

VILLAGE OF HINCKLEY
REGULAR BOARD MEETING - MINUTES
NOVEMBER 14, 2022
7:00 PM

CALL BOARD MEETING TO ORDER: Meeting was called to order by Attorney Tim Conklin at 7:00 PM. Roll call was taken showing the following:

Present: Walter Rainford, Steve Gayhart, Russell Kula, Sarah Quirk, and Mike Constant. Quorum Established.

Absent: Michele Greene-Larsen.

Trustee Quirk moved to appoint Trustee Constant as President Pro Tem and Trustee Kula seconded the motion. Roll call vote: Kula-Aye, Rainford-Aye, Gayhart-Aye, Quirk-Aye, Constant-Aye. Motion carried.

Also Present: Village Clerk Elizabeth Losiniecki, Attorney Tim Conklin, Police Chief Ken Gettemy, Treasurer Dave Maroo, Brandon Kramer, 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 Steven Kreitzer, 205 E. Slater Ave., spoke regarding the re-zoning request for Hinckley Concrete. He stated that he is a member of the Planning Commission and has been active in the community for a number of years. Mr. Kreitzer provided an overview of the history of the property and the request to re-zone. He stated his appreciation for the care and consideration that Hinckley Concrete has shown for the Village over the preceding decades but voiced opposition to the request to re-zone the property.

Hinckley Concrete representative Stephen Nehring, replied to Mr. Kreitzer's comments by providing an overview of the history of the property. He also stated that there are currently two potential buyers, both of whom expressed concerns over the zoning. Nehring would like to sell the business to someone who will keep up with the products already sold to be able to continue servicing those clients.

GENERAL BUSINESS

• **Agenda item for discussion/approval:** October 24, 2022, Regular Board Meeting Minutes
Trustee Rainford moved to approve the minutes from October 24, 2022, and Trustee Gayhart seconded the motion. Roll call vote: Gayhart-Aye, Kula-Aye, Rainford-Aye, Constant-Aye, Quirk-Aye. Motion carried.

• **Agenda item for discussion/approval:** Payment of Invoices Due
Trustee Quirk moved to approve the invoices as presented and Trustee Rainford seconded the motion. Roll call vote: Quirk-Aye, Gayhart-Aye, Kula-Aye, Rainford-Aye, Constant-Aye. Motion carried.

PRESIDENT'S REPORT

No Report.

ATTORNEY'S REPORT

No Report.

CLERK'S REPORT

No Report.

ENGINEER'S REPORT

Brandon Kramer (EEI) stated that they are working on cost estimates for generators and expect to hear from suppliers soon.

TREASURER REPORT

• Agenda item for discussion/approval: Tax Levy for year 2022

Trustee Constant moved to approve the tax levy for tax year 2022 and Trustee Rainford seconded the motion. Roll call vote: Quirk-Aye, Rainford-Aye, Constant-Aye, Gayhart-Aye, and Kula-Aye, Motion carried.

COMMITTEE REPORTS

Personnel

No Report.

Finance and Economic Development

For Discussion/Approval: Letter of Recommendation for 10256 Somonauk Road

Trustee Constant stated that Jessica Anderson had approached the Board at the last meeting seeking a letter of support regarding a re-zoning request (submitted to DeKalb County) for the property located at 10256 Somonauk Road. Ms. Anderson seeks rezoning in order to open an events venue on the property. DeKalb County offers municipalities within 1 ½ miles of subject properties to provide input regarding rezoning requests. After a brief discussion, Trustees indicated that they would like the County to take into consideration and make necessary provisions to regulate/control noise and traffic associated with the zoning change. Trustee Kula moved to approve a letter in support of the rezoning request and Trustee Quirk seconded the motion. Bob Pritchard will prepare the letter. Roll call vote: Quirk-Aye, Rainford-Aye, Constant-Aye, Gayhart-Aye, and Kula-Aye, Motion carried.

For Discussion/Approval: Pay Estimate #2 and Final for the Hinckley Elevated Water Storage Tank
Trustee Gayhart moved to approve Pay Estimate #2 and Final for the Hinckley Elevated Water Storage Tank and Trustee Kula seconded the motion. Quirk-Aye, Rainford-Aye, Constant-Aye, Gayhart-Aye, and Kula-Aye, Motion carried.

For Discussion/Approval: Zoning Board of Appeals Recommendation Regarding Hinckley Concrete Zoning Map amendment request

Trustee Constant stated that the Zoning Board of Appeals (ZBA) held a Public Hearing on November 5, 2022 to hear the request to rezone 540 W. Lincoln Avenue (PIN 1515251004) from the existing R-2 classification to I-2. Constant stated that based on the 4-2 vote, (Pritchard, Bish, Klambauer, and McFarland in favor, Thomason and Kreitzer opposed) the ZBA recommends that the Board approve the request to rezone.

Village Clerk Losiniecki stated that a "legal non-conforming letter" had been provided to the Nehrings confirming that the current use can continue (with no changes) on the property despite a change in ownership.

Trustee Gayhart stated that the IEPA governs and restricts emissions. Nehring confirmed that

employees wear protective breathing units and fans push the particle dust up into filters. Gayhart asked if that was mandated by the IEPA and Nehring stated that it was not but a new owner will have to get proper licensing from the IEPA.

Trustee Quirk stated that the current R-2 zoning has been in place for twelve years and asked if the reason it is now an issue is due to the efforts to sell the business/property. Nehring confirmed that the zoning is a potential hinderance to the effort to sell and that legal non-conforming status comes with restrictions that prevent the addition to or changing of any of the structures.

Trustee Constant moved to approve the ZBA recommendation to rezone 540 W. Lincoln Avenue from R-2 to I-2. Trustee Kula seconded the motion. Roll call vote: Constant-Nay, Rainford-Aye, Gayhart-Aye, Kula-Nay, Quirk-Nay. Motion failed.

Public Safety

• **Agenda item for discussion/approval:** Ordinance No. 2022-06 AMENDING ARTICLE II, SECTION 34-34, "NOISE CONTROL REGULATIONS" OF THE HINCKLEY VILLAGE CODE

Trustee Rainford moved to approve Ordinance No. 2022-06 and Trustee Kula seconded the motion. Roll call vote: Rainford-Aye, Quirk-Aye, Constant-Aye, Gayhart-Aye, and Kula-Aye, Motion carried.

Streets & Alleys

• **Agenda item for discussion/approval:** Resolution 2022-02 for Intergovernmental Agreement with DeKalb Township

Trustee Kula moved to approve Resolution 2022-02 and Trustee Quirk seconded the motion. Roll call vote: Quirk-Aye, Gayhart-Aye, Kula-Aye, Rainford-Aye, Constant-Aye. Motion carried.

Buildings, Grounds & Parks

No Report.

Water & Sewer

No Report.

PUBLIC COMMENT

None.

OPEN DISCUSSION

None.

ADJOURNMENT

Trustee Rainford moved to adjourn the meeting at 7:45 pm and Trustee Constant seconded the motion. Voice vote: All in favor. Motion carried. The next Regular Board Meeting will be held on November 28, 2022.

Mike Constant, Village President Pro Tem

Elizabeth Losiniecki, Village Clerk