



VILLAGE OF DOWNS BOARD OF TRUSTEES
REGULAR MEETING MINUTES
7:00 PM
August 4, 2016 and continuance August 18, 2016

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

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1. Mayor Mike James called the August 4, 2016 regular meeting to order at 7:02pm.
 2. Roll call was taken with Trustees Goveia, Keylin, Lush, Gassaway and Twyford all present. Also present were Clerk James and Attorney Dawn Wall. Trustee Roach and Treasurer Bakewell were absent.
 3. The Pledge of Allegiance was taken.
 4. A motion to approve the agenda order was made by Lush and seconded by Twyford.
Approved 5-0
 - a. Discussion-
 1. Ordinance 2016-25 approving the Final Plat for Beecher Trails First Addition was moved up.
 2. James said there would be no action in old business and the meeting would be continued.
 5. Development Report
 - a. Lewis Yockey and Brown and Roger Reynolds - Preliminary Plan for Downs Crossing
 1. Mr. Dave Brown was present to answer questions for Downs Crossing. He explained that this is a cooperative effort with Corn Belt and Roger Reynolds.
 2. Brown showed the board how the street pattern will tie on to Energy Drive and connect RT. 150 at 2 points.
 3. Brown said they are requesting 4 waivers.
 - One waiver they are requesting is the reduction in the width of 3 of the streets.
 - Their concern is that it encourages on street parking. There should be ample room for parking in the lots.
 - Shawn Mauer, from Farnsworth says we shouldn't go less than 36 ft. for all the streets. The parking aspect doesn't concern him.
 - Mr. Brown said they are requesting a "soft waiver" for sidewalks. Our code does not require them in commercial zoning. Mr. Reynolds would like to have some direction.
 - Shawn said he would defer to the board on the sidewalks. Lush and Gassaway see the need to add sidewalks at least on one side of the street.
 - Board was agreement on 36' ft. streets and sidewalks on one side of the street.
 - Brown said there will be 17 commercial lots available at varying sizes.
 - They will begin cleaning up the lots in front of Corn Belt starting in the spring of 2017.
 - Mayor James noted that we will need to post this in the Leroy Press on Thursday to start the 40 day notice on this preliminary plan.
 - b. Corn Belt Energy Projects Update:
 1. A survey crew will be going out soon to stake the north water main loop.
 2. Jeff, from Farnsworth noted plans will be coming in about 2 weeks.

3. Jeff explained they will be extending the storm sewer into a regional basin. They will be filling in the 2 current detention basins.
 - c. Downs Water Main Extension & Improvements
 1. Gassaway and the Mayor will be working on this.
 - d. Beecher Trails Final Plat for 1st Addition
 1. Ordinance 2016-25 approving the Final Plat for Beecher Trails First Addition was postponed.
 - Discussion- Shawn had not seen the final plat. They had submitted it to the board but not to Shawn. Shaw would like to review and be able to approve when we continue the meeting.
 - Shawn said the side walk issues with the developers have been resolved.
 - Bowers is going to build a house on the corner of Huff Rd. and Raef Rd. to help with the drainage and silt issue. He is going to sod the yard and ditch. He will then put hay bales in the ditch.
6. Engineer Report
- a. Shawn Mauer, from Farnsworth reported he is waiting on the completion of the storm sewer at Cross Creek Subdivision.
 - b. He has received engineering plans for water and sewer for Downs United Methodist Church. He just had a few questions for their engineer.
 - c. We got a cost estimate on Huff Rd. for Living Hope Christian Church and had a meeting with them a few weeks ago.
 - d. Lush asked about why the church is not mowing. James said they are supposed to start mowing.
 1. Living Hope's building permit ran out a long time ago. We don't have an executed annexation agreement with them. But we have been inspecting along the way.
 2. Mayor James said they are willing to go back to the original agreement. However, they are stuck on the extra 2 feet to the road if they should subdivide. The Mayor wants to compromise. Our portion would be approximately \$6000 on the road improvement.
 3. Our problem is we had a signed original agreement and then we went back and amended it. They have never signed the amended agreement.
 4. Twyford says we will never recover the cost since it is a church. We are asking the citizens to pick this up.
7. Mayoral Report
- a. Liquor Commission & Reports
 - b. Mayor James submitted Adkisson's and Papa G's liquor reports.
 - c. Chapter 9 Ordinance Changes
 1. James went over changes the liquor commission made. These changes will be accepted next month.
 2. Definitions were made to be clearer. Language is very similar to Leroy's liquor ordinance.
 3. Seating capacity will be determined by the liquor commission.
 4. Food to alcohol percentages will now be 51/49.

5. The definition of resident is the same as the definition of a village resident when running for office of trustee, clerk or president. This is used for resident agent.
 6. The definition of a club was added.
 7. "Total sales" is calculated on an annual base. This calculation is being used to determine fines.
 8. A fine structure was added.
 - Goveia asked if there is a state code for percentages. Are we under any obligation to notify the state if they are out of compliance all 4 quarters? Attorney Wall will check into this.
- d. TIF Application Changes
1. James said he is only proposing one change and that is the requestor must be in good financial standing.
 2. James told Goveia that if she wanted to come up with some 20% forgiveness language, she needed to provide that language. He felt that was against what the TIF was for.
8. Trustee Reports
- a. Building Report
 1. Goveia reported that there will now be a small project permit. All decks will now need permits.
 2. The occupancy permit will now contain areas for radon tests, sidewalks and a culvert portion.
 3. She may do a commercial/industrial building permit.
 4. Goveia has been thinking about swimming pool permits. She is concerned with what happens to the water when it comes out and safety fencing.
 - b. Water and Sewer Report
 1. Kevin Whitehouse reported iron was average for the month. Bacterial testing came back satisfactory. Fluoride was .589, slightly under the requirement so chlorine was added.
 2. The fire hydrants have all been painted.
 - c. Police and Services Report
 1. Chief Dingler has 3 ordinance issues that need to be looked at.
 2. One issue is animal trapping on property. There are unfenced dogs and cats that are encroaching on others property.
 3. Goveia says neighbors are upset over cats and wants to know what happens if they set a trap and catch the animal. Chief says that makes them or the municipality responsible for the animal. Wall says if you take someone's animal you have to give them notice.
 4. A second is issue is vehicles that are tarped and are not working. We had 27 last year that were in violation. This year we have 20 vehicles in violation.
 5. The third issue is with curfew. Last year Chief had 15 people who were chronically violating curfew. This year he has about 4. The problem is basketball at Dooley Park is going passed curfew.
 6. Keylin had a great idea of putting a timer on lights and giving them a 10 minute warning.

7. Chief says curfew violation is a parental issue and parents are allowing it.
 8. He would like the board to think about how to handle it. The board will most likely hear complaints if he starts handling the violations and wants the board to be on-board with what action he is to take.
 9. It was suggested to put something in the newsletter about curfew and Dooley Park hours.
 10. Also suggested was extending the park hours to match curfew on the weekends.
 11. The Chief had 14 calls of duty.
 12. There was a larceny and arson in Bellflower.
 13. There were 3 thefts at Mobil. One theft was retail and the other 2 were drive offs.
 14. Dooley Park had an aggravated assault.
 15. The Chief arrested 1 person for a suspended license and wrote 6 speeding tickets on Seminary St.
 16. The Mayor asked why we don't do a report in the Leroy paper and is this something we want to do? Nothing was decided.
- d. Streets Report
 1. Lush reported there has been a lot of clean up and we may need to do bi-monthly. The streets department started picking up in Beecher Trails.
 2. Lush is thankful to Downs Township for all their help and use of equipment.
 3. There was some seal coating done today that he was unaware was going to be done.
 - e. Parks, Community Center and Food Pantry Report
 1. Keylin sent he report earlier to the trustees.
 2. The parks committee is planning another fundraiser in October with evening meal.
 3. The food pantry will be making between 36-38 boxes this month.
 - f. Finance Report
 1. James reported we are waiting for final audit completed. He has spoken with comptroller we got an extension on 2015 audit.
 - g. A break was taken and the meeting was resumed at 9:47pm.
9. Discussion
 - a. Chapter 10 Ordinance Changes
 1. The state defines a dangerous animal by a bite.
 2. Keylin would like to find out how residents feel about chickens.
 3. Dingle will look at Leroy's code.
 - b. Chapter 5 Ordinance Changes
 1. James would like to make changes to be more in line with what the State of Illinois requires. He would like to change the ordinance so that we would not have to bid out local improvements up to \$25,000. Attorney Wall will look at how to change the wording on this.
 10. Public Comment
 - a. Josh Guin spoke to the board. He and his family recently moved out of a rental home in the older part of Downs proper. The home had mold. After it was remediated, it

was re-rented out to another family. He asked what is policy and procedures set in place for rental property.

1. Wall says the renter has more rights than they think they do.
 2. Wall says that it is a breach between renter and rental owner.
 3. The village doesn't become involved unless homes are not up to code or are deemed not livable by McLean Co.
- b. Ken Adkisson had petitions that he wanted to have submitted. See Exhibit A.
1. The petitions contained over 70 signatures asking Trustee Goveia to resign from her position as board trustee.
 2. Trustee Lush asked her if she was going to resign.
 3. After, the last meeting another blog was written about TIF money given to Adkisson's presumably inappropriately. Ken said it is apparent that she is still out to get him.
 4. The last blog insinuated that something was done wrong with that TIF money. Ken sent in receipts.
 5. Goveia said she has a concerned citizen that would like the 20% forgiveness.
 6. Mayor James asked Goveia about a supposed scheduled meeting with her that the mayor did not keep. This meeting was mentioned in the blog written by Diane Benjamin. James said he had no recollection of a meeting. Goveia said it was just a question in passing about being around on Friday. James and Wall both said that was not a scheduled meeting.
 7. Gassaway said from now on all problems need to be in writing.
 8. All concerned citizens need to file a formal complaint and James wants to hear what their solution would be.
11. A motion to approve items contained within the Consent Agenda was made by Lush and seconded by Keylin. Approved 5-0
12. A motion to approve Consent Agenda was made by Gassaway and seconded by Keylin. Approved 5-0
- a. Motions
1. Motion to Approve the July 21, 2016 Village Board of Trustees Special Meeting Minutes
 2. Motion to Approve the Events Committee Meetings Location, Dates and Time for FY 2016-2017
 3. Motion to Approve the Village Board of Trustees Executive Session Meeting Minutes from July 7, 2016
- b. Resolutions
1. Resolution 2016-R17 Authorizing and Approving signatures on accounts of the VOD for First Financial Bank
13. New Business
- a. A motion to Approve Payment of Bills was made by Gassaway and seconded by Keylin. Approved 5-0
 - b. A motion to approve continuance at 10:34 pm. of the Village of Downs Regular Board Meeting to August 18th, 2016, 7:00 pm. at the Village Hall was made by Lush and seconded by Twyford. Approved 5-0

1. Mayor Mike James called the continued August 4, 2016 regular meeting to Order on August 18, 2016 at 7:02 pm.
2. Roll call was taken with Trustees Roach, Goveia, Keylin, Gassaway and Twyford all present. Trustee Lush was absent. Also present were Clerk James, Treasurer Bakewell and Attorney Dawn Wall. A quorum was declared.
3. Discussion-
 - **Audit**
 - a. Treasurer Bakewell passed out a spreadsheet that was prepared by Canny Accounting, our auditing firm.
 - b. Canny received the full set of 2014 books on 7/20/16.
 - c. They noted some transactions that needed to be fixed.
 - d. Treasurer Bakewell revised the transactions.
 - e. One of the issues Bakewell has had with the 2014 books is in 2015 the May meeting was convened on May 7th. But, the BTP ended on 4/30/15.
 - f. Another issue is the assets weren't transferred correctly from Bottom Line Accounting to QuickBooks.
 - g. Bakewell has approximately 75-80 line items left to do. She hopes to have them completed by Monday.
 - h. Mayor James stated we need to make contact with the comptroller's office. We do not have an extension and we are being fined.
 - i. Wall expects that the comptroller's office will approve the audit.
 - j. Bakewell will begin to start working on the treasurer's report and the TIF audit next.
 - **Rental Units**
 - a. Goveia would like to take a more aggressive action with landlords.
 - b. Goveia is working with Donnie Tervin, a local landlord, and a couple renters to put together a rental unit code.
 - c. She had a meeting with Terry from Bloomington's safety department.
 - d. He suggested we adopt the international property maintenance code.
 - e. Bloomington charges landlords an annual registration. This registration is \$60/year and then \$5/unit extra. This fee covers the inspection fee of the rental property.
 - f. The inspection is of the inside and outside of the property and establishes vacant building maintenance.
 - g. The code also establishes a way for renters to file a complaint.
 - h. Wall says she doesn't know how we would be able to police all of this. She says we would have to have an inspector along the whole process and it would be very costly.
 - **Feral Cats**
 - a. Goveia said there seems to be some progress with the feral cats.

c. A motion to approve Ordinance 2016-26 approving the Final Plat for Beecher Trails First Addition was made by Goveia and seconded by Keylin. Approved 4-1

- Goveia, Keylin, Gassaway, and Mayor James (aye)
- Twyford (nay)
- Roach (unable to vote, because she was absent on 8/4/16)
- Lush (absent)

1. Discussion-

- Keylin asked how they came to the determination for drainage. Wall says it has been signed off by our engineer who is a professional. We have to rely on their expertise and approve based off of this.
- James said the first phase of Beecher has been going through a lot of scrutiny with our engineer, Kevin Whitehouse and Trustee Lush.
- Bowers sodded the ditches today. He is building a house on Lot 1 because a majority of the issues are coming from that lot.
- Bowers has been trying to work with Living Hope and enlist their help. Living Hope is contributing to the erosion.
- There is a letter of credit is for the 1st addition and a separate letter of credit for the first phase of Beecher Trails. This covers the completion of any issues.
- Sidewalks will be on one side of the street.
- Wall says they have met everything that we have asked them to do.

14. Old Business

a. Motions

1. Motion to Approve the Preliminary Plan for the Plat of the Downs Crossing Subdivision Fourth Addition within the Village of Downs – No Action
2. Motion to Approve FY 2014-2015 Audit by Canny Accounting, LLC – No Action
3. Motion to Approve FY 2014-2015 Annual Treasurer's Report – No Action
4. Motion to Approve FY 2014-2015 Annual TIF Report – No Action
5. Motion Approving _____ for FY2016-2017 Audit – No Action

b. Resolutions

1. Resolution 2016-R08 Authorizing the Execution of an Amended Annexation Agreement Between the Village of Downs and Living Hope Christian Church, Inc. – No Action

c. Ordinances

15. Executive Session- No Action

16. Action on Executive Session Items- No Action

17. A motion to Adjourn at 8:17pm. was made by Twyford and seconded by Gassaway.

Approved 5-0



Julie James
Village Clerk

Exhibit A

Petition to [action]

<p>Petition summary and background</p>	<p>Mary Goveia has proven to be a liability to the Village of Downs. She continually undermines the leader of our community (Mayor), as well as her fellow trustees. Mary has publicly stated that she does not like the Mayor and has proven to be vindictive towards him. She has also singled out fellow citizens, business owners, and trustees in unfair and unjust ways. She has brought unwanted/unneeded outside influences into our town to stir up unnecessary issues. Mary was asked to resign in 1994 for not being competent in her position with the Village of Downs. Mary was also Censured in 2013 by a fellow trustee that asked for her resignation. Lastly, at the last board meeting (July 2016), The Mayor, a citizen, and a fellow trustee all asked for her resignation. Again, Mary Goveia refused to step down. This petition is for the citizens of Downs to have a voice and demand that she resigns immediately.</p>
<p>Action petitioned for</p>	<p>We, the undersigned, are concerned citizens who demand for Mary Lou Goveia to resign from her position as Village Trustee for the Village of Downs.</p>

Printed Name	Signature	Address	Comment	Date
Dorothy AdKisson	<i>Dorothy AdKisson</i>	201 S. Lincoln		7/15
Charles Turner	<i>Charles Turner</i>	103 W. MAIN		7-15
<i>Michael Hager</i>		109 S Price		7-15
Allen Jungheerl	<i>Allen</i>	167 S Price		7-15
<i>Sheila Jungheerl</i>	<i>Sheila Jungheerl</i>	1075. Price		7-15
<i>Donna</i>	<i>Donna</i>	108 N CLEVELAND		7-15
Sharon Lush	<i>Sharon Lush</i>	208 N. CLEVELAND		7/21/16
Stem Ruckelshaus	<i>Stem Ruckelshaus</i>	207 N Cleveland		7/21/16
Mike Reynolds	<i>Mike Reynolds</i>	318 W. Rickard Dr.		7/21/16
WINDA NADDEWENS	<i>Winda Naddewens</i>	201 N. Lincoln		7-29-16
Samantha Nettleton	<i>Samantha Nettleton</i>			8/4

Petition to [action]

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Action petitioned for	We, the undersigned, are concerned citizens who demand for Mary Lou Goveia to resign from her position as Village Trustee for the Village of Downs.

Printed Name	Signature	Address	Comment	Date
KENNETH ADKISSON	<i>Kenn Adkison</i>	201 S LINCOLN DOWNS	NEEDS TO RESIGN	7-15-16
Rachel Brown	<i>Rachel Brown</i>	22 Heggstone Circle Bloomington IL	works at Adkissons	7/15/16
Aleta Nord	<i>Aleta Nord</i>	335 E. Lincoln Bloomington, IL	WORKS AT ADKISSONS	7/15/16
PHILIP ADRIDGE	<i>Philip Adridge</i>	111 N. WEST DOWNS IL	WORKS AT ADKISSONS	7/15/16
JIM METROZ	<i>Jim Metroz</i>	DOWNS IL	resident since 1993 / TIME TO REPLACE OLD IDEAS WITH NEW!	7-15-16
Shelley Wiland	<i>Shelley Wiland</i>	Arrowsmith IL	grew up in downs and time for the ^{stuff} to stop	7/15/16
Karen Bohling	<i>Karen Bohling</i>	110 S. Lincoln Downs IL	nothing against Mary personally but disagree with actions	7/15/16
Peter Manhart	<i>Peter Manhart</i>	100 Merganser Downs	time to get off board	7/15/16
Karen Manhart	<i>Karen Manhart</i>	100 Merganser Ct		7/15/16
Russell Roberts	<i>Russell Roberts</i>	210 Woodlawn		7/15/16
Sarah Miller	<i>Sarah Miller</i>	7993 Johnson Ln		7/15/16
Andrew Adkison	<i>Andrew Adkison</i>	7993 Johnson Ln	shenced to go	7/15/16
Darrin Cline	<i>Darrin Cline</i>	347 S. Bicentennial 1806 Jacobssen Dr.		7-15-16
Sara L. Philpot	<i>Sara L. Philpot</i>	Normal, IL		7-15-16
MARK HATZEL	<i>Mark Hatzel</i>	1412 Kickapoo Creek Rd - Bloomington		7/15/16
KURT BEUCKENORT	<i>Kurt Beuckenort</i>	7 Knothampton Ct Bloomington, IL 61704		7/15/16
Toni Huber	<i>Toni Huber</i>	1812 Kellym		7-15-16

Petition to [action]

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Printed Name	Signature	Address	Comment	Date
Vicki Prochnow	<i>Vicki Prochnow</i>	108 N. Cleveland		7/24/16
PAUL RAYCRATE	<i>Paul Raycrate</i>	210 S WASH ST		7/24/16
PAUL ESTES	<i>Paul Estes</i>	415 W. MAIN		7/24/16
Tom CLEM	<i>Tom Clem</i>	106 S PRICE ST		7-24-16
Marie CLEM	<i>Marie Clem</i>	106 S Price St		7/24/16
Jim LAWSON	<i>Jim Lawson</i>	108 N PRICE ST		7/24/16
Sherry Reichert	<i>Sherry Reichert</i>	308 E. Oak		7/24/16
Michael Reichert	<i>Michael Reichert</i>	308 E. Oak		7-24-16
Gordon Aldridge	<i>Gordon Aldridge</i>	211 N. Lincoln		7-24-16
Dawn Aldridge	<i>Dawn Aldridge</i>	211 N Lincoln		7-24-16
Brad Tapsen	<i>Bradley Tapsen</i>	201 N Cleveland		7-25-16

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Petition to [action]

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Printed Name	Signature	Address	Comment	Date
Tricia Brown	<i>Tricia M. Brown</i>	106 S. Lincoln Downs IL	Grew up in Downs, She has done no good for our Village!	7/15/16
Bob Eldred	<i>Bob Eldred</i>	106 E Sully ^{Hey with}	<i>Fuck her</i>	7-16-2016
DAVID SILVER	<i>David Silver</i>	10344 ^{L'YONHART BLVD} 61705	Personal vendetta is not healthy for town	7/16/16
Candace Boer	<i>Candace Boer</i>	"		7/16/16
Phil Reynolds	<i>Phil Reynolds</i>	Downs IL	OLD TOWN	7-16-2016
Tim Sutton	<i>tim Sutton</i>	Downs IL		7-16-2016
Dawn R. Lilley	<i>Dawn R. Lilley</i>	402 E. Oak, Downs	Leave our ^{alone} small community.	7/16/16
Eric Lilley	<i>Eric Lilley</i>	" " " "		7/16/16
NIKOLE Cerven	<i>Nikolett Cerven</i>	DOWNS, IL		7/16
Branley Adkisson	<i>Branley Adkisson</i>	11599 West St Downs IL	Her unprofessional ^{maner} is unhealthy for ^{the} town.	7/18
Stephanie Powell	<i>Stephanie Powell</i>	Downs IL	She needs to go!	7/18
Char Twyford	<i>Char Twyford</i>	Downs IL	Personal vendetta's should not be conducted while serving as a board member	7/19
Anita Kessinger	<i>Anita Kessinger</i>	211 N Seminary Downs	unprofessional	7/19
Tim Jordine	<i>Tim Jordine</i>	Downs IL	She suck	7/21/16
John Stanley	<i>John Stanley</i>	Downs IL		