

VILLAGE OF HINCKLEY
REGULAR BOARD MEETING - MINUTES
May 28, 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, and Chuck Riforgiate. Quorum Established.

Absent: Lou Manivong.

Also Present: Village Clerk Elizabeth Losiniecki, Police Chief Ken Gettemy, Kari Schaddelee, Chris Ott (EEI), 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

Larry Menz inquired regarding resolution number 2019-04 authorizing the Village President to sign an engagement agreement with Schrempf, Kelly and Napp. He wanted to know why the village is hiring these attorneys if we're not going forward with the privatization of the water utility. He also questioned the agenda item for the new truck for leaf pick up and stated that the village cannot keep spending money. He asked why there have not been any committee meetings to discuss these things and stated that the agenda item for the truck should have had a price associated with it. He then questioned the agenda item for the water rate increase and stated that it should not be effective January 1, rather the first quarter billing cycle. Trustee Nier stated that the agenda will be corrected with a motion before the vote.

Trustee Nier moved to amend the agenda to reflect the following: Ordinance No. 2019-08 – Amending Water and Sewer Rates to Reflect an Effective Date of the first calendar quarter of each year. Trustee Sellers seconded the motion. Roll Call Vote: Riforgiate-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

GENERAL BUSINESS

- **Agenda item for discussion/approval:** 05/13/19 Regular Board Meeting Minutes
Trustee Constant requested that the second item under water/sewer be changed to read “RFP” rather than “agreement”. Trustee Sellers requested that the first item under streets and alleys be changed to read, “Trustee Sellers stated that Joe Moore indicated that...”
Trustee Nier moved to approve the 05/13/19 meeting minutes, with changes requested, and Trustee Sellers seconded the motion. Roll Call Vote: Riforgiate-Abstain, Nier-Aye, Sellers-Aye, Constant-Aye, Nelson-Aye. Motion carried.
- **Agenda item for discussion/approval:** 05/20/19 Committee of the Whole Meeting Minutes
Trustee Nier moved to approve the 05/20/19 Committee of the Whole Meeting minutes and Trustee Sellers seconded the motion. Roll call vote: Nier-Aye, Sellers-Aye, Constant-Aye, Nelson-Aye. Motion carried.

- **Agenda item for discussion/approval:** Payment of Invoices Due
Trustee Sellers moved to approve the invoices as presented and Trustee Constant seconded the motion. Roll Call Vote: Nier-Aye, Sellers-Aye, Constant-Aye, Nelson-Aye. Motion carried.

PRESIDENT'S REPORT

President Nelson swore in Chuck Riforgiate as Village Trustee.

- **Agenda item for discussion/approval:** Resolution 2019-04 Authorizing the Village President to Sign Engagement Agreement with Schrempf, Kelly, and Napp
Attorney Gibbons stated that the Board of Trustees (BoT) had already voted to retain this law firm for utility privatization guidance and that this resolution is a formality for clarification. Trustee Nier moved to approve Resolution No. 2019-04 and Trustee Sellers asked what happens if no one seconds the motion. Trustee Constant asked what happens if the resolution is not approved. Attorneys Szeto and Gibbons explained that this is a "housekeeping" matter that needs to be formalized by resolution. The Village needs the proper paperwork to show that the law firm was hired properly. Trustee Nier stated that the village had already used their services. Trustee Nier moved, again, to approve Resolution 2019-04 and Trustee Riforgiate seconded the motion. Roll call vote: Riforgiate-Aye, Nier-Aye, Sellers-Nay, Constant-Nay, Nelson-Aye. Motion failed.

- **Agenda item for discussion:** Resolution 2019-05 Approving Formal Rejection of Illinois American Water's Bid Proposal for Purchase of Village of Hinckley Water and Wastewater System

President Nelson asked if there was agreement to reject the bid from Illinois American Water (IAW). Trustee Sellers stated that he wanted to discuss this prior to spending money on appraisals. He stated that changes need to be made and that the status quo cannot continue. Trustee Nier stated that he had received a list of needed repairs/replacements for the water treatment facilities that included the following:

- Lift stations
- Generator for Water Treatment Plant
- Repair/replace leaking pipes/mains
- Wastewater treatment plant clarifier
- Well 4 rehabilitation

The estimated cost for repair/replacement of the items listed totals \$1.5M over the next 5-6 years.

Mr. Nier stated that there are always new needs arising and that higher water rates are coming either way. He stated that the Village should consider appraising the properties (approximately \$20K) to be sure that the Illinois American Water offer is fair. He also suggested the possibility of doing a rate study.

Trustee Constant stated that it was too late in the game to do appraisals and that this step should have been taken prior to issuing the request for proposal. He stated that he had already spoken to a consultant regarding rate studies and that he had provided the information in February. He stated that he was disappointed that the village only received one bid and that he felt that IAW had made a weak presentation and that they were ill prepared for the Committee

of the Whole (COTW) meeting. He stated that, to date, there had been no response from IAW addressing all of the questions that were posed during the COTW meeting. Trustee Nier stated that he had not heard anything from IAW but he had received a call from Aqua, Inc, who was upset that they had not been notified about the request for proposal. Nier stated that Attorney Schrempf had not reached out to any other companies to notify them of the opportunity to bid. Trustee Constant expressed concern that Mr. Schrempf had not performed that service.

Trustee Riforgiate stated that the BoT had gotten a good sampling of opinions from the village residents and that they are not in favor of moving forward with the sale. He stated that it is difficult to make a decision of facts when so many questions remain unanswered and that it is important to make decisions on fact, not emotion. He said that the residents need to understand what financial commitments are needed to keep the water utility under the control of the Village. There is a lot of infrastructure investment needed to bring the system up to date. He stated that the residents say they are willing to bear the financial burden in order to keep the water utility under village control and that his concerns are accurately reflected in the 05-20-19 COTW minutes.

Trustee Sellers stated that it would be nice to wash our hands of this mess and that the 100 people who showed up for the 05-20-19 meeting all said no to the sale.

Riforgiate stated that the Village needs to present to the residents and accurate assessment of the investment necessary to repair the water infrastructure.

President Nelson stated that if the BoT votes no tonight, they can always revisit the possibility in the future.

Trustee Sellers stated that not too long ago there was a problem with the parks program and the police department. Changes were made and now both are doing fantastic. He suggested that maybe the same can be true for the water utility.

Trustee Constant stated that this is daunting, financially and that actions have to be taken to solidify our finances. He stated that the debt service deficit has been addressed with the recent rate increase and that the 1% sales tax increase for the water tower repairs will have accumulated for approximately two years by the time the repairs take place.

Trustee Nier stated that the regeneration media at the water treatment facility will also have to be replaced in the next 8-10 years, at a cost of approximately \$124K. Trustee Riforgiate asked Trustee Nier to have the water/sewer committee prepare an itemized report that depicts cost projections to repair/maintain the water/sewer infrastructure.

Trustee Sellers moved to approve Resolution 2019-05 Approving Formal Rejection of Illinois American Water's Bid Proposal for Purchase of Village of Hinckley Water and Wastewater System. Trustee Riforgiate seconded the motion. Roll call vote: Riforgiate-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

Trustee Nier asked who would inform Illinois American Water of the decision and President Nelson stated that the Village Clerk would do so, per the resolution.

- **Agenda item for discussion:** Tree City Presentation

President Nelson stated that the Village had received a plaque, flag and two road signs in recognition of our Tree City certification. President Nelson thanked the Planning Commission for their efforts to get the Village certified with Tree City.

- **Agenda item for discussion/approval:** Ordinance 2019-09 Amending Village Hall Business Hours effective 06/03/19

President Nelson stated that office staff is now available for full time office coverage Monday through Friday. Trustee Nier moved to approve Ordinance 2019-09, effective June 3, 2019, and Trustee Riforgiate seconded the motion. Roll call vote: Riforgiate-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

- **Agenda item for discussion/approval:** Impose Fee for Solicitor's Permit

Police Chief Gettemy stated there is currently no fee required for solicitor's permits. However, a background check is required for all applicants and that the time and effort involved costs the village money that should be recouped. He gave examples of what other municipalities charge and what is included in the fee (i.e. name badges, bright vests). Discussion followed regarding not for profits (girl scouts) and Attorney Szeto stated that most towns exempt girl scouts and boy scouts. Trustee Sellers suggested a \$35.00 fee and Trustee Nier stated that was too low. Trustee Nier suggested \$50.00 and President Nelson stated that this needs to be done to try to discourage "riff raff" from going door to door. Trustee Nier moved to impose a \$50.00 solicitor permit fee, effective immediately, for a one year permit and Trustee Sellers seconded the motion. Trustee Constant stated that he felt that the fee should be \$100.00. Chief Gettemy stated that there should be a deposit for the safety vest. Attorney Szeto suggested that Mr. Riforgiate could amend his motion, if so desired, based on the discussion. Trustee Riforgiate moved to amend his underlying motion of \$50.00 for a solicitor's permit fee to \$100.00 for a solicitor's permit fee. Trustee Constant seconded the motion. Voice vote: all in favor. Motion carried.

Village President Nelson read a letter from a prospective home buyer regarding the slaughtering of a pig over the weekend that caused the potential buy emotional distress. There was a brief discussion regarding the legality of that activity within Village limits.

REPORTS OF OFFICERS, TRUSTEES AND DEPARTMENT HEADS AND ACTION ITEMS

- **Treasurer's Report**

Treasurer Maroo presented the monthly report and reviewed the general finances. He stated that the audit has started and that the auditors would be in the office all week. He stated that the village is moving to an accrual basis and that the audit statement will look different going forward. He also stated that the increase in the debt service fee should take care of the negative debt service account. Trustee Riforgiate stated that this seems to reflect significant financial improvement and Trustee Constant said that the right steps are being taken. Trustee Sellers asked Maroo if he was going to give the, "curb expenses speech" and Treasure Maroo responded by saying that the BoT should have spent the money to purchase new pumps for

the lift stations rather than repair them. He said that the Village has capital improvement funds for those expenditures. He also stated that the potential sale of the water utility was not because the Village is broke, the Village is *not* broke. It's important for residents to understand that their bills will go up. An additional \$45.00 per month, per resident will be needed to get the equivalent of what IAW offered. Trustee Constant stated that previous administrations/boards had very little understanding of the Village finances and that is not the case now. He asked that the BoT continue to spend the resident's money responsibly.

- **Attorney's Report**

Attorney Gibbons stated that she is working on the solicitor's fee amendment for the ordinance. Trustee Constant asked about Open Meetings Act training and Attorney Gibbons stated that she had consulted with the Attorney General's office regarding the requirements. Newly elected officials need to take the training, even if they've taken it before. Trustee Constant stated that that is not what the Attorney General's website says.

- **Engineer's Report**

- **Agenda item for discussion/approval:** Pay Estimate #2 and Final for the 2018 MFT Road Program

Chris Ott stated that final pay estimate #2 for \$7811.14 needs to be approved. Trustee Sellers moved to approve pay estimate #2 and final for the 2018 MFT road program and Trustee Constant seconded the motion. Roll call vote: Riforgiate-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried. Mr. Ott stated that he is still working on the easements that should be signed this week and that the sign permit was submitted to the State.

- **Chief of Police**

Chief Gettemy stated that he attended training in Springfield last week for new police chiefs. He stated that the leads audit was done and passed, which is good for two years. Chief Gettemy apologized for the confusion with the extra code red message that went out after the 05/20/19 COTW meeting. Trustee Sellers asked about the status of the white squad car and Chief Gettemy stated that he does not think that the head gasket is bad and he is going to have someone else look at it.

- **Parks & Recreation**

Kari Schaddelee provided a summary of programs and discussed a problem she is having with the air conditioning at the community building. This issue is causing the parks program to not be able to use the facility for Zumba and yoga due to high temperatures in the room. If a resolution cannot be reached she will need to find a permanent alternate location. She is looking into other locations and will continue to use the Village Hall, if necessary. She stated that safety village and the decorated bike parade are coming up. The Hinckley Fireworks Association is donating a portion of their proceeds to the Hinckley Parks & Recreation program. There is an open seat on the Parks Advisory Board. This position is open to any resident within 1.5 miles of the Village. She is looking into offering an event geared more toward adults, like a pub crawl. The 5K run/walk will be held on October 26, in conjunction with the Royal Warrior Challenge.

- **Water & Sewer**

Dale Youngers was not present. Trustee Nier stated there was an issue at the lift station last night and parts had to be purchased.

- **Public Works**

Joe Moore was not present.

- **Village Clerk**

Village Clerk Losiniecki stated that ComEd had asked her to attend a Joint Operation Command meeting that simulated a disaster in the county. It was a good exercise because this was the first ComEd attempt to get municipalities to use their municipal portal for disaster events. Losiniecki was asked to participate because of her previous work experience.

COMMITTEE REPORTS

- **Personnel**

Trustee Constant stated that the employee health insurance is up for renewal and that there is a 9% increase in the premium. A decision needs to be made by the end of June and a Personnel Committee meeting will be held on June 10, 2019 at 6:00pm. He asked to have this added as an agenda item for the 06/10/19 Regular Board Meeting.

- **Harvesting our Future**

Trustee Constant stated that the website work is underway and that contract language is being developed for the murals. He will report more on this topic at the next board meeting.

- **Finance & Economic Development**

Trustee Constant stated that he and Trustee Manivong had met with Stateline to discuss the IT infrastructure. Trustee Manivong will be putting the information together. Mr. Constant stated that he had requested feedback (by 05/24/19) from department heads regarding “extraordinary expenses not a part of normal operating expenditures” for the appropriations ordinance and had received replies from Trustee Manivong, Dale Youngers and Joe Moore.

- **Public Safety**

- **Agenda item for discussion/approval:** Ordinance 2019-07 Amending Article VI Golf Carts Section 82-153 Permits of the Village of Hinckley Code of Ordinances

Trustee Riforgiate stated that this ordinance amends the time period for golf cart permits to be effective from May, 1st to April 30th (of the year in which they were issued). Trustee Riforgiate moved to approve Ordinance 2019-07 and Trustee Sellers seconded the motion. Roll call vote: Riforgiate-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

Trustee Nier asked what the penalty is for people driving un-permitted golf carts on the roads and Trustee Sellers specified juveniles. Chief Gettemy stated that the police are aware of this issue and have already issued a warning. He also stated that after two offenses, the person will lose the privilege for one year. Chief Gettemy stated that there is no fine stated in the ordinance and that the warning was issued over a week ago. Trustees Sellers and Nier stated that the juvenile was seen driving the golf cart on the roads over the weekend.

- **Streets & Alleys**

- **Agenda item for discussion/approval:** Leaf Pick-up/Truck Replacement

Trustee Sellers stated that the F450 didn't pass the safety check. He stated that Joe Moore had gotten quotes for a new truck. The quotes range from \$79,300 - \$96,800. Trustee Sellers stated

that Joe Moore said that the Village will need a truck for leaf pick-up this fall and that a rental truck is not possible because of the damage the leaves cause to the vehicle. Trustee Sellers asked if the F450 could still be used for leaf pick-up only and Chief Gettemy said no. The streets are public roadways that require a valid registration. Mr. Sellers stated that the L8000 is also old and in need of repairs. Trustee Sellers stated that the Public Works department has two employees and two new trucks, with payments, and that neither can be used for leaf pick-up. He stated that the Silverado is used as a back-up snow plow truck.

Trustee Constant stated that there are seven more payments on the Silverado and that if the Village does not purchase a new truck, Joe Moore advised that there will be no leaf pick-up and only one salt spreader. Brush pick-up will also be more difficult. Trustee Sellers suggested putting a “drop-in” salt spreader in the back of the Silverado. He also questioned contracting out the excavation work when there are water main leaks and suggested that the Village purchase their own equipment and do the work themselves. He stated that Joe Moore said that public works cannot excavate with only two employees, however Sellers had seen four village employees watching the contractor excavate. He stated that, “we’ve got to get someone to come in and run this place.”

Attorney Gibbons stated that the BoT could not make a motion on this item. She stated that they need to review the quotes provided in the packet and then pick one to select and make a motion on that.

Trustee Sellers stated that leaf pick-up was declared a core service last fall and that there is no equipment to provide the service. Trustee Constant stated that when the vote was taken last fall regarding leaf pick-up, it was because money had already been spent to repair the leaf vacuum. That vote was with the understanding that there would be no more equipment expenses.

Trustee Nier stated that Joe Moore does not want to use the L8000 for leaf pick-up because it’s a larger truck and more difficult to maneuver on dead ends. Trustee Sellers stated that we need to find a way to use the equipment we have. He asked if the Village plans to do leaf pick-up and if it will be with the existing equipment. Trustee Constant asked Trustee Sellers to check into the price of a salt spreader and Trustee Riforgiate asked for a committee level assessment of the options available. He would like more information from public works. Mr. Sellers stated that he would come up with a new leaf plan using the existing trucks and will also come up with a snow plan.

Village President Nelson stated that the Village owns lawnmowers that are being stored at the Hinckley Fire Department. She suggested having the public works department do the mowing and do snow removal on the downtown sidewalks in the business district. She stated that there were a lot of complaints last winter about the lack of shoveling downtown.

- **Water & Sewer Committee**

- **Agenda item for discussion/approval:** Ordinance 2019-08 – Amending Water and Sewer Rates to Reflect an Effective Date of January 1 Each Year

Trustee Nier stated that this ordinance amends the effective date of the rate increase to the first quarter calendar year billing cycle. Trustee Constant stated that the ordinance needs to be amended to specify calendar year. Trustee Nier moved to approve Ordinance 2019-08 and Trustee Riforgiate seconded the motion. Roll call vote: Riforgiate-Aye, Nier-Aye, Sellers-Aye, Constant-Aye. Motion carried.

• **Buildings, Grounds & Parks**

No report.

PUBLIC COMMENT

Resident Steve Krietzer thanked the BoT for voting down the sale of the water utility. He stated that he is in support of the extra \$45.00 per month to keep it within Village control. He asked the BoT to be open and communicate with residents to keep them informed.

Resident Larry Menz questioned the language for the effective date of the rate increase and President Nelson clarified that the annual rate increases will effective with the first billing cycle each year. Mr. Menz also stated that the Village has a Kubota that used to be used for snow removal on downtown sidewalks. He referenced the 2008 minutes and also stated that the Village has a skid steer.

OPEN DISCUSSION

Village President Nelson stated that she was disappointed with the turn out for the Memorial Day service.

ADJOURMENT

Motion: Trustee Nier moved to adjourn the meeting at 9:20 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 June 10, 2019.

Nancy Nelson, Village President

Elizabeth Losiniecki, Village Clerk