



VILLAGE OF DOWNS BOARD OF TRUSTEES
REGULAR MEETING MINUTES
7:00 PM
October 6, 2016

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

- 1) Mayor Mike James called the October 6, 2016 meeting to order at 7:01pm.
- 2) Roll Call was taken with trustees Roach, Goveia, Keylin, Lush, Gassaway and Twyford were all present. Also present were Clerk James, Attorney Dawn Wall and Treasurer Bakewell. There was a quorum to do business.
- 3) The Pledge of Allegiance was taken.
- 4) A Motion to Approve Agenda order was made by Lush and seconded by Keylin. Approved 6-0
- 5) Eagle Scout Project Report
Discussion: Kevin Whitehouse gave the board an overview of Eagle Scout candidate John DeWerf's project. John is doing some landscaping in the front and back of the water plant. He has removed the well pump motor and refurbished it. He has poured a new concrete pad for it. His plan also includes a rain gauge and a birdhouse. Mayor James asked Kevin to have John make a formal presentation at our next board meeting. We haven't formally approved the project.
- 6) Development Report
 - 1) Downs Crossing
Discussion: Mayor James explained that this was pulled due to water shed plans that would not have legally worked. Farnsworth caught the mistake. Roger Reynolds is looking to rework and subdivide some plots based off of some interest that is out there.
- 7) Engineer Report
 - Discussion: Shaun Mauer reported Beecher Trails is waiting on the final inspection and final restoration stuff.
 - There is a 1st addition punch list of stuff that needs to be done. Shaun says a couple of fire hydrants need to be moved.
 - The water detention basins are getting shaped up at Cross Creek.
 - Shaun is working on getting the discharge permit for us for the water treatment plant working on the discharge permit for us. He is getting the paperwork ready for the IEPA.
 - The front office was contacted by health department. They want to know who still has septic tanks still in town. Janice gave them a list.
 - BNWRD has a project at their treatment plant. They are lifting up manholes. They will be lifting one of ours. They need to do a temporarily shut down on the lift station and they will work with Kevin.
 - The ditch that was sodded at Beecher has seemed to help with water problem.
 - Living Hope dug a trench over the weekend. Kevin will check into this.
 - No one else on the board has heard any water complaints out at Beecher.
 - Shawn was not aware of that the board was approving the Quit Claim Deed of Outlots 42 and 43 in Beecher Trails Subdivision. The board wanted to do a walk through and push back until November. Lush is in no hurry to take this over. He wants to make sure everything is right.
- 8) Committee Report(s) and Recommendation(s)
 - 1) Market Committee Report
 - Discussion: Dave Bach reported on this was the 14th season was very successful.
 - The attendance close to last year.

- This was the 2nd yr. for the “frequent attendee” punch card. They gave out 148. Forty were filled and redeemed.
- There were a couple of bad weather days.
- A tree has been lost due to emerald ash borer. The Bach’s are going to replace it with a hickory tree.
- There are no plans to change the day or time for next year.

9) Mayoral Report

- Mayor James reported he went to IML.
- James said the conference was very informative and he learned a lot.
- He had discussions with the city administrative in Heyworth.
- James met former Gov. Jim Edgar.
- The Mayor wants to start working on some TIF stuff. He has had developers ask what can you do for me. He would like to meet with Trustee Gassaway and Treasurer Bakewell.
- He has talked to Roach and Gassaway. It seems like we are flying a by the seat of our pants. He would like to come up with a 1, 3 and 5 yr. plans. James thinks that maybe we need to have a work session. Having formal goals and written plans will be better for new trustees coming on.
- Gassaway asked if James had some kind of deadline. James said he would like to have it done by next fiscal year.
- He suggested using the development plan as a starting point.

10) Trustee Reports

1) Building Report

- Discussion-Goveia said we had 3 permits this month.
- She talked to a couple of inspectors to see how much they would charge to do rental inspections. They would charge \$125-\$150.
- We have approximately 28 rental properties in Downs.
- Goveia suggested we use excess money from new building permit fees. Currently, the excess (about \$90/inspection) goes into general.
- She says we have built up about \$2000 in reserves.
- Goveia feels we can’t make the inspection fee to the landlord outlandish. Maybe the excess could help fund these inspections.
- Gassaway said that her financial plan is not sustainable. New building permits are going to fall off.
- Wall says any tenant can go into court and say they have been evicted because they have no heat or have mold.
- Goveia envisions a license process that is good for 1 year like video gaming.
- Wall says bigger communities can enforce this but it’s hard for smaller towns.
- Mayor James is going to send a note to Jeff Dodds in Heyworth and see what they do.

Backpack Program

- Goveia says the program has grown over 3 times what we had last year.
- There are 58 students participating.
- Shari Riley, National Honor Society and the Key Club are going to help Goveia pack the backpacks. They get packed every Friday.
- Tri-Valley collected donations for the food pantry during homecoming week.

- The food pantry receives venison donation and National Honor Society pays for the processing of the venison.

2) Water and Sewer Report

- Whitehouse reported he sent in a fluoride sample that was perfect.
- Kevin explained that the water tank had to be empty and cleaned in order to be painted. They finished painting it today.
- Water pressure has been affected during this process. There will be reduced pressure through the weekend while it finishes drying.
- Cody McMullen has been helping out during the middle of the night.
- This was the end of our 6 year contract with McGuire. Kevin says we have about a year to consider what we need to do this.
- A drain valve had to be replaced for \$6200
- Kevin said the condition of the tank was very good and should be good for another 20-30 years.
- He approximates it would cost \$50,000 to paint the tank like it was done this time if we were not under a contract.

3) Police and Services Report

Roach

- Roach submitted a grant to Enbridge for new siren.
- Bakewell asked that we inquire with the IMLRMA about a line that was cut by the village when a sign was installed a year ago. Wall says to make sure IMLRMA knows we didn't get the bill until a year later. The cost of the bill from Corn Belt was \$735.30.

Dingler

- Dingler went on 13 calls of duty.
- He issued 4 citations and 4 warnings.
- There were 3 school issues which included, bullying, fighting and luring by a van.
- There was an attempted theft.
- One theft was reported.
- Dingler assisted other agencies 4 times.
- Dingler and Hempstead assisted Leroy with a domestic case.
- Dingler reported that Hempstead is doing very well. Hempstead is looking into grants. He is also looking into safety and security issues.
- Hempstead is very proactive.
- Keylin reported that the county painted crosswalks for us. She fears kids may not watch for traffic.
- Dingler said a McLean County officer witnessed the 2000 + people that leave the school in a half hour time.
- James said we were denied again by IDOT for a traffic light.
- Dingler said he wants to focus on public safety. This is why he was requesting approval to purchase a ballistic shield. Roach said we need to protect our police officers and said it brings versatility.
- The cost of the ballistic shield is \$3200. It is made of steal and will be a onetime purchase.
- The shield was in the budget.
- Dingler reported that Bloomington PD and Normal PD have them for their SWAT guys

- There will be monthly training with the shield.
- The shield will allow officers to move a group of people. Dingler said there is a high probability we will need this type of equipment.

4) Streets Report

- Lush reported that November will be the last clean up. The next clean-up will be in April 2017. Lush will put a reminder in the flyer.
- During fright fest we will be blocking off with barricades Seminary and Garfield, Water and Main. Small barricades will be used to block off Farmland, Lincoln, Washington and Cleveland.
- Jeff Misch is in the process of putting in an extension of Lincoln to Shaffer Dr. We donated the culvert. We will be putting in rock and this road will be permanent. This road will be for semi-truck traffic.

5) Parks, Community Center and Food Pantry Report

- Keylin sent out her report to trustees prior to the meeting.
- A couple of Tri-Valley students presented their idea for a skate board half pike at the park meeting.
- The park committee thought it would be best behind one of the basketball backboards.
- From a legal stand point, Wall says that it is manufactured and it would be no different than someone using a slide. She doesn't think it will be any problem. No warning sign is needed.
- Gassaway says that if this gets really used, the kids are going to want to expand. Does this location allow for expansion?
- Lush asked if this will be in the way for anything else?
- The Tri-Valley students are going to do use Go-Fund Me to pay for the half pike.
- Keylin wanted to thank Lush and his crew for power washing at the park.
- Keylin reported someone called saying they would like to put up Christmas lights in the park this year.

6) Finance Report

- Bakewell brought in beverages and dessert to celebrate the end of fiscal year 2015.
- Bakewell went over the BTP.
- The water fund is paying the 6th year of McGuire Iron and the \$6200 valve with McGuire Iron.
- The police fund has the bill for the \$3200 ballistics shield.
- The TIF fund includes the Brian Cramer disbursement.
- On 9/26/16, Bakewell sent out about 80% bill pdf's. She will continue to do this.
- There is \$600 for BMWRD. This is for the pre-annexation filing for all of property they brought in during the TIF and DUMC. DUMC will be reimbursing us \$200.
- Canny sent in their bill for \$4278+ today. Bakewell is going to ask for a more itemized/detailed bill. This was more than the \$2000-\$3000 than we were quoted for changes only. \$5000 was the cost of a new audit.
- Canny said he would not work with Striegel Knobloch until he is paid. Wall said he can't withhold our information. Any information we supplied to them they are obligated to give back.
- Bakewell stated our financial position. The village has \$1.398 million in current assets.

- The village should receive all of the withheld funds from McLean Co for 2015.
- Bakewell said we are right on target in revenues for where we expect to be. We are also right on where we budgeted for as well.
- The FY 2016 audit is scheduled for 10/17/16. She has 2 funds balanced so far.

11) Discussion

1) Discussion Chapter 10 - Animal Control

- Cheryl Bach sent an email to the Mayor and the trustees.
- Goveia says the problem with the original ordinance was that we didn't specify cats and it didn't say to control the pet with your own property.
- Lush said she was spot on with her letter. We shouldn't have to make a new ordinance for a few individuals.
- Keylin agreed too. Keylin said enforceability is an issue.
- Twyford asked about a leash law for cats.
- The Mayor said we need to take out the number in the definition of kennels in chapter 6.
- Wall said take out the number and add the resident needs to have the ability to control the animals.
- Goveia said she would do some more updating and bring back next month.

2) Other

- TIF money can be used for the roadway extension. TIF money will pay for the rock.
- James explained to the trustees that the lock on the village hall front door was recently repaired. When locking and unlocking the door it needs to be pushed in.
- James is looking into electronic lock system that would give everyone their own code at the pavilion, youth center and village hall.

12) There was no public comment.

13) A Motion to Approve Items Contained within the Consent Agenda was made by Roach and seconded by Goveia. Approved 6-0

14) A Motion to Approve Consent Agenda was made by Lush and seconded by Gassaway. Approved 6-0

1) Motions

- a) Motion to Approve the September 1 & 8, 2016 Village Board of Trustees Regular Meeting Minutes
- b) Motion to Treasurer and Finance Trustee to Attend the Treasurer's Institute

2) Resolutions

3) Ordinances

- a) Ordinance 2016-27 Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 9 "Liquor Code"

15) New Business

1) Motions

- a) A Motion to Approve Ballistic Shield for the Village of Downs Police Department was made by Goveia and seconded by Roach. Approved 6-0

2) Resolutions

- a) A motion to approve Resolution 2016-R21 Defining the Compensation Criteria and Amount for the Village Board of Trustees of the Village of Downs, McLean County, Illinois Starting May 1, 2017 was made by Goveia and seconded by Keylin.

- Discussion: This can only be changed 180 days prior to election. We can't change this again for 2 more years after this meeting.
 - Trustees decided compensation changes for trustees, mayor and clerk were not necessary.
 - The motion was tabled by Goveia and Keylin.
- b) Resolution 2016-R__ Defining the Compensation Criteria and Amount for the Village President of the Village of Downs, McLean County, Illinois Starting May 1, 2017- No Action
- c) Resolution 2016-R__ Defining the Compensation Criteria and Amount for the Village Clerk of the Village of Downs, McLean County, Illinois Starting May 1, 2017 – No Action
- d) A motion to approve Resolution 2016-R19 Authorizing the Execution of an Amended Annexation Agreement between the Village of Downs and MM Bowers, INC. was made by Keylin and seconded by Roach.
- Discussion: The developer creates a fund for us.
 - Bowers is going to write the village a check based upon the fair market value.
 - Raef Road will be maintained by Bowers until it becomes the property of the village.
 - The village engineer will control the cost.
 - Wall will revise the phasing.
 - Lush would like to add any damage done by snowplowing will not be responsibility of the village.
 - James sees a problem with the snowplowing. Wall, Lush and James will talk outside the meeting to solve this.

A motion was made to postpone Resolution 2016-R19 Authorizing the Execution of an Amended Annexation Agreement between the Village of Downs and MM Bowers, INC. was made by Keylin and seconded by Roach. Approved 6-0

- e) Resolution 2016-R__ Approving Quit Claim Deed of Outlots 42 and 43 in Beecher Trails Subdivision to the Village of Downs- No Action
- f) A motion to approve Resolution 2016-R20 Authorizing and Approving a Development Agreement between the Village of Downs and Lloyd Flescher American Legion Post 1150 was made by Goveia and seconded by Keylin.

The motion was then amended to motion to approve Resolution 2016-R20 Authorizing and Approving a Development Agreement between the Village of Downs and Lloyd Flescher American Legion Post 1150 Contingent on the response from TIF attorney regarding work already completed \$12688.34 for a total not to exceed \$30,000 made by Goveia and seconded by Keylin. Approved 6-0

- Discussion: Part of this work has already been done.
- We need to check with our TIF attorney to make sure prior work can be reimbursed.
- \$9911.50 has already been spent on masonry work.
- They have asked for \$10,000 for a kitchen remodel and \$4000 to be spent in bathrooms.
- They have already done a patio for \$1000.
- \$8500 will be spent on a new roof and \$1200 for paint on the inside.
- They are asking for \$30,000.

- Lush asked what they are going to be using the kitchen for. The legion is planning on having events and becoming more active.

3) Ordinances

16) Old 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) Motion to Approve the Preliminary Plan for the Plat of the Downs Crossing Subdivision Fourth Addition within the Village of Downs- No Action

2) Resolutions

- a) Resolution 2016-R08 Authorizing the Execution of an Amended Annexation Agreement Between the Village of Downs and Living Hope Christian Church, Inc.-No Action

3) Ordinances

- a) Ordinance 2016-28 Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 5 "Local Improvements"-No Action
- b) Ordinance 2016-29 Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 10 "Animal Control"-No Action

17) A motion to Approve Payment of Bills to was made by Goveia and seconded by Lush. Approved 6-0

18) Executive Session was not entered.

19) A Motion to Adjourn at 10:21 pm was made by Lush and seconded by Twyford. Approved 6-0



Julie James
Village of Downs Clerk