



VILLAGE OF DOWNS BOARD OF TRUSTEES
REGULAR MEETING MINUTES
MARCH 1, 2018
7 PM @ VILLAGE HALL

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

1. Mayor Mike James called the March 1, 2018 regular Village of Downs Board of Trustees meeting to order at 7:01pm.
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, Treasurer Julie Bakewell, and Village Attorney Dawn Wall.
A quorum to do business was declared.
3. The Pledge of Allegiance was taken.
4. A motion to approve the agenda order was made by Keylin and seconded by Gassaway. Approved 5-0
Discussion:
 - There were no changes made to the agenda.
5. A motion to Approve Mayor's Appointment and Assignment of Erik Bryant for Village Board of Trustees to Serve the Remaining Term to Expire 4/30/2019 was made Twyford and seconded by Keylin.
Approved 5-0
Discussion:
 - Mr. Bryant and his wife moved to Downs 2 years ago. His wife grew up and graduated from Tri-Valley.
 - He has a background in construction and would like to give back to the community.
 - Erik was sworn in by Clerk James and will be the Trustee of Streets.
6. Zoning Board of Appeals
Discussion:
 - Chairwoman Linda Bowman reported that the Zoning Board of Appeals on February 27, 2018 heard case AZMA-18-02.
 - The property is approximately 15 acres and has 2 tracts.
 - Applicants are asking that Tract 1 be zoned Ag and Tract 2 be zoned R1 low density.
 - It was a 2 part motion.
Annexation was approved 6-0.
Zoning Tract 1 was approved 6-0. Zoning Tract 2 was also approved 6-0.
 - Bowman said the Zoning Board recommends the Village of Downs Trustees approve the request.
 1. A motion to approve Resolution 2018-R02 Authorizing the Execution of an Annexation Agreement Between the Village of Downs and Timothy W. Norman, Anthony K. Norman and Kathryn A. Norman made by Roach and seconded by Gassaway. Approved 6-0
 2. A motion to approve Ordinance 2018-03 Annexing the Territory Set Forth in the Annexation Agreement Executed Between the Village of Downs and Timothy W. Norman, Anthony K. Norman and Kathryn A. Norman made by Roach and seconded by Gassaway. Approved 7-0 (Mayor voted)
 3. A motion to approve Ordinance 2018-04 Approving the Rezoning the Territory Described as Tract 2, in the Annexation Agreement, from Agriculture to R-1, Low Density Residential District was made by Roach and seconded by Gassaway. Approved 6-0
7. Development Report
 - Corn Belt**
 - Mayor James reported he did not receive any new information from Corn Belt.
 - Union Café**
 - Ross and Amber Amend, owners of The Union Café spoke to board. They are leasing the Union building and are requesting TIF funds for the café they are opening.
 - The café will offer coffee and ice cream.

- The Amends have been getting bids for repairs to the outside of the building, removal of the boardwalk, removal of railing, restoration of the original front doors, new windows, electrical, and plumbing.
- They are using local vendors for the repair work.
- Mayor James explained the Amends will be the benefactors of the funds. The TIF agreement will most likely be a joint venture with the owner of the building. They are requesting approximately \$20,700.
- Former tenant, Living Hope Christian Church is renting space over at the fire station.
- The Amends started leasing the building today.
- Amber did research on Downs and what the building was originally used for.
- The building will be handicapped accessible.
- The current balance in TIF 1 is \$275,000.
- James asked the trustees for permission to do a Consent TIF Resolution.
- Twyford applauds the idea and thinks it's a great idea.
- Keylin liked that they are using local vendors.

Game Day

- Owner Dave Heideman is planning on building a new building in Cross Creek Subdivision. He is requesting TIF funds for land acquisition and construction costs.
- He will be expanding the restaurant to 3000 sq. ft.
- It will still be going to be family orientated.
- He also will be using local vendors.
- Blake, who works for Femley Dickerson gave overview of the construction materials.
- Heideman says he thinks it will be a good addition to community.
- The cost of the total project will be approximately \$550,000.
- There will be 48 parking spots. Only the handicapped spots will be paved. Trustees noted they would have to grant a variance for the unpaved parking lot. James mentioned TIF funds are not eligible for private parking lots.
- Heideman noted that the lot would cost \$60,000 approx.
- Twyford thinks this is a great idea, however Steve Miller still hasn't fixed the drainage problem out at Cross Creek Subdivision.
- Goveia says she will give Miller until April 1 to give us notification on what he is going to do.
- Keylin noted there are permeable parking lot ideas that they could look into.
- Heideman is looking to get started in April and is requesting \$90,000 in TIF funds.

8. There was no Engineer Report.

9. Mayoral Report

1. Appointment and Assignment Recommendation for Board of Trustees Vacant Position

Other Items:

Tax Appeal

- The Mayor said we lost our appeal for tax reduction at the building being rented by the Mobil Station. He estimates the property tax will go down by \$15,000.

Rail Road Issues

- Wall has a letter prepared to send to the Rail Road.
- James said he found out that Norfolk Southern has a policy they don't charge for public easements. We have been paying this for years and will try to re-coup.
- **Rails for Trails Program**-The rail road has let bids for removal of the track.
- James hasn't heard back from the county and the Illinois Commerce Commission didn't know where the rail road was at in the process.
- James looked at some information from 2009 and feels we don't have the right to buy that property if it belongs to the adjacent land owners.

- James noted the rail road has to remove everything above the ground. Potentially they would have to remove the trestle and via duct over by Mallard Point.

Tree Removal

- James has asked Oak Bros. to remove stumps for the same price of \$2300, but hasn't heard back if they will approve that.
- For the \$2300, \$1300 will come from streets fund and \$1000 from the general fund.

10. Trustee Reports

1. Building Report

- Goveia has been collecting information on commercial building permits. Her goal is to have Lyndall Cuba, Kevan Zinn, Janice Cuba and herself meet next month. Then bring it forward to the board.
- She would also like to re-do the current permit as well. She would like to create commercial, new construction and remodeling permits.

2. Water and Sewer Report

- Superintendent Kevin Whitehouse reported that the fluoride sample was .375 ppm.
- Iron sample was .29 ppm.
- Water pump-age was 1.958 million gallons last month.
- Sewer pump-page was 2.346 million gallons last month.
- All bacteriological samples came back satisfactory.
- The pumping at the Corn Belt well is done.
- Well house repairs were also done.
- Q1 arsenic levels at Corn Belt was .010 ppm. This means it has been out of compliance for 4 months. Whitehouse will have to do a posting out there.
- He has been doing repairs at water plant.
- Whitehouse wanted to thank Ryan Brunning for his help with the plant repairs.
- There were 4 non paid turn offs in February.
- James said after cleaning and replacing the bad tanks, we need to know the volume the Corn Belt well can produce.
- Twyford said there have been several instances last year that residents have had water leakage. Currently the village has a zero tolerance and it is the resident responsible for the large bill.
 - Other municipalities will average out previous bills. Twyford is asking for feedback.
 - Wall says that we are not making money per gallon. She said we would be rebating municipality money and we can't do that.

3. Police and Services Report

Roach:

- Roach sent out a notification for the Ameren presentation on April 10th from 6-7 pm.
- The fire department waived the fee to rent the space.
- She sent out her strategic plan to trustees.
- Janice Cuba and Roach met about the kennel permit. She said Janice found out a state ordinance that says kennels are not allowed in a residential place. We need to revisit the kennel ordinance.
- Chief would like to raise the fees in Chapter 8.

Chief Dingler:

- A cell phone was stolen at the high school.
- There was one vehicle burglary.
- A house on West St. was burglarized.
- There was an under aged party outside of village that he is helping the high school with.

- The order of protection violation wasn't actually a violation.
 - Dingler is fielding multiple violations on Washington St.
 - He found out about a possible stalking case this evening.
4. Streets Report
- Due to flooding, Huff Rd. had to be closed for a couple of days. It was opened back up after the road was cleaned up and the county inspected the bridge.
 - James said he knew a couple of people did move barricades.
 - Monthly brush pick up will begin again in April.
 - There were some repairs made to the streets trucks.
 - James will work with Trustee Bryant to get a streets plan in place.
 - Next month they will begin working on the MFT budget.
 - There will be a few capital changes. He would like to add onto the brown building and some other improvements. Currently, there is some flooding happening in the police office. The roadway out there needs to be improved.
5. Parks, Community Center and Food Pantry Report
- Keylin sent out her report prior to the meeting.
 - The Gaga Ball pit is still in the works. Work will begin on the pit this month.
 - The park committee is looking into whether putting switches on light poles is going to be possible.
 - The committee is hoping to get more volunteer support in the park.
 - The committee is not taking full responsibility of the Christmas lighting and car show but will help with getting volunteers.
 - The food pantry distributed 38 boxes last month and will likely distribute another 38 this month. They would like to have a few more volunteers.
 - Linda Bowman encouraged the board to come and see the production. She said what they do is so much bigger than what the public realizes.
6. Finance Report
- Treasurer Bakewell said the BTP was pretty light this month with only a couple of unique bills.
 - Bakewell and trustees went through each fund's budget.

11. Discussion

1. Long-Range Plans for each Village of Downs Dept. –This was skipped.
2. LeRoy Intergovernmental Agreement –This was skipped.
3. RR Easement – Please see above.
4. Ordinance 1, 5, 6 & 8
 - Keylin and James went through the chapters. The chapters can be found on the google drive.
 - Very little changes were made to Chapter 1. James said just some basic verbiage changes were made. Section 2 was modified a bit.
 - In Chapter 5, Section 3 changed to match state law.
 - Chapter 6 is pretty much ready to go.
 - The Junk Dealer section was changed a bit.
 - Wall said the Kennels section needs more work. She looked at the state ordinance. She said a kennel is defined as 6 reproducing females. This doesn't apply to us.
 - James said we may need to look at increasing the fee charged to Itinerant Merchants.
 - The Chief mostly changed the fine amounts in Chapter 8.
 - The golf cart permit amount was changed to \$50 .

5. Other
12. Public Comment-
 - Dave Siebert, candidate for the McLean County Board said he will start canvassing Downs in March.
13. A motion to Approve Items Contained within the Consent Agenda was made by Twyford and seconded by Roach. Approved 6-0
14. A Motion to Approve Consent Agenda was made by Goveia and seconded by Twyford. Approved 6-0
 1. Motions
 - a. Motion to Approve the February 1, 2018 Village Board of Trustees Regular Meeting Minutes
 - b. Motion to Approve \$100 Donation to the Tri-Valley FFA
 - c. Motion to Approve the January 4, 2018 Village Board of Trustees Executive Meeting Minutes
 - d. Motion to Approve Transfer of Improved Assets from Police Fund to General Fund
 - e. Motion to Approve Execution of Agreement with Oak Bros to Remove Tree on Garfield for \$2,300
 - f. Motion to Approve and Authorize TIF Funding, not to Exceed \$5000, to Replace the South Roof on the Dooley Park Pavilion
 2. Resolutions
 - a. Resolution 2018-R02 Authorizing and Approving Striegel, Knobloch & Company, LLC. to Perform the FY2018 Village of Downs Audit for not to Exceed \$7,700
 3. Ordinances
15. New Business
 1. Motions
 2. Resolutions (R02)
 3. Ordinances (03)
 - a. A motion to approve Ordinance 2018-05 Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 8 "Traffic, Streets and Parking" was made by Roach and seconded by Goveia. Approved 6-0
16. Old Business
 1. Motions
 - a. Motion to Reconvene the Village of Downs Regular Board of Trustees Meeting on _____, 7:00 pm at the Village Hall – No action taken.
 2. Resolutions (R02)
 - a. Resolution 2018-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.
 3. Ordinances
 - a. A motion to approve Ordinance 2018-06 Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 1 "General Provisions" was made by Twyford and approved by Keylin. Approved 6-0
 - b. Ordinance 2018-__ 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 2018-__ 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 2018-07 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 Goveia. Approved 6-0
 - e. Ordinance 2018-__ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 6 "Licenses, Permits and Regulated Businesses" – No action taken.

- f. Ordinance 2018-__ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 15 "Land Subdivision" – No action taken.
 - g. Ordinance 2018-__ Approving and Adopting Amendments to the Village of Downs Code Provisions of Chapter 17 "Telecommunications Infrastructure" – No action taken.
17. A motion to Approve Payment of Bills was made by Gassaway and seconded by Roach. Approved 6-0
18. Executive Session was not entered.
19. Action on Executive Session Items – No action taken.
20. A motion to adjourn at 10:30pm was made by Gassaway and seconded by Twyford. Approved 6-0



Julie James
Village of Downs Clerk