

VILLAGE OF HINCKLEY
REGULAR BOARD MEETING - MINUTES
April 8, 2019

CALL BOARD MEETING TO ORDER: Meeting was called to order by Village President Nelson at 7:00 PM. Roll call was taken showing the following:

Present: Trustees Mike Constant, Tim Sellers, Jeff Nier, Louis Manivong, Chuck Riforgiate. Quorum Established.

Absent: None.

Also Present: Village Clerk Elizabeth Losiniecki, Chris Ott (EEI), Attorney Kristine Gibbons, Joe Moore, Chief Waitkus, Kenneth Gettemy and family, and Members of the Public.

PLEDGE OF ALLEGIANCE: The pledge to the flag was recited.

PUBLIC COMMENT on Agenda Items Scheduled for Action Only

None.

General Business

Agenda item for discussion/approval: 03/25/19 Regular Board Meeting Minutes

Clerk Losiniecki made a point of clarification regarding the 03/25/19 meeting minutes regarding the confusion about the IEPA NPDES annual report that was discussed. She stated that the report had already been completed, with financial data provided by Treasurer Maroo and signed by Village President Nelson, on February 8, 2019. She also stated that she had contacted the IEPA compliance division and that they confirmed receipt of the report. Trustee Nier moved to approve the 03/25/19 minutes as presented and Trustee Riforgiate seconded the motion. Roll call vote: Constant-Aye, Sellers-Abstain, Nier-Aye, Manivong-Abstain, Riforgiate-Aye, Nelson-Aye. Motion carried.

Agenda item for discussion/approval: Payment of Invoices Due

Trustee Nier questioned the invoice from Clarke Environmental and asked if this was the first installment. Trustee Constant asked why the Village is billed in advance of receiving the service. President Nelson stated that she would have the office staff look into it. Trustee Nier moved to approve the invoices as presented and Trustee Manivong seconded the motion. Roll call vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

• **President's Report**

° **Agenda item for discussion/approval:** Accept Resignation

Village President Nelson read a resignation letter Chief Waitkus, with an April 8, 2019 effective date. She thanked Chief Waitkus for his contribution to the Village. Trustee Nier moved to accept the resignation and Trustee Riforgiate seconded the motion. Roll call vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

° **Agenda item for discussion/approval:** Hiring of New Police Chief

President Nelson directed trustees to the employment offer letter provided in their meeting packet for the hiring of Kenneth Gettemy as Chief of Police. Trustee Manivong moved to approve the hiring of Kenneth Gettemy as Chief of Police as detailed in the employment letter and Trustee Constant seconded the motion. Roll call vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

Swearing in of new Police Chief

Village President Nelson swore in Kenneth Gettemy as Chief of Police. Gregg Waitkus thanked Officer Michaels and Officer Weibler for all of their help with the transition. He also thanked Kathy Michaels for her help with research and document recovery.

° Agenda item for discussion/approval: ICMA Contribution for Police Chief

Village President Nelson stated that the employment offer letter for Chief Gettemy states that the Village will contribute 7.5% of his salary to the ICMA retirement account. Trustee Nier moved to approve the contribution of 7.5% of Gettemy's salary to ICMA and Trustee Sellers seconded the motion. Roll call vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

° Agenda item for discussion/approval: Gregg Waitkus Contract

Village President Nelson stated that she would like the Board of Trustees to approve a temporary contract for Gregg Waitkus to provide (up to) 80 hours of consulting to help Chief Gettemy transition into the job. The rate of pay will be the same as his salaried hourly rate. Trustee Sellers moved to approve the temporary employment contract for Waitkus and Trustee Manivong seconded the motion. Roll call vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

° Agenda item for discussion/approval: Zoning Board of Appeals Recommendations from 04/01/19 Public Hearing

Ordinance No. 2019-05 Providing for the Regulation of Food Trucks

Ordinance No. 2019-06 Amending Appendix A – Zoning to Establish Regulations Regarding Mobile Food Vendors

Attorney Gibbons stated that she would address 2019-06 first as it adds the food truck definition and allows its use in the business and light industrial districts. She explained the proceedings at the Public Hearing and the resulting recommendations from the Zoning Board of Appeals (ZBA). She informed the Board of Trustees that there was considerable discussion at the ZBA meeting regarding the "non-alcoholic" descriptor. She explained that the phrase could be construed as redundant because applicants would have to have State and Village issued liquor licenses for the sale of alcohol. Trustee Nier stated that he would like to keep the "non-alcoholic" descriptive language in the ordinance. He had received feedback from residents concerned with the prospect of a "bar on wheels." After additional discussion, Trustee Nier moved to approve ordinance No. 2019-06 with the addition of the "non-alcoholic" description. Trustee Manivong seconded the motion. Roll call vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

Joe Moore stated that the coffee truck is not hooked up to water and sewer and will require a hand washing station and port-o-potty. Extensive discussion followed regarding how often the port-o-potty will be serviced, location of port-o-potty, securing the port-o-potty, the lease agreement with the Brown Pub, and the allowability of additional food trucks at the same location. Attorney Gibbons advised that additional food trucks would be allowable on the site if the Board of Trustees approved the allowable use. Trustee Constant asked what the second ordinance is for and Attorney Gibbons stated that it governs the mobile food vendors regarding all requirements prior to receiving a license. She stated that the ZBA recommends no license fee. President Nelson asked if the property owners, Terry and Kathy Brown, had attended any of the meetings. Attorney Gibbons stated that they had not. Additional discussion followed regarding other food trucks in town, public restroom availability, health department regulations, and ADA accessibility. Trustee Sellers stated that he does not want to see port-o-lets all over town for food trucks because they are unsightly and smelly. Discussion continued regarding health department regulations and location of the port-o-potty. Village

President Nelson stated that it should not be located such that it can be seen from Route 30 and that there should be mechanism in place to prevent Brown Pub patrons from using it at night. There was a brief discussion regarding the use of the words license vs. permit. It was agreed that the terms are somewhat interchangeable and that for these purposes, permit would be the applicable word. Trustee Sellers moved to approve Ordinance No. 2019-05, subject to the addition of the “non-alcoholic” language as it applied to Ordinance No. 2019-05, and Trustee Nier seconded the motion. Roll call vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

° **Agenda item for discussion/approval:** Municode Ordinance Codification – Not to Exceed \$4000.00
Village President Nelson explained that it has been over two years since the Village sent ordinances for codification. Village Clerk Losiniecki estimated that there would be approximately 40 ordinances to codify (at \$35.00 per ordinance) and well over fifty pages to be updated (at \$23.00 per page). Trustee Sellers suggested getting on a regular schedule so that the information on-line is current and Trustee Constant suggested once per year. Trustee Sellers moved to approve the Municode ordinance codification, not to exceed \$4000.00, and to get on a fiscal year schedule. Trustee Manivong seconded the motion. Roll call vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

° **Agenda item for discussion/approval:** DeKalb County Economic Development Corporation Annual Contribution – Not to Exceed \$550.00
Trustee Constant moved to approve the \$550.00 annual contribution to the DeKalb County Economic Development Corporation and Trustee Riforgiate seconded the motion. Roll Call Vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

° **Agenda item for discussion/approval:** Stateline Quote for email & internet service
Village President Nelson suggested that this item be tabled as a quote was not received in time for the meeting packet. This item will be on the next meeting agenda. President Nelson stated that new email service was needed in order to be compliant with State requirements regarding archiving and records retention. She also stated that the internet speed at the Village Hall is hindering the ability of staff and police to perform routine tasks. Trustee Manivong will look into the internet speed.

° **Agenda item for discussion/approval:** Village Hall Roof
Village President Nelson stated that the roof over the Police Department is starting to lift and will need to be repaired.

° **Agenda item for discussion/approval:** Planning Commission Agenda Recommendations
Village President Nelson stated that she is looking for suggestions for items for the Planning Commission and asked Trustees for input. Trustee Constant suggested having them look at the Comprehensive Plan. He suggested that Planning Commission Chairman Russ Kula could ask about this at the next Regional Planning Commission meeting.

° **Agenda item for discussion/approval:** ADS Alarm Call (Alarm not set)
Village President Nelson stated that she had received a call over the weekend from ADS stating that the alarm had not been sent. There is a built in fail safe mechanism that alerts ADS after a certain time of day (evening) if the alarm is not activated. She reminded everyone that comes into the Village Hall after hours to be sure to set the alarm when they leave.

° **Agenda item for discussion:** Water Rate Increase
Village President Nelson stated that the water rate increase will be in effect on the next water bill. There will be an insert with a brief explanation included in the bill. There will also be the notification in the message center section of the bill regarding the availability of the consumer confidence report. Discussion followed regarding monthly payment plan options, late notices and liens. Trustee Constant stated that he is working with the auditors regarding writing off uncollected past due amounts.

° **Agenda item for discussion/approval:** Ordinance Violations – Code Enforcement

Village President Nelson stated that there are a lot of homes in town that are in need of repairs. Royal Estates and Harvesting Our Future are trying to make the town more vibrant and we need this to happen to help attract new residents. She would like to look into hiring a part-time code enforcer and get the fines up to speed. Trustee Nier stated that he'd like to put something in the water bills regarding taking pride in Hinckley. Trustee Sellers suggested having existing employees, such as public works personnel, perform the code enforcement role. Discussion followed regarding out of date ordinances, cost associated with enforcement and a clearly defined task list for the "enforcer." Trustee Riforgiate stated that the property maintenance ordinance needs to be enforced, including administrative hearings.

President Nelson stated that Corina Boyle started today and will work full eight hour days for the first week to shadow Daniel and Rita.

Committee Reports

° **Personnel**

No report.

° **Finance & Economic Development**

Trustee Constant stated that he and Treasurer Maroo had met with Lauterbach and Amen to discuss preliminary field work dates.

° **Public Safety**

° **Agenda item for discussion/approval:** Tornado Siren Maintenance & Repair – Not to Exceed \$800.00

Joe Moore stated that the repairs have already been made and he does not have a final price yet. Trustee Nier moved to approve the repair expense, not to exceed \$800.00, and Trustee Riforgiate seconded the motion. Roll Call Vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

° **Agenda item for discussion/approval:** GovBid Crown Victoria Auction

President Nelson stated that there were no bids received for the auction. She stated that it was listed as "for police departments only" and that it should be made available to all purchasers. She suggested keeping the reserve as is. Trustee Nier stated that the vehicle has already been stripped of all of the police equipment. President Nelson stated that the back seat is plastic and that a cloth seat was not present when the vehicle was purchased, used. Consensus agreement to relist the vehicle available to all bidders.

° **Streets & Alleys**

° **Agenda item for discussion/approval:** Route 30 Funding Resolution

Chris Ott (EEI) stated that the Resolution to fund the Route 30 improvements needed to be passed. Trustee Sellers moved to approve the Route 30 Funding Resolution as presented and Trustee Manivong seconded the motion. Roll Call Vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

° **Agenda item for discussion/approval:** Hinckley 2018 MFT (18-00000-00-GM) - Pay Estimate #1

Chris Ott stated that, as a standard practice, 10% is being withheld until the final paperwork is received from IDOT. Trustee Sellers moved to approve the 2018 MFT Pay Estimate #1 and Trustee Nier seconded the motion. Roll Call Vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

° **Agenda item for discussion/approval:** US Route 30 Improvements Sign Quote for Sycamore Street/Route 30

Chris Ott stated that this quote is for (2) crosswalk signs for the intersection at Route 30 and Sycamore Street. He said that there will be (4) push buttons and that a permit from the State will be required. MFT money cannot be used for this purchase. Trustee Constant moved to approve the purchase of (2) crosswalk signs, not to exceed \$7539.84 and Trustee Manivong seconded the motion. Roll Call Vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Nay, Constant-Aye. Motion carried.

° **Agenda item for discussion/approval:** EEI Land Surveying Services - Not to Exceed \$2000.00

Chris Ott stated that this is for services required to obtain construction easements at the southwest corner of Wahlgren Avenue and US Route 30 and the northeast corner of Maple Street and US Route 30. Trustee Sellers moved to approve the land surveying services, not to exceed \$2000.00, and Trustee Constant seconded the motion. Roll Call Vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

° **Agenda item for discussion/approval:** Small Garbage Dumpster for Village Hall

Trustee Sellers stated that the Village Hall will be getting a small dumpster. Joe Moore said he had already contacted DC Trash regarding the need for a small dumpster because the lids on the wheeled totes blow open.

° **Agenda item for discussion/approval:** Spring 2019 Street Sweeping – Not to Exceed \$1800.00

Trustee Sellers suggested using CodeRed to inform residents ahead of time so that cars can be moved off the streets. Trustee Sellers moved to approve the Spring 2019 Street Sweeping, not to exceed \$1800.00 and Trustee Nier seconded the motion. Roll Call Vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

° **Agenda item for discussion/approval:** F450 Failed Safety Check

Joe Moore stated that the F450 failed the most recent safety check. He stated that funds need to be appropriated in order to have a replacement in time for leaf pick up in the fall. Trustee Sellers suggested listing it for auction and asking for a surplus property ordinance.

Trustee Manivong left the meeting at 9:15pm.

° **Water & Sewer**

° **Agenda item for discussion/approval:** Televiser Route 30 Sanitary Cross-Overs & Flush Sludge Line at WWTF - Not to Exceed \$5800.00

Trustee Nier stated that the cross-overs and sludge lines need to be televised and flushed. This work needs to be done prior to the Route 30 asphalt work. Trustee Nier moved to televise Route 30 cross overs and flush sludge lines at the WWTF, not to exceed \$5800.00 and Trustee Sellers seconded the motion. Roll Call Vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

Trustee Nier stated that the RFP for Utility Privatization had been published in the Chronicle and that the responses are due before 05-10-19. The bid opening will be on 05-10-19 at 11am. Trustee Nier asked Clerk Losiniecki to post the RFP on the website.

° **Buildings, Grounds & Parks**

President Nelson stated that Thorps had agreed to accept the mowing contract extension

Public Comment:

Larry Menz stated that the reserve on the auction for the white squad car is too high and that the repair bill should not be shown in the auction listing. He also stated that the DeKalb County Health Department guidelines state that the port-o-potty should be behind the trailer otherwise people are going to think it's for public use. Mr. Menz also inquired regarding the salary for the new Police Chief.

Village President Nelson stated that the Chief's salary will be the same as Chief Waitkus. Mr. Menz asked what the salary will be for the new office employee and Nelson stated \$16.00 per hour.

Open Discussion:

Village President Nelson stated that a lawsuit from a former employee had been dismissed at the federal level but could be appealed to the State level.

ADJOURNMENT

Motion: Trustee Nier moved to adjourn the meeting at 9:25 PM. Trustee Riforgiate seconded the motion. Voice Vote: All members voted yes. Motion carried.

The next Regular Meeting of the Village Board is scheduled for April 29, 2019.

Nancy Nelson, Village President

Elizabeth Losiniecki, Village Clerk