



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

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

1. Mayor Mike James called the regular Village of Downs Board of Trustees meeting to order at 7:03pm.
2. Roll call was taken. Trustees Maureen Roach, Mary Goveia, Peggy Keylin, and Sarah Gassaway were all present. Trustee Toby Twyford was absent. Also present were Clerk Julie James, Village Attorney Dawn Wall.
  - A quorum to do business was declared by Mayor James.
3. The Pledge of Allegiance was recited.
4. A motion to approve the agenda order was made by Gassaway and seconded by Keylin.  
Approved 4-0  
Discussion
  - There was no action on Resolution 2017-R\_\_ Authorizing and Approving an Agreement with Norfolk Southern Railway for Amended Water Crossing Easement at Seminary Street.
  - There was no continuance.
  - Lindsey Nicholson was added to the park committee motion.
5. There was no Eagle Scout Project Report.
  - Girl Scout Troop 1518 was present. Mayor James thanked them for their trash can project in Kickapoo Park.
6. There was no Development Report.
7. Shawn Mauer of the Farnsworth Group sent his Engineer Report to trustees.
  - Mayor James reported Beecher Trails warranty detail was done back in July. It was sent to the developer on Aug 2, 2017. James has not heard back from developer.
  - We have an irrevocable letter of credit that expires in November 2017 that we can execute.
  - Living Hope signed their agreement. They still owe BNWRD, and some engineering fees.
  - Plans for the water and sewer extension to the Freedom Station are still being looked at. We want to get this going so we can still use the rest of the REDLG grant/loan.
  - Huff Crossing plans were received today. Shawn has reviewed and approved them.
8. Mayoral Report
  - Railroad**
    - James is having ongoing discussions with the railroad on their attempts to bill us for "something".
    - James has researched the \$1000 bill they sent us in January. It is for a 1000' easement for a pipe that crosses the RR at Seminary St for 100' and then goes West on the South side of the tracks for 900'. The 900' pipe was never put in place or the easement used on the South side of the tracks. The 100' was installed. We started paying \$350 every year and have been paying that amount for ~15 years. The Mayor suggested and agreed to pay the \$100 for the \$1/ft usage of the easement on Seminary St. However, the RR claims that their minimum license fee is \$485. Attorney Wall will need to respond.
    - This week they sent another bill for \$100. This is for 2 ½ acres in the village market area and parking area. The lease began in 1997 and expired in 2007. We haven't paid it since and it was never renewed. The Mayor asked the RR why we should pay this license

fee when they have abandoned the RR. They also didn't provide an updated agreement.

#### **Other**

- James went to an Ameren presentation on government programs. He signed the village up for a SEDAC program. SEDAC will review all of our buildings energy bills and provide a plan to be more efficient.
- AT&T is going to do a massive update on the tower.
- At the end of September, James will be hosting the annual mayor's picnic at the Downs Fire Dept. James has nominated H.E.A.L. Foundation and The Miskulin Family to be Person of the year.

#### **9. Trustee Reports**

- Building Report - Goveia reported in August there were 2 garage builds and one garage demolition.
- Water and Sewer Report
  - Whitehouse reported that iron concentration was .40ppm which was better than last month.
  - Bacteriological and fluoride testing all came back fine.
  - Lead and copper sampling was taken back in August. All of the residential samples came back well under the accepted level.
  - Ron Wiggins' shop was above the accepted level on lead. Whitehouse reported he had not used the water in quite some time. This would attribute to the higher lead content.
  - Copper samples came back satisfactory.
  - Last month 2.444 million gallons of water were pumped.
  - There was a water leak that was repaired. While repairing the leak a Frontier line was hit and had to be repaired. The village may be getting a bill for the damage.
- Police and Services Report
  - Chief read a proclamation letter on Brian Hempstead. See "Exhibit A".
  - Roach presented Hempstead a certificate and his badge.
  - Roach reported that she and Chief went to Hempstead's graduation.
  - Chief wrote 4 citations in Downs and 4 citations in Bellflower.
  - There were 2 calls to the school. One was for bullying and the other was for unauthorized person at the school.
  - Downs had 1 burglary. Bellflower had a DUI and narcotics arrest.
  - There was a stolen car assist in Bellflower. The car was stolen in Normal.
  - They assisted 8 other agencies.
  - Downs Police Department and Downs Fire Department are working with Project Oz. They will be collecting prescription drugs.
  - Currently they are working on 5 traffic details.
  - Hempstead began working solo the week of August 21<sup>st</sup>.
  - Hempstead will be attending training in November.
- Streets Report
  - James reported that the village will be completing 2 ditch work jobs in Beecher for 2 homeowners. Homeowners will be paying for the work completed by the village.

- There was an issue with the monthly bulk garbage pickup. This has been resolved with AREA.
- The streets department will strictly pick up stuff that does not have any metal in it.
- James noted that the public works department will be utilizing the Downs Township employees. They are currently underused at the Downs Township and we need the extra help. James will get with Bakewell and Wall on how to pay them.
- Mayor James said he is very grateful to have Les Fitzwater.
- Parks, Community Center and Food Pantry Report
  - Keylin reported that the park committee is waiting on John Symanski to decide on the location of the gaga ball sight.
  - Ceiling fans were installed in the park pavilion.
  - The park committee is fixing toilet leaks.
  - Keylin is spraying monthly for bugs and rodents.
  - Basketball court fencing is being installed.
  - Keylin has touched base with the students who proposed the skateboard park.
  - A fundraiser banner has been purchased.
  - Committee members tightened bolts on playground equipment.
  - Prairie flood plain restoration is being planned.
  - Keylin wanted to thank the Girl Scout Troop for their project in Kickapoo Park.
  - The park committee is looking into installing a 3 basin sink in pavilion.
  - She has gotten 2 bids to re-roof portions of pavilion. This is TIF eligible.
  - Lindsey Nicholson is joining the park committee.
  - The food pantry will be distributing 36-38 boxes this month.
- Finance Report
  - Gassaway went over the BTP and financial reports.
  - The Corn Belt payment is the 2nd of 10 payments for \$10,000.
  - TIF 1 payment for the Legion will be added to the BTP.
  - The audit is scheduled for September 26<sup>th</sup>.
  - Gassaway reported that assistant Cara Russow is doing very well.

#### 10. Discussion

- Copier
  - Clerk James reported that she, Janice Cuba, Treasurer Bakewell are researching new copy machine options.
- Ash Trees Estimate
  - Mayor James said he has gotten an estimate from Oak Brothers and others would like use to seek other estimates.
- Other
  - James handed out a Viking Vision flyer to trustees.
  - Roach said she would try to attend

#### 11. Public Comment were given by the following:

- Carl Neubauer- Tri-Valley School Board President
- Elizabeth Megli-Attorney for TMK Builders LLC
- Ken Myszka-resident of Cross Creek Subdivision
- David Siebert-candidate for McLean Co. Board

12. A motion to approve Items Contained within the Consent Agenda was made by Goveia and seconded by Keylin. Approved 4-0

Discussion

- Due to Tri-Valley High School's homecoming, trustees changed the regular meeting time to 8:00pm for the October 5, 2017 meeting.

13. A motion to Approve Consent Agenda was made by Goveia and seconded by Keylin. Approved 4-0

- Motions

- a. Motion to Approve the August 3, 2017 Village Board of Trustees Regular Meeting Minutes
- b. Motion to Approve Treasurer and Finance Trustee to Attend the Treasurer's Institute
- c. Motion to Approve Park Committee Recommendation to add Lindsey Nicholson to the Parks Committee
- d. Motion to Approve Changing the EMA Director Salary and Stipend to a Salary of \$600 /yr.
- e. Motion to Approve Change October Village of Downs Board of Trustees Meeting to October 5, 2017 @ 8:00pm.

- Resolutions

- a. Resolution 2017-R20 Authorizing the Conditional Approval of Amended TIF Agreement with Lloyd Fleisher American Legion Post 1150

- Ordinances-none

14. New Business

- Motions

- a. Motion to approve continuance of the Village of Downs Regular Board Meeting to \_\_\_\_\_, 7:00 pm at the Village Hall - **No action taken.**
- b. A motion to donate \$100 to Boy Scout Troop 53 and \$100 to Girl Scout Troop 1518 at Clayton James request was made by Goveia and seconded by Keylin. Approved 4-0

Discussion

- Clayton James paid to take down a village tree. Mayor James felt that we needed to reimburse him. Clayton asked the mayor to donate \$200 to the local Boy Scout troop. Mayor James felt that Girl Scout Troop 1518 needed some reimbursement for their recent project in Kickapoo Park. The \$200 donation was split between the 2 troops.

- Resolutions (R19)

- a. Resolution 2017-R\_\_ Authorizing and Approving an Agreement with Norfolk Southern Railway for Amended Water Crossing Easement at Seminary Street - **No action taken.**
- b. A motion to approve Resolution 2017-R19 Authorizing and Approving the TIF Development Agreement between the Village of Downs and Prairie Woodworks, Inc. for the Project Located at 311 S. Lincoln St., Downs, IL was made by Goveia and seconded by Keylin.

Discussion

- Goveia wanted to make sure their TIF project was TIF eligible.

- The motion was modified to be conditional based off consultation with the TIF attorney.
- The amended motion was accepted by Goveia and Keylin.

A motion to approve Resolution 2017-R19 Authorizing and Approving the TIF Development Agreement between the Village of Downs and Prairie Woodworks, Inc. for the Project Located at 311 S. Lincoln St., Downs, IL contingent on consultation of TIF attorney was made by Goveia and seconded by Keylin. Approved 4-0

Treasurer Julie Bakewell arrived at 8:26pm.

- Ordinances (14)
  - a. A motion to approve Ordinance 2017-14 providing for Conditional Approval of the Final Plat for Huff Crossing Subdivision Pending Filing of all Required Certificates was made by Keylin and seconded by Gassaway. Approved 4-0  
Discussion
    - The detention basin on the adjacent property will not be used by the development. Shawn has requested upgraded culverts.
    - Gassaway questioned drainage issues that will happen during construction.
    - Megli, attorney for the developers, says their engineers do inspection while construction is occurring. Her developers want to keep a good relationship with the village and don't want to just build and leave.
    - Megli is not sure of the developer's timeline but thinks it will be soon as long as the weather holds out.

15. No action was taken on Old Business.

- Ordinances
  - a. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 1 - "General Provisions"
  - b. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 2 - "The Village Board, Its Officers and Employees"
  - c. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 3 - "Village Finances"
  - d. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 4 - "Public Health"
  - e. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 6 - "Licenses, Permits and Regulated Businesses"  
Discussion: Junk Dealer-section worked on and discussed the permit fee
  - f. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 7 - "Police Department"
  - g. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 10 - "Building"
  - h. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 16 - "Miscellaneous Regulations"
  - i. Ordinance 2017-\_\_ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 17 - "Telecommunications Infrastructure Maintenance Fee"  
Discussion

- James asked if we should we be getting payments from Frontier. Wall says yes, but they will push back saying they haven't had to pay it. Wall said she will look into that.

16. A motion to Approve Payment of Bills was made by Gassaway and seconded by Roach.  
Approved 4-0

17. A motion to enter Executive Session for Personnel and Annexation Agreement Terms and Agreement was made by Roach and Keylin. Approved 4-0

Mayor Mike James called the regular Village of Downs Board of Trustees meeting back to order at 9:51pm.

Roll call was taken. Trustees Maureen Roach, Mary Goveia, Peggy Keylin, and Sarah Gassaway were all present. Trustee Toby Twyford was absent. Also present were Clerk Julie James and Village Attorney Dawn Wall. There was a quorum to do business.

18. Action on Executive Session Items

- A motion to Approve wage increase of \$.50 /hour for a Total Compensation of \$17.50/hour for Cara Russow Retroactively Starting August 24, 2017 was made by Roach and seconded by Keylin. Approved 4-0
- A motion to Approve Reappointment of Julie Bakewell as the Treasurer, Budget Officer and TIF Administrator in the Village of Downs at \$26.50/hr. for Term to Expire August, 2018 was made by Gassaway and seconded by Roach. Approved 4-0
- A motion to Approve the July 6, 2017 Village Board of Trustees Executive Meeting Minutes was made by Roach and seconded by Keylin. Approved 4-0

19. A motion to adjourn at 9:53pm. was made by Roach and seconded by Goveia. Approved 4-0



Julie James  
Village of Downs Clerk