

## Village of Hinckley Board Meeting for March 2, 2009

President Diedrich called the meeting to order at 7:30 p.m.

Roll call showed Trustees: Todd Prellberg, Steve Warner, Dan Godhardt, Lee Luker and George Hubert Jr. all present. This established a quorum.

Other persons in attendance included: Jeffrey Lewis, Village Attorney, Dave Walker, Police Chief, Dale Youngers, Waste Water Treatment Plant Supervisor from TEST, Inc., Joe Moore, Supervisor of Public Works, Rob Judd, Chairman, Village of Hinckley Planning Commission and Kevin Bomstad, Senior Engineer, Engineering Enterprises, Inc. (EEI).

The Pledge of Allegiance was recited.

The minutes for the February 17, 2009 Village Board meeting were presented for approval. Trustee Prellberg made a motion to approve the minutes as presented; seconded by Trustee Godhardt.

**Motion carried 4-0; Trustee Luker voted present.**

The bills were presented for approval of payment. Trustee Godhardt made a motion to approve paying the bills as presented; seconded by Trustee Hubert.

**Motion carried 5-0.**

### TOTAL OF ALL BILLS

General Fund	\$	3,429.43
Police Fund		1,087.81
Parks and Recreation Fund		757.90
Water and Sewer Fund		6,562.66
Road and Bridge Fund		787.50
Payroll Fund		<u>13,178.24</u>
Total:	\$	25,803.54

### TOTAL OF ALL DEVELOPER ESCROW BILLS

Land Partners, LLC		9,771.75
General (Joint) Escrow Account		51,973.93
Royal Estates Subdivision, Unit 8		15,367.29
Weslan Corporate Center		<u>3,231.25</u>
Total:	\$	80,594.22

### ATTORNEY'S REPORT

Attorney Lewis stated the attorney for Benchmark Bank would like to meet with representatives of the Village of Hinckley the afternoon of March 10, 2009 at Village Hall. Mr. Lewis would like Mr. Bomstad, EEI to attend as well. Trustee Luker suggested calling the Letter of Credit now and then meet with the Bank's representatives. Trustee Prellberg asked if the Village wants to run the development or leave it up to the Bank. Mr. Lewis replied if the Village elects to take over the project, then it would have to go through a public bid-letting process like any other public project.

Attorney Lewis stated calling the Letter of Credit will cost the Village a lot more than waiting for the Bank to complete the development. He stated it would be a mistake for the Village to call the Letter of Credit. The Bank needs to know who will be in charge of the project to back up the Letter of Credit if the Village takes over. Trustee Warner felt the Letter of Credit needs to be called immediately.

Trustee Luker stated the Village has a flooding issue related to this development. He asked if the Village needs to get access to the property neighboring Royal Estates to alleviate flooding on Clark St. Mr. Lewis replied the Village would have to pass an ordinance of eminent domain to gain access to private property.

Attorney Lewis went on to report the Village acquired the deed to the alleyway south of McKinley Ave. between Walnut and Coster Streets.

Attorney Lewis also reminded the Board that bids for the sale of the former Wright Place property at 132-134 E. Lincoln Ave. will be accepted through March 9, 2009. All bids will be opened on Wednesday, March 11, 2009 at 3:00 p.m. Acting Clerk Grivetti stated there have been no bids submitted thus far.

President Diedrich asked Mr. Lewis if he has worked on the salary and compensation ordinance for the elected officials. Mr. Lewis replied the Board will have to decide if it wants a separate ordinance or if they want to incorporate the increase in the appropriations ordinance.

[At this point, President Diedrich moved up the Comments from Persons Present section to accommodate a member of the audience.]

#### **COMMENTS FROM PERSONS PRESENT**

Matthew Hernandez, Waste Management, Inc. representative introduced himself and distributed his business cards to the Trustees.

#### **DEPARTMENT SUPERVISOR'S REPORTS**

**Waste Water Treatment Plant Supervisor, Dale Youngers** distributed copies of a report concerning a bypass at the WWTP on February 26, 2009. He also provided an amended quote from DPS Equipment Services, Inc. and a second quote for the RBC repairs. Todd Prellberg made a motion to accept the bid from DPS Equipment Services, Inc. at a cost of \$37,100; seconded by Trustee Godhardt.

**Motion carried 5-0.**

**Public Works Supervisor, Joe Moore** reported the Public Works Department continues to inspect manhole covers for infiltration. He also reported two dips in the roadway on W. Oak Knoll Dr. These dips line up with tiles under the roadway that lead to the creek.

Mr. Moore further reported that this year's salt contract will be different from last year's. He will explain these differences to President Diedrich later.

Trustee Hubert asked if he had any more information regarding the new LeafVac. Mr. Moore replied he did not; although he might be done with it by the end of this week.

**Police Chief David Walker** thanked Hinckley officer and Waterman Police Chief Chuck Breese for traffic control during the Lady Royals Basketball Team's championship celebration, Sunday March 1, 2009.

## **COMMITTEE REPORTS**

**Todd Prellberg, Streets and Alleys** – Trustee Prellberg had nothing to report.

**Parks and Recreation** – Trustee Prellberg reported EEI has submitted plans to repair creek erosion at Streamside Park. Mr. Bomstad, EEI, stated the Village is allowed to stabilize 500 lineal feet without a permit. He added to clean the creek, perform maintenance and notify the Army Corp of Engineers; it would cost the Village approximately \$25,000. Trustee Luker suggested dumping riprap along the bank so no one will get hurt. Mr. Bomstad replied a large amount of the cost is cleaning out the creek, not so much reinforcing the bank.

**Steve Warner, Water and Sewer** – Trustee Warner distributed a discussion outline from his Water and Sewer Committee meeting earlier. He presented two quotes to clean up the site of the Leaking Underground Storage Tank (LUST) at the WWTP. Trustee Warner made a motion to accept the bid from Midwest Testing, Inc. for \$16,220 to test the soil to determine whether or not it is contaminated.

Trustee Luker asked why the Village cannot just have someone remove the dirt. Mr. Bomstad, EEI, replied the Fire Marshall notified the IEPA of the leak when the tank was removed. The IEPA's regulations are very complete; information has to be documented on 20 Day and 45 Day reports. The Village is obligated to respond to the IEPA via these reports. Trustee Godhardt seconded Trustee Warner's motion.

Trustee Luker asked if the bid included removing the soil. Trustee Warner replied, no. Trustee Luker read a portion of the second bid which indicated complete removal of the contaminated soil. Mr. Bomstad stated there is a possibility the soil will not have to be removed.

**Motion carried 4-1; Trustee Luker voted no.**

Trustee Warner continued with the Well No. 4 Rehabilitation. He stated a second bid came in cheaper than the Layne Western bid. He made a motion to accept the bid. Trustee Hubert stated he did not know how the Village would be able to finance the project. Trustee Prellberg added it was originally part of the Water Works Improvement Plan; however the Board felt the well would not survive long enough to be funded through the IEPA loan process. Trustee Hubert stated the Village could borrow the funds; however banks will want to know how the Village plans to repay the loan. Trustee Warner tabled his motion. Mr. Bomstad, EEI stated the project has already been included in the IEPA request for funds.

Trustee Warner went on to report on the Wells 3 & 5 Water Treatment Plant Engineering Design Agreement. Trustee Warner made a motion to appropriate \$3 million for the Water Works Improvement Plan. Trustee Hubert replied his understanding is that the Village needs to get a \$250,000 loan to pay for the Engineering Design Agreement in anticipation of being awarded the IEPA loan. Trustee Luker asked if the Village should wait to vote on the agreement until after the public meeting scheduled for March 7, 2009. Trustee Godhardt replied the Board needs to make a decision now in order to proceed with the IEPA loan request process and to meet their deadlines. Trustee Prellberg asked if it would be too late to wait until after the public meeting. Mr. Bomstad, EEI replied the Village should have made a decision on this 45 days ago. He stated EEI has amended the original Water Works

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Improvement Plan proposal down to \$3,066,000; and thus the Design Engineering Agreement down to \$205,500. Trustee Godhardt made a motion to move ahead with the project with Engineering Enterprises, Inc.; to sign the Design Engineering Agreement at a cost of \$205,500; and to pursue a \$250,000 loan to fund it; seconded by Trustee Warner.

**Motion carried 5-0.**

Mr. Bomstad stated he would like to give a dry run of his presentation prior to the public meeting. It was scheduled for Wednesday, March 4, 2009 at 3:30 p.m. at Village Hall.

Trustee Warner further reported he has struck a tentative deal with the Village of Hampshire on behalf of the Village of Hinckley for their ion exchange unit for a cost of \$45,000. President Diedrich stated he is not in favor of the purchase as it will still cost \$30,000 to move it; it comes with no warranty; and it will have to be stored until the Village is ready to use it. After further discussion, Trustee Prellberg suggested Trustee Warner inform the Village of Hampshire the Village of Hinckley could not commit to an answer at this time.

**Dan Godhardt, Economic Development** –Trustee Godhardt reported he has scheduled a Planning Commission meeting for Wednesday, March 11, 2009 at 7:30 p.m. DeKalb County Planning Director Paul Miller will attend to discuss the proposed Zoning Map. All are invited to attend.

Trustee Godhardt also requested the Village send himself and Acting Clerk Dawn Grivetti to the Municipal Best Practices Seminar, March 19, 2009 sponsored by Metro West Council of Government at a cost of \$30 plus mileage. Trustee Prellberg made a motion to send Trustee Godhardt and Acting Clerk Grivetti to the seminar; seconded by Trustee Hubert.

**Motion carried 5-0.**

**Lee Luker, Building and Grounds** – Trustee Luker reported the Public Works Dept. workshop has been cleaned up; however the garage door is in need of future repairs. He also stated the Village will pursue bids for grass cutting. He asked for input from the Board regarding additions or changes to the plan from last year. Trustee Luker asked if the Village should maintain the south right-of-way along Rt. 30 across from the Elementary School. Trustee Prellberg commented monthly contracts could be possible. There was no consensus from the Board.

Trustee Luker stated he would also like to do something about the trees downtown. President Diedrich replied the Village can do nothing about them as the Village has not signed off on the construction project with IDOT yet. Trustee Prellberg reported that two of the trees are missing.

Trustee Luker asked about the highway street light next to the Village parking lot. Mr. Moore replied he is waiting for parts.

**George Hubert, Jr., Finance & Personnel Committees** – Trustee Hubert stated he has scheduled a Finance Committee meeting for heads of departments on Tuesday, March 17, 2009 at 9:00 a.m.

Trustee Hubert also scheduled a Personnel Committee meeting for Monday, March 16 at 6:00 p.m. He stated he will continue to pursue a loan for \$250,000 for preliminary design engineering costs for the water project. He stated he has talked to four different lenders with no further deal.

**TABLED ISSUES**

1. Draft Sign, Fence, Zoning and Subdivision Control Ordinances

President Diedrich stated the Village received approval from Attorney Steve Andersson stating these documents are an improvement of what the Village currently has on record. Trustee Hubert made a motion to accept the final draft of the Zoning Ordinance (dated 1-16-09) as approved by Mr. Andersson; seconded by Trustee Godhardt. [Ordinance no. 09-03]

**Motion carried 5-0.**

Trustee Godhardt made a motion to accept the latest revision of the Subdivision Control Ordinance as approved by Mr. Andersson; seconded by Trustee Hubert. [Ordinance no. 09-04]

**Motion carried 5-0.**

Trustee Godhardt made a motion to accept the latest revision of the Fence Ordinance (dated 1-16-09); seconded by Trustee Hubert. [Ordinance no. 09-05]

**Motion carried 5-0.**

Trustee Godhardt made a motion to accept the latest revision of the Sign Ordinance (dated 1-16-09); seconded by Trustee Hubert. [Ordinance no. 09-06]

**Motion carried 5-0.**

Trustee Godhardt made a motion to send letters to Robert Arthur Land Company and Land Partners, LLC requesting payment of their escrow accounts be made in full now that the ordinances have been passed; seconded by Trustee Hubert.

**Motion carried 5-0.**

**PRESIDENT'S REPORT**

1. Royal Estates Letter of Credit

Previously discussed.

2. Lady Royals Proclamation

In honor of the Lady Royals Basketball Team's class 1A state championship win this weekend, the Village Board wishes to invite the team and its representatives to the next Village Board meeting on March 16, 2009.

3. Miscellaneous Items

a. Hinckley Business Association has requested the Village allow them to either hang flower pots on the new light poles downtown or purchase concrete planters for them. Trustee Prellberg stated he would prefer they not hang planters on the light poles. The Board agreed they would not allow hanging pots or fund concrete planters.

b. Mr. Pritchard's Breakfast will be Monday, March 9, 2009 at 7:00 a.m. in Waterman. The cost is \$15 per person. Contact President Diedrich if you wish to attend. The Village will fund it.

- c. The DeKalb County Economic Development Corporation (DCEDC) will host their annual dinner to discuss the "State of the County" at the Farm Bureau office in Sycamore on Tuesday, March 31, 2009 from 4:30 – 7:00 p.m. If any Board members are interested in going, please see President Diedrich.

**ACTING CLERK'S REPORT**

Mrs. Grivetti distributed copies of Representative Foster's Fiscal Year 2010 Appropriations Request Forms. Requests for seven projects were submitted. She also reminded the Board of several upcoming events:

- 1) The Village of Big Rock has invited interested persons to attend their Waste/Stormwater Drainage Committee meeting tomorrow night, March 3, 2009 at 5:30 p.m. to discuss their Wastewater Feasibility Study.
- 2) There is an Illinois Municipal League Workshop March 20, 2009 in Cherry Valley.
- 3) There is also a Municipal Best Practice Seminar sponsored by Metro West Council of Government on March 19, 2009;
- 4) The H-BR School District will be hosting a public meeting on March 19, 2009 at the High School to report the findings of their Facility Study.
- 5) Mrs. Grivetti reminded the Board of the Village's public meeting for the Water Rate Study this Saturday, March 7, 2009 from 9:00 to 11:00 a.m.

Mrs. Grivetti reported on the money received since February 17, 2009 and the transfers for approval.

**MONEY RECEIVED SINCE FEBRUARY 17, 2009**

Utility Tax-State	\$ 5,648.58
Income Tax	14,718.61
State Use Tax	2,171.00
Parks and Recreation Program Fees	421.60
Parking Fines	100.00
Permit #09-02 (Sleeth Electric/re-roof)	200.00
Recycle Bin	5.00
Lions Club Auction Income	<u>42.50</u>
Total:	\$ 23,307.29

**TRANSFERS FOR APPROVAL**

To Payroll Fund from:	
General Fund	\$ 15,026.78
Police Fund	16,548.13
Water and Sewer Fund	4,863.34
Road and Bridge Fund	<u>3,970.20</u>
Total:	\$ 40,408.45

Trustee Luker made a motion to approve the Transfers; seconded by Trustee Godhardt.

**Motion carried 5-0.**

**DISCUSSION**

Trustee Luker asked about International Codes Consultants and Inspections, Inc.'s (ICCI) commitment to the Village in honoring their contract with the Village. He suggested looking for a new company to serve the Village's Building Department needs. Trustee Prellberg added the Village has a history of dissatisfaction with ICCI. President Diedrich stated ICCI has an employee who is a resident of the Village and is on call for the Village. Trustee Prellberg asked if ICCI has done anything regarding the partial collapse of the NAPA Building downtown. He asked if it is the Village's job to call ICCI to report such instances. President Diedrich replied if he sees something that needs their attention, he calls them; however in this economy, ICCI has had to make necessary cut backs. Again, Trustee Prellberg asked if it is the Village's responsibility to call ICCI. President Diedrich replied, yes. Trustee Luker stated ICCI's contract with the Village requires them to do a weekly drive-through of the Village. Since the Village has not received a report of the partial collapse, he assumed the building has not been inspected. Trustee Luker suggested Bill and Barb Dettmer of ICCI be invited to attend the next Village Board meeting. Trustee Godhardt suggested also looking for different companies to meet the Village's Building Department needs. President Diedrich stated he would contact the Building Departments of DeKalb and Sycamore to see if they work outside their districts at all.

**ADJOURNMENT**

Trustee Godhardt made a motion to adjourn the meeting at 9:30 p.m.  
Adjournment was approved unanimously.

The next regular meeting of the Hinckley Village Board will be Monday, March 16, 2009 at 7:30 p.m. at Village Hall.

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Joseph J. Diedrich, President

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Dawn R. Grivetti, Acting Clerk