



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

Executive order **2021-9** 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 May 6, 2021, 7 pm @ Dooley Park Pavilion & via ZOOM

1. Mayor Mike James called the meeting to order at 7:02pm.
2. Swearing in of Newly Elected Officials by Kathy Michael - McLean County Clerk
 - Kathy swore in Maureen Roach and Anna Milliken.
3. Roll Call was taken by Maureen Roach, Trustee
4. The Pledge of Allegiance was recited.
5. A Motion to Approve Appointment of Sarah Gassaway for Village Board of Trustees to Serve a Term to Expire 4/30/2023 was made by Twyford and seconded by Keylin.
Approved 4-0
6. A Motion to Approve Appointment of Brian Warfel for Village Board of Trustees to Serve a Term to Expire 4/30/2023 was made by Keylin and seconded by Twyford. Approved 4-0
5. A Motion to Approve Appointment of Julie James as Village Clerk to Serve a Term to Expire 4/30/2023 was made by Twyford and seconded by Gassaway. Approved 6-0
6. A Motion to Approve Appointment of Michael James as Village President to Serve a Term to Expire 4/30/2023 was made by Twyford and seconded by Gassaway. Approved 5-1(Keylin)
Discussion – Keylin said she couldn't support James for Mayor.
9. A motion to Approve Village President's Assignment of Chairperson and Responsibilities for each Village of Trustee was made by Roach and seconded by Twyford. Approved 6-0
 1. Maureen Roach - Public Safety, NIMS Officer and President Pro Tem
 2. Toby Twyford - Public Works
 3. Peggy Keylin - Parks
 4. Anna Milliken - Finance, Services and FOIA Officer
 5. Sarah Gassaway - Building
 6. Brian Warfel - Streets
10. A Motion to Approve Agenda and Order was made by Gassaway and seconded by Twyford. Approved 6-0
Discussion:
 - Keylin asked that all the concrete plant letters received be read aloud. She also asked that public comment be increase to 5 minutes per person. Board agreed.
 - Resolution 2021-R15 Authorizing and Approving the Redevelopment Agreement Between the Village of Downs and Freedom Oil Company Inc for the Project Located at 18928 US Highway 150 was moved out of consent agenda.

- Ordinance 2021-10 Adopting and Approving a Use of Force Standard for the Village of Downs Police Department was moved to new business.

11. Zoning Board of Appeals Recommendation(s)

1. Chairperson Recommendation by Linda Bowman

Discussion – The Zoning Board of Appeals met on May 5, 2021 to hear two cases.

- Case #01-21-A1/ZMA: A petition for annexation and zoning map amendment request submitted by Kenneth Hillard, Trustee of The Hillard Family Revocable Living Trust No. 1001 to change the zoning classification from A – Agriculture District to a classification of C2 – General Commercial District; and to grant a special use and zoning variances. Approved 4-1
 - Case #01-21-ZMA-SU-V: A petition for zoning map amendment request submitted by Kenneth Hillard, Trustee of The Hillard Family Revocable Living Trust No. 1001 requesting special uses and certain variances. Approved 4-2
2. Petitioner and Representative Statement and Comments were given by Ken Hillard for (10 min time limit)
 3. Board Questions to Petitioner and Representative (5 min time limit)
Trustees Keylin, Milliken and Roach all had questions.
 4. Public Comment on ZBA Recommendation (5 min time limit each)
Public comments were made by Tina Yagow, John Venzon and Diana Reynolds. Letters received by the trustees were read aloud. Please see Exhibit A
 5. Petitioner and Representative Final Statement (10 min time limit)
 6. Village Board Final Comments and Questions (5 min time limit)
 - Keylin asked to call a special meeting to listen to those that may have been unheard.
 7. A motion to approve Ordinance 2021-07 Annexing the Territory Set Forth in the Annexation Agreement Executed Between the Village of Downs and Kenneth B. Hillard, Trustee of the Hillard Family Revocable Living Trust No. 1001 was made by Twyford and seconded by Gassaway. Approved 7-0 (Mayor votes in annexations)
 - Motion made prior to table Ordinance 2021-07 was made by Keylin and seconded by Milliken. Not approved 2-4 (Milliken and Keylin “aye”) (Gassaway, Warfel, Twyford and Roach “no”)
 8. A motion to approve Ordinance 2021-08 Approving the Zoning of Parcels #29-04-400-009, #29-03-300-008 and #29-10-100-005 (Tract 2 & Tract 3) from A, Agriculture District to C-2, General Commercial District with Special Use for Solar Farm and Variances for Water and Sewer was made by Twyford and seconded by Keylin. Approved 6-0
 - Motion made prior was to table Ordinance 2021-08 was made by Keylin. There was no motion to second.
 9. A motion to approve Resolution 2021-R12 Authorizing and Approving the Execution of an Annexation Agreement Between the Village of Downs and Kenneth B. Hillard, Trustee of the Hillard Family Revocable Living Trust No. 1001 was made by Gassaway and seconded by Twyford. Approved 6-0

10. A motion to approve Resolution 2021-R13 Authorizing and Approving the Redevelopment Agreement Between the Village of Downs and Kenneth B. Hillard, Trustee of the Hillard Family Revocable Living Trust No. 1001 for the Project Located on the VOD Subdivision, Downs, IL was made by Keylin and seconded by Twyford. Approved 4-3 (Gassaway, Warfel, Twyford, Mayor James “aye”) (Milliken, Keylin and Roach “no”)

- A motion to table Resolution 2021-R13 was made by Keylin and seconded by Milliken. Not Approved 3-4 (Milliken, Keylin and Roach “aye”) (Gassaway, Warfel, Twyford, Mayor James “no”)

11. A motion to approve Ordinance 2021-09 Approving the Special Use on Parcel #29-04-477-002 for Concrete-Ready-Mix Plant, Outdoor Storage of Equipment and Material with Variance for up to 80’ Tall Building; and Approving the Special Use on Parcel # 29-04-477-002 in the Designated Area of not more than Three Acres in Size Situated Outside of the Flood Plain and to the Northwest of the Flood Plain in the Southeasterly Portion of the Parcel as shown on Exhibit “A” attached hereto was made by Twyford and seconded by Gassaway.

- A motion to table Ordinance 2021-09 was made Keylin and seconded by Milliken. Not Approved 3-4 (Milliken, Keylin and Roach “aye”) (Gassaway, Warfel, Twyford, Mayor James “no”)
- A second motion to table Ordinance 2021-09 was made by Roach and seconded by Keylin. Approved 4-2 (Gassaway and Twyford “no”)
 - Warfel felt he needed more time and information before being able to vote.
 - Discussion and concern other residents and TV parents needed to be heard.

12. Engineer & Development Report

1. Down Water Plant Improvements

- Expected on IEPA Loan’s July 1, 2021 priority list.
- BNWRD, Permits
- Applied Downs WTP project (and Downs Crossing project) to Senator LaHood’s Earmark funding for Infrastructure Stimulus.
- Working with Dawn on Debt Authorizing Ordinance. Last larger hurdle in loan process.
- Working with Dawn on Construction Engineering Agreement. Required for loan. Reminder all design engineering costs will be reimbursed to the Village, through the loan. All construction engineering costs will be paid directly from loan disbursements.

2. Downtown Streetscape and Parking Lots design

- Both DCEO Rebuild Grant and IDOT ITEP Grant Applications had been submitted and are in Agency reviews. To update as we hear any award information. Do not expect responses until later winter months.

3. Other Engineering or Development Updates

13. Mayoral Report

1. Liquor Licenses

- Liquor licenses for Game Day, Mobil Oil, Papa G's, and Old Town Tap were reissued for 2021.
 - The Liquor commission added a new add on permit for Class B and C to have package liquor with additional fee \$100 for restaurants and \$200 for bars.
 - Papa G took advantage of the new package liquor add on for Class B.
- MFT was approved for FY2022.

14. Trustee Reports

1. Building Report

- There were 4 pool permits and 1 remodeling permit.

2. Water and Sewer Report

- Water usage is up this month.
- The average iron concentration for the finished water was .39 ppm.
- Monthly bacteriological testing on the raw, finished and distribution samples were all satisfactory, fluoride concentration was .8.
- The volume of water pumped for the month was 2.725 averaging 90,833 gallons a day. The sewer lift station pumped 2.316 million gallons for the month averaging 77,200 gallons per day.
- 1 service leaks
- 1 residential leak
- 44 of the 90 fire hydrants have been flushed.
- Installed guard posts around Corn Belt well house.
- Re-set 1 manhole south of High school
- Re-placed broken storm sewer grate Downs Crossing

3. Police Report –

- Roach met with Chief Dingler and Jorge to discuss a software program called Lexipol. It is not in the budget now but something they might want to consider \$2000/yr.
- The Downs Police Department has been quite busy this month dealing with traffic issues in Downs, Arrowsmith, and Bellflower. To date we have written 53 tickets, 21 of which were written this month.
- We have had multiple arrests and stops leading to misdemeanors this month. Downs had a stop with illegal transportation of cannabis in an opened container and Arrowsmith had an open container of alcohol while driving on revoked license. One arrest was assisting Leroy PD on a violation of OP in Downs.
- Officer Hempstead was successful in acquiring about \$10,000 in computer/ server equipment for the Police Department and the Village through the LESO Program
- We had a car theft in Downs. Our department was successful in recovering the vehicle. This case is ongoing.

- Building improvements are still going on, we have removed most of the drywall in the offices and will be removing the insulation in these exposed areas due to the mold growth from the previous owners.
4. Streets Report
 - Clean up day is 6/5
 5. Parks, Community Center and Food Pantry Report
 - Our first breakfast fundraiser in a year was a success! We raised enough money to pay for a truckload of mulch for the playground. Thanks to all who came in for breakfast and all who helped set up and serve.
 - Thinning and replanting garden areas in Dooley Park continues. The Girl Scouts are planting flowers in pots around the pavilion this coming weekend before Mother's Day.
 - Lindsey Nicholson, Holly-rae Van Hoof, Mike James, and Peggy Keylin met with an architect and constructor to look at sites for a public restroom in Dooley Park. They'll create a design and generate estimates for the project.
 - In May we'll add mulch to the playground and hopefully begin replacing lights on the ball court.
 6. Finance and Services Report
 - 715 Jewelry, OTTR and The Union will receive grant money from the 2020 Freedom Run.
 - Bakewell said all budget reports can be out on the Google Drive.
 - Unique bills on BTP
 - Land Engineers
 - Semiannual IEPA sewer payment
 - We are waiting for the City of Bloomington to send us their sewer payment.
 - Submitted our deposit to get started on ClerkBooks. Bakewell is creating reports to send to Clerkbooks. They will use the reports to set up ClerkBooks for us.
 - Bakewell is prepping for the audit which will most likely be schedule for Aug.
 - CURE grant submissions have been submitted.
 - She is learning how to submit the FEMA grant.
 - ICRMT-talked to us about free training.
 - Transitioning deposits and bills from Julie James.
 - We are no longer using remote check deposit. It wasn't cost effective.
15. Discussion
1. Other-
 - Keylin will organize a public meeting. Public meeting will happen on 6/6 at 6:00.
16. Public Comment – John Venzon had a question about how the process of selecting a new mayor happened.

17. A Motion to Approve Items Contained within the Consent Agenda was made by Gassaway and seconded by Roach. 6-0
18. A motion to Approve Consent Agenda was made by Keylin and Gassaway 6-0
 1. Motions
 - a. Motion to Approve the April 1, 2021 Village Board of Trustees Regular Meeting Minutes
 - b. Motion to Approve the April 1, 2021 Village Board of Trustees Executive Meeting Minutes
 - c. Motion to Approve Amended March 4, 2021 Village Board of Trustees Regular Meeting Minutes
 - d. Motion to Approve Amended FY2022 Village Board of Trustees Regular Meeting Schedule
 - e. Motion to Approve Events Committee members: Julie James, Cyndi Miller, Steve Miller, Mike James, Jill Kasprzak, Ken Kasprzak, FR Coordinator, 4th Coordinator
 - f. Motion to Approve Mary Goveia as the 2021 4th of July Grand Marshal
 - g. Motion to Authorize and Approve the Building Permit Fee Schedule
 - h. Motion to Approve a \$1608 salary increase for a total compensation of \$55,188 for Chief Josh Dingler Starting May 1, 2021
 - i. Motion to Approve a \$1261 salary increase for a total compensation of \$43,285 for Officer Brian Hempstead Starting May 1, 2021
 - j. Motion to Approve wage increase of \$.66 per hour for a total compensation of \$18 per hour for Richard Levine Starting May 1, 2021
 - k. Motion to Approve wage increase of \$.56 per hour for a total compensation of \$19.29 per hour for Cara Russow Starting May 1, 2021
 - l. Motion to Approve wage increase of \$.77 per hour for a total compensation of \$26.27 per hour for Les Fitzwater Starting May 1, 2021
 - m. Motion to Approve wage increase of \$.39 per hour for a total compensation of \$13.39 per hour for Marty J O' Rourke Starting May 1, 2021
 - n. Motion to Approve wage increase of \$.43 per hour for a total compensation of \$15.00 per hour for Ruth Hood Starting May 1, 2021
 - o. Motion to Approve wage increase of \$.50 per hour for a total compensation of \$13.00 per hour for Michele Tocco Starting May 1, 2021
 - p. Motion to Approve wage increase of \$.57 per hour for a total compensation of \$18.00 per hour for Janice Cuba Starting May 1, 2021
 - q. Motion to Approve wage increase of \$.50 per hour for a total compensation of \$17.00 per hour for Stephen Graff Starting May 1, 2021
 - r. Motion to Approve wage increase of \$.47 per hour for a total compensation of \$16.22 per hour for Steven Miller Starting May 1, 2021
 2. Ordinances
 - a. Ordinance 2021-03 Approving and Adopting the Village of Downs Policy Handbook for the Village of Downs Employees

- b. Ordinance 2021-05 Removing Certain Properties from the Downtown Redevelopment Project Area Number One
- c. Ordinance 2021-06 Approving and Adopting Amendments to Chapter 9 - Liquor Code of the Village of Downs Municipal Code
- d. Ordinance 2021-10 Adopting and Approving a Use of Force Standard for the Village of Downs Police Department – moved to New Business.
- e. Ordinance 2021-11 Imposing a Non-Home Rule Municipal Retailers' Occupation Tax and Non-Home Rule Municipal Service Occupation Tax in the Village of Downs effective July 1, 2021.

3. Resolutions

- a. Resolution 2021-R14 Authorizing and Approving Copier Lease Agreement with Digital Copy Systems LLC and the Village of Downs
- b. Resolution 2021-R15 Authorizing and Approving the Redevelopment Agreement Between the Village of Downs and Freedom Oil Company Inc for the Project Located at 18928 US Highway 150 -Removed from consent agenda.
- c. Resolution 2021-R16 Approving Proclamation Honoring the Service of Mary Goveia

19. New Business

1. Motions

- a. A motion to Approve Membership to the Illinois Chamber of Commerce was made -No action taken.

2. Ordinances –

- a. Ordinance 2021-10 Adopting and Approving a Use of Force Standard for the Village of Downs Police Department – No action taken.

3. Resolutions

20. Old Business – No action was taken in Old Business.

1. Motions

- a. Motion to Reconvene the Village of Downs Regular Board of Trustees Meeting on _____ @ 7 pm at the Village Hall
- b. Motion to Approve the Final Plat for the Corn Belt Energy Park


2. Resolutions

- a. Resolution 2021-R__ Authorizing and Approving the Easement Agreement Between Woodworkers Shop LLC and the Village of Downs
- b. Resolution 2021-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
- c. Resolution 2021-R__ Accepting the Offer of Irrevocable Dedication of Certain Improvements in the Beecher Trails Subdivision - First Addition

3. Ordinances

21. A motion to Approve Payment of Bills was made by Gassaway and seconded by Twyford. Approved 6-0

22. A motion to Enter Executive Session for Personnel and Contract Negotiations – No action taken.
23. Action on Executive Session Items
24. Other Business
25. A motion to adjourn at 10.:35pm was made by Twyford and seconded by Gassaway.
Approved 6-0


Julie James
Village of Downs Clerk