



VILLAGE OF DOWNS BOARD OF TRUSTEES
REGULAR MEETING MINUTES

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

7 pm via ZOOM & VILLAGE HALL

Executive order **2020-52** 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 September 3, 2020, 7 pm @ Village Hall & via ZOOM

1. Mayor Mike James called the September 3, 2020 regular board of trustees meeting to order at 7:13pm.
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 Twyford.
Approved 5-0
Discussion –
James noted there will be no action on Water Discharge into Village Right-of-Way, Detention Basin, and/or Utility Easements and Approving C-2 Special Use Agreement between Village of Downs and Misch Excavating LLC.
5. Eagle Scout Project Update – No report was given.
6. Zoning Board of Appeals - Statement given by Peggy Keylin
 - The zoning board heard 2 cases on 8/31/2020.

Case ZBA 2020-02: Burr Oak, LLC petition for change of classification from C2 to A

 - The ZBA has voted to ask the village board to accept the request from Burr Oak, LLC for a change in classification from C2 to Ag. The zoning board voted 7 yes and 0 no to approve changing the zoning to allow for a family homestead to locate on the land.

Case ZBA 2020-03: Freedom Oil Company Inc. petition for a change in zoning C to C2 and requests annexation to the Village of Downs with a zoning variance.

 - The ZBA approved the petition by a vote of 6 yes and 1 no and recommends the village board accept the request to change the zoning from C to C2 and to grant a zoning variance to allow annexation of the Freedom Oil gas station to the Village of Downs
7. Engineer & Development Report
Mike Buzicky
 1. DCEO Grants 2 grants
 - Buzicky said he heard last week for the Fast Track grant.
 - It will be a couple of months before we hear about the Rebuild Illinois grant. They have been swamped with applications
 2. Down Water Plant Improvements
 - Complete with WTP architecture, piping, and treatment designs. Currently having electrical and controls completed.
 - To have plan review with Mike, Toby, Operator, others in September.

- Working with BNWRD on waste characteristics, connections.
 - Submit for IEPA approvals ASAP, after Village reviews, BNWRD meeting.
 - Submit Loan documents during IEPA reviews.
3. Downtown Streetscape and Parking Lots design
- Need final Steering Committee meeting and Board review/approval of Streetscape Planning.
 - Submitted Rebuild Illinois & Fast Track grant application for Parking Lot improvements/ADA.
 - 2020 IDOT ITEP Grant cycle is open until November 2020. MSA to be applying for this grant as the main funding mechanism. We will coordinate various application approvals through September/early October. Goal is to apply in October, ahead of November deadline.
 - IDOT Resolution to get project on their Database and review MSA Environmental Documents.
4. Other Engineering or Development Updates
- James said the McLean County street committee voted down the jurisdictional transfer of Seminary St. James said he doesn't feel like the transfer is completely dead.
8. Mayoral Report
1. Sales Tax Increase
- The sales tax increase will be on the ballot in November.
 - The tax generated will be used for water plant improvements.
- Mediacom franchise agreement –**
- We need to do a new agreement.
 - Wall put the \$500 grant for the parks back in the new agreement.
- CARES funding –**
- We have been allocated money. Possible uses for the money could be for computer equipment etc.
- Ballot Box**
- There will be a ballot box at the hall available Monday – Friday 8:00am-noon.
 - Ballots will be picked up each day and by an election judge.
 - We will keep a log of who picks up, when and how many.
- Haunted House**
- The haunted house will open only on Saturday nights.
 - There will be no hay rack ride but there will be a shuttle.
 - Patrons will be required to wear masks, use gloves or hand sanitizer.
 - Ticket sales will be online.
 - The Downs CIA will not be serving concessions.
9. Trustee Reports
1. Building Report
- a. Silt Fencing, sump pump, downspout options
- Silt Fencing are already in the Village code and needs to be enforced
 - James and Wall is working on directives for downspouts and sump pump
 - There will be 3 options.
 1. Fix it ASAP
 2. Accept responsibility for any damages that happen and repair it
 3. Fix it when house is sold

- Goveia reported they have had 2 good committee meetings.
 - The committee is looking to do a swimming pool permit.
 - A fee may be added to the small project permits.
2. Water and Sewer Report
- We potentially need to add the filter to get us by until we get the new water plant up and going.
 - The average iron concentration for the month in the finished water is .420 ppm.
 - Monthly bacteriological testing on the raw finished and distribution samples were all satisfactory.
 - Fluoride concentration was .70.
 - The volume of water pumped 261,600 million gallons averaging 84,387 gallons a day.
 - The sewer lift station pumped 181.2 million gallons for month averaging 54,871 gallons per day.
 - 0 Non-Pay turn offs for month
 - 2 water leaks repaired.
 - 3 water meters replaced
 - 0 residential inside leaks
3. Police Report
- Trustees were given a recommendation letter and resume' for part time police officer Jorge Vega \$17/hr.
 - Vega will primarily cover Arrowsmith and Bellflower. He will be replacing Officer Levine who has taken a police chief job somewhere else.
 - Dinger reported they are working on 5 cases.
 - There was a domestic disturbance in Downs.
 - There was an arrest of a driver with a suspended license with cannabis.
 - 50 tickets were written last month. 42 of them were in Downs.
 - They are looking to lease portable radios through Motorola.
 - Dinger noted that school is starting next week. They will be assisting with directing traffic.
4. Streets Report
- Brush pick up will end in November.
 - Spray patching has been completed for the year.
 - The green truck is not running.
 - James said they have decided to not move forward with the John Deere tractor purchase this year.
 - Instead they need to replace the green truck and the red truck with something newer and used.
5. Parks, Community Center and Food Pantry Report
- The sanitizer station has arrived. Parks plans to install it in Dooley Park and a bike rack in McManus Park this month.
 - The derecho wind event felled a tree which snapped off a pole light by the basketball courts. Midwest Electric disconnected it and has submitted a bid to replace it. Parks will seek another bid as well.
 - Ameren will give us a rebate for replacing the mercury vapor light with an LED fixture.

- The grant deadline for monies to conduct a tree survey in Kickapoo Park is 9/25/2020. The minimum grant request is \$3000. It is a matching grant. We will not be able to afford it this year, however the program runs until 2022. We're contacting Morton Arboretum to see if we can request the grant money starting next year.
- Anthony Decker has started work on the Buddy Bench project.
- Thanks to Jim Soeldner and his grandkids, we have a new load of sand in the Gaga Ball Pit.
- Amazing thanks to some wild anonymous "weeders" who swooped in and helped Parks Committee members eradicate all weeds in the Gaga Ball Pit and the playground!!! Nothing remains secret in a small town for long, so we've learned (so far) that our helpers were Randy Dunlap, Paul Roberts, Diana Walsh and Troop 53 Boy Scouts sponsored by the Methodist Church. It was a monumental job well done! We're spraying the areas to keep new weeds at bay and hope to spread mulch on the playground this month.
- We've purchased gutter covers for the north side of the pavilion and have plans to repair and reinforce the north pavilion door frame.

6. Finance and Services Report

- Gassaway has met with an insurance agent to get other bids instead of going with IML this year.
- Bakewell noted some unique bills on the BTP.
 - 3 MSA bills for \$28,000+, \$68,900, and \$5800+
 - After paying the MSA bill, the water fund balance will be at \$36,000. This is the lowest it has been in a long time.
 - Downs Automotive bill of \$1485 for police truck.
 - A Web advertising bill for the Haunted House added to BTP.
 - A bill to Emulsicoat was also added to the BTP. It will be paid out of MFT.
- Bakewell went over financials.
- We are lacking video gaming tax this year.
- We banked \$562 in interest last month.
- The auditors were here this week and they wrapped up yesterday. We will need to reconvene on 10/15 or later to pass the audit.

10. Discussion

1. Other

11. Public Comment –

- There were many people that attended meeting via Zoom and a few in person. Most comments centered around the special use permit for Misch Excavating LLC.
- Members present were Danielle Estes, Tyler Ellsworth, Diana Reynolds, Kelsey Fry, Dylan & Luke, Bryan Hickman, Andrew & Chase Kusnerick, Brandy & Ken Humphrey, Jake & Debbie Tucker, Anna & Drew Milliken, Michelle Arbuckle, Josh Walters, Glenda Walsh, Tracie Caldwell, Elizabeth Johnson, Dave Mouser, Heather, Abby Cervantes, Kami Post, Paul Blackwell, Mary Dellorto, Josh Walters, Teresa Manzella, Carol Logsdon, Renee Seth, Doug Wiggs, Kelly & Aaron Elzy, Katie Martin, Jeff Mc Carty, Matt, Mike Owens, Tedrick, Ric McManigle, Jessica Alt, Cheryl Bach, Sandy Bobst, Jeff & Kathy Misch, Mikayla Misch and Travis Misch.
- These comments can be found under discussion of 14 -3a

Sump pump and discharge comment

- Bryan Hickman – asked for clarification of directives vs code modifications.
12. A Motion to Approve Items, Contained within the Consent Agenda was made by Goveia and seconded by Twyford. Approved 5-0
13. A Motion to Approve Consent Agenda was made by Goveia and seconded by Keylin. Approved 5-0
1. Motions
 - a. Motion to Approve the August 6, 2020 Village Board of Trustees Regular Meeting Minutes
 2. Ordinances
 - a. Ordinance 2020-11 Approving Burr Oak, LLC Changing Zoning Classification from C-2, General Commercial District to A, Agriculture District
 - b. Ordinance 2020-12 Annexing the Territory Set Forth in the Annexation Agreement Executed Between the Village of Downs and Freedom Oil Company Inc.
 - c. Ordinance 2020-13 Approving the Zoning of Parcel #22-30-426-018 from A, Agriculture District to C-2, General Commercial District
 3. Resolutions
 - a. Resolution 2020-R22 Authorizing and Approving the Execution of an Annexation Agreement Between the Village of Downs and Freedom Oil Company Inc.
14. New Business
1. Motions
 - a. Motion to Approve Directive Regarding Water Discharge into Village Right-of-Way, Detention Basin, and/or Utility Easements – No action
 2. Ordinances
 - a. A motion to approved Ordinance 2020-14 Enacting and Approving the Franchise Agreement with Mediacom Illinois LLC and the Village of Downs was made by Roach and seconded by Twyford. Approved 5-0
 3. Resolutions
 - a. Resolution 2020-R23 Authorizing and Approving C-2 Special Use Agreement Between Village of Downs and Misch Excavating LLC
<https://www.dropbox.com/s/4bt4tslvd5w3mdg/Cobra%20230%202.5%22%20minus.MP4?dl=0>

Discussion –

Jeff Misch - Misch Excavating LLC

- Jeff wanted to address the 3 major concerns that people have with the special use permit (noise, money and dust)
 - a) Noise
 - Jeff passed out a sheet showing different decibel levels for common items. Interstate traffic is 60 -85 db. The machine they will rent produces noise at 113 db. while crushing and produces 80 db. idle.
 - At 900 ft. away the db. level is 63.46. Residents shouldn't hear the machine because the interstate db. level.
 - b) Money
 - Jeff is hoping their development will jump start other development to help bring in revenue to the village.

c) Dust

- Travis Misch explained a bio polymer they will use to help control dust. The polymer will be mixed with water. It is USDA approved, organic and will last 6 months.
- The bio polymer will bring the PM standard down from PM 10 to PM 3.
- Jeff said they will be building 10 ft tall concrete bins to store the concrete.
- They will also build an 8 ft. privacy fence. Because their land has an Ameren easement, they will not be able to build a berm all the way to that highline easement.
- Cheryl Bach asked if a barrier will be up before they begin crushing and Jeff said “most likely not”. She also asked about the 14 items required and if they will be in a written agreement before this is approved.
- Sandy Bobst owns 18 acres that is zoned commercial. The land is near that area and is for sale.
- Drew Milliken said this project doesn’t follow under the Downs C2 or special use zoning.
- Anna Milliken said a concrete dump/plant is not appropriate in Downs.
- Danielle Estes is concerned about hazardous materials.
- Brandy Humphrey inquired about OSHA operator isolation.
- Peggy Keylin said this belongs in Manufacturing zoning by definition and that C2 is not appropriate.
- Mary Goveia said this is a recycling opportunity and it is only going to be 10 days a year.
- Toby Twyford asked if the school is in support. The school is in favor of the restrictions that would be put in place.
- Sarah Gassaway sees both sides. It’s only 10 days a year not 365 we need to be pro-business. The residents that are the closest to it have concerns other residents don’t seem to care.
- Maureen Roach thinks it is a win-win but not sure it will bring development.
- Jessica Alt said the school board is in support of the restrictions in place.

15. Old Business – No action was taken in old business.

1. Motions

- 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

2. Resolutions

- a. Resolution 2020-R24 Authorizing and Approving the Redevelopment Agreement Between the Village of Downs and Misch Excavating LLC for the Project Located at S Lincoln St and Reeder Lane
- b. Resolution 2020-R__ Accepting the Offer of Irrevocable Dedication of Certain Improvements in the Beecher Trails Subdivision - First Addition
- c. Resolution 2020-R__ Accepting the Offer of Irrevocable Dedication of Certain Improvements in the Cross Creek Subdivision

- d. 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

3. Ordinances

16. A Motion to Approve Payment of Bills was made by Gassaway and seconded by Keylin.

Approved 5-0

17. Motion to Enter Executive Session for Personnel – Executive session was not entered.

18. Action on Executive Session Items

1. A Motion to Hire Jorge Luis Vega as a Part-Time Officer for the Village of Downs at \$17 per hour Reporting to Chief of Police and Public Safety Trustee Starting 9/3/2020 was made by Roach and seconded by Goveia. Approved 5-0

19. A Motion to Adjourn at 10:23pm was made by Tywford and seconded by Gassaway. Approved 5-0



Village of Downs Clerk