



VILLAGE OF DOWNS BOARD OF TRUSTEES
REGULAR MEETING MINUTES
AUGUST 6, 2020
7 pm via ZOOM & VILLAGE HALL

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

Executive order 2020-48 by the Governor of Illinois allowed this meeting to be held via Zoom, telephone and at the Village Hall.

Village of Downs Board of Trustees Regular Meeting August 6, 2020, 7 pm @ Village Hall & via ZOOM

1. Mayor Mike James called the August 6, 2020 regular board of trustees meeting to order at 7:05pm.
2. Roll Call was taken. Trustees present were Maureen Roach, Mary Goveia, Peggy Keylin, Sarah Gassaway and Toby Twyford. Also present were Clerk Julie James, Treasurer Julie Bakewell and Village attorney, Dawn Wall. A quorum was declared.
3. The Pledge of Allegiance was taken.
4. A Motion to Approve Agenda and Order was made by Keylin and seconded by Roach. Approved 5-0
5. Zoning Board of Appeals by Peggy Keylin for Chairwoman Linda Bowman
Case # 02-01-SU/C2
 - The zoning board met on 8/5/2020 and voted 4-2 for the village board to consider the request with stipulations.
 - Jeff Misch owns 10.5 acres on Reeder Lane. He would like to use approximately 2 acres to crush and recycle concrete.
 - He would be renting a little portable state of the art crushing machine with misters to control dust.
 - He won't be using village water. He is using a private well. There would be no extra traffic. The crushed concrete will go into creating their parking lot.
 - They are looking to do this for several years a couple times a year and until it financially doesn't make sense.
 - Concrete that will be crushed is CCD (clean construction and destruction). They will not take bricks or concrete that has rebar.
 - CA6 rock will be produced.
 - 500 tons of concrete a day can be crushed and make approximately 10 semi-truck loads.
 - Currently there are weight limits on their road and Jeff is working with the Mayor on changing those.
 - There will be sales tax on the crushed concrete that is sold.
 - There were many concerns from constituents that joined the meeting via Zoom. Concerns such as noise level, silica dust, run off water into the creek, the concrete being an eyesore and only being .25 miles from the middle school.
 - Constituent, Kevin Christianson felt that commercial zoning (C2) doesn't allow for industrial use and he considers this industrial.
 - Some stipulations to the special permit that were discussed.

- Fencing in front that would be wood with metal and have 3 gates and tree berm
 - Concrete would also be hidden by a building they are going to build
 - The limit to crush concrete up to 10 times a year
 - They would only be allowed to crush during the hours of 7a-5p
 - They would only be able to crush when school is not in session
 - The Mayor would like to add the ability to rescind the agreement if the rules are not adhered to.
 - The agreement is non-transferable. If the property is not owned by Misch Excavating the special use goes away.
- Keylin doesn't feel like this type of operation qualifies as C2.
 - James said this type of operation would fall under special use.
 - Goveia says this is just for 2 weeks a year, not all year.
 - Roach, asked if the special use zoning doesn't go through will Misch Excavating still help the village with water easements. Jeff said "yes probably".
 - The TIF agreement ask is reimbursement of \$135,000 over 15 years.
6. Eagle Scout Project Update
- Anthony Decker- Boy Scout 953** via Zoom
- Anthony will be making and installing a wooden Buddy Bench south of the playground.
 - The bench will be warm, welcoming, friendly and promotes anti bullying. These are all principles of the park and the Boys Scouts.
 - There will be an Eagle Scout plaque and words "be kind do a good turn daily".
 - The approximate cost of the project will be \$350-\$400. Diana Reynolds of the Downs CIA said they would like to cover any shortfall in donations.
7. Engineer & Development Report
1. DCEO Grants – James said he has not heard anything back.
 2. Down Water Plant Improvements – MSA took some pictures today to prepare for the IEPA application process.
 - Goveia said this seems to be taking a while. We are on borrowed time. We are going to have to do something with the filter.
 - James agreed and said he would follow up and remind MSA. Covid-19 has slowed the process.
 3. Downtown Streetscape and Parking Lots design
 - The McLean County Board has asked us to agree to not restrict farm or agriculture traffic on Seminary St. Which we couldn't do anyway.
 4. Other Engineering or Development Updates – Nothing more
8. Mayoral Report
- **Julie Bakewell**
 - Julie's re-appointment is on the agenda for tonight.
 - She has done a fantastic job and is good about keeping us on track.
 - She will be given a \$.96/hr. raise.
 - The copy machine lease is up the end of November.
 - James recommends re-appointing Billy Dubois and recommends a 3 year contract.
 - The liquor commission needs to meet again and come up with some different liquor classes.

- The motion on the agenda to add a referendum question to increase sales tax by 1%, money will go to water plant improvements.
- Goveia is creating a committee to work through building code changes and processes.

9. Trustee Reports

1. Building Report

- There was one new building permit
- All kinds of issues are coming up. (swimming pools and geothermal) There is geothermal at the bank at Cross Creek.
- Goveia will be adding geothermal to the building permit.
- Her building permit committee is going to be comprised of Janice Cuba, Lyndall Cuba, Randy Jacobs and Mayor James.

2. Water and Sewer Report

- The average iron concentration for the month in the finished water is .340 ppm.
- Monthly bacteriological testing on the raw finished and distribution samples were all satisfactory.
- Fluoride concentration was .880.
- The volume of water pumped 270,540 million gallons averaging 87,270 gallons a day.
- The sewer lift station pumped 181.2 million gallons for month averaging 58,451 gallons per day.
- 0 Non-Pay turn offs for month
- 1 water Main break
- 1 Sewer main leak in Beecher (broken clean out)
- 2 water meters replaced
- 3 residential inside leaks

3. Police Report

- Police Department received funds from Tri-Valley School District
- Working on a violation letter to give to Door-to-door business owners about the denial to solicit during COVID; pending approval
- Working with Julie Bakewell on the spreadsheet of expenses due to COVID
- 34 tickets were written in Downs and 8 in Bellflower
- 4 arrests in July (3 in Downs and 1 in Bellflower)
- Closed on a case from 2015 with new evidence that was sent to the State's Attorney
- We may have to look for a new part-time officer. Richard Levine has taken another job.
- The police truck is still being worked on.

4. Streets Report

- The streets department has been working on spray patching. They have gone through 2500 gallons of oil.

5. Parks, Community Center and Food Pantry Report

- We welcomed Anthony Decker's Buddy Bench Eagle Scout Project. It will add a colorful space for kindness and friendship to the play area.
- We've ordered a sanitizer station for Dooley Park. We set up a sanitizing schedule for the pavilion and purchased disinfectant specifically used for food service areas.

These, along with expenses for COVID-19 signage, may be reimbursed by CURE monies.

- We are in the process of getting rid of weeds in the playground area and Gaga Ball pit before we add mulch and sand. Many thanks to volunteers for their help on this project.
- The committee was favorable to the idea of offering martial arts classes for a variety of ages under the supervision of Josh Dingler. Liability and equipment storage issues will need to be addressed.
- Morton Arboretum contacted us saying they soon will be releasing their tree survey matching grants.
- Projects to complete include insulating doors on pavilion, installing gutter covers, and sealing a tree stump in Dooley Park and installing a bike rack in McManus Park.
- The Food Pantry plans to distribute 35 boxes this month. They've welcomed a couple of new clients. They continue to offer drive up service and are being very conscientious about adhering to COVID-19 safety precautions. They've received boxes from a federal food program distributed through Mid-West Food Bank which include dairy products and are a good addition to their offerings.

6. Finance and Services Report

- Because of the audit, we may need to re-convene the October meeting. Covid-19 has delayed everything.
- Bakewell and Gassaway are in the process of opening up the account for the jurisdictional transfer.
- Our current interest rate is .50%. Bakewell says our banker at Busey always goes to bat for us.
- Bakewell is looking into online time card and hour tracking.
- BTP – A Farnsworth bill and Leroy True Value will be added.
- Bakewell went over the financials.

10. Discussion

1. Other

11. Public Comment

- Many constituents joined Via Zoom – Drew Milliken, Bryan Hickman, Anthony Decker, Diana Reynolds, Anna Milliken, Kevin Christianson, Walters, Brad, Dave, Peg, and Randy.
- Sump pumps are draining into ditches. Homeowners will need to correct the situation. These cases will be done case by case.
 - Most problems are occurring in Mallard Point and Beecher Trails. In most cases the homeowner doesn't realize this should not be happening.

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

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

1. Motions

- a. Motion to Approve the July2, 2020 Village Board of Trustees Regular Meeting Minutes
- b. Motion to Approve Building Committee Members Janice, Lyndall Randy Jacobs and Mike James

- c. Motion to Approve Denial of Solicitation Permits During Governors State of Emergency Order
 - d. Motion to Approve Reappointment of Julie Bakewell as the Treasurer, Budget Officer and TIF Administrator in the Village of Downs at \$28.50 / hr for Term to Expire August 2021
 - 2. Ordinances
 - a. Ordinance 2020-09 Authorizing and Approving the Submission of the Question of Imposing a Municipal Sales Tax at the Rate of One Percent (1%) to the Voters of the Village of Downs, McLean County, Illinois at the General Election to be Held on November 3, 2020
 - 3. Resolutions
 - a. Resolution 2020-R21 Authorizing and Approving Renewal of Contract with Billy DuBois for Water Plant Operations and Consulting
- 14. New Business
 - 1. Motions
 - a. A Motion to Approve Building Code Variances as Determined by the Committee Until 12/31/2020 was made by Goveia and seconded by Roach. Approved 5-0
 - b. Motion to Approve Building Permit Fee Schedule – no action taken
 - c. A Motion to Approve Directive that all Water Discharge into Village Right-of-Way, Detention Basin, and/or Utility Easement be Removed and Surfaced a Minimum of 20' from the Edge of such Village Right-of-Way, Detention Basins, Utility Easements or as otherwise determined by the village within 60 days of Received Certified Letter from the Village of Downs was made by Roach and seconded by Gassaway. The motion was tabled. The motion to table was made by Roach and seconded by Gassaway.
 - d. A Motion to Approve Directive that all Vacant Lots Identified by the Village or Home Developments Must Maintain Adequate Silt Fencing to Protect any Water Runoff into a Village Right-of-Way, Detention Basin, and/or Utility Easement or Subject to a fine as outlined in the village code was made by Goveia and seconded by Roach. Approved 5-0
 - e. Motion to Approve Moving the October 1, 2020 Regular Scheduled Board of Trustees Meeting to October __, 2020 for the Audit to be Completed. – No action taken.
 - 2. Resolutions
 - 3. Ordinances
 - a. A motion to approve Ordinance 2020-10 Amended Ordinance 2020-08 Approving the Amended Agreement Conditionally Transferring Jurisdiction and Adding to the Highway System of the Village of Downs - County Highway 27 was made by Roach and seconded by Gassaway. Approved 4-1 (Goveia)
 - b. Ordinance 2020-__ Approving C-2 Special Use Petition by Misch Excavating LLC for a Concrete Recycling and Rock Storage on Parcel #29-04-477-001 Located at 301 Reeder Lane Currently Zoned C-2 General Commercial District – No action taken.
- 15. Old Business
 - 1. Motions – No action taken in all of old business.
 - a. Motion to Approve the Final Plat for the Corn Belt Energy Park

- b. Motion to Reconvene the Village of Downs Regular Board of Trustees Meeting on _____ @ _____ pm at the Village Hall
- c. Motion to Approve Mayor's Appointment of _____ as the Village of Downs EMA Director
- d. Motion to Approve Mayor's Appointment and Assignment for Village Board of Trustees to Serve the Remaining Term to Expire 4/30/2021

2. Resolutions

- a. Resolution 2020-R__ Accepting the Offer of Irrevocable Dedication of Certain Improvements in the Beecher Trails Subdivision - First Addition
- b. Resolution 2020-R__ Accepting the Offer of Irrevocable Dedication of Certain Improvements in the Cross Creek Subdivision
- c. Resolution 2020-R__ Accepting the Offer of Irrevocable Dedication from Corn Belt Energy Corporation to the Village of Downs for Acceptance of the Completed Storm Water Management Improvements and Maintenance Agreement
- d. Resolution 2020-R__ Authorizing and Approving the Redevelopment Agreement Between the Village of Downs and Ken Hillard and Misch Excavating for the Project Located at S Lincoln St and Reeder Lane

3. Ordinances

- a. Ordinance 2020-__ Authorizing an Installment Agreement to Purchase a 2020 John Deere Compact Tractor at the Municipal Rate to be Paid Over a Period of Time not to Exceed 60 Months
- b. Ordinance 2020-__ Authorizing and Approving the Intergovernmental Agreement Between the Village of Heyworth and the Village of Downs for use of Equipment and Personnel
- c. Ordinance 2020-__ Approving and Adopting Amendments to the Village of Downs Code Provisions

16. A Motion to Approve Payment of Bills was made by Gassaway and seconded by Twyford. Approved 5-0

17. A Motion to Enter Executive Session for contract negotiations, 6 month review of executive meeting minutes and annexation at 10:01pm was made by Keylin and seconded by Twyford. Approved 5-0

Mayor Mike James called the August 6, 2020 regular board of trustees meeting back to order at 10:57pm.

Roll Call was taken. Trustees present were Maureen Roach, Mary Goveia, Peggy Keylin, Sarah Gassaway and Toby Twyford. Also present were Clerk Julie James, Treasurer Julie Bakewell, and Village attorney, Dawn Wall. A quorum was declared.

18. Action on Executive Session Items – No action taken.

19. A Motion to Adjourn at 10:57pm was made by Twyford and seconded by Roach. Approved 5-0



Julie James

Village of Downs Clerk