

**VILLAGE OF HINCKLEY**  
**REGULAR BOARD MEETING - MINUTES**  
**December 9, 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, Rob Zimmermann, and Mike Constant. Quorum Established.

**Absent:** None.

**Also Present:** Village Clerk Elizabeth Losiniecki, Chief Gettemy, Matthew Dolmyer, Attorneys Josef Kurlinkus & Aaron Szeto, Chris Ott (EEL), 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:** *11/25/19 Regular Board Meeting Minutes*  
Trustee Constant moved to approve the 11/25/19 Regular Board Meeting minutes and Trustee Manivong seconded the motion. Roll Call Vote: Clark-Aye, Constant-Aye, Manivong-Aye, Zimmermann-Aye. Motion carried.
- **Agenda item for discussion/approval:** *Payment of Invoices Due*  
Trustee Constant moved approve the invoices as presented and Trustee Clark seconded the motion. Roll Call Vote: Clark-Aye, Manivong-Aye, Constant-Aye, Zimmermann-Aye. Motion carried.

**PRESIDENT'S REPORT**

- **Agenda item for discussion/approval:** *Hiring of Full Time Police Officer*  
Chief Gettemy stated that he would like to hire Matthew Dolmyer for the full time police officer position. Mr. Dolmyer most recently worked in Warrentville and would be an asset to the Village and is certified in aspects of police work that the Village needs. Trustee Constant asked why Mr. Dolmyer left Warrentville and Chief Gettemy stated that there was personality conflict with a co-worker. Gettemy stated that Dolmyer passed the background check. Trustee Manivong moved to approve the hiring of Matthew Dolmyer for the full time police officer position, effective December 10, 2019, at \$22.00 per hour. Trustee Zimmermann seconded the motion. Roll Call Vote: Clark-Aye, Manivong-Aye, Constant-Aye, Zimmermann-Aye. Motion carried.

Village President Nelson administered the oath of office to Matthew Dolmyer.

- **Agenda item for discussion/approval:** *Regular Board Meeting Date Change from 12/23/19 to 12/16/19*  
Village President Nelson stated that she would like to change the meeting date in order to get the tax levy and zoning variance request approved in a timely fashion. The public hearing starts at 7:00 pm and the Regular Board meeting will start at 8:00 pm. Trustee Constant moved to approve the meeting date (and time) change and Trustee Manivong seconded the motion. Roll Call Vote: Clark-Aye, Manivong-Aye, Constant-Aye, Zimmermann-Aye. Motion carried.

• **Agenda item for discussion/approval:** *State Statute Regarding Number of Deputy Clerks*

President Nelson stated that a question had come up at the last meeting regarding the legality of Rita Barnett (Deputy Clerk) taking the minutes. This question arose because of the recent appointment of Daniel Roop as Deputy Clerk. President Nelson stated that the Clerk selects the Deputy and the Board of Trustees approves the appointment. Under State Statute, the Board of Trustees *may* vote to limit the number of deputy clerks. Trustee Manivong moved to authorize two (2) deputy clerks for the Village of Hinckley and Trustee Constant seconded the motion. Roll Call Vote: Clark-Aye, Manivong-Aye, Constant-Aye, Zimmermann-Aye. Motion carried.

• **Agenda item for discussion/approval:** *Resolution Approving Village of Hinckley Intergovernmental Agreement with HBR429*

President Nelson stated that she wanted to publicly apologize to Trustee Constant and the Harvesting Our Future (HoF) team for statements that she made at a previous meeting. Ms. Nelson stated that she was wrong and had made a mistake when she stated that HoF was not mentioned in a letter from Dr. McGuire regarding the digital sign project. She went back and reviewed documents and realized that the letter did mention HoF. She said that she fully supports the HoF and the sign project and she wants to put this up for another vote. Trustee Constant thanked President Nelson and moved to approve the Intergovernmental agreement with HBR429 and Trustee Manivong seconded the motion. Roll Call Vote: Clark-Aye, Manivong-Aye, Constant-Aye, Zimmermann-Aye. Motion carried.

• **Agenda item for discussion/approval:** *Village of Hinckley \$10,000.00 Donation to Harvesting Our Future Digital Sign Project*

Village President Nelson stated that the Harvesting Our Future project had identified three main projects that were approved by the Board of Trustees. One of those projects was the digital sign. She would like the Trustees to reconsider this item. Trustee Constant moved to approve a donation of \$10,000.00 to the Harvesting Our Future digital sign project and Trustee Manivong seconded the motion. Roll Call Vote: Clark-Aye, Manivong-Aye, Constant-Aye, Zimmermann-Aye. Motion carried.

• **Agenda item for discussion/approval:** *Resolution Approving Village Engineer Contract*

President Nelson stated that EEI has been the Village Engineer for some time. She stated that she had entertained a proposal from another company for engineering services but that she had chosen to stay with EEI. She stated that EEI does a lot for the Village at no cost. She said that the Village can still choose to use other engineers for certain projects but that she wants to appoint EEI as the Village Engineer. Trustee Zimmermann questioned the choice and stated that the only person that saw the other proposal was President Nelson and that all information should have been shared with the Trustees. Trustee Manivong asked about the contract duration and Attorney Szeto stated that it is year-to-year and that it cannot exceed the term of the mayor. Trustee Constant asked if official action has to be taken with each new mayor and Attorney Szeto stated that it is best to do so, but not required. Trustee Zimmermann asked if the contract would include the water tower and President Nelson stated that EEI will be the Village engineer. Attorney Kurlinkus stated that EEI would be the lead engineer for day-to-day needs of the Village. Trustee Zimmermann reiterated that he felt that the proposal from the other company should have been shared with the Trustees prior to voting. Trustee Manivong moved to approve the resolution and Trustee Constant seconded the motion. Roll Call Vote: Clark-Nay, Manivong-Aye, Constant-Aye, Zimmermann-Nay, Nelson-Aye. Motion denied.

Attorney Kurlinkus stated that everything (from an engineering perspective) will remain the same, just without a contract.

• **Agenda item for discussion/approval:** *Code Enforcement – B&F Construction Code Services*

President Nelson stated that there are a lot of code violations in town that need to be resolved. B&F can do code enforcement at an hourly rate of \$70.00. The Board of Trustees needs to decide on the

frequency. After a brief discussion, Trustees Zimmermann and Manivong suggested twice per month, starting in January, 2020. Trustee Manivong suggested compiling a list. Trustee Constant suggested that the frequency can be adjusted, as needed. Trustee Manivong moved to approve the use of B&F for code enforcement, twice per month and Trustee Zimmermann seconded the motion. Roll Call Vote: Clark-Aye, Manivong-Aye, Constant-Aye, Zimmermann-Aye. Motion carried.

• **Agenda item for discussion/approval:** *Village of Hinckley to Pay Costs Associated with Public Hearing for 335 W. Lincoln Avenue*

Attorney Szeto provided an overview of the zoning for the property. He stated that the “B-1 Conditional Use Permit” that was approved in 1995 was misleading and not in compliance with the Village Zoning Ordinance. There is no such legal use or zoning classification of “B-1 Conditional Use”. He also stated that the zoning map amendment that was passed in 2009 was done properly, in accordance with State Statute, but that the Village Zoning Ordinance has additional requirements that were not met; specifically, notification to property owners. As such, he recommends that the Village waive the fees for public hearing. A discussion followed regarding the applicant’s request to have the property returned to the multi-family zoning that was in place in 1995 when they purchased. Mr. Szeto stated that the residence is a single family structure that would require significant renovation to become a multi-family dwelling. As such, with the concurrence of the property owner, he recommends that the zoning application be changed to reflect R-1A (as opposed to multi-family, as shown on the application). To summarize: Scalley’s purchased property zoned as multi-family in 1995. Scalley’s applied for and were granted a “B-1 Conditional use permit” in 1995 which allowed them to operate their business on the ground floor and live on the second floor. Village of Hinckley, via zoning map amendment, re-zoned property to B-1 in 2009. The Village of Hinckley will waive fees associated with the zoning map amendment required to re-zone the property to R-1A. The public hearing is tentatively scheduled for January 6, 2020 at 7:00pm. Trustee Constant moved to approve waiving the fees associated with the Public Hearing for 335 W. Lincoln Avenue and Trustee Manivong seconded the motion. Roll Call Vote: Clark-Aye, Manivong-Aye, Constant-Aye, Zimmermann-Aye. Motion carried.

• **Agenda item for discussion:** *Restructuring of Committees & Committee of the Whole Meetings*

President Nelson stated that, in an effort to increase communication and transparency for residents, she would like to change the structure of the committees. Beginning in January, 2020, she would like the first regular board meeting (RBM) of the month to have items requiring action, only. There will be no discussion, just a vote. After the meeting is adjourned, a Committee of the Whole (CotW) meeting will convene to discuss committee level items. She said that she is, “finding things out after the fact” and Trustees are not keeping each other informed of their activities. Items discussed at the (CotW) would be put on the next RBM agenda for approval. She said that this is an effort to get away from so many executive sessions and lengthy discussions during board meetings.

Nelson stated that she would like Trustee Manivong to take over as water and sewer committee chairperson, Trustee Clark would be chairperson for the public safety committee, Trustees Zimmermann and Constant would remain with their current assignments (streets and alleys and finance and economic development, respectively). Trustee Clark stated that since she will no longer be the personnel committee chairperson, she will return all resumes for the open public works position to President Nelson. President Nelson said that, with this change, there won’t be anymore “chairs” making decisions without their committees, which has been happening.

Trustee Zimmermann asked about the procedure for committee “chairs” to get items added to the agenda. President Nelson stated that agenda items must have her approval. Trustee Zimmermann stated that he has had a hard time getting items on the agenda and asked if the agenda will be

approved at the beginning of the meeting. Attorney Kurlinkus stated that everything on the agenda for vote should have already been discussed at the CotW. Attorney Szeto stated that, if a more formal process is desired, the Trustees can vote at the CotW meeting to decide what goes on the RBM agenda. Trustee Zimmermann stated that it's okay as long as the Trustees start having more control over what goes on the agenda. President Nelson stated that the Trustees do not control the agenda, the Village President does, and that she has never denied a Trustee's request to put items on the agenda. Trustee Zimmermann stated that Nelson had denied his agenda requests and offered to provide email evidence. He also stated that that is not what Robert's Rules says (regarding agendas). Attorney Szeto stated that village code usually specifies that the mayor decides/controls the agenda or that any two Trustees can petition to have an item added. There was additional discussion about what Robert's Rules says about the agenda and Szeto stated that if the Trustees want to have input regarding the agenda, the code needs to be amended to reflect that. Zimmermann stated that the agenda should be voted on/accepted at the beginning of each meeting. It was agreed that this would be an agenda item for the next meeting.

Chris Ott (EEI) asked for clarification regarding the BoTs expectations for EEI to attend meetings and asked for direction regarding fee structure and action items. After discussion, President Nelson stated that EEI should attend the second meeting of the month and bill the Village at the hourly rate. Trustee Constant stated that EEI should proceed as usual and that it is up to the BoT to decide when and how to set (spending) limits. All expenses under \$2000.00 can be approved by President Nelson. Fees for EEI services over \$2000.00 will require Board approval.

## **COMMITTEE REPORTS**

- **Personnel**

Trustee Clark stated that there are three interviews left to schedule and that she will turn all resumes over to President Nelson.

- **Finance & Economic Development**

No report.

- **Public Safety**

No report.

- **Streets & Alleys**

- **Agenda item for discussion/approval:** *Determination & Assignment of Costs Associated with Alley Vacation (alley west of 149 N. May Street)*

Trustee Zimmermann led a discussion regarding the costs associated with the alley vacation. It was agreed that the costs should not exceed \$2500.00 and that Trustee Zimmermann would take the lead to negotiate payment with the affected property owners. Chris Ott stated that EEI is waiting to survey the parcels until the Village has received payment from the property owners. Mr. Ott stated that EEI would (most likely) not start the survey work until after the first of the New Year.

- **Buildings, Grounds & Parks**

Trustee Manivong stated that the tree lighting went well.

- **Water & Sewer**

No report.

## **PUBLIC COMMENT**

None.

## **OPEN DISCUSSION**

Trustee Zimmermann stated that the yellow truck is in for service.

Chris Ott stated that the MFT paperwork was approved and the Village could now start expensing costs for salt and snow removal to MFT.

**ADJOURNMENT**

**Motion:** Trustee Manivong moved to adjourn the meeting at 8:44pm. Trustee Clark seconded the motion. Voice Vote: All members voted yes. Motion carried.

The next Regular Meeting of the Village Board is scheduled for December 16, 2019.

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Nancy Nelson, Village President

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Elizabeth Losiniecki, Village Clerk