



VILLAGE OF DOWNS BOARD OF TRUSTEES
REGULAR MEETING MINUTES
NOVEMBER 2, 2017
7 PM @ Village Hall

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

1. Mayor James called the November 2, 2017 regular Village of Downs Board of Trustees meeting to order at 7:02pm.
2. Roll call was taken. Trustees Maureen Roach, Mary Goveia, Peggy Keylin, Sarah Gassaway and Toby Twyford were all present. 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 Keylin and Twyford. Approved 5-0
Discussion: There were some verbiage changes.
5. Zoning Board of Appeals
Discussion:
 - Chairwoman Linda Bowman reported that the zoning board met 10/10/17. They voted "yes" to approve the village code provisions and recommend both re-zoning requests.
 - Mayor James reported that since the zoning board met, developers Norman, Stark and Rave have with withdrawn their request.
 - A motion to approve Ordinance 2017-16 Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 14 "Zoning" was made by Twyford and seconded by Keylin. **No action taken.**
Discussion:
 - Trustee Keylin noted that in Section 2 the zoning board could possibly become polarized, if their terms coincided with the Mayor's term. She would like to leave some history on the board and not lose that knowledge.
 - James said the reason for proposing this was it was easier to keep track of it. The zoning board is asked every year if they would like to remain on the board.
 - Twyford rescinded the motion. Keylin will rewrite the verbiage. Bowman will have the zoning board determine what year they are in their "term".
 - A motion to approve Ordinance 2017-17 Approving the Request from Civil Banshee, LLC Rezoning for the Rezoning of Parcels #29-04-180-002 and #29-04-180-003, which Properties are Located at 103 and 105 W. Main St., from C-2 to C-1 Central Commercial District was made by Goveia and seconded by Roach. Approved 5-0
6. There was not an Eagle Scout Project Report.
7. Development Report
 - Corn Belt Energy Park Project Plan
 - a. A Motion to Approve TIF Funding of the Corn Belt Energy Park and Storm Sewer Project Plan not to Exceed \$850,594.32 and Repaid in Twenty Payments over Ten Years was made by Goveia and Gassaway.
Discussion:
 - Motion was amended. The board changed the verbiage of the motion to approve a conditional repayment of at least 8 years and not to exceed 10 years. Approved 5-0
 - Amended Motion: Motion to Approve TIF Funding of the Corn Belt Energy Park and Storm Sewer Project Plan not to Exceed \$850,594.32 with a Repayment Plan of not less than 8 Years and no more than 10 years. Approved 5-0
 - Steve Hancock from Corn Belt Electric gave the board a little history on the company. Corn Belt Electric began in 1938. They are a non-profit organization and have 36,000 members.
 - Their mission is to enhance the quality of life of their members and the communities they serve.
 - Hancock gave an overview of the project.
 - Downs Crossing would have a community storm detention and 3 water ponds.
 - 1 multi use pond and 2 wetland/clarified ponds
 - There will be park/fishing opportunities.
 - 2 acres public use was required by annexation agreement
 - Completion of the project could be February 2018, weather permitting.

- Corn Belt could charge a fee to tap on the detention area.
 - Hancock initially requested a 5 year repayment period. James said the village could keep up for a while. However, this repayment would empty the TIF fund.
 - We currently have a little over \$300,000 in TIF right now.
2. Civil Banshee LLC
- a. A motion to approve Resolution 2017-R24 Authorizing and Approving the Redevelopment Agreement Between the Village of Downs and Civil Banshee LLC. for the Project Located at 103 & 105 W. Main St., Downs, IL was made by Roach and seconded by Keylin. Approved 5-0
- Discussion:
- The motion was amended. The board added Amendment: "...Subject to the Revisions and Agreements Discussed in Open Session". Approved 5-0
 - This amends the redevelopment agreement that was approved last month. Mayor James reached out to the TIF attorney based off of some of Goveia's concerns.
 - The definition of the project was changed to 3 or more apartments on the 2nd floor.
 - The development costs are not to exceed 10% more or less of the requested amount.
 - The TIF attorney said we want to define parameters but not box the developer in.
3. Beecher Trails warranty work
- Mayor James reported for Shawn Mauer.
 - Shawn and the Mayor met with Mark Bowers this week. Shawn feels like all addressed items, are now completed with the exception of resurfacing of Dode and Ozzy Ct. There has been a lot of push back. The Mayor has not heard back from Bowers since the meeting.
 - Bowers Letter of Credit will need to be extended.
 - Mayor James spoke with another road engineer from Farnsworth who had no knowledge of Dode or Ozzy Ct. He described the road in fair condition. If this was a yearly review of the road this engineer would recommend resurfacing.
 - The road is only 2 years old
8. Engineer Report
- Shawn Mauer sent his report prior to the meeting.
9. Committee Report(s) and Recommendation(s)
- Development Committee elected David Silver, Chairperson and Marla Brotherton, Clerk.
 - The committee met on Monday and invited the Board. A presentation was given by Gisele Hamm on the Illinois Institute of Rural Affairs MAPPING Program.
 - The MAPPING program would start in the spring.
 - Keylin said that this Mapping Program seemed like a good program with a lot of resources.
 - James explained that communities are on a life cycle.
 - The cost of the program is \$3666.60. The board thought this was a good thing to look in
 - James said the Kickapoo Subdivision project was pulled because they felt like the Village lacked direction.
 - Goveia didn't feel like we were indecisive. She felt like it was more about safety concerns and limited access in and out of the subdivision.
10. Mayoral Report
- Annexation and Agreement for Norman
 - Tony Norman wants to annex in. Wall has looked at the document and needs to make some changes.
 - Living Hope
 - Goveia asked if we were ready to issue the occupancy permit. James said we haven't seen the roadway plans and we need 2 more signed copies of the agreement.
 - Whitehouse said they are not hooked up to water and sewer.
 - Liquor Percentages
 - Lucky 7's alcohol to food percentages were 37.2% to 62.8%.
11. Trustee Reports
- Building Report
 - Goveia reported we only had small project permits this past month and one demolition.

- Cross Creek Detention Basin- Goveia has spoken to Steve Miller. Miller will be unable to get an easement through the farm land. The land is being sold. He will contact the new owners about getting an easement. Goveia says either way he will have it done by the end of the year.
- Water and Sewer Report
 - Whitehouse reported the iron content was .31 ppm.
 - Bacteriological samplings came back satisfactory.
 - Fluoride was .706 ppm
 - Arsenic levels at Corn Belt were .011 ppm. Levels should be .01 ppm. We have gone over acceptable levels 2 quarters in a row.
 - Water pump-age was down considerably.
 - A water main was hit with the backhoe which required a boil order.
 - The school house has water service now.
 - There were 2 service line leaks.
- Police and Services Report
 - Trustee Roach shared a kennel license document on the google drive.
 - She worked on a small business license.
 - The police department was awarded a grant for 2 bullet proof vests.
 - Goveia said a customer had 3 garbage bins out. They were told by the garbage collectors, that residents are limited to the amount of bins.
 - The Mayor said their dispatch is told one thing and they follow. Eric Shangraw just needs to tell the dispatch what our contract contains regarding this issue. Roach will follow up with an email to Eric.
 - Goveia said there has been concern about football streamers being removed at the end of the season.
 - Chief Dingler reported there were 13 citations and 6 verbal warnings in Downs.
 - He gave out a handful of stop sign ordinance violations.
 - There were 2 break-ins, one at Papa G's and out at the softball field. Dingler feels they were done by someone in high school.
 - The haunted house was successful and there were no issues.
 - The police department also received a grant for new radios.
 - They will be getting new handhelds next week.
 - James reported that IDOT says our volume counts don't warrant a stop light at RT 150 and at the school. There is a meeting being hosted by Senator Rose tomorrow at 1:00.
- Streets Report
 - James said the last bulk pick up is Monday.
 - The streets department is gearing up for snow.
 - They will be working on Franklin St. sidewalks before the end of the year.
 - The County will be doing some parking lot striping on Seminary St.
- Parks, Community Center and Food Pantry Report
 - Keylin reported the wood duck houses are up in Kickapoo Park.
 - There are a lot of projects are in process.
 - The park committee hit their fundraiser goal with the breakfast in October.
 - The food pantry has been getting donations from the local business community.
 - James noted that the county removed a tree on Seminary St. today.
 - The tree removal estimate from the Heyworth company has not come back yet.
 - Mayor James will check with Heyworth and Leroy and see if they could do it for us under an intergovernmental agreement.
- Finance Report
 - Treasurer Bakewell went over the BTP. A couple of bills were added.
 - Our semi-annual sewer loan payment is on this month's bills. Everything else on the BTP are normal bills.
 - Bakewell reported the auditors are busy right now and she expects to hear from them next week.
 - She expects to have TIF audit done 30 days after the audit.

- Assistant Treasurer Russow and Bakewell are attending the treasurer's institute in 2 weeks.
- Russow has been working hard on getting the smaller funds up to date.

12. Discussion

- Village Code Changes
 - a. Chapter 12 - Water changes

Discussion:

 - Trustee Twyford had a meeting with Janice Cuba and the billing office.
 - They suggest a wording change from "water department" to "public works".
 - The billing office would like to collect a water deposit from both tenants and landlords. Wall says the landlord needs to know that their deposit may not be there if the tenant doesn't pay.
 - The Mayor said the billing dept. says we need to collect a higher deposit from tenants.
 - Steve Hancock said Corn Belt gives tenants choices on how they want to pay their deposit.
 - The fee schedule will be referenced in the code and discussed later
 - b. Chapter 20 - Wastewater Service Charges changes

Discussion:

 - BNWRD asked to update our ordinance and a reference to the fee schedule
 - c. Chapter 15 - Subdivision changes

Discussion:

 - These changes are in preparation for what Shawn is proposing.
 - Shawn said the board should consider getting rid of A-3 and change it to asphalt road surface. We can grant a variance if we want to allow A-3.
 - More than one entrance to a subdivision when feasible needs to be added.
 - Allow for the joining of subdivisions when feasible.
- FY2019 Village of Downs Tax Levy

Discussion:

 - The village will be levying for 5% which does not require any additional action. 5% equals \$83,748.38
 - Audit and liability insurance is where Bakewell recommends this go.
 - EAV went up \$3+ million
- DUMC Public Utilities Easement

Discussion:

 - DUMC is asking to turn the utility easements over to us.
- RR Agreements

Discussion:

 - The RR is asking that the village pay the \$1 for a beautification lease.
- Other

13. Public Comment

Dave Seibert

- Dave reported the county budget is still not out. He has been keeping track of
- Airport funding will be coming out in the spring. They are requesting a tax decrease for Bloomington and a tax increase for the county.
- Bloomington has pulled out of the intersection work on the Towanda-Barnes project.

Steve Hancock

- Corn Belt is still working diligently working on getting water to Downs Crossing. They should have some good numbers by the 20th.

14. A Motion to Approve Items Contained within the Consent Agenda was made by Keylin and seconded by Roach. Approved 5-0

15. A Motion to Approve Consent Agenda was made by Roach and seconded by Keylin. Approved 5-0

- Motions
 - a. Motion to Approve the October 5, 2017 Village Board of Trustees Regular Meeting Minutes
 - b. Motion to Approve the September 7, 2017 Village Board of Trustees Executive Meeting Minutes

- c. Motion to Approve Renewal of Village of Downs Insurance Plan with IMLRMA at \$19,710.90
- d. Motion to Approve an Additional Member of the Development Committee: Marla Brotherton
- e. Motion to Approve discontinuing the Lease of our Farmland for Cash and Returning it to Public Use

Discussion:

- The tax has doubled on the property. Mr. Roberts was looking to go to year to year anyway. He agreed to discontinue. Roberts asked that we pay him \$80 for ground work already performed.

16. New Business

- Resolutions (25)
 - a. Resolution 2017-R__ Authorizing and Approving an Agreement with Norfolk Southern Railway for a 10-yr Beautification Lease for \$1 – **No Action Taken.**
 - b. Resolution 2017-R__ Accepting the Offer of Irrevocable Dedication from Downs United Methodist Church for Tri-Valley School District Unit #3 Public Utility Easements– **No Action Taken.**
- Ordinances (20)
 - a. A motion to approve Ordinance 2017-18 Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 12 "Water" as amended was made by Keylin and seconded by Twyford. Approved 5-0
 - b. A motion to approve Ordinance 2017-19 Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 20 "Wastewater Service Charges" was made by Goveia and seconded by Gassaway. Approved 5-0
 - c. Ordinance 2017-__ Approving the Levy and Assessment of Taxes for the Corporate Purposes of the Village of Downs, McLean County, Illinois for the Fiscal Year of May 1, 2018 thru April 30, 2019 - **No Action Taken.**
- Motions
 - a. Motion to Reconvene the Village of Downs Regular Board Meeting to _____, 7:00 pm at the Village Hall - **No Action Taken.**
 - b. A Motion to Approve Village of Downs Public Works Rate Schedule as amended was made by Roach and seconded by Twyford. Approved 5-0

Discussion:

 - Property owner and lessee deposit amounts of \$100 and \$160 was added.
 - The consensus was to make the deposit a reasonable at 1.5 times the average bill.
 - Tenants would be charged an extra \$20 shut-off fee, in addition to the \$30 reconnection fee, to the office for processing the extra paper work
 - It was agreed the deposit should be \$160
 - Will add changes to the water bill
 - c. A Motion to Approve Computer Hardware Purchase for Server and Network not to exceed \$2400 was made by Roach and seconded by Keylin. Approved 5-0

Discussion:

 - This hardware will get a server operational, Wi-Fi, and firewall to the brown building.
 - The approximate cost is not to exceed \$2384.86 and will come out of general/software fees and maintenance.

17. Old Business

- Motions
- Resolutions
- Ordinances - **No Action Taken.**
 - 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 5 "Board of Local Improvements"
 - e. Ordinance 2017-__ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 6 "Licenses, Permits and Regulated Businesses"
 - f. Ordinance 2017-__ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 17 "Telecommunications Infrastructure Maintenance Fee"
18. A Motion to Approve Payment of Bills was made by Gassaway and seconded by Roach. Approved 5-0
19. Executive Session was not entered.
20. Action on Executive Session Items– **No Action Taken.**
21. A Motion to Adjourn at 10:25pm was made by Twyford and seconded by Roach. Approved 5-0



Julie James

Village of Downs Clerk