



VILLAGE OF DOWNS BOARD OF TRUSTEES  
REGULAR MEETING MINUTES  
7:00 PM  
April 13, 2017

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

1. Mayor James called the regular April 13, 2017 meeting to order at 7:01pm.
2. Roll Call was taken with Trustees Roach, Goveia, Keylin, Lush, Gassaway and Twyford all present. There was a quorum to do business. Also present were Clerk Julie James, Attorney Dawn Wall and Treasurer Julie Bakewell.
3. The Pledge of Allegiance was taken.
4. A motion to approve the agenda order was made by Goveia and seconded by Roach. Approved 6-0  
Discussion:
  - There was no continuance.
  - No action was taken on 13-3b, and 14-1a, b, c, e, and f.
5. The Mayor covered the NFS Rail Banking in his report.
6. Development Report-
  - Corn Belt Electric Co-op is working very hard to come up with a legal solution to the water shed problem.
  - Gildner has finished 1000 more ft. of water main work.
  - It is recommended the board hold back 10% until testing is complete on the water main.
  - Farnsworth is going to be in contact with Steve Miller to finalize the remaining work. Ditch and detention work is all that is left.
  - Beecher Trails-Goveia is going to contact Kattleman Const. to get the silt fence put back up. They also need to replace the culvert that not the right size they put in a 6" pipe.
  - James is going to ask Bowers about the grass not taking in the detention basin.
7. No Engineer Report was given.
8. Committee Report(s) and Recommendation(s)
  - The Easter breakfast will be April 15<sup>th</sup> from 7a-10a. The Easter egg hunt will be hosted by all 3 Downs churches.
9. Mayoral Report
  - James passed out some letters that he had written.
    - **Railroad Banking Letter**
      - The railroad tracks from Bloomington to Mansfield (30 plus miles of railroad) is available. We have 2 weeks to apply for IDNR is going to act on our behalf.
      - 10 days after this time period any railroad company can buy it if they choose.
      - Then there will be 180 days of negotiations with them. IDNR will negotiate for us.
      - IDNR will help bring in trails and have lawyers. They have done this many times.
      - By rail banking NFS reserves the right to re-establish the rail line rather than abandoning.
      - They will take out all rail ties and rails out and leave it smooth. This process may take over a year.
      - We will go in jointly with all the municipalities in the negotiation process.

- 2.6 million gallons were pumped this month. This was up due to 2 service line leaks.
  - Whitehouse hired a leak detection company to come out to Indian Hills. We have had issues with surface water on to RT 150. Hopefully we will see some improvement. The company did not send us a bill.
  - Whitehouse would like to consider getting quotes to get a systematic leak detection company to look for leaks village wide.
  - A car hit the hydrant at Seminary and Garfield. Gildner was hired to repair and replace the hydrant. We will need to send the bill to the driver's insurance company.
  - Whitehouse got a quote from Ferguson for the annual software and blue tooth update. He will accept the quote and BNWRD will get billed for half of it.
3. Police and Services Report
- Roach has the golf cart permits ready for the new year.
  - She is in the process of getting the garbage contract from AREA.
  - Roach submitted letter to be a part of the public record (Exhibit B).
  - She submitted to the board a draft of a nuisance letter that she and Chief worked on. They would like this to be a template.
  - Dingler reported that he gave several citations and ordinance violations in both Bellflower and Downs.
  - He had 6 wellness checks for suicide attempts.
  - There was an electronic harassment and a fuel drive off at Mobil.
  - There was a solicitor in Downs without permit.
  - Dingler said 7 canine officers came in to our school and there were no hits.
  - A mock accident was done at school.
4. Streets Report
- Lush reported mowing has begun and there have been some repairs on mowers.
  - The streets department rented a machine to repair yards that had service line leaks.
  - Cold patching is in progress.
  - We got a good trade-in price of \$25,000 for our backhoe.
  - Downs Township got a \$57,000 appraisal of their backhoe. It makes a lot of sense to execute the trade with the township with a \$32,000 deficit. The plan is to finance. Payments will be taken out of water and sewer will fund for 5 yrs.
5. Parks, Community Center and Food Pantry Report
- Keylin sent out her report earlier to trustees.
  - The Downs Topnotchers 4-H Club is going to put in wood duck houses in Kickapoo Park.
  - The skateboard park is on hold for now.
  - The Maginal-Kraft summer camp will be in the pavilion this summer.
  - The green pest control program has been started.
  - The food pantry outlined their 1, 3, 5 yr. plans.
  - Dave Bach built and donated a new picnic table.
  - The park committee will be having an "Earth Day" breakfast on Earth Day, 4/22/17.
6. Finance Report
- Bakewell went over BTP report.
  - We reached a settlement with Canny Accounting. He accepted \$2500 for the additional audit.

- This trail will connect up to Bloomington's Constitution Trail.
- James would prefer to have easement rights. There would be a cost to obtain rights. There are also surface rights. The railroad would have to pay us back if they start using the railroad again.
- We would be able to take the viaduct out.
- Wall says people trespassing in people's back yards have no rights and the property owner would have no liability.
- Wall says the trail enhances the property value.
- She said responsibility for litter or clean-up would be no different than cleaning up our roads.
- Roach has several concerns.
- **Ameren letter**
  - James is asking Ameren to change their street lighting to solar LED lights. They have said it is not possible. However, Corn Belt has this available.
  - James is also asking them to move poles out of the sidewalks on Seminary.
  - He would like a new street light installed at the new building and add another pole at the corner of Huff and Main St. These requests should not cost as they are part of our franchise agreement, except for the new street light at the new building.
- **Trustee Roach Letter**
  - Mayor James the letter he wrote in support of Trustee Roach aloud and asked that it be submitted into public record (Exhibit A). Roach was nominated for the Staff Citizenship Award at work and she received it.
- The Mayor said he wants to pursue new parking lot designs with Farnsworth. He would like to know what the cost to surface at the village market, over by the haunted house, and the Hood lot that the fire dept. has purchased. The fire department is going to be asking for TIF money for help in resurfacing. James wants to pool resources to help Living Hope and the wood shop over on Shaffer. The wood shop is going to ask for TIF money as well. Doing these at the same time will help drive the cost down.
  - Keylin is going to look into green parking lots.
  - The board would like to get 2 engineering bids.

## 10. Trustee Reports

### 1. Building Report

- Goveia reported there were 6 permits this month. Two were for pools (1 partial in-ground and 1 complete in ground pool)
- She said she would like to get some stricter requirements for people with pools. She feels those with pools need to have fences.
- Wall and Gassaway said government shouldn't get involved in telling residents what to do. Goveia will check with other municipalities.
- Wall says you would not be able to legislate to those who already have pools.
- Goveia sent a certified letter to address a property in town that is not habitable.

### 2. Water and Sewer Report

- Whitehouse reported that the iron content was .39 ppm, which was slightly up.
- Bacterial testing was satisfactory.

- We received the annual Costigan and Wollrab legal bill.
- The Streets Fund could end the year in the red.
- Bakewell will be transferring \$100,000 to the Police Fund from the General Fund for years 2015, 2016, and 2017. This was never done.
- The office staff payroll will be paid out of the General Funds. They are going to itemize their time cards what fund they worked for.
- Bakewell went over the Village's profit and loss reports. She is pleased with our revenue.

#### **Budget-**

- The Police Fund made some adjustments. Roach is recommending giving Officer Hempstead raise. He will stay part-time this year and go to full time next year.
- The Police Fund receives miscellaneous revenue from Tri-Valley, Bellflower and video gaming revenue. Video gaming revenue keeps going up. The police budget is a bare bones budget.
- Water Fund-Water revenue, from fees, should be about \$160,000. There is \$125,000 in expenses.
- We receive \$24,500 from the State in MFT. There was not a lot of change from last year to this year in this fund.
- Sewer Fund-Miscellaneous revenue comes from City of Bloomington. \$137,000 comes from sewer fees.
- The village market anticipates zeroing out.
- The Events Fund anticipates netting \$600.
- The Park Fund will net \$1600 in income.
- TIF 1 and TIF 2 will now split the \$100,000 50/50.
- There is not revenue coming into TIF 3 yet.

#### **11. Discussion**

1. Nuisance car letter
2. Other

#### **12. Public Comment**

- Three residents spoke. One resident was told by a realtor that their home wouldn't be able to sell because of the house 2 houses down. They had a petition signed by neighbors complaining about the trash cans, abandoned cars, barking dogs, dog poop and Christmas lights.
- They also have a concern with the "race track" on Price St.
- The Mayor asked the residents to make formal complaint detailing of all the issues.
- Josh Guin from Oak Bros. gave a presentation. His company is obtaining a remote control robotic truck. This truck makes it possible to cut a tree down without touching anything.
- He says they would be able to save the village money trimming and removing trees.

#### **13. New Business**

##### **1. Motions**

- a. A motion to approve the March 2, 9 & 23, 2017 Village Board of Trustees Meeting Minutes was made by Lush and seconded by Gassaway. **Approved 6-0**
- b. Motion to Approve continuance of the Village of Downs Regular Board Meeting to \_\_\_\_\_, 7:00 pm at the Village Hall-**No action taken**



- c. A motion to approve an Amendment to the TIF 1 and 2 Reimbursements of the IEPA Sewer Loan of \$100,000 /year to be Equally Drawn from TIF 1 & 2 was made by Gassaway and seconded by Twyford. **Approved 6-0**

## 2. Resolutions (R07)

- a. A motion to approve Resolution 2017-R07 Authorizing and Approving the Proposed Program for Maintenance of Streets and Highways was made by Keylin and seconded by Lush. **Approved 6-0**
- b. A motion to approve Resolution 2017-R08 Establishing Capital Improvement, Repair or Replacement Fund for the Village of Downs, McLean County, IL was made by Gassaway and seconded by Twyford. **Postponed Approved 6-0**  
Discussion: Keep 1, 3 and 5 yr. plan money separate inside the fund. Wall is going to add language to resolution.  
A motion to post pone Resolution 2017-R08 Establishing Capital Improvement, Repair or Replacement Fund for the Village of Downs, McLean County, IL was made by Gassaway and seconded by Twyford. **Approved 6-0**
- c. A motion to approved Resolution 2017-R09 Supporting the Rail banking of the Norfolk & Southern Right-of-Way from Mansfield, IL to Bloomington, IL was made by Twyford and seconded by Keylin. **Approved 5-1 (Roach)**
- d. A motion to approve Resolution 2017-R10 Opposing the Proposition to Expand the Funding Base of the Bloomington-Normal Airport Authority to Include McLean County and the Village of Downs was made by Lush and seconded by Twyford. **Approved 6-0 (Mayor Yes for the record)**
- e. A motion to approve Resolution 2017-R11 Authorizing and Approving the Trade of Village Backhoe Plus Payment of an additional sum of Thirty-Two Thousand and 00/100 Dollars (\$32,000) to Downs Township for the purchase of a backhoe from Downs Township was made by Lush and seconded by Twyford. **Approved 6-0**

## 3. Ordinances (05)

- a. A motion to approve Ordinance 2017-05 Approving the Travel & Expense Policy of the Village of Downs was made by Lush and seconded by seconded by Gassaway. **Approved 6-0**  
Discussion:  
The motion to approve Ordinance 2017-05 Approving the Travel & Expense Policy of the Village of Downs was amended by Lush and seconded by seconded by Gassaway. **Approved 6-0** Exhibit A was amended to change the meal total amount to \$75 and lodging to be \$300. This required by statute as of 1/1/17.
- b. Motion to approve Ordinance 2017-06 Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 16 "Miscellaneous Regulations"-**No action taken**

## 14. Old Business

### 1. Motions

- a. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 1 "General Provisions"-**No action taken**
- b. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 2 "The Village Board, Its Officers and Employees"-**No action taken**

- c. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 3 "Village Finances"-**No action taken**
- d. A motion to approve Ordinance 2017-06 Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 5 "Board of Local Improvements" was made by Keylin and seconded by Roach. **Approved 6-0**  
Discussion:  
Bidding changed to the state statute of \$25,000.
- e. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 6 "Licenses, Permits and Regulated Businesses"-**No action taken**
- f. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 17 "Telecommunications Infrastructure Maintenance Fee"-**No action taken**

- 2. Resolutions
- 3. Ordinances

15. A motion to Approve Payment of Bills was made by Lush and seconded by Gassaway.

**Approved 6-0**

16. A motion to enter Executive Session for Personnel Annual Reviews and threatened litigation was made by Lush and seconded by Keylin. **Approved 6-0**

At 9:49pm a break was taken.

- Mayor James called the regular April 13, 2017 meeting back to order at 11:01pm.
- Roll Call was taken with Trustees Roach, Goveia, Keylin, Lush, Gassaway and Twyford all present. There was a quorum to do business. Also present were Clerk Julie James, Attorney Dawn Wall and Treasurer Julie Bakewell.

17. Action on Executive Session Items

- 1. Motion to Approve Salary or per Hour Wage Increase for Employee(s)
  - a. Motion to Approve wage increase of \$.50 /hour for a total compensation of \$13.75 for Ruth Hood Starting May 1, 2017 was made by Twyford and seconded by Keylin. **Approved 6-0**
  - b. Motion to Approve wage increase of \$.50 /hour for a total compensation of \$12.50 for Cheryl Bach Starting May 1, 2017 was made by Twyford and seconded by Lush. **Approved 6-0**
  - c. Motion to Approve wage increase of \$.50 /hour for a total compensation of \$16.50 and Title of Village Hall Supervisor for Janice Cuba Starting May 1, 2017 was made by Keylin and seconded by Gassaway. **Approved 6-0**
  - d. Motion to Approve a 1% salary increase for a total compensation of \$63,175 for Kevin Whitehouse Starting May 1, 2017 was made by Lush and seconded by Twyford. **Approved 6-0**
  - e. Motion to Approve a 2% salary increase for a total compensation of \$48,124 for Chief Josh Dingler Starting May 1, 2017 was made by Twyford and seconded by Lush. **Approved 6-0**
  - f. Motion to Approve a wage increase of \$1 /hour for a total compensation of \$14 /hour for Brian Hempstead Starting May 1, 2017 and upon Completion of Police Training in September Additional Raise will be Proposed was made by Gassaway and seconded by Twyford. **Approved 6-0**

- g. Motion to Approve wage increase of \$.50 /hour for a total compensation of \$17.50 /hour for Les Fitzwater Starting May 1, 2017 was made by Twyford and seconded by Gassaway. **Approved 6-0**
  - h. Motion to Approve wage increase of \$.50 /hour for a total compensation of \$11.50 /hour for Cody McMullen Starting May 1, 2017 was made by Keylin and Lush. **Approved 6-0**
  - i. Motion to Approve wage increase of \$.50 /hour for a total compensation of \$10.50 /hour for Marty O'Rourke Starting May 1, 2017 was made by Twyford and seconded by Lush. **Approved 6-0**
18. A special meeting to approve the budget and garbage contract will be on April 27 at 7:00pm.
19. A motion to adjourn at 11:06pm was made by Lush and seconded by Twyford. **Approved 6-0**



Julie James

Village of Downs Clerk



Exhibit A

## Village of Downs

211 S. Seminary, PO Box 18

Downs, IL 61736-0018

Voice/Fax: 309-378-3221

Email: [Info@VillageOfDowns.org](mailto:Info@VillageOfDowns.org)

Website: [www.VillageOfDowns.org](http://www.VillageOfDowns.org)

### Mayor, Village Board and Clerk

Public Safety/Services/ President Pro		Public Works		Streets		Building		Finance		Parks/Youth Center/Food Pantry		Clerk
President/Mayor	Tem											
Mike James	Maureen Roach	Toby Twyford		Danny Lush		Mary Goveia		Sarah Gassaway		Margaret Keylin		Julie James

March 31, 2017

To Whom It May Concern:

I am the Village President of the Village of Downs, IL. I am writing to acknowledge and uphold the commitment and contribution Maureen Roach provides to the Village for her nomination of the Staff Citizenship Award.

Maureen and I have worked together in public service for almost eight years. First, four years as peers on the Village Board and now, four years in my current role as Village President. During Maureen's tenure as Village Trustee she has held the position of Finance and now Public Safety Trustee. I can say she truly gives everything and more for the betterment, safety and well being of our small village.

In 2013, I reappointed Maureen to head up the Public Safety position because it needed to be overhauled and built again from scratch. I knew she was the right person for the job. I also knew it would be an extremely challenging opportunity for her. At that time, we didn't have a police officer and were contracting with the county for our services. This was expensive and it didn't fully serve the public interest. Maureen took on this role and put her whole self into educating herself and making it the success it is today. We now have a full time Chief of Police, PT Officer in training, a new police truck, newly completed police office, and disaster plans. She is also in charge of our garbage and refuse contract, which was also just recently bid and awarded.

Her work over the last four years has proven to me that I can count on her. I always know that her number one focus is what is best for the village. In 2015, I named her my President Pro Tem to show my faith and appreciation in her for what she had done during those first two years for Downs and myself. Public service is never easy and being in charge of police can be very challenging. We will stay have more to do. Maureen has established solid 1,3 and 5 year plans to build our Police Department and keep our residents safe with new and better early warning siren systems.

I am proud to write this letter of recommendation for Maureen's nomination for the Staff Citizenship Award. I hope you will strongly consider her service to our community and deep commitment to keeping our village safe and prepared. I am proud to have her sitting beside me knowing that her commitment to our Village success is equal.

Sincerely,

Michael James,  
Village President, Village of Downs, IL

### Other Positions and Committee Chairs

Police Chief  
Josh Dingler

Public Works Superintendent  
Kevin Whitehouse

Treasurer/Budget Officer/TIF Administrator  
Julie Bakewell

Zoning Enforcement  
Lyndall Cuba

Zoning Board Chairperson  
Linda Bowman

# Exhibit B

Dear Mayor and Trustees:

I am proud to be a member of this board which has made progressive decisions and taken the necessary actions to enhance the overall growth and development of the Village. I am extremely proud of all that we have accomplished over the past 4 years. We have improved streets and purchased new public works utility vehicles; we have increased our qualified water department staff working around the clock on water and sewer maintenance and repairs; made park building improvements; business and residential building is on the rise; have in place finance professionals effectively overseeing the budget and financial transactions; we have streamlined office and billing procedures; awarded a new garbage bid and through the board's approval, our police department is a full functioning unit with its own office space, and staffed with a chief and part-time officer who represents our village well with all constituents. And these are just a few of the many accomplishments we have achieved by working together.

The board made the decision 3 years ago to recreate and build a police department that would meet our growing needs. The police department is not a self-funded, money generating department and never will be. We have a police department we can be proud of and is far beyond where we were 5 years ago. We have a strategic plan in place to increase police protection. It takes people...**personnel to ensure our success**. I hope board members will embrace the goals of the police department.

With growth and development comes success and challenges. Chief Dingler reports out at every board meeting the ongoing issues and problems our citizens incur---from traffic violations, citizens' complaints against other citizens to the more serious safety threats of domestic violence and attempted suicides. Our strategic plan includes educating children early on to become good citizens and learn that law enforcement works in partnership with citizens to make our Village a better and safer place to live.

We have two officers that we are extremely fortunate to employ and are responsive to the needs of our community. **Personnel drives our success**. I'm asking each of you to continue supporting our police efforts synergistically and financially. There is so much more that they do day-to-day that you don't see such as well checks for senior citizens, investigations, home checks when security alarms go off, school safety trainings, compliance and reports, training and development, grant writing...and much more that is reflective of police work.

The police department has worked diligently seeking funding through grants and intergovernmental agreements to help generate additional funding. We appreciate receiving the additional revenue generated by entertainment incomes from liquor and video gambling earmarked for the police fund that helps offset some of our operating costs. However, it is not enough. None of our departments operate independently, entirely self-sufficient and able to generate sufficient revenue to maintain the department. All departments pull money from the general operating fund.

As you know, the police department is essential and complies with the Village ordinance. I believe we have a police department that is valuable, supported and sustainable by working together to keep it a vital unit of the Village. The police department is working on a very tight and slim budget. I am asking for a small portion of the budget overage to help the department keep moving forward by supporting the work of two fulltime officers. Unfortunately, that won't happen this year, but that remains the goal for next year. We are looking to increase Officer Brian Hempstead's hourly pay September 1<sup>st</sup> and upon his completion of officer training. Salaries for both Chief Dingler and Officer Hempstead lag behind our

partnering communities. In spite of this disparity, this affirms their dedication to working for the Village of Downs.

We have come a long way from where we started 5 years ago---1 officer, 1 worn out vehicle, and a police contract with the county that we absolutely could not afford. With your continued support, we will continue moving forward, be progressive and keep pace with the growth of the Village.

What we have currently with Chief Dingler and Officer Hempstead is overall more affordable and responsive to our citizens and community needs. I ask each of you for your support to continue to work together and develop a fully funded police department this year and for next, that will meet the many challenges our growing community will face. We don't want to be caught in a situation where we are faced with a major tragedy and our citizens ask why we weren't prepared to handle the safety needs of our citizens.

Sincerely,

Trustee Roach