

VILLAGE OF DOWNS BOARD OF TRUSTEES
REGULAR MEETING MINUTES
7:00 PM
April 3, 2014

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

1. The meeting was called to order by Mayor Mike James at 7:01 pm.
2. Roll call was taken with Trustees, Roach, Goveia, Freimann, Myszka, Luke and Lush present. Enough trustees were present for a quorum. Also present were Clerk James and Attorney Wall.
3. Pledge of Allegiance
4. Mayor James set the agenda order with a few changes. A typo on "finding" should be community funding. R2014-03 should change to 4, and R2014-05 should change to 6 and increment up. We need to add Inc. to Living Hope Christian Church.
5. Zoning Board of Appeals- Zoning held their meeting on March 31, 2014 and heard case 14-02-AZ. Living Hope Community Church is seeking a change in zoning classification from agricultural to C2. However, the church doesn't qualify for commercial. They have to be zoned public use. The church requested to be re-zoned to public. The zoning board recommends that they be re-zoned for public use.
6. Event Committee – No one from this committee could be present this evening. So, Mayor James and Trustee Lush gave a report of their recommendations. They are going to publish the list of the events on the website and provide what their mission is about.
Here are some of the events for next year, garage sales, clean- up day, Memorial Day Celebration, Freedom Days, Fright Fest, Veteran's breakfast, Christmas in Downs, Easter egg hunt and breakfast. Total cost expected and expenses \$26,878
They will create a separate fund that donations will go in. This fund will guarantee that legally the funds are going to these events.
7. Eagle Scout Projects(s) Report. Mayor James gave an update on the Eagle Scout projects. Tyler James has finished his project. Kyle Steinmates is up next and will start fundraising for his landscaping project. Will likely have 6 Eagle Scout projects in Kickapoo Park.
8. Superintendent Report-Kevin Whitehouse gave the report. He says that the iron concentration levels are "getting there". He said we are experiencing some inflow in the sewer system. He is taking care of Heyworth's operations and paperwork. This is going good. JULIE's are starting to come in. He went to training and has his license for another 3 yrs. The block heater burned up and has to be replaced. A sink hole was reported on 700N. It is over by the BNWRD connection. The phone line at lift station not working.
9. The treasurer's report was given by Trustee Luke in Alan's absence. They are working on the annual budget. They have heard back from most everyone.
10. Mayor James gave the Mayor Report. He needs all committees to give a list of dates and times of their meetings. We need these by the next meeting so we can approve at the next meeting.
The Mayor has been contacted by a web hosting group called Civic Host. They are low cost for municipalities. They charge \$24/yr. But, this fee doesn't include some maintenance. Currently, we pay \$30/mo. The Mayor is unhappy with current web host because it is cumbersome to upload documents. He would like to have the ability to have online reservations and donations.
The Mayor will be having a year in the review with each trustee. It will be a "where we are and where we need to go". There will be a change in assignment with Trustee Myszka and Trustee Freimann at the beginning of the fiscal year.
Downs United Methodist Church will likely go through the annexation process in June.
There has been some interest in Downs Crossing.
E-pay should go live the 15th this month.
11. Trustee Reports
 - a. Trustee Myszka gave the building report. He got a new home permit at 12 Cross Creek. This subdivision is close to 50% sold.
 - b. Trustee Freimann had nothing to add to the water and sewer report.
 - c. Trustee Roach gave her police and services report. She said there was an incident in the park with an owl. DNR was called. DNR couldn't come out. Based on the report of the condition of the owl they were given, DNR recommended they put the owl down. McLean County Sheriff's deputies shot the owl. They were unsuccessful in putting the animal down with the first shot, so they shot it twice.

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There were 2 gunshots in the park. Residents were upset about the shots. It was done in the early evening. The owl was left discarded in the dumpster. Mrs. Bowman and her husband did a Native American tobacco smoke ceremony to bring the owl back to Mother Earth. Mr. and Mrs. Bowman did not take it out of the dumpster because DNR won't allow that.

The board decided that Trustee Roach needs to reach out to DNR.

Trustee Roach gave an update on the Leroy police contract. She said for now we are going to stay with the County. We will stay with McLean County until we can resolve the big issue with Leroy.

- d. Trustee Lush gave the streets report. His crew will start picking debris on the first Monday of the month. They will pick up anything that is burnable. Employee Cody Stewart resigned and thanked the Village for the opportunity to work.
- e. The community center and food pantry report was given by Trustee Goveia. She said most of the Christmas decorations in the park was taken down by the Boy Scouts and football players. She has a couple of guys coming on Friday to help with some of the big stuff. There will be a breakfast on Saturday, Easter egg hunt and balloon person. Jim Soledner, McLean County Board member gave \$30 to purchase candy for eggs. Anita Kissinger used Jim's money at Nestle with her employee discount. Food pantry is going great. The food pantry is losing the Home Sweet Home federal funding. They will no longer allow proxy service. Trustee Goveia is looking for another source. Trustee Goveia needs to find a convenient time to get control board back for fireworks.
- f. Trustee Luke had nothing else to add to the finance report.

12. Discussion

- a. FY2015 Budget Review keeps timing and budget system the same. But Mayor James would like to pass the Appropriations Budget at the May 1st Board Meeting. Treasurer Zwilling has converted 9 funds with 3 more to complete by May 1st. No more checks are to be put in mailboxes. They are to be put in a zipper bag and put in the safe.
 - i. Park and Community Center Funding- Trustee Goveia would like to request some funding for utilities, so the park can focus on some bigger projects in the park. Currently the reservation rate is \$40. The meeting rate is free if it is kid related. Homeowner's groups meet for \$10/hr.
 - ii. The Mayor says the Village has made a commitment to the food pantry so we should cover the utilities. The rentals should cover the utilities as well as property taxes. Video gaming is supposed to be earmark for specific purpose we need to revisit. We could possibly use the gaming money for utilities in the park.

13. Public Comment:

- Margaret Keylin wanted to remind the board to preserve the land and not to over develop. She asked how many acres were in Cross Creek. There are approximately 40 acres. She wanted to know if have contract with igov that they will charge us if we cancelled. Mayor James answered that we did not. She asked about the iron that Kevin spoke about and do we mitigate? Trustee Freimann answered we are going to rehab that filter. Also Kevin has installed chlorination measures. She liked the Boy Scout ideas, but not to over develop Kickapoo Park.
- Linda Bowman thanks the Village for supporting the food pantry. It wouldn't fly without Living Hope.
- Charlie Heap from Living Hope said the new church will have basement and the Village can move food pantry and can move it there.
- Jerry from the Farmer City Leroy Press asked what kind of owl it was. Trustee Roach said it was a Great Horn.

14. New Business

- a. Motions
 - i. Motion by Trustee Lush and seconded by Luke to approve the March 6, 2014 Village Board of Trustees Regular Meeting Minutes No Discussion - Approved 6-0
 - ii. Motion to Approve continuance of the Village of Downs Regular Board Meeting to _____, 7:00 pm at the Village Hall No Action

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- iii. Motion made by Trustee Freimann and Seconded by Lush to Approve the FY2015 Event Plan and Budget as Presented by the Event Committee No Discussion - Approved 6-0

A 5 minute break was taken 8:57 pm and the board returned at 9:03 pm.

b. Resolutions

- i. A motion was by Goveia and seconded by Roach on Resolution 2014-R02 Authorizing the Execution of an Annexation Agreement Between the Village of Downs and Living Hope Christian Church
Discussion: Trustee Freimann says the language in annexation agreement says you can build prior to water and sewer being available. We would have to amend our ordinance because it is prohibited to have a well in the village that is zoned public use.
Church representative Charles Heap said they would like to do land work right away. They would like to start building in September. The Mayor asked Mr. Heap if we could strike the language in the annexation agreement. He was agreeable.
Mr. Woith came to Mr. Bowers and changed the easement for water and sewer. So getting them water and sewer should not be a problem.
Attorney Wall will amend the agreement. If something happens and they can't hook on to the MMBowers resource, they can come and ask for a variance.
Approved 6-0
- ii. Resolution 2014-R03 Approving the Development Agreement Between the Village of Downs and Adkissons's, LLC Motion made by Lush and seconded by Luke
Discussion: Trustee Lush said the TIF application is very vague. He asked if we should change going forward.
Trustee Freimann says we can check the applicable resources and if they don't match, we don't have to pay them.
Attorney Wall says she tried to keep them user friendly. She says we need to get away from being over restrictive unless we really want to.
The additional cost Brandon is asking for is the whole building facade, a/c, and sign.
They can come back for more TIF money.
Approved 6-0
- iii. Resolution 2014-R04 Approving the Redevelopment Agreement Between the Village of Downs and LOCK Development LLC Motion made by Lush and seconded by Luke
Discussion: Brad is buying and installation new hood, a/c, renovations to roof, and improvements to ceiling. He is going to power wash the facade. He is asking for \$29,000. He will have lighting on the outside. He will run power on the eave outside and some directional lights. He will have a lighted sign on the inside. The patio will have lighting with junction boxes.
He is putting up cedar plank privacy fence.
The board will talk to county about handicap parking on the street.
Approved 6-0
- iv. Resolution 2014-R06 Approving an Intergovernmental Agreement for Police Protection Between the Village of Downs and the City of Leroy, McLean County, Illinois No Action

c. Ordinances

- i. Ordinance 2014-04 Annexing the Territory Set Forth in the Annexation Agreement Executed Between the Village of Downs and Living Hope Christian Church Inc. Motion made by Lush and seconded by Luke
Discussion: Attorney Wall will change the exhibit on this
Approved 6-0
- ii. Ordinance 2014-05 Approving the Rezoning of Living Hope Christian Church Property from Agricultural District to Public Use District Motion made by Lush and seconded by Luke

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15. Old Business

a. Postponed

- i. Motion to Approve Recommended Village Donation of \$___ to Steven Kretz' Boy Scout Eagle Project No action

16. Executive Session was not entered.

17. Action on Executive Session Items was not needed.

18. Motion to approve payment of bills was made by Freimann and seconded by Lush. Approved 6-0

Discussion: Clerk James added \$35 bill payable to Karen Bohling for zoning minutes. Clerk James wrote a letter on February 26, 2014 to Mr. Misch asking for the balance of his bill owed to the Village. She hasn't had a response from him. It's up to the board with what they want to do next.

19. Motion to adjourn the meeting was made by Lush and seconded by Luke Approved 6-0

10:00 pm

