

VILLAGE OF HINCKLEY
REGULAR BOARD MEETING - MINUTES
October 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 Lou Manivong, Jeff Nier (arrived at 7:05pm), Rob Zimmermann, and Mike Constant. Quorum Established.

Absent: Trustee Clark.

Also Present: Village Clerk Elizabeth Losiniecki, Police Chief Gettemy, Kari Schaddelee, Chris Ott (EEI), Attorneys Szeto and Kurlinkus, Dale Youngers, Treasurer Dave Maroo, Joan Umano, Danielle Marion, 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:** 10/14/19 Regular Board Meeting Minutes
Trustee Zimmermann stated that the section regarding road striping should show that Chris Ott estimated a cost of \$1500.00. This was an estimate, not a quote.

Village President Nelson stated that, for the record, Trustee Clark was informed of all of the interviews for the part time Public Works position. Trustee Clark was not available to attend the interviews, which is why President Nelson asked Trustee Zimmermann to participate.

Trustee Manivong moved to approve the 10/14/19 Regular Board Meeting minutes, with corrections, and Trustee Zimmermann seconded the motion. Roll Call Vote: Manivong-Aye, Zimmermann-Aye, Constant-Aye, Nelson-Aye. Motion carried.

- **Agenda item for discussion/approval:** 10/14/19 Committee of the Whole Meeting Minutes
Trustee Manivong moved to approve the 10/14/19 Committee of the Whole meeting minutes and Trustee Zimmermann seconded the motion. Roll call vote: Manivong-Aye, Zimmermann-Aye, Constant-Abstain, Nelson-Aye. Motion denied.

Trustee Nier arrived at 7:05pm.

- **Agenda item for discussion/approval:** Payment of Invoices Due
Trustee Manivong inquired regarding the invoice from Burlington Northern Railroad and Trustee Nier stated that it is an easement lease. Trustee Nier moved to approve the invoices as presented and Trustee Manivong seconded the motion. Roll Call Vote: Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried.

PRESIDENT'S REPORT

Agenda item for discussion/approval: Trustee Resignation

President Nelson stated that Trustee Riforgiate had sent an email to all Trustees announcing his resignation effective October 25, 2019. Trustee Constant stated that he had not received the email. Clerk Losiniecki indicated the same. President Nelson read the letter aloud, and stated that Mr. Riforgiate had accepted a teaching position at Elgin Community College and she appreciated his service.

Agenda item for discussion/approval: Dissolution of Parks Advisory Board

President Nelson stated that another advisory board member had resigned. She stated that Kari Schaddelee does a good job of keeping the Board of Trustees up to date on issues and needs relating to the parks program and that the Parks Board has become a hindrance. She stated that Trustee Manivong and the attorneys have discussed this, as has the Board at previous meetings. Ms. Schaddelee stated that she is appreciative of the help she has received from the advisory board but they are all very busy and the three year term may be a detriment. She stated that she receives a lot of help from volunteers and that she expects that to continue. President Nelson asked if the Parks Board had been meeting regularly and Ms. Schaddelee stated that often times there is no quorum. Trustee Manivong moved to approve the dissolution of the Parks Advisory Board, effective immediately, and Trustee Nier seconded the motion. Attorney Kurlinkus stated that an ordinance would need to be passed. Roll call vote: Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried.

President Nelson stated that the Board will need to be considering the legalization of cannabis and that she would like to have a Committee of the Whole meeting on November 11, 2019 to begin the discussion. Trustee Manivong stated that he will not be available for the meeting. The meeting will begin at 6:30pm.

REPORTS OF OFFICERS, TRUSTEES AND DEPARTMENT HEADS AND ACTION ITEMS

• Treasurer's Report

Treasurer Maroo presented the monthly report and reviewed the general finances. There was a brief discussion about the general finances and the income vs. expenses. President Nelson stated that the new computers had arrived for the office and the police department. She stated that Stateline would begin the installation on Wednesday and that staff productivity would be impacted.

• Attorney's Report

No report.

• Engineer's Report

Chris Ott stated that he had received revisions for the crosswalk permit. He also stated that the contact information for the crosswalk signs had been sent to the Clerk's office.

• Chief of Police

Chief Gettemy stated that his computer crashed and he was unable to print out his monthly report. He stated that he had received the invoice for the Code Red service and would be looking into similar services for less money. He also stated that he has been auditing and performing long overdue maintenance on the evidence room. This is taking a lot of time to go through years of evidence and properly dispose of it. He also stated that a garbage truck had

hit gas lines behind the South Moon BBQ last week and that the police and fire departments had worked to secure the area. No injuries resulted.

- **Parks & Recreation**

Kari Schaddelee provided an overview of the programs for the month. She stated that she had received donations from Eric Wackerlin, Bountiful Blessings and Chick-A-Bitty Designs for the Royal Warrior Challenge. Rachael Lang and Chris Cotton helped with the event. Because the 5K was cancelled, she had to return some donations from local businesses. Next year the 5K will be on June 27, 2020. The tree lighting will take place on December 6, 2019. There will be a community vendor event the same night as the tree lighting. The Parks Program is looking for a new yoga instructor. A cookie decorating class will be offered at the Hinckley First United Methodist Church (HFUMC).

- **Water & Sewer**

Dale Youngers stated that the alternator for the portable generator needed to be repaired. The cost was \$96.00 to replace the voltage regulator. Due to the age of the generator, it is becoming difficult to source parts. The unit is operational.

Mr. Youngers provided an informational packet regarding back flow preventers. He stated that these devices are typically seen in facilities that have fire prevention systems. The units are supposed to be tested annually and the one at the HFUMC failed the test. The Village Hall will send a notice to the church to request that the device be repaired and re-tested. Trustee Manivong stated that backflow preventers are used to prevent stagnant bacteria laden water from entering the public water supply.

Mr. Youngers stated that there was a meeting on 10/22/19 with Metropolitan Pump, Lake County Grading (LCG) and TEST, Inc. to discuss the lift station at Royal Estates. TEST is overseeing the lift station but the Village has not accepted it yet. The emergency generator is not operational. Mr. Youngers stated that he needs proper documentation for the lift station, including manuals, cut sheets, etc. He said he had requested the documentation but was only offered digital copies. He would like hard copies. He also wants the PLC (program logic controller) program on a flash drive for the lift station. He is still monitoring the wet well at the lift station. He was told by LCG that it was fixed but he wants to know for sure. He stated that a lot of debris was found in the sewer mains when they were televised and that they should be cleaned out (prior to acceptance) to avoid damage to the system. Trustee Nier suggested that there should be some kind of written agreement between TEST and LCG regarding the monitoring of the lift station prior to acceptance. Attorney Kurlinkus stated that an agreement should be put in place detailing what the Village and TEST will manage and/or what LCG will manage prior to acceptance. President Nelson stated that two houses are closing before the end of the year. Trustee Nier stated that the punch list has to be completed prior to occupancy. Trustee Constant stated that the development agreement needs to be revised if TEST is going to be involved in the maintenance prior to acceptance. Chris Ott asked if Mr. Youngers had taken pictures of the debris or the broken sewer cap and Mr. Youngers stated that he had not. Mr. Ott stated that EEI will perform the necessary inspections prior to acceptance and will also perform a punch list review.

Mr. Youngers asked if there was a schedule for the water tower repair work and Trustee Nier stated that there was not. Mr. Nier indicated that the target is spring of 2020. Mr. Youngers stated that there are operational issues with the water plant while the tower is down. He has been discussing these issues with Steve Dennison (EEl) and is considering seeking permission from the EPA to by-pass water softening for the duration of the repair work. This would mean that no radon would be removed from the water. President Nelson stated that the Water & Sewer committee should discuss the prospect.

Mr. Youngers asked Chris Ott if the road crew had been contacted regarding the hydrant cleanup. President Nelson stated that Joe Moore was supposed to have called about it. Mr. Ott stated that he would follow up.

- **Public Works**

President Nelson stated that Ceneca Wagner had been busy prepping the trucks for winter. The motor on the salt spreader needs to be repaired. The park has been winterized and closed for the season. All water meters were read and the bills will be issued by end of the week.

- **Village Clerk**

Clerk Losiniecki stated that she had been involved in records research for several requests from the County to prove ownership of specific parcels. She also reported records research for the alley vacation and a number of zoning inquiries. She stated that Daniel Roop would like to attend quarterly Water & Sewer Committee meetings to discuss the accounts up for shut off. She also stated that she had been contacted by Syndeo Networks regarding the new phone system. She will be providing a call flow for the Village Hall and Police Department.

COMMITTEE REPORTS

- **Personnel**

Agenda item for discussion/approval: Public Works Supervisor Position & Seasonal Part-Time Public Works Employee

Village President Nelson stated that the person hired for the part time public works position did not show up and so there is still a seasonal opening. She stated that she had sent all of the job applications to Trustee Clark for review and that leaf pick up cannot happen until a part time worker is hired. She stated that there needs to be a Personnel Committee meeting to interview the candidates.

- **Harvesting our Future**

Joan Umano and Danielle Marion spoke regarding the proposed separation of the Harvesting Our Future (HoF) Committee from the Village of Hinckley. Ms. Umano stated that the Hinckley Festival Association has agreed to merge with HoF. She asked what the Village needs from HoF to make this happen. Village President Nelson stated that there are legal maneuvers and financial reconciliations that need to occur. Attorney Kurlinkus stated that all related contracts need to be transferred from the Village and that there needs to be verification that the DeKalb County Community Foundation (DCCF) will be contacted to be sure that the grant can be transferred. Ms. Umano stated that DCCF had already been contacted and provided an email indicating their support of the move. Ms. Umano provided a copy of the email. Trustee Constant stated that he had also spoken to the director of DCCF and that he could get a letter of support, if need be. Ms. Umano stated that there is \$5182.50 left in the grant and Mr. Constant

stated that the remaining funds will be used to pay out the contact with the muralist and the website design company. President Nelson asked Treasurer Maroo if there is an income/expense report (for HoF) available in the general ledger and Mr. Maroo stated that the accounts were set up in 2019. The grant money was received in 2018. President Nelson asked Treasurer Maroo to produce a report that will show all of the accounting for all of the income/expense for 2018 & 2019. Trustee Constant moved to approve separation of HoF from the Village of Hinckley and the release of the \$5182.50 remaining grant money. Trustee Manivong seconded the motion. Roll call vote: Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried.

- **Finance & Economic Development**

Trustee Constant stated that there will be a committee meeting on November 12, 2019 at 7:00pm. Topic of discussion will be liability insurance renewal. Arthur Gallagher representatives will present renewal information at the last board meeting in November, 2019.

- **Public Safety**

No report.

- **Streets & Alleys**

- **Agenda item for discussion/approval:** Street Striping – Not to Exceed \$2800.00

Trustee Zimmermann stated that D2K quoted \$2800.00 for the striping of Sycamore and Maple Street parking spots. Chris Ott stated that this is too expensive and that he will reach out to IDOT to try to get the striping rolled into the current contract. He also stated that the street work should be done tomorrow and the curbs should be done by the end of the week.

President Nelson stated that the brick sidewalk in front of South Moon BBQ had been damaged and needed to be repaired. Mr. Ott stated that he would contact IDOT regarding that and the clean-up of the fire hydrants. Mr. Ott also stated that he had received the salt estimates from Ceneca Wagner. The salt prices this year are much higher than last year. No MFT expenses can be processed until the BoT passes the MFT paperwork at the next meeting.

- **Agenda item for discussion/approval:** Vacation of Alley west of 149 N. May Street

Village President Nelson stated that B&F (building permitting company) had submitted comments regarding the garage in the alley west of 149 N. May Street. A copy of the comments was provided as part of the meeting packet. Even if the alley is vacated, the garage is still an illegal non-conforming structure because it will not be within the required set-backs. The garage is approximately 11' into the alley. Trustee Constant suggested leaving as is and closing the alley. President Nelson asked if the new owner of 149 N. May Street had petitioned for the vacation of the alley. The new owner, Cody Leffelman, stated that he had not. There was a discussion regarding how the sales transaction was able to be finalized with the garage in the alley. Attorney Szeto stated that, legally, the best solution for the Village and the property owners is for the Village to vacate the alley and grant a variance. A vacation plat will have to be drawn up with the cost passed on to the applicant, if the Village so decides. The garage is an illegal non-conforming structure and a variance will need to be sought via the Zoning Board of Appeals (ZBA). Trustee Zimmermann moved to approve the vacation of the alley west of 149 N. May Street and Trustee Manivong seconded the motion. Roll call vote: Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried. The property owner of 149 N. May Street, Cody Leffelman, offered to pay the cost of the plat survey.

• **Water & Sewer Committee**

° **Agenda item for discussion/approval:** Computer for WWTF

Trustee Nier stated that the computer is still being investigated. The new software may be put in at the Village Hall and used for all supply chain/maintenance tracking for public works, police department and water treatment facilities.

° **Agenda item for discussion/approval:** An Ordinance Amending Chapter 86 of the Village of Hinckley Code of Ordinances Relating to the Definition of “USER”, and the Liability for Water and Sewer Usage Charges and Accounts

Attorney Kurlinkus stated that this ordinance was at the request of the BoT to remove the tenant from the language. The current ordinance holds both the owner and the tenant liable for services. If all references to the tenant are removed, only the owner can be held responsible. The current ordinance allows the Village to hold the tenant responsible for non-payment. The new ordinance will only allow the Village to hold the owner responsible. Trustee Manivong stated that the goal was to have the owner receive the bill, not the tenant. Attorney Kurlinkus stated that the current ordinance already allows for that and that it is a policy decision, not an ordinance issue. Trustee Nier stated that all bills should go to the owner, only, as of the first billing cycle of 2020. Consensus agreement was reached to leave the current ordinance as is and implement the policy to send bills to the owner, only, beginning with the first billing cycle of 2020.

° **Agenda item for discussion/approval:** An Ordinance Amending Chapter 86 of the Village of Hinckley Code of Ordinances relating to the Establishment of Penalties for Tampering, etc....

Chief Gettemy stated that the Village currently has no ability to enforce this amendment. Attorney Kurlinkus stated that the Village needs to decide who they want to handle prosecution. There was a discussion regarding how to implement enforcement. President Nelson stated that the ordinance violation fines need to be changed in order to cover attorney prosecution fees. Trustee Nier moved to approve a fine of \$750.00 for tampering with municipal water/sewer system components. Trustee Manivong seconded the motion. Roll call vote: Manivong-Aye, Nier-Aye, Zimmermann-Aye, Constant-Aye. Motion carried.

• **Buildings, Grounds & Parks**

No report.

PUBLIC COMMENT

None.

OPEN DISCUSSION

None.

ADJOURNMENT

Motion: Trustee Nier moved to adjourn the meeting at 9:37 PM. Trustee Manivong seconded the motion. Voice Vote: All members voted yes. Motion carried.

The next Regular Meeting of the Village Board is scheduled for November 11, 2019.

Nancy Nelson, Village President

Elizabeth Losiniecki, Village Clerk