

VILLAGE OF HINCKLEY
REGULAR BOARD MEETING - MINUTES
April 29, 2019

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

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

Absent: None.

Also Present: Village Clerk Elizabeth Losiniecki, Police Chief Ken Gettemy, Treasurer Dave Maroo, Dale Youngers (TEST), Chris Ott (EEI), Kari Schaddelee (Parks & Recreation), Attorneys Gibbons and Szeto, 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:** 04/08/19 Regular Board Meeting Minutes
Trustee Nier moved to approve the 04/08/19 Regular Board Meeting minutes 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:** Payment of Invoices Due
Trustee Nier pointed out that the invoice for hauling sludge is in the packet and the annual savings are quite significant. Trustee Manivong moved to approve the invoices as presented, and Trustee Nier 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:** Gary Michaels Commendation
Chief of Police Ken Gettemy read a prepared statement regarding exemplary police detective work performed by Officer Gary Michaels during a recent burglary investigation. Officer Michaels' efforts contributed to the arrest of the suspect. Chief Gettemy presented Officer Michaels with a certificate of commendation.
- **Agenda item for discussion:** Resignation
President Nelson stated that Corina Boyle, recently hired to work in the Village Hall, resigned.
- **Agenda item for discussion:** Audit
President Nelson stated that the audit will begin on April 30, 2019.
- **Agenda item for discussion:** Pesticide Training
President Nelson stated that Joe Moore had successfully completed the pesticide operator and applicator training. Ceneca Wagner will be scheduled for applicator training in the near future.
- **Agenda item for discussion/approval:** Stateline quote for email & internet service
President Nelson asked the Trustees to review the quote included in the meeting packet. This will be on a future agenda for approval. She stated that she and Trustee Constant are going to meet with Stateline to get an understanding of what is needed to bring the office equipment into the 21st

century. She stated that the current voice and data services and equipment are non-compliant with government requirements. Trustee Sellers asked if Stateline can offer an explanation of the equipment and expenses already incurred.

- **Agenda item for discussion/approval:** Mediacom Contract

President Nelson stated that the internet service for the Village Hall is very slow and needs to be upgraded. She stated that Trustee Manivong is looking into options.

President Nelson stated that, due to the recent heavy rains, the WWTP was put into by-pass mode. Trustee Nier stated that the plant is still operational but is diverting some of the excess flow to try to preserve the biologics. This is a standard procedure during heavy rain events and the EPA was notified within the required timeframe. Therefore, this will not result in a citation from the EPA. Trustee Nier also stated that a lot of the excess flow is a result of residents that have their sump pumps illegally connected to the sanitary sewer lines.

President Nelson stated that Joe Moore is out on jury duty.

President Nelson reminded Trustees that they need to complete the annual open meetings act and freedom of information act training. She also congratulated the newly elected trustees.

REPORTS OF OFFICERS, TRUSTEES AND DEPARTMENT HEADS AND ACTION ITEMS

- **Treasurer's Report**

Treasurer Maroo presented the monthly report and reviewed the general finances.

- **Attorney's Report**

Attorney Gibbons stated that she is waiting for a list of surplus property from the public works department for the surplus property ordinance and is also working on the business license ordinance. Both of these will be on the next meeting agenda. Trustee Constant asked why we are doing this and President Nelson replied that the Village needs to know what businesses are in town. Trustee Sellers asked if this would include home based businesses and what the fee would be. Attorney Gibbons stated that there would not be a registration fee. Trustee Sellers asked about enforcement and President Nelson said that the details would be worked out at a later date.

- **Engineer's Report**

Chris Ott stated that he is working on permits for the flashing signs at the intersection of Route 30 and Sycamore Street. He is closing out the MFT paperwork and will need final financial information from Joe Moore. Mr. Ott is working with the local roads engineer for MFT allocation. The school district has gone out to bid for a new ball field.

- **Chief of Police**

Chief Gettemy stated the following:

- The golf cart ordinance needs some minor changes to the language regarding the permit duration. He suggested an annual permit good from May 1 through April 30, annually.
- He has been approached by the National Child Safety Council. They want to solicit for donations from local businesses. This was approved by the previous Chief but he would like to get approval from the Board. Consensus agreement to approve.
- The new radios would be in service around mid-May and would require a one hour training session for all officers.
- The Humvee has been properly transferred and is being returned to Great Lakes.
- LEADS audit is underway, which allows the department access to state computer systems for arrest records and drivers licenses.

- **Parks & Recreation**

Kari Schaddellee stated that this had been a big month for Parks and Rec and that all programs are making money. She stated that the program was able to donate \$70.00 to the elementary school playground fund. Safety Village, babysitting clinic and weaving are some of the upcoming programs. She also stated that she had met with representatives from Waterman and that they will publicize the Hinckley Park Program events. Trustees Constant and Sellers complimented Ms. Schaddellee on her financial reporting and asked that she continue to provide that information in the future.

- **Water & Sewer**

Dale Youngers commented regarding the by-pass situation at the WWTP. He stated that one million gallons had been processed just today and that 200 thousand had been by-passed. This could lead to some bad sample results. Mr. Youngers also said that the Village should consider putting money into the budget to upgrade the lift station pumps. There are two pumps at each lift station with pieces and parts missing. This is a bad situation and the pumps need to be replaced. Trustee Nier asked the age of the pumps and Mr. Youngers stated that they are over 14 years old. Discussion followed regarding an equipment replacement list. Trustee Nier stated that the list is being developed and will be shared with Mr. Youngers and Joe Moore. Trustee Manivong asked if there could be an open house and/or tours for the public to see how the water is processed and Mr. Youngers said yes.

- **Public Works**

Joe Moore not present due to jury duty.

Agenda deviation so Dale Youngers can return to WWTP:

- (• **Water & Sewer Committee)**

- ° **Agenda item for discussion/approval:** Rush Power Systems WWTP & lift station emergency generator annual maintenance – NTE \$1874.17

Trustee Sellers asked how many hours the pumps had been used since the last maintenance and Mr. Youngers said not many but that this is annual maintenance and includes complete diagnostics. Discussion followed regarding the critical nature of the pumps and the need to keep them in good working order. Trustee Sellers indicated that he felt the expense was excessive. Trustee Nier moved to approve the Rush Power Systems WWTP & lift station emergency generator annual maintenance minus tax – NTE \$1874.17 and Trustee Manivong seconded the motion. Roll call vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Nay, Constant-Aye. Motion carried.

- **Village Clerk**

Village Clerk Losiniecki stated that all of the usual activities were occurring in the office, including personnel related items like setting up the ICMA retirement fund for new employees, and IMRF and BCBS health care coverage enrollment. A few freedom of information act requests had also been processed. Trustee Nier thanked the Clerk's office and stated that they had been very helpful in pulling together necessary documents and information for the companies interested in bidding on the utility privatization.

Trustee Sellers stated that he had received several questions from residents regarding the new water rates not being pro-rated to April 1, 2019 and being applied to the entire billing cycle. Trustee Constant stated that the rate increases have always been retroactive to the beginning of the billing cycle. Discussion followed regarding the wording used in the mailer. Trustee Sellers asked for the record to reflect his opinion that residents were overcharged and that the new rates should have only been applied to usage from April 1 through the end of the billing cycle.

COMMITTEE REPORTS

- **Personnel**

No report.

- **Harvesting our Future**

- **Agenda item for discussion:** Mural Project

Danielle Marion reported that the mural project is working on a contract with the artist. Strypes and More will be donating space. They are working on a contract for the building owner and a waiver for the volunteers to sign. There will be a meeting to begin deciding what the mural will depict. They will need a sign permit for the mural. President Nelson stated that all contracts need to be reviewed by the attorneys and that a certificate of insurance will be required. Trustee Constant stated that some of the work will be done by volunteers and some will be contracted out. There was additional discussion regarding building inspections and Trustee Riforgiate stated that it will all fall under the sign permit.

- **Agenda item for discussion/approval:** Website Contract – OC Creative

Joan Umano stated that the Harvesting Our Future (HoF) committee is seeking approval of the contract for the community website that will advertise local organizations, businesses and events. This contract will be funded by the grant from DeKalb County Economic Development Corporation (DCEDC). Discussion followed regarding the terms of the contract, including recurring expenses.

Ms. Umano stated that after the grant funds are used up, the committee will pursue fundraising to cover future annual fees. She stated that the website will be maintained by the HoF committee, not Village employees. President Nelson questioned the legality of a non-village employee managing a Village funded website and/or providing oversight. Ms. Umano stated that all posting would be sent through the Village for approval and Attorney Szeto stated that the Village has to have oversight until the HoF separates from the Village. Treasurer Maroo stated that there is no assignment clause in the contract. Discussion followed and Trustee Constant suggested putting the existing contract in place and renegotiating as necessary. Treasurer Maroo reiterated that an assignment clause was needed. Trustee Constant moved to approve the contract with OC Creative with the addition of an assignment clause and Trustee Manivong seconded the motion. Roll call vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

- **Finance & Economic Development**

- **Agenda item for discussion/approval:** Utility Bill Payment Plan Option

Trustee Constant stated that the committee had met last week to discuss the possibility of budget plans/payment plans for residents for their utility bills. They will investigate what the options are with MSI.

- **Agenda item for discussion/approval:** Purchasing and Bidding Procedures

Trustee Constant stated that he had put together a purchasing and bidding policy guide for review by the finance committee. Appendix A of the policy was added due to a recently passed procedural change. Attorney Gibbons stated that she had not reviewed the policy and Attorney Szeto asked to look at a copy for review. Treasurer Maroo provided a copy to Szeto. Trustee Constant stated that this is just a policy/procedure item and moved to approve the Purchasing and Bidding procedure draft dated 04-22-19. Trustee Nier seconded the motion. Roll call vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

- **Public Safety**

- **Agenda item for discussion/approval:** Review of current zoning ordinance #2009-03 by T.P.I. – not to exceed \$1,500.00

Trustee Riforgiate stated that he would like to have T.P.I. review the current zoning ordinance #2009-03 to resolve discrepancies and conflicting language as partially identified by the previous

building inspection company, Safebuilt. He suggested that T.P.I. perform this review and update, not to exceed \$1500.00. Trustee Sellers asked how this relates to Municode and Trustee Riforgiate stated that these updates would need to be sent to Municode for codification. Attorney Szeto stated that the amendments to the zoning ordinance would have to go through the Zoning Board of Appeals and will require a public hearing, with the proper notification. Attorney Szeto also stated that Trustee Riforgiate should not make the motion, second the motion or vote on this issue, due to his affiliation with T.P.I. Trustee Manivong moved to approve the review of ordinance #2009-03 by T.P.I., not to exceed \$1500.00 and Trustee Sellers seconded the motion. Roll call vote: Riforgiate-Abstain, Manivong-Aye, Nier-Nay, Sellers-Aye, Constant-Aye, Nelson-Aye. Motion carried.

- **Streets & Alleys**

- **Agenda item for discussion/approval:** Route 30 Improvements Funding Agreement
Chris Ott (EEI) stated that this is the final set of documents for approval for the Route 30 work. The final dollar amount will be dependent on actual bid responses and work performed, including engineering services and additional paving on Wahlgren and Maple Streets. He will need someone from the Village to pursue discussions with the landowners for fee negotiation. The survey results should be in by the end of the week. Trustee Sellers moved to approve the funding agreement as presented and Trustee Constant seconded the motion. Roll call vote: Riforgiate-Aye, Manivong-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

- **Buildings, Grounds & Parks**

Trustee Sellers stated that DC Trash was inquiring about future events. He will forward the email to Joan Umano. Mr. Sellers also stated that he was not happy with the results of the street sweeping and would be providing feedback to the municipal manager at DC Trash.

- **Water & Sewer Committee**

Trustee Nier stated that responses to the RFP for utility privatization are due by 05/10/19. The opening will be at 11:00 the same day. There will be a committee meeting (sometime after May 20th) to review the responses. All are invited to the meeting.

Trustee Sellers asked if the committee and/or Village President could please review the newly approved water rate ordinance to be sure that the increase was handled properly. Attorney Szeto stated that the intent was to have the new rates applied to the April, 2019 billing but the wording of the notice did not match the intent. He suggested tweaking the language and sending out a new notice to residents. Trustee Constant stated that the rate increase was implemented as the Board of Trustees intended. President Nelson stated that a clarification will be issued.

PUBLIC COMMENT

Joan Umano introduced herself to Chief Gettemy and stated that she is with the Hinckley Fireworks Festival. The fireworks will be held on June 29, 2019, beginning at 4:00 pm. She will seek assistance from Chief Gettemy for the bike parade and traffic and crowd control. She asked if food trucks on school property are required to get a permit from the Village and Trustee Riforgiate stated that the regional board of education is responsible for zoning permits on school property.

Resident Larry Menz stated that all of the conversations at previous board meetings regarding a rate increase referred to the increase being effective on the next bill, not a specific date. He also stated that the debt service fee is not in the ordinance as annually increasing, only the water rate is shown with annual increases.

OPEN DISCUSSION

None.

ADJOURMENT

Motion: Trustee Nier moved to adjourn the meeting at 9:04 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 May 13, 2019.

Nancy Nelson, Village President

Elizabeth Losiniecki, Village Clerk