



VILLAGE OF DOWNS BOARD OF TRUSTEES  
REGULAR MEETING MINUTES  
7:00 PM  
March 5, 2015

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

1. Mayor Mike James called the meeting to order at 7:00pm.
2. Roll Call was taken with Trustees Roach, Goveia, Freimann, Myszka, and Luke all present. Trustee Lush was absent. Also present was Clerk James, Attorney Wall, Treasurer Zwilling and Chief Dingler.
3. The Pledge of Allegiance was led by Boy Scout, Jared Zachow.
4. A motion to approve the agenda order was made by Freimann and Luke. Approved 5-0  
Discussion:
  - Removed 14-2a (Motion to Approve the Zoning Board of Appeals board members)
  - Resolutions 2015-R06 and 2015-R07 were also removed.
5. Zoning Board Chairwoman, Linda Bowman recommended the Village Board accept her board's approval of Case 1501-AZ.  
She canvassed her board and they were all willing to take on another year as zoning board members.
6. Eagle Scout Project(s) Report
  - **Jared Zachow** updated the board on his Eagle Scout project. He has finished building a pavilion and picnic table in McManus Park. He explained some of the changes he had to make. In order to prevent theft, a chain was attached to the table. When the ground has thawed, he will reset the tiles in the pavilion.
  - He received \$295 in donations and \$600 plus in material donations. He went over his budget by \$17.11. His father donated money to cover this cost.
  - **Brandon James** also updated the board on his Eagle Scout project. His project is to make four interpretive signs in Kickapoo Park. He has decided not to do the bike rack because the shipping cost made it prohibitive. He hopes to get out next weekend and mark holes for the posts. He is meeting with a graphic designer.
7. Engineer Report
  - Shawn from Farnsworth said the zoning map will be updated next month.
  - We will talk next month about the preliminary sketches for Downs Crossing. He said it will be tricky getting a water permit. He wants to get it right the first time so we don't have to do it twice.
  - He and Kevin Whitehouse got some cost estimates on cast iron water mains.
  - The Beecher Trails work still on hold. Everything so far has passed fine.
  - The final plat review of Beecher Trails looks fine. Shawn says he approves.
  - The 2<sup>nd</sup> phase at Beecher Trails may happen later this year.
  - Shawn completed a pre-application with the IEPA for future grants and loans. We don't have to use it but it is there if we need it.
8. Committee Report(s) no committee
  - The event committee item was scratched. The event planner for 4<sup>th</sup> of July backed out.
9. Mayoral Report –
  - Mayor James reported that he has had conversations with BP and with the owner of the building owner. They have a plan to get the BP up to the standards it needs to be.
  - Mayor James reminded the board members that if they have issues and/or questions that they should be addressed to the appropriate trustee. Please talk to the individual trustee rather than an employee.
  - He will be taking applications for additional trustees. This is so we will be ready to go by the May meeting. This appointment would fill the vacancy for a 2 year term.
10. Trustee Reports
  1. Building Report-
    - Trustee Freimann has put together a new procedure for the building permit process. This will help the resident know where they are in the process.
    - Trustee Freimann has asked Mr. Cuba to follow up with some homeowners to determine if the work that has been completed needs a building permit.
  2. Water and Sewer Report-
    - Superintendent Kevin Whitehouse gave his report. He reported that 60,000 gallons of water were sent to BNWRD/day.

- There were no breaks or service line leaks in the month of February.
  - Two homeowners had frozen pipes. These were emergency shut-offs.
  - All samplings for the month came back fine.
  - A person from Heyworth will be shadowing Kevin for emergency backup.
  - We received notification that the Downs Crossing well had no deficiencies. We are no longer in violation. They said we need to put a ceiling on the pump to protect it from the elements.
  - Trustee Myszka said that since we have converted to all radio reads, we no longer need the person who was meter reading.
  - Myszka said they are looking to hire a person in the office because of health issues with a current employee. Attorney Wall said we do not need to post for the position.
  - Currently, someone is shadowing the office staff. This person could work until formally approved by the board.
  - Attorney Wall says this person no matter if it is interim needs to sign a privacy statement. Wall doesn't feel we need to have them bonded. She said to make this person aware this may not become a full position until the board has made their decision. We have not done a background checks in the past. Trustee Roach wants to be consistent when doing back ground checks with what has been done in the past with others.
  - Hiring this person will be on April's agenda.
3. Police and Services Report-
- Trustee Roach and Chief Dingler submitted an equipment request to the board and mayor. They prioritized the items.
  - Trustee Goveia asked if Chief Dingler could use a laptop from upstairs instead of purchasing a new one. Chief Dingler explained his preference would be something with a front camera. He says FaceTime with the judge has been approved to get a search warrant.
  - The equipment that is requested is used almost daily. The list is bare minimum.
  - Locking bins will be attached to the wall at the high school. It's been approved by Dr. Mouser.
  - Trustee Luke asked about the carrying of 2 different caliber pistols. Chief explained one is for off duty. The ammunition requested is for the required monthly shoot.
  - Trustee Myszka wanted to know where the costs came from. He said they seem twice as high as they should be. He wanted to know if we have to buy them from a vendor. Dingler stated the prices were as low as he could find. He hasn't gone the cheapest but not the most expensive either. He constantly attempts to save money.
  - Trustee Roach says the list of items is covered under the current budget.
  - Dingler told the board that McLean County deputies will not be coming out unless it's emergency.
- Chief Dingler's report-
- He has started strategic planning and tornado planning. He has looked at warning sirens that we will need. He is looking at grant money for that.
  - He reported that we had one burglary in February. He gave a warning to a vehicle with the smell of heavy marijuana. He responded to a vehicle roll-over.
  - The drug program at the school was very successful.
4. Streets Report-
- Mayor James reported for Trustee Lush. We had two snow plowings this month. The Mayor said he had 30-40 hours of volunteer work and paid one employee to do work.
  - Salt is in short supply, the county has put a limit on our supply.
5. Parks, Community Center and Food Pantry Report-
- Trustee Goveia reported that the food pantry and backpack program going fine.
6. Finance and Treasurer Report-
- Treasurer Zwilling has contacted the auditor for next year.
  - Zwilling expects to have a surplus of \$30,000 for the year.
  - There is a \$22,000 loss to water fund.
  - Streets and Sidewalks have a \$3000 loss.
  - Sewer will have a surplus next year.
  - A loss of \$3400 is expected in the park fund.
  - Zwilling has received all budgets except for one.

- Zwilling reminded the board we could see a \$50,000 reduction in our tax due to Gov. Rauner's cut.
- We currently run a break even budget.
- The treasurer wants to go to a conference in August.
- Mayor James has reached out to all of our representatives about the LGDF. He is getting a canned response from all of them. He has asked representatives to meet with him about how we can cut \$50,000 from our budget.
- The Mayor says we are going to have to think outside the box.
- It was decided we shouldn't have to pay the Washington St. repair bill from GA Rich. We need to go back on the installer.

## 11. Discussion

1. The Bellflower Police Agreement will be on next month's agenda.
  - We have been asked to provide 30 hrs. police coverage a month at \$17.50/hour.
  - They will pay a 25% of gas and repairs and insurance. If we procure a new car, a new agreement will be made later.
  - Fines would go back to Bellflower. But, our officer's time for court would count against their time. It is the sole discretion of Downs to schedule those hours. We will need to talk to them about payroll taxes.
2. Water Rates-  
Trustee Luke would like to raise water rates in increments. She would like to do a small amount now. This money would be tagged to cover future repairs.
3. Other-
  - The board has received a request to close off some streets for the June 6th Shadowens benefit. The request is coming from the benefit organizers. The area closed off will not be a party area, just a safety area for walking. All the improvements at Adkisson's will be done by then.
  - The Mayor asked if we want to consider animal control. We would pay them \$30/animal impounded.  
Mary had an incident with a dog this year. They wouldn't come out because we didn't have an agreement with them. If it is a known animal then we can use an ordinance violation. It was decided to put this on the agenda for next month.
  - The Mayor asked if we would be willing to help offset the cost with Leroy for the Vietnam traveling wall. This was decided to be put on next month's agenda also. The Chief will be donating his time for security.

## 12. Public Comment-

- Dave Silver, an architect and a building inspector for Rantoul spoke to the board.
  - He is interested in redeveloping the Bowman building. He would like to knock it down. He knows it is old. He wants to build a mixed use commercial building with two flexible spaces for commercial units. It would be a three story building with some apartment units.
  - He says he would like to retain some brick and metal to use on the new building. Freimann and Roach supports redevelopment. This building would have a sprinkler system.
  - Parking would be on street unless he can obtain another parcel. He will build a garage in the back for the apartments.
  - Asbestos, if any, would be remediated.
  - The current business owner is welcome.
  - He might seek some TIF funds.
  - The board seemed to be agreeable with the proposed project.
  - The time frame for the project is two years. He would be starting this time next year.
- Mr. Hancock from Cornbelt Energy spoke on the development of Energy Way Road.

Trustee Luke left at 8:39pm.

- They plan to construct a heavy concrete road around their property with curbs and gutter. He will come back next month with a project plan and seek TIF funds.
  - They will turn this road over to Downs when they are done. But they will do their own snowplowing.
  - Cornbelt would like to put some infrastructure in place before the road. The easement for their well is where they would tap for water. He said they would like to help us get some water piping in place.
  - Cornbelt has some property they would offer up for a water tower.
  - Cornbelt has been in contact with Roger Reynolds. They think they can get some development going on that corner.
13. A motion to approve Items contained within the consent agenda was made by Freimann and seconded by Roach. The motion was then amended after Resolution 2015-R05 was moved out of new business. Motion amended by Freimann and seconded by Roach. Approved 4-0
14. A motion to approve consent agenda was made by Freimann and seconded by Roach Approved 4-0
1. Motions
    - a. Motion to Approve the February 5, 2015 Village Board of Trustees Regular Meeting Minutes
    - b. Motion to Approve Village Engineer Review for Beecher Trails Subdivision
  2. New Business:
    - a. ~~Motion to Approve the Zoning Board of Appeals: \_\_\_\_\_ Chairman, \_\_\_\_\_ for one (1) year, \_\_\_\_\_ for two (2) years, \_\_\_\_\_ for three (3) years, \_\_\_\_\_ for four (4) years, \_\_\_\_\_ of five (5) years, \_\_\_\_\_ for six (6) years, and \_\_\_\_\_ for seven (7) years~~
    - b. Resolution 2015-R05 Authorizing and Approving the Village of Downs to enter into a Contract for July 4, 2015 Fireworks Display with Sky Magic Pyrotechnics
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- No Action
    - b. A motion to approve payoff of First State Bank Loan for BNWRD Sewer Loan of \$65,000 was made by Freimann and seconded by Myszka. Approved 4-0  
Discussion: If we pay off now we save \$2600 interest. This was a loan we took out to help residents to pay their BNWRD fee. About 100 residents took advantage of this.
    - c. A motion to approve water billing department procedure to require all monies owed, for that property, to the Village to be paid before water service is activated was made by Freimann and seconded by Myszka  
Discussion: Freimann says he is not sure we can change a procedure. We need to come back next month with an ordinance change. It was discussed that the board would rather put a lien on the property than have the debt fall on the new homeowner. By putting a lien on a property, the title search would pick that up.  
We can't continue to eat the BNWRD loans that have gone bad.  
We could increase the water deposit to account for this increase.  
The motion was pulled by Freimann. Item was tabled.
  2. Resolutions
    - a. A Resolution 2015-R04 Authorizing the Execution of an Annexation Agreement between the Village of Downs and Downs United Methodist Church, Inc. was made by Goveia and seconded by Myszka. Approved 5-0 Mayor James cast a yes vote.  
There was no discussion.
      - Mayor James wanted to go on record that he did not vote on the previous annexation agreements (Huff Rd., Beecher Trail and Living Hope) and he should have. He votes "yes" on all three. Attorney Wall noted that he was not a swing vote on any of them.
    - b. ~~Resolution 2015-R06 Authorizing and Approving the Village of Downs to enter into a Contract for July 4, 2015 Event Organization and Planning with Top Notch Event Planning~~

~~c. A Resolution 2015-R07 Authorizing the Execution of an Amended Annexation Agreement between the Village of Downs and Living Hope Christian Church, Inc.~~

3. Ordinances

- a. A motion to approved Ordinance 2015-02 Annexing the Territory Set Forth in the Annexation Agreement Executed Between the Village of Downs and Downs United Methodist Church, Inc. made by Freimann and seconded by Myszka. Approved 5-0 Mayor James cast a yes vote. There was no discussion.
  - b. A motion to approve Ordinance 2015-03 approving the Rezoning of the Territory Set Forth in the Annexation Agreement Executed between the Village of Downs and Downs United Methodist Church, Inc. from Agricultural District to Public Use District was made by Myszka and seconded by Freimann. Approved 4-0  
There was no discussion.
  - c. A motion to approve Ordinance 2015-04 approving the Final Plat of Beecher Trials Subdivision was made by Freimann and seconded by Myszka. Approved 4-0  
Discussion: Trustee Freimann asked which street a couple of homes will be on. Would they be on Dode or Wayne Street. The preliminary plans have already been approved. These residents will have to change their addresses when the Village dedicates the road.
16. There was no old business.
  17. A motion to approve payment of bills was made by Goveia and seconded by Roach. Approved 4-0  
A few additions were made (police magazine subscription, other supplies, Village market, and Eagle Scout bill) the bill for Washington St repairs from GA Rich was removed.
  18. Executive Session was not entered.
  19. Motion to Adjourn at 9:13 pm was made by Freimann and seconded by Myszka. Approved 4-0



Julie James  
Village Clerk