

**VILLAGE OF HINCKLEY**  
**REGULAR BOARD MEETING - MINUTES**  
**November 25, 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:** N/A

**Also Present:** Deputy Clerk Rita Barnett, Treasurer Dave Maroo, Police Chief Gettemy, Attorney Aaron Szeto, Dale Youngers (TEST), Chris Ott (EEI), and Members of the Public.

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

**PUBLIC COMMENT on Agenda Items Scheduled for Action Only**

N/A

**GENERAL BUSINESS**

- **Agenda item for Discussion/Approval:** 11/11/19 Regular Board Meeting Minutes  
Trustee Clark requested a change under Committee Reports/Personnel/Agenda Item/Full Time Public Works Employee: changing that she had gone through the applications with Trustee Manivong for review instead of Trustee Zimmermann. Trustee Clark moved to approve the corrected 11/11/19 Regular Board Meeting minutes, and Trustee Constant seconded the motion. Roll Call Vote: Clark-Aye, Manivong -Abstain, Zimmermann- Aye, Constant-Aye, Nancy Nelson-Aye. Motion carried.
- **Agenda item for Discussion/Approval:** 11/11/19 Committee of the Whole Meeting Minutes  
Trustee Clark moved to approve the 11/11/19 Committee of the Whole Meeting Minutes and Trustee Constant seconded the motion. Roll Call Vote: Manivong -Abstain, Zimmermann- Aye, Constant-Aye, Clark-Aye, Nancy Nelson-Aye. Motion carried.
- **Agenda item for Discussion/Approval:** Payment of Invoices Due  
Trustee Constant moved to approve the invoices as presented, and Trustee Manivong seconded the motion. Roll Call Vote: Zimmermann-Aye, Constant-Aye, Clark- Aye, Manivong -Aye. Motion carried.

**Guest Presentation**

**Liability Insurance Renewal: Presentation by Ryan Doyle, Arthur J. Gallagher & Co.**

Mr. Doyle reviewed a proposal of insurance which was also provided to the board in a binder. A loss control portal called "CORE360" was also reviewed. This portal is a proprietary learning management system that supports safety programs, provides real time access to loss control plans, and keeps employees up to date with the latest safety standards. If the board is interested in pursuing this portal, Trustee Constant can follow up on that. President Nelson noted that we used to have safety training. Trustee Constant noted that they went through the insurance proposal at a committee meeting. He recommends leaving the existing deductibles in place except for increasing the property deductible. He would like to vote on the insurance proposal tonight.

Trustee Constant noted that the Village has been awarded \$1170.00 from the IPRF Grant Program for 2020. There was a brief discussion with suggestions on how to spend the grant.

- **President Nelson and Attorney Szeto suggested a vote to move the discussion/approval of the Liability Insurance Renewal and the Gallagher CORE360 Loss Control portal up on the agenda so they could be considered after Mr. Doyle's presentation.**

Trustee Constant made a motion to move up the two agenda items: Liability Insurance Renewal and the Gallagher CORE360 Loss Control Program, and Trustee Manivong seconded the motion. Roll Call Vote: Constant-Aye, Clark- Aye, Manivong –Aye, Zimmermann-Aye. Motion carried.

Trustee Constant reviewed the Village of Hinckley Pricing Comparison handout showing \$2,500.00 Property Deductible coverage at \$66,994.00 and a \$5,000.00 Property Deductible coverage at \$64,534.00.

Trustee Constant made a motion to approve the Village liability insurance to Arthur J. Gallagher Risk Management Services, Inc., 2850 Golf Road, Rolling Meadows, IL 60008, as presented in Proposal presentation date November 12, 2019, effective December 31, 2019 of \$5,000.00 Property Deductible coverage not to exceed \$64,534.00, and Trustee Zimmermann seconded the motion. Roll Call Vote: Clark- Aye, Manivong –Aye, Zimmermann-Aye, Constant-Aye. Motion carried.

## **PRESIDENT'S REPORT**

- **Agenda item for Discussion/Approval:** *Harvesting Our Future Contract Assignments*
- **Agenda item for Discussion/Approval:** *Disbursement of harvesting Our Future Funds to Hinckley Festival Association*

Village President Nelson referred to Attorney Szeto regarding the Harvesting Our Future (HOF) contracts. Attorney Szeto reviewed the 3 contracts as presented and stated that they need formal approval.

- Contract Assignment: Between the Village of Hinckley, Harvesting Our Future /Hinckley Festival Association, and Danielle Casali, regarding the contract dated 07-11-19 between the Village and Casali.
- Contract Assignment: Between the Village of Hinckley, Harvesting Our Future /Hinckley Festival Association, and OC Creative, regarding the contract dated 05-06-19 between the Village and OC Creative.
- Contract Assignment: Between the Village of Hinckley, Harvesting Our Future /Hinckley Festival Association, and the DeKalb County Community Foundation, regarding the contract dated 12-19-17 between the Village and the Foundation.

Trustee Constant moved to approve the 3 Harvesting Our Future Contract Assignments as presented and Trustee Manivong seconded the motion. Roll Call Vote: Manivong - Aye, Zimmermann-Aye, Constant-Aye, Clark- Aye. Motion carried.

President Nelson reported on the following:

- per EEI the striping of the newly paved parking areas should be done in the spring, possibly April 2020
- the truck used for leaf pick up needs to go to Superior Diesel for repairs
- President Nelson, Attorney Josef Kurlinkus, TEST, and Steve Phillips met with CJ of Lake County

Grading to approve the lift station to be hooked up and ready to go. So far there have been 2 houses sold on the property.

Dale Youngers reported that SCADA is up and running on the alarm systems. Mr. Youngers will be the one contacted. Tomorrow a program will be installed on their smart phones. The emergency generator is hooked up and there will be training on it tomorrow. Mr. Youngers noted that I and I is an issue and they may have to physically enter it. Regarding a date which they turn it over, Chris Ott reported that it might depend on their punch list and that part of the punch list is the streets. President Nelson noted that Mr. Youngers should be notified going forward. Trustee Clark asked if they were able to look at the lift station before it was closed up. Mr. Youngers said that basically yes and that he has the key.

## **REPORTS OF OFFICERS, TRUSTEES AND DEPARTMENT HEADS AND ACTION ITEMS**

### **• Treasurer's Report**

Treasurer Dave Maroo gave a summary of the FY 2020 Treasurer's Monthly Fund Balance Report dated October 31, 2019, that was provided to the board. Mr. Maroo stated that we need to approach the Royal Estates developer Steve Phillips to add funds to the escrow account. He also stated that the shortages in the Water & Sewer account should begin to be alleviated after this month's billing. There is an EPA loan payment coming up in January and for the first time he won't have to scramble to find the funds for it.

### **• Attorney's Report**

Trustee Constant asked what a quorum was, and Attorney Szeto stated that quorum is four, but you can count the President in determining quorum. In situations where you have three trustees present and the Village President, you would have quorum but you would need the Village President to vote on certain items.

### **• Engineer's Report**

Chris Ott reported on the following:

- He spoke with engineering and they are going hold off on the striping until next year. Trustee Zimmermann asked if the pricing would be the same and Mr. Ott said yes. Chief Gettemy will work on signage. There was a discussion on if we need an ordinance to declare a temporary parking ban until April. Attorney Szeto noted that the Police Department has the ability to just do it and let the public know of parking restrictions.
- When the invoice from the State of IL comes in, it needs to go to Chris Ott.
- They fire hydrants that were affected by debris during the road work have been cleaned and are ok now per Dale Youngers.
- Mr. Ott is working on the Motor Fuel Tax (MFT) paperwork

### **• Chief of Police**

Chief Gettemy reported on the following:

- Office Gary Michaels resigned and has taken a position with the City of Sandwich. There is a full time position open and Chief has spoken with a potential candidate.
- The current Code Red notification program is the best price for what we get as compared to other programs
- New lighting and cameras for the Village Hall building will be installed. President Nelson noted that the light in front of the building needs to be repaired. There has recently been damage to the police vehicles and personal vehicles in the parking lot. Mostly similar screws being placed under the tires. An 8 camera package normally priced at \$1,500.00 was on sale for \$699.00. Chief and Daniel Roop can install it. Trustee Constant asked about Cloud storage, and Chief noted that it needs to be FOIA-able so he is waiting to hear from

the State of IL on that. Attorney Szeto noted that there is a schedule of retention for keeping Village records. Trustee Constant suggested maybe using the IPRF grant money.

- The police department facility has been reorganized, stemming from the prior escape of a prisoner: Exit doors, detention bench, cameras and lighting.
- DeKalb County Sherriff's now have access to our building.
- Re-establishing relationships with area police departments and backups. Using each department's resources to interchange training. On Dec 27<sup>th</sup> we are hosting a training session taught by the State of IL.
- The High Mobility Multipurpose Wheeled Vehicle (HUMMWV) that the Village had at one time, has been returned to the Department of Defense.
- They are meeting with the committees and going to public events.
- As of tomorrow the ticket writing software will be installed. They also have report writing software that allows for accountability and tracking, evidence module, electronic cash reporting. They will be virtually paperless.
- Implementation of a sex offender's registration. Offender pays \$100.00 and the Village will get \$35.00 of that.
- The Police Department can now use E-Pay for Golf Cart Registrations with the help of Daniel Roop setting that up.
- CourtSmart is a learning system for continued education that they will be using.
- The Chief is currently the Leads Coordinator.
- Audit is being done on the evidence room and is about 60% complete.
- The Chief needs 24 hours of annual training and he will be completing that.
- There were approximately 1710 calls for the police department services.
- A criminal case from 2015 was re-opened and evidence was turned over to the DeKalb County Sheriff's dept.
- Priority: Fill a full-time position. The Chief and Office Weibler are currently working 10 hour daily shifts.

#### • Parks & Recreation

Kari Schaddelee reported on the following, per her monthly report that was provided to the board:

- Community Tree Lighting to be held on Dec 6 at 5:30 PM with hot cocoa and snacks and 3 Girl Scout Troops attending. Hinckley Fresh Market donated pre-packaged fresh dough for cookies. President Nelson commented that Kari has done a great job.
- Other upcoming programs: Art classes, Family Open Gym starts after winter break, requesting building use for Open Volleyball ages 14+, Pastry Class on Jan 18.
- Royal Warrior Challenge had 16 registrations for a profit of \$215.19.
- Other: working on a winter break event, working on potential survey questions, working on 2020 programs, searching for a new Yoga instructor, additional programs in the works.
- Year to date of people using Parks & Recreation is approximately 794+ people.

#### • Water & Sewer

Dale Youngers reported on the following:

- Thanks to Trustee Manivong who reached out to Dale regarding the need for new computers and software programs. Trustee Manivong noted that they will take care of what they need. Trustee Zimmermann asked if they needed as desktop or laptop. Mr. Youngers said a desktop. Trustee Constant noted that the cost of annual Cloud storage is about \$600.00 or \$60.00 monthly.

- **Public Works**

President Nelson reported on the following:

- Ceneca Wagner is working on the street lights that are out. They picked up leaves today but the truck needs to go in for repairs because there is an air leak and the brakes fail.

- **Village Clerk**

President Nelson reported that the Village Clerk is not here to day and that Deputy Clerk Barnett is filling in for her.

## **COMMITTEE REPORTS**

- **Personnel**

Christine Clark reported that they are starting the interview process to replace Joe Moore. They have a lot of interviews scheduled and would like to wrap that up. Ms. Clark would like to re-open the online job posing.

- **Harvesting our Future**

No report.

- **Finance & Economic Development**

- **Agenda item for Discussion/Approval:** *Estimate of the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2019 and Ending April 20, 2020.*

Treasurer Maroo reviewed the estimated Tax Levy worksheet provided to the board, and noted that the last column of appropriations is under the 5% increase. The document also showed “The taxing district’s aggregate levy did not exceed a 5% increase over the prior year’s extension. Therefore, a notice and a hearing were not necessary.” Attorney Szeto noted that the estimated Tax Ordinance needs to be posted on the public counter at the Village Hall for 20 days and formally approved on December 16<sup>th</sup>.

Trustee Constant moved to approve the Estimate of: the Levy and Assessment of Taxes for the Fiscal year Beginning May 1, 2019 and Ending April 20, 2020 total not to exceed \$274,070.00 and Trustee Manivong seconded the motion. Roll Call Vote: Zimmermann-Aye, Constant-Aye, Clark-Aye, Manivong - Aye. Motion carried.

Trustee Constant reported that he is a member of the DeKalb County Community Foundation (DCCF) where Community Champions meet at different locations within the county. He attended the DeKalb County Economic Development Authority (DCEDA) Annual Dinner with approximately 300 people in attendance, where they discussed local businesses.

- **Public Safety**

No report.

- **Streets and Alleys**

- **Agenda item for Discussion/Approval: Creation of Alley Vacation Plat and Legal Descriptions quote & Financial Responsibility regarding alley west of 149 May Street**

Chris Ott reviewed a proposal dated November 21, 2019 from EEI for Land Surveying services. The proposal is for EEI to provide the necessary field office and personnel to produce a Plat of Vacation of the alley in Block 6 of the Original Town of Hinckley and will also create 4 legal descriptions describing that part of the alley that each of the 4 adjacent parcels will be acquiring. Trustee

Zimmermann stated that he has a survey for one lot. He discussed the maps he provided to the board with signatures of property owners agreeing to a 50/50 split of the alley vacation: Shores of 164 N. Garfield, Wilson of 155 N. May, Leffelman of 149 N. May, and Stewart of 130 N. Garfield. Attorney Szeto stated that we need a vacation plat showing all properties as they exist today.

Trustee Zimmermann stated that he as a plot from 2005 from DeKalb County. Attorney Szeto states that they need to show current encroachments. There was a discussion on buildings becoming legal/non-conforming and what happens if more than 50% of the building is damaged, and that you also lose the legal/non-conforming status. Trustee Zimmermann stated that the buildings did not need to meet current codes as they were legal/non-conforming and grandfathered. Attorney Szeto stated that they DO have to meet the 2017 code as there is no evidence that the buildings were ever properly permitted to be located in their current locations. Trustee Zimmermann disagreed. Attorney Szeto stated that once it's drawn out, we'll know what the encroachments are and that it is not legal non-conforming and not grand-fathered in, but rather it's illegal as the Village has no documentation that the structures were ever properly permitted to be where they are located. As such, the structures would need to be torn down or a variance applied for. However, the board has the policy choice to treat the buildings as "built properly" i.e. legal/non-conforming or to treat the buildings as illegal because there is no documentation either way. The consensus of the Village Board was to treat the structures as being legal non-conforming. Chris Ott stated that EEI would draw exactly where encroachments are. Attorney Szeto stated that the property owners are allowed to pay the EEI fee. The Village Attorney can write the ordinance and it could be approved at a board meeting. Chris Ott stated that they would survey the lot pins, draw encroachments, write 4 legal descriptions. Trustee Constant asked if we could tell the property owners what they will get for their money, if they pay for the EEI fees. Attorney Szeto stated that the variance is up to the property owners if they want to apply for it. The buildings still encroach, but are legal non-conforming.

Trustee Zimmermann moved to approve the EEI proposal to provide the necessary field office and personnel to produce a Plat of Vacation of the alley in Block 6 of the Original Town of Hinckley and create 4 legal descriptions describing that part of the alley that each of the 4 adjacent parcels will be acquiring. Trustee Clark seconded the motion. Roll Call Vote: Constant-Aye, Clark- Aye, Manivong - Aye, Zimmermann-Aye. Motion carried.

**° Agenda item for Discussion: Alley Split & Financial Obligation Agreement for Property Owners adjacent to Alley west of 149 N. May Street**

There was a discussion regarding payment of the costs of EEI proposal to create the Plat of Vacation and legal descriptions. Chris Ott asked if we want to hear from the property owners, and President Nelson said yes.

Trustee Zimmermann suggested that Ceneca Wagner get a spray application license to spray weeds. President Nelson asked him to get that information to the office.

**• Water & Sewer**

No report.

**• Buildings, Grounds & Parks**

Trustee Manivong requested that Joe Moore's cell phone service be put on "hold" with Verizon.

## **PUBLIC COMMENT**

- Chris Ott asked if there were any utilities in the alleys and if we have easement rights. Attorney Szeto stated that the vacation ordinance would include a provision that reserves an easement for any utility that is in the alley so the utilities automatically get the right to stay there if they are already there.
- Bob Gregg reported that a portion of Dr. Marwaha's building on Lincoln Ave. is falling down. President Nelson and Chief Gettemy reported that the problem has been looked into.
- LuAnne Scalley reported that her issue is a continuation of their property on 335 W. Lincoln Ave. Ms. Scalley believes that the village re-zoned the property from a multi-family to a B-1 without her knowledge. She has had some conversation with Russ Kula of the Planning Commission. She feels the village should put it back to multi-family. She referred to Lorraine Popp's resale shop zoning. President Nelson said that the Popp property was not changed to Business. Ms. Scalley said that her property was and that she didn't know about it. Trustee Constant stated that the issue was on the agenda for the last Planning Commission meeting, but that it was not discussed. Attorney Szeto said the process should be to: 1. He will look at documents provided by Ms. Scalley, 2. Have the Village Clerk confirm whether documents regarding prior zoning of 335 W. Lincoln can or cannot be located 3. Determine what happened in 2009, with the approval of a new zoning map. Chris Ott stated that when zoning amendment is for the entire town (i.e. approval of zoning map) it is not required to be in a notification to each resident. There should be a zoning request to the Planning Commission, the request published in the paper, Planning Commission makes a recommendation to the board, the board votes on it at a regular board meeting. Attorney Szeto suggested that Ms. Scalley's request for a waiver of the zoning application fee should be an agenda item at the next board meeting, and that Ms. Scalley fill out a Zoning Map Amendment Application and the board will decide if there is a cost to the applicant. Ms. Scalley would like to be notified of that. Attorney Szeto estimates it to be a 2 month zoning process total. Trustee Constant said that the next Planning Commission meeting is on January 6, 2020. Attorney Szeto stated that a publication must be in the paper for 15 days and for no more than 30 days before the Public Hearing. There was discussion on other properties that have sold in that same zone. President Nelson noted that, that's why we are trying to do things right going forward. Attorney Szeto noted that some Lenders check for zoning before selling property, but it seems that hasn't always been the case in this area which is why we are coming across situations where properties have sold with the zoning not being correct for the actual use on the property.

## **OPEN DISCUSSION**

No discussion.

## **ADJOURMENT**

**Motion:** Trustee Constant moved to adjourn the meeting at 9:00 PM. 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 6, 2019.

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Nancy Nelson, Village President

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Rita Barnett, Deputy Clerk