagle Scout fund for Tyler James' project. Tyler isn't quite finished yet.

The board asked Kyle to make an effort to raise the money. If he should have a short fall they could help. Trustee Lush says that he could have access to any equipment or dirt that he needs.

Lowe's will give him a discount. Prochnow Landscaping is good about donating to Scouts.

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Kyle asked if he needed any permits. Mayor James said he would need all the same permits that his brother Ben did.

His anticipated completion date is middle to late April.

Tyler James updated the board on his project. Everything is done. However, the ramps haven't been attached due to inclement weather.

c. DCEO Grant Survey

Trustee Freimann updated the board on the DCEO Grant. It has been decided that the grant be spent on water filtration. He will be submitting the survey. DCEO will put together a packet for us.

d. Purposed Chapter 12 Changes

Trustee Freimann worked on Chapter 12 Changes.

Summary of Proposed Changes:

If you ask to voluntarily shut-off your water- Proposing a \$25 fee on our time and after hours/emergency fee another fee.

New user deposit change to \$150- We could look at charging the owner of the rental units a higher deposit to ensure that the bill gets paid. This forces the rental owner not to be able to rent the unit until the bill is paid. It would make the unit uninhabitable.

Late payment is \$6 currently-Propose a change to 10%

Delinquent Bills

Trustee Freimann brought forth 2 options. Option 2 was debated at length. Trustee Lush asked about a set installment plan option. He suggested this installment plan not to exceed more than one month's service. This was debated back and forth at length.

Trustee Freimann says we need to legislate to the masses on not to legislate every situation. Mayor James asked that Trustee Lush and Trustee Luke to write something up, get with Trustee Freimann and bring something to the next board meeting to vote on.

10. Public Comment

Fire Chief Mike Manint had some questions about new subdivision that were answered by Don Adams already.

Trustee Goveia asked Fire Chief Manint if people are stranded if they can spend the night at the fire house. He said absolutely. Also, other people in crisis can spend the night as well.

Don Adams from Farnsworth has received comments from the Village of Downs engineer and has changed them already.

Mr. Simonson, Superintendent from Tri-Valley- Sent a letter out addressing class size, taxing, safety and the school's support of the Beecher Trails Subdivision. He says he is appreciative of the board's efforts.

Margaret Keylin, resident- Margaret had several questions for the board. She was concerned that this would raise property taxes. It was explained that it would only raise property taxes if her home was used as a comparable.

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She asked about water use. Superintendent Whitehouse says we have ample water supply. Maximum use is 200,000 gallons/day. Currently, we use 77,000 gal/day. He projects 94,000 gal/day with all the new homes.

She asked about road repair, maintenance and where that money would come from. Mayor James explained to her where the road, bridge and tax money as well as the Motor Fuel Tax comes from. This money would increase with the new population growth. So they will pay for themselves. She asked if the developer was responsible for putting in a good road.

The fire dept. will also get tax money based off these new homes.

Mr. Simonson stated that there are 5 empty rooms in the elementary and 5 empty in middle school buildings. He says they can add 100 more students/building. This includes the high school. Bussing costs would not be an issue.

She asked about studies on Kickapoo Creek. Don Adams explained they look at a 100 year rain fall event and reduce it to a 3 yr. rainfall event. They have 4 detention basins planned and are leaving a timber area.

She asked about the railroad tracks. The board says the railroad has no regulations of what happens next to their property.

Margaret mentioned the Shaddayville residents have been upset. The board indicated they had the option to come tonight. The Mayor tried to reach out with supporting documents for those he thought were coming out tonight. The board indicated they had the right to speak out at the zoning and public hearing. The Mayor said he will reach out to Mrs. Brittin, who is organizing their committee.

A break was taken until 9:15.

11. New Business

a. Motions

- i. A Motion was made by Lush and seconded by Luke to Approve January 2, 2014 Village Board of Trustees Regular Meeting Minutes. Approved 6-0 No Discussion
- ii. Motion to Approve Continuance of the Village of Downs Regular Board Meeting to ____, 7:00 pm at the Village Hall- No Action
- iii. A Motion was made by Lush and seconded by Luke to Approve Adding Jill Kasparsk and Cyndi Miller to the Events Committee. Approved 6-0
These ladies have been running the haunted house.
- iv. A Motion was made by Goveia and seconded by Roach to Approve Donation of \$100 to the McLean County SHOW Bus. Approved 6-0
Discussion: This service is available to Downs residents on Tuesday for \$4 round trip. It will pick them up at 10:00 AM and take them to Bloomington. A resident needs to call the day before to schedule. Trustee Goveia is going to find out how many from Downs currently use this service. The SHOW Bus is open to all ages. It is free to 60 and older.

b. Ordinances

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- i. A Motion was made by Freimann and seconded by Myszka for Ordinance 2014-03 Approving an Amending the Intergovernmental Agreement Between the Village of Heyworth and the Village of Downs to Meet the Contract Operator Requirements of the Illinois EPA for Certified Water Operators. Approved 6-0
Discussion: This proposal came from Mr. Dodds, attorney for the Village of Heyworth. Their water operator is on disability and probably will not be coming back. Heyworth will be paying \$35/hr. for Kevin's time. Attorney Wall needs to make some typographical changes. Says we can get to the same place, but she needs to change the verbiage. They are in a hurry because the need their water certified for January. Attorney Wall says she doesn't have a problem with us voting on this. We just in principle are already agreeing.
- c. Resolutions
- i. Resolution 2014-R03 Approving an Intergovernmental Agreement for Police Protection Between the Village of Downs and the City of Le Roy, McLean County, Illinois- No Action
Discussion: Attorney Wall says that the Village of Leroy needs to be able to indemnify. They need to be responsible for their law enforcement actions. They would have to hold us harmless. We would have to hold them harmless. We carry general insurance and law enforcement insurance. But that doesn't cover the Village of Leroy. The Village of Leroy wants us to cover them. It would cost triple to do that.
Attorney Wall says we both have insurance to cover our own acts. Attorney Wall believes we don't have the ability to deliver on the insurance agreement portion of the agreement.
- The cost is \$35/hr. for 40/ hrs. a week compared to the McLean County at \$45/hr. for 26/ hrs. a week.
- We would get ordinance enforcement from Leroy. We don't get that now. On a separate note, the school is proposing to IDOT 2 stop lights and lowering the speed limit to 35 from the school to Towanda Barnes Rd. They are shooting high and most likely they won't get all of this request.
- i. Motion to Approve Recommended Village Donation of \$___ to Steven Kretz' Boy Scout Eagle Project- No Action
- ii. Motion to Approve Authorization of Kyle Stinemates' Eagle Scout Project Plan- No Action
12. Motion to Enter Executive Session for Personnel reasons made by Freimann and seconded by Myszka Approved 6-0
- 9:58 PM
- 10:05 PM
Roll Call was taken after returning from Executive Session. Trustees Roach, Goveia, Freimann, Myszka, Luke and Lush were all present. Also present were Mayor James, Clerk James, and Attorney Wall.
13. Action on Executive Session Items

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- a. A Motion to Approve Salary Increase of \$2000.00/ yr. for Kevin Whitehouse was made by Freimann and seconded by Myszka
The Motion was Amended to Approve Base Salary Increase of \$2000.00 for Kevin Whitehouse was made by Freimann and seconded by Myszka. 6-0 Approved
14. A Motion was made by Lush and seconded by Myszka to approve payment of bills. 6-0 Approved
Discussion: A few bills were added. The clerk will send out a new copy.
The Treasurer asked if he was to be splitting Kevin's salary from water and sewer 50/50. Trustee Freimann said it shouldn't be that way. But, billing clerks are still 50/50

Other Discussion:

Trustee Goveia asked about the TIF request and when we will act on it. Mayor James said Feb 19 or 20 is the TIF meeting.

She asked about the status on the Farmland Subdivision road. The Mayor said when Mr. Misch pays the bill we will release the road. He has completed all the work. The dedication won't be until the road is paid off.

15. A Motion for Adjournment was made by Roach and seconded by Myszka. 6-0 Approved
10:32 PM



Julie James
Village Clerk