

VILLAGE OF HINCKLEY
REGULAR BOARD MEETING - MINUTES
August 26, 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 Christine Clark, Lou Manivong, Jeff Nier, Rob Zimmermann, and Mike Constant. Quorum Established.

Absent: Trustee Riforgiate.

Also Present: Village Clerk Elizabeth Losiniecki, Kari Schaddelee, Chris Ott (EEI), Attorneys Gibbons and Szeto, Dale Youngers, Joe Moore, Treasurer Dave Maroo, Joan Umamo, Brad Porter (Lauterbach & Amen), Seth Sommer (B&F Construction Code Services), Shawn Ajazi and Arnie Schramel (Progressive Energy), Diane Elkins (Buy Commercial Energy), and Members of the Public.

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

PUBLIC COMMENT on Agenda Items Scheduled for Action Only

Resident Larry Menz asked if the garbage fund balance will be moved. Village President Nelson stated that it would. Mr. Menz asked if the account had been audited and Nelson stated that it had not.

GENERAL BUSINESS

- **Agenda item for discussion/approval:** 08/12/19 Regular Board Meeting Minutes
Trustee Constant moved to approve the 08/12/19 minutes as presented and Trustee Zimmermann seconded the motion. Roll Call Vote: Clark-Aye, Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried.
- **Agenda item for discussion/approval:** Payment of Invoices Due
Trustee Nier stated that the invoice for the refrigerator skid was approved at the last meeting. President Nelson inquired why Ceneca Wagner was over his clothing allowance budget. Joe Moore stated that he would look into it. Trustee Manivong moved to approve the invoices as presented and Trustee Nier seconded the motion. Roll Call Vote: Clark-Aye, Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Nay. Motion carried.

Guest Presentation – FY2019 Audit Report – Lauterbach & Amen

Brad Porter presented the annual audit report. He reviewed the required communication to the Board of Trustees and thanked Trustee Constant, Clerk Losiniecki, Treasurer Maroo, and Daniel Roop for the help in gathering the requested documents. He reviewed three documents; the audit report, the management letter and the SAS 114 letter. Mr. Porter stated that the Village had received an “unmodified opinion” which is the “cleanest opinion possible” and reflects sound internal controls. He stated that the accrual basis of accounting had been implemented.

Guest Presentation – B&F Construction Code Services

Seth Sommer, Director of Quality Control and Staff Development, presented a proposal for building inspections and permitting services. The company has offices in Elgin and West Chicago and has three master code consultants on staff. They are customer service focused and communications driven. He reviewed a lengthy list of qualifications, including being the provider of building and fire code training to internal and external industry professionals, quality control, staffing, extensive customer base including DeKalb City and DeKalb County. The company is State certified to provide training and is an ICC preferred provider for training inspectors. He discussed fees and services and stated that the flexibility and scalability of services can be selected in an “a la carte” fashion. Trustees asked a variety of questions regarding travel time, use of Village engineers, billing, and water service inspections.

Guest Presentation – Progressive Energy

Arnie Schramel and Shawn Ajazi presented an updated price list and stated that Dynegy came in with the lowest pricing at \$0.06460/kwh. They suggested only looking at the 12 month pricing because there is no more price match guarantee. They stated that Progressive Energy is agent, broker and consultant and that, per the contract, they get paid \$0.0025/kwh.

Guest Presentation – Buy Commercial Energy (BCE)

Diane Elkins presented pricing at \$0.07216/kwh and stated that the Village had until September 9, 2019 to lock in the price. She stated that if the decision is not made now, all residents will revert back to ComEd until November when they would all be opted in and would then have to opt out if they so choose.

PRESIDENT’S REPORT

Agenda item for discussion/approval: Electric Aggregation Company Selection

Village President Nelson stated that Trustees could either decide tonight or discuss more. Trustee Manivong stated that there is a lot of information to review. Trustee Nier stated that he would like to make a decision tonight. Trustee Constant stated that there are two different items up for renewal (the residential aggregation and the commercial aggregation) and that the commercial accounts should be on the next agenda for approval. There was a discussion about a letter of exclusivity that had been signed for BCE to get pricing and that it was preventing Progressive Energy from getting quotes on the commercial accounts. Trustee Nier moved to approve the 12 month residential aggregation with Dynegy via Progressive Energy and Trustee Clark seconded the motion. Roll call vote: Clark-Aye, Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried.

Agenda item for discussion/approval: Selection of New Building Code Company

President Nelson stated that she had tasked Clerk Losiniecki with finding a new building code company because the Village cannot afford the services of the current company. Trustee Constant stated that he is not agreeable to making a decision tonight due to the poor track record of selecting building inspection companies. He stated that he would like to sit down with the current and prospective companies to go over all of the details before voting. He asked if this item had been reviewed by committee and President Nelson stated that it had not. Trustee Manivong moved to approve the selection of B&F Construction Code Services and Trustee

Zimmermann seconded the motion. Attorney Szeto stated that there is a lot of flexibility in the a la carte services offered and that the motion should reflect the intent to move forward subject to contract acceptance. He stated that the contract will spell out the details. President Nelson asked Mr. Sommer if he could make arrangements to meet with her and Trustee Manivong to finalize the details and Mr. Sommer stated that he could. Trustee Manivong amended his motion to move forward with B&F Construction Code Services subject to contract acceptance and Trustee Nier seconded the motion. Roll call vote: Clark-Aye, Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Abstain. Motion carried.

Agenda item for discussion/approval: Hiring of Seasonal Part-time helper

President Nelson stated that there have been discussions about hiring a seasonal part time worker for Public Works due to the issues with leaf pick up last year. Trustee Zimmermann moved to move forward with the consideration of hiring a seasonal part time worker for Public Works and Trustee Manivong seconded the motion. President Nelson stated that the hourly rate of pay would be \$14-\$20 per hour. Roll call vote: Clark-Aye, Manivong-Aye, Nier-Nay, Zimmermann-Aye, Constant-Aye. Motion carried.

Agenda item for discussion/approval: Joe Edmeier Resignation

President Nelson stated that she had accepted Joe Edmeier's resignation from the Planning Commission. She stated that the opening will be posted on the website.

Agenda item for discussion/approval: St. Paul's Hinckley Letter of Support

President Nelson stated that she had received a request from St. Paul's asking for a letter of support for a grant application for their healing garden. There was a discussion regarding permits and President Nelson sought consensus. She received affirmative support from four of five Trustees.

Agenda item for discussion/approval: Email System

Village President Nelson stated that Windows 7 will no longer be supported after December 31, 2019 and that she wants to move to Windows 365, which will be managed by Stateline Technologies. She stated that this has to be done in order to be compliant and separate the Police Department from the Village Hall. Trustee Constant moved to approve going forward with the new email system and Trustee Manivong seconded the motion. Roll call vote: Clark-Aye, Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried.

President Nelson stated that the IML Conference is September 19 & 20 and that Sosnowski|Szeto are hosting a luncheon, as well as Baxter & Woodman. She also stated that there is a golf outing hosted by DeKalb County Coroner Dennis Miller. Anyone interested should contact her. Nelson also stated that there will be a garbage rate increase effective October 1, 2019. Trustee Nier stated that this is an annual increase as outlined in the contract.

President Nelson stated that all supporting documentation for agenda items needs to be submitted to the Clerk prior to the meeting. She also stated that an ordinance is being considered that would require landlords to do background checks on tenants because there are a lot of issues with renters not paying their water bills. She also stated that business licenses/registrations are being considered. Dale Youngers suggested that all water bills be sent to the landlord to alleviate the need for background checks.

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 this is the last Village of Hinckley Board Meeting that she would be attending as she has resigned her position with Sosnowski|Szeto so that she can spend more time with her children. Joe Kurlinkus will take over her role as Village Attorney. Mr. Kurlinkus was most recently the Village Attorney for Roscoe. Attorney Szeto stated that he will still be coming out to observe/guide/consult as he did with Attorney Gibbons.

• Engineer's Report

Chris Ott stated that the contractor is on site at Royal Estates to begin work on the force main. He is still working on the pedestrian crossing signs for the intersection of Route 30 and Sycamore Street and looking into permits for the Tree City USA signs. President Nelson stated that she and Joe Moore and Trustee Zimmermann had attended an IDOT meeting last week to review the Route 30 resurfacing plans. She stated that work will begin on September 9, 2019 and go through November 5, 2019. She is waiting for a press release that will be sent to residents, business owners and schools. She stated that she will ask the schools to advise the students to use the "safe routes to school" until the road work is complete. The crossing guard booth will be removed. She would like to have this information publicized via the website, the Lion's sign and the BP.

• Chief of Police

• Agenda item for discussion/approval: White Crown Victoria as Fleet Vehicle

Chief Gettemy stated that he is still looking into this possibility. He stated that the Police Department will be moving to electronic ticketing and this will eliminate much of the travel to the County offices. The equipment for electronic ticketing will be supplied, at no charge, from the DeKalb County Clerk's office. He also mentioned that DeKalb County Sheriff's officers had arrested the suspect associated with the recent burglaries in the area. There was a discussion regarding a magnetic placard for the white Crown Victoria and Chief Gettemy stated that there is one that goes on the dashboard indicating an out of service police vehicle. President Nelson asked if the crossing guards will be able to use it in the crossing zone and Gettemy stated yes, with permission.

Trustee Constant asked if there will be an amendment to the golf cart ordinance and Chief Gettemy stated that there is a proposition to consider the inclusion of side-by-sides. Trustee Nier stated that there are a lot of golf carts using the safe routes to school path to transport kids to and from school. Chief Gettemy stated that the golf carts should not be on the path. They can go on the streets or in the grass but not on the sidewalks. Attorney Gibbons stated that a resolution or ordinance will be needed for the white Crown Victoria because its existing status is to be auctioned.

• Parks & Recreation

Kari Schaddelee presented her monthly report. She stated that there were over 75 entrants for the bike parade, the Hinckley Business Association Ice Cream Social was a success, despite the rain, dance and tumbling will start in September, and another babysitting class will be offered. She also stated that the Yoga instructor had resigned, effective September 11, 2019.

The Science in Hinckley Water Treatment Plant tour and open house will be rescheduled.

- **Water & Sewer**

Dale Youngers stated that he had received a quote to spray the weeds at the sludge storage building. The price is the same as last year and the expenditure was already authorized. He also stated that the Water & Sewer Committee meeting was productive.

- **Public Works**

Joe Moore suggested that the Village should not “arm chair quarterback” the Route 30 resurfacing work. If there are questions, they should be directed to the resident IDOT engineer. President Nelson stated that IDOT is looking for a place to park vehicles and she had suggested storing them at Midwest Facilities Construction offices. Chirs Ott stated that the State pays the contractor for office space and that the contractor is responsible for procuring the space. President Nelson informed Daniel Roop that she wants the open ARs report to be presented at the second meeting of each month.

- **Village Clerk**

No report, business as usual.

COMMITTEE REPORTS

- **Personnel**

No report.

- **Harvesting our Future**

Joan Umano provided an overview of the sign project and stated that the school district is interested in entering into an Intergovernmental Agreement (IGA) with the Village for the use of two digital signs. Superintendent Travis McGuire has sent out a letter to all taxing bodies in the district seeking contributions to help fund the signs. She stated that requests to have information displayed on the signs will be sent to Dr. McGuire, who will send to the appropriate school secretary. If the secretary is not available, Dr. McGuire can administer the sign from his cell phone. She stated that communication is very important. She stated that this sign project is a partnership with Harvesting Our Future, which is a sub-committee of the Village. Harvesting Our Future will have funds available to contribute from the crock fundraiser. HBR429 will contribute \$16,000. There will be a cash contribution of \$6000 from IDOT for the land being seized for the Route 30 resurfacing. President Nelson asked Ms. Umano if she was here representing the school board or Harvesting Our Future. Ms. Umano stated that she was here as a representative of Harvesting Our Future.

- **Finance & Economic Development**

° **Agenda item for Discussion/Approval:** FY2019 Audit Report

Trustee Constant moved to accept the FY2019 Audit Report as presented and Trustee Nier seconded the motion. Roll call vote: Clark-Aye, Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried.

° **Agenda item for discussion/approval:** Transfer Garbage Fund Balance and Future Incremental Income into General Fund

Treasurer Maroo stated that when garbage collection was first set-up with a Village-wide contract, the Village paid (via the general fund) the first month service fees. The fees were not billed back to the residents until the next utility billing cycle. This is money that is owed the general fund for the initial payment made to Waste Management. Village President Nelson stated that the books have been audited and that there is no need to audit the garbage fund.

Trustee Constant stated that there is no way that this is profit. The dollar amount should actually be higher but it isn't because the Village was billed (and paid) for services for all residences whether or not the resident paid their utility bill. Trustee Constant moved to approve the transfer of the garbage fund balance and any future incremental garbage income into the general fund and Trustee Manivong seconded the motion. Roll call vote: Clark-Aye, Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried.

° **Agenda item for discussion/approval:** Village of Hinckley Donation to HBR429 Sign Project
Trustee Constant stated that he would like the Village to participate in this project and that he thinks it's important. President Nelson stated that Trustee Riforgiate was not able to attend the meeting but had sent an email to the Board of Trustees voicing his opposition to the request. Ms. Nelson stated that Superintendent McGuire had asked for a letter of support and that many Trustees are not in favor of the project. She stated that Dr. McGuire had not mentioned Harvesting Our Future (HoF) in the letter or in the meeting she had with him. She stated that the request was presented as being from HBR429 to the Village of Hinckley. She stated that while HoF is an awesome program, they do not have the money to support the sign project. She asked for an accounting of all HoF funds. Treasurer Maroo stated that the accounts were not set up to be tracked that way. President Nelson stated that the HoF financial accounting sheet doesn't match the information in MSI. She stated that HoF is the Village of Hinckley and that everything that is out there regarding HoF does not mention the Village. She stated that it is Village of Hinckley money that is being requested and that the Village should have total accounting of all money year to year to be sure HoF is not over spending. She mentioned the legal bills the Village is receiving for legal review of contracts for HoF projects and asked when the Village would receive the donation check from the crock fundraiser.

Trustee Constant advised Ms. Umano not respond and stated that he had discussed this months ago with the Village President and had not received an answer. Ms. Umano stated that HoF is the VoH and that 50% of the fundraiser money goes to HoF and that a check will be cut and sent to the Village. She stated that HoF is not hiding anything, nor are they stealing anything. Ms. Umano stated that HoF has invited President Nelson to every meeting and that she has not attended any. President Nelson stated that the financial reports do not match and that they need to be reconciled. Trustee Constant stated that he is keeping a record of the spending. President Nelson asked if there is a report for July and Mr. Constant stated that there is not. She asked if the report is provided to the office and Mr. Constant stated that it is not. President Nelson reiterated that the reports don't match.

Joan Umano stated that HBR429 is seeking a letter of support for a DeKalb County Community Foundation (DCCF) grant to help fund the digital sign project. The grant request is for \$7500 and the letter of support would be similar to the one for the church. President Nelson stated that Dr. McGuire had never mentioned a grant letter. Ms. Umano stated that Dr. McGuire had sent an email to President Nelson detailing the request and that Ms. Nelson had never responded. Ms. Umano stated that HoF has done a lot of work and that they have gotten no help from the Village President. President Nelson asked the Board of Trustees (BoT) for consensus. Three Trustees were not in favor and two were. Treasurer Maroo stated that there seemed to be confusion between asking for money and seeking support for a concept.

President Nelson stated that HoF does not have the money to contribute to the sign project. Treasurer Maroo stated that the school district is seeking a letter of support for the grant request. Trustee Zimmermann stated that the sign project is fine but he is not in support of funding the project. Trustee Nier stated that the Village cannot justify contributing to the cost of the sign. Treasurer Maroo reiterated that the school district is only asking for a letter of support for the grant application. They are not seeking a contribution commitment at this time. President Nelson stated that Trustee Constant had drafted a letter for her signature and that she would sign and send the letter out tomorrow. Trustee Constant stated that he would inform HoF that the VoH is not interested in funding the project. He stated that President Nelson and the BoT gave their support to this concept for the sign project and now there is no support. Trustee Manivong voiced his support for the project and moved to approve a \$5000 contribution to the sign project. Trustee Constant seconded the motion. Roll call vote: Clark-Nay, Manivong-Aye, Nier-Nay, Zimmermann-Nay, Constant-Aye. Motion denied.

- **Public Safety**

No report.

- **Streets & Alleys**

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

Trustee Zimmermann stated that the F450 is in for a repair estimate. This is the truck used for leaf pick-up. He also stated that the L8000 may not work for leaf pick-up due to inability to negotiate cul-de-sacs.

- **Agenda item for discussion/approval:** Leaf Composting Proposal

Trustee Zimmermann moved to approve the leaf composting proposal from Creekside Composting and Trustee Clark seconded the motion. Roll call vote: Clark-Aye, Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried.

- **Water & Sewer Committee**

- **Agenda item for discussion/approval:** Spot Repair to Sewer Line – Not to Exceed \$2800.00

Trustee Nier stated that a spot repair to the sewer line under Route 30 at Coster Place is needed prior to the Rte. 30 roadwork. Trustee Nier moved to approve the spot repair, not to exceed \$2800.00, and Trustee Clark seconded the motion. Roll call vote: Clark-Aye, Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried.

- **Agenda item for discussion/approval:** Replacement of Fire Hydrant and Valve – Park Court

Trustee Nier stated that the fire hydrant on James Street just west of Park Court needs to be repaired and needs a new shut-off valve. There is a quote for \$3460 but it does not include excavating. There is a gas line adjacent to the hydrant which will have to be worked around. Joe Moore suggested doubling the quote to cover the excavation costs. Water will have to be shut off to portions of Mack, James and Ray Streets during the repair. Trustee Nier moved to approve the repair of the hydrant, not to exceed \$7500.00 and Trustee Manivong seconded the motion. Roll call vote: Clark-Aye, Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried.

Trustee Nier stated that there had been a Water & Sewer Committee meeting and that they are putting together a capital improvement list to identify required funds for the projects.

- **Buildings, Grounds & Parks**

- **Agenda item for discussion/approval:** Removal of Port-o-Let at Garfield Park

Trustee Manivong stated that he had visited Garfield Park and many of the parents there stated that the only people that use the port-o-let are contractors, garbage men and teenagers (smoking). Trustee Nier stated that the Village pays \$175/month for the port-o-let, separate from the contracted waste removal services from DC Trash. Trustee Manivong moved to approve the removal of the port-o-let at Garfield Park and Trustee Clark seconded the motion. Roll call vote: Clark-Aye, Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried.

PUBLIC COMMENT

Larry Menz asked why the F450 is in Waterman and for repair estimates when the BoT stated last year that they would not spend any more money on that vehicle.

OPEN DISCUSSION

Trustee Nier stated that municipalities can enact ordinances regulating the sale of marijuana and that the Village of Hinckley should consider doing the same. Attorney Szeto stated that municipalities have a choice and that the Illinois Municipal League has sample ordinances available. He stated that municipalities can impose a 3% tax on the sales.

Trustee Constant asked when committee assignments will be complete and President Nelson stated that they would be on the next agenda.

Trustee Clark stated that Representative Keicher had come to town and that she'd like to see more communication with his office to help investigate economic development.

ADJOURMENT

Motion: Trustee Constant moved to adjourn the meeting at 10:04 PM. Trustee Zimmermann seconded the motion. Voice Vote: All members voted yes. Motion carried.

The next Regular Meeting of the Village Board is scheduled for September 9, 2019.

Nancy Nelson, Village President

Elizabeth Losiniecki, Village Clerk