

Village of Hinckley Board Meeting for July 7, 2008

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

Mr. Steve Warner was sworn in as a new Trustee of the Hinckley Village Board. He is replacing former Trustee John Marsh.

Roll call showed Trustees: Todd Prellberg, Steve Warner, Dan Godhardt, Lee Luker and George Hubert Jr. all present. Trustee Rob Fischer was not present. This established a quorum.

Other persons in attendance included: Jeffrey Lewis, Village Attorney; Dave Walker, Chief of Police; Joe Moore, Public Works Supervisor; Dale Youngers of T.E.S.T. Inc., Waste Water Treatment Plant Supervisor; Rob Judd, Chairman, Hinckley Planning Commission; Anna Kurtzman, International Codes Consultants and Inspections, Inc. (ICCI); Norm Beeh, Beeh Engineering; and James Garbe, Jim Roush and Steve Rienks all representing Weslan Corporate Center.

The Pledge of Allegiance was recited.

President Diedrich announced he just received a letter of resignation from Trustee Fischer sighting family obligations and moving outside the district as his reasons for resigning. His resignation will be effective July 21, 2008.

The minutes for the June 16, 2008 Village Board meeting were presented for approval. Trustee Prellberg made a motion to approve the minutes as presented; seconded by Trustee Godhardt.

**The 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 Prellberg.

**The motion carried 5-0.**

**TOTAL OF ALL BILLS**

General Fund	\$	11,234.43
Police Fund		4,493.43
Parks and Recreation Fund		886.00
Water and Sewer Fund		8,598.51
Road and Bridge		1,074.00
Payroll		<u>23,981.36</u>
Total:	\$	50,267.73

**TOTAL OF ALL DEVELOPER ESCROW BILLS**

Robert Arthur Land Company	\$	14,871.00
Land Partners, LLC		9,771.75
General (Joint) Escrow Account		53,569.61
Royal Estates Subdivision, Unit 8		13,596.29
Weslan Corporate Center		<u>1,593.50</u>
Total:	\$	93,402.15

**ATTORNEY'S REPORT:**

Attorney Lewis reported that the former Wright Place property located at 132-134 E. Lincoln Ave, Hinckley, was sold at Sherriff's auction on June 26, 2008. The Village of Hinckley was the only bidding party and subsequently now owns the property with a clear title. The amount bid was \$63,177.75. Mr. Lewis informed the Board of its options: hold the property for future Village use, sell the property at auction, or list the property for sale. No survey or formal appraisal is available, but the Village can provide a buyer with a clear title.

Trustee Hubert made a motion to advertise the property for sale; seconded by Trustee Godhardt.  
**The motion carried 5-0.**

Attorney Lewis suggested the selling price should be \$63,177.75; he will work with Dawn Grivetti, Clerk Pro-tem to advertise the property for sale.

Attorney Lewis reported he is still working on the property clean-up issues. He has court papers to be signed by the Village's Inspector from International Codes Consultants and Inspections (ICCI), Inc. President Diedrich suggested the Village Inspector can use his own judgment regarding any current improvements to the properties in question.

Attorney Lewis has received a response from ANT (railroad property subsidiary) regarding Rickert Street right-of-way. They are asking for more detailed drawings of the property. Mr. Lewis indicated the developer will provide the necessary information.

President Diedrich updated the Board on the railroad crossing gates that are scheduled to be installed at the Oak St, Sycamore St. and E. Sandwich Rd. crossings. He stated that because of the fatal accident at the Oak St. crossing earlier this year, the installation of the gates has been delayed pending the outcome of the investigation.

Trustee Luker asked Mr. Lewis to re-write the Village's Utility Delinquency Notification ordinance (Sec. 86-165.) to include a deposit requirement and a requirement that water bills are to be sent to the property owners to pay the bill and not to tenants.

**DEPARTMENT SUPERVISOR'S REPORTS:**

Police Chief Walker had no report at this time.

Waste Water Treatment Plant Supervisor, Dale Youngers asked the Board about hiring a part-time worker. President Diedrich stated he consulted with the DeKalb County Court system to find persons in need of community service hours. There is no one at the local or county level in need of community service hours.

Mr. Youngers also asked the Board if a drinking water cooler similar to the one at Village Hall could be provided to the Treatment Plant. Trustee Hubert suggested getting rid of all drinking water coolers and installing drinking fountains at the Waste Water Treatment Plant. Mr. Youngers replied he would not drink from a drinking fountain at the Treatment Plant do to the possibility of cross-contamination.

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Trustee Prellberg suggested providing a drinking water cooler until a more permanent solution could be provided.

Mr. Youngers asked the Board if a Village ordinance exists requiring property owners to display property addresses on their buildings/residences. Anna Kurtzman, ICCL, replied that it is part of the building code to display addresses. Mr. Youngers explained it is necessary to know the correct address when replacing or reading water meters. Chief Walker will provide Mr. Youngers and the Maintenance Department with a map containing addresses.

Public Works Supervisor, Joe Moore reported he has not received any bids to repair the sanitary system along Rt. 30 following the construction project. He provided the Board with a list of deficiencies from the construction project and requested any other items the Trustees might be aware of. Mr. Moore gave Trustee Prellberg a report regarding the front-end loader.

Mr. Moore thanked the Board for the rental of the brush chipper. It has made clean-up of storm debris easier.

Mr. Moore has no new information regarding the "Welcome to Hinckley" signs.

Mr. Moore reported the "No Engine Braking" signs related to the Village's Vehicle Noise Ordinance may have to be revised to read, "EXCESSIVE ENGINE BRAKING NOISE PROHIBITED," as per Sec. 12-602.1 of the Illinois Vehicle Code (Public Act 094-0756) and 92 Ill. Admin. Code 547, Engine Braking Signs. Mr. Moore would like Attorney Lewis to review the Village Ordinance to verify it complies with the State Code.

At this time, President Diedrich thanked the Police Department on behalf of the Hinckley Fireworks Committee for their help on June 29, 2008.

**COMMENTS FROM PERSONS PRESENT:**

Randy and Trudy Taylor, 413 E. McKinley Ave. asked the Village Board to consider purchasing the "alleyway" adjacent to the east side of their property that is currently up for auction. The parcel in question has been maintained by the Village as an alley for several years, however, it was never properly deeded to the Village, and is now being auctioned off by the County Treasurer's office for non-payment of back taxes. The Taylors use the "alleyway" to access their shed in the back of their property and would like the parcel to remain open for public access.

Dennis Ohnstad, 431 E. McKinley Ave, stated he also would prefer the Village officially acquire the parcel and continue to maintain it as an alley. He indicated utility vehicles use the "alleyway" to access the actual alley to the south of the parcel. President Diedrich added the Fire Department has also used the "alley" in the past. Mr. Ohnstad stated the auction will be held on August 8, 2008 and the minimum bid for the parcel is \$639.00.

Attorney Lewis stated even though the Village has maintained the parcel as an alley for almost 100 years, it would cost the Village \$2,000 – 5,000 to obtain a court order to prove the Village has common rights to the parcel. If a private person purchases the parcel, they could not close the "alleyway" if the Village of Hinckley still wishes to maintain the parcel as an "alleyway". Mr. Lewis suggested the residents purchase the parcel and deed it to the Village if they wish it to remain open to the public.

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There was discussion of liability in case of an accident.

Trustee Luker made a motion to purchase the "alleyway" parcel at auction; seconded by Trustee Godhardt.

Trustee Prellberg asked Trustee Luker what the maximum bid would be. Trustee Luker replied, \$1,500. **The vote was 3-2 with Trustees: Luker, Godhardt and Warner voting in favor of the purchase and Trustees: Prellberg and Hubert voting against the purchase. According to State Law, a super majority of four (4) votes in favor is needed to purchase property. The motion failed.**

The continued maintenance of the "alleyway" will be added to the agenda of the Committee of the Whole meeting.

Mr. Ohnstad was also concerned about the access to the actual alley south of the aforementioned "alleyway". He stated the duplex south of his property and east of the alley was originally supposed to use Rt. 30 as access to their residences. A fence was to be installed to prevent their using the alley west of their property, however, the fence has since been removed and the residents have been using the alley to enter/exit their property. He would like the fence to be reinstalled. President Diedrich will speak to the property owner south of Mr. Ohnstad.

**COMMITTEE REPORTS:**

**Rob Fischer, Parks and Recreation** – Trustee Fischer was not present. President Diedrich reported he spoke to the Hinckley Business Association regarding the grant for the mural. They will discuss a location for the mural. Trustee Luker stated he spoke to Bob Gregg, owner of Subway and he offered a location on his building; and John Michels also offered a location on his downtown building. It was suggested the Hinckley Historical Society review the requirements for the mural to decide the content of the mural.

**George Hubert, Jr., Finance** – Trustee Hubert would like the Board to consider hiring someone to work part-time with Betty Schleifer, Village Treasurer as she has indicated that she will be retiring in May 2009.

**George Hubert, Jr., Personnel** – Trustee Hubert reviewed changes the Personnel Committee made to the Personnel Manual. These changes include: updating Sec. 8.4.2 (memorialized clothing allowance); updating Sec. 9.2 (Holidays); and updating Sec. 9.3 (Vacation). Dawn Grivetti, Clerk Pro-tem suggested some grammatical and punctuation changes. Trustee Hubert made a motion to approve the Personnel Manual as presented; seconded by Trustee Luker.

**Motion carried 5-0.**

**Lee Luker, Building and Grounds** – Trustee Luker reported he has not received estimates for redeveloping the parking area and alley south of The Welcome Matt between S. May St. and S. Sycamore St. and north of the railroad.

Trustee Luker also presented the Board with a price quote from On-Site Computer Guy, Inc. to replace two computers and a printer in the office at Village Hall. He requested the item be put on the agendas for the next Committee of the Whole meeting and Village Board meeting.

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Trustee Luker then asked Mr. Youngers if T.E.S.T. Inc. had responded to his request for shared usage of their internet service for Mr. Moore's laptop at the Maintenance Department. Mr. Youngers replied they have not responded.

President Diedrich informed the Village Board that the Village received a check in the amount of \$50,000 for the construction grant to build Village Hall originally awarded in 2003. Ms. Schleifer had to resubmit the grant application to receive the funds.

**Dan Godhardt, Economic Development** – Trustee Godhardt reported the Planning Commission is in the process of reviewing the latest version of the draft Zoning and Subdivision Control Ordinances received June 2, 2008. The next Planning Commission meeting is scheduled for July 16, 2008.

**Steve Warner, Water and Sewer** – President Diedrich announced Trustee Warner would be replacing John Marsh as the Chairman of the Water and Sewer Committee. He has also been appointed a member of the Streets and Alleys Committee, Building and Grounds Committee, and Parks and Equipment Committee.

**Todd Prellberg, Streets and Alleys** – Trustee Prellberg stated he will be having a meeting Thursday, July 10, 2008 at 3:00 p.m. At that time, they will discuss the Safe Routes to School Program. The Committee will also discuss changing the Engine Breaking signs.

Trustee Prellberg then updated the Board on the developer/consultant negotiations. Land Partners, LLC has responded favorably to the consultants' latest offer of a 20% reduction of the outstanding invoices. Land Partners, LLC will settle with the consultants by the end of July 2008. Trustee Prellberg added he has not heard from Robert Arthur Land Company.

President Diedrich reminded the Trustees of the joint meeting of the Hinckley-Big Rock Community Unit School District, the Hinckley Village Board of Trustees and the Big Rock Village Board of Trustees scheduled for Wednesday, July 9, 2008; dinner to be served at 5:30pm in the high school cafeteria. President Diedrich suggests discussing the Village of Hinckley and School District Agreement to maintain the driveway through Pioneer Park. He is also concerned about the entrance to the baseball diamond north of the high school from Prairie St.

**TABLED ISSUES**

1. **Weslan Corporate Center Preliminary Plat/Plan** - Presented by James Roush  
Mr. Roush distributed literature advertising the Weslan Corporate Center and a document titled Protective Covenants and Guidelines. Trustee Prellberg asked Mr. Roush if there were any new initiatives on behalf of Weslan to re-build Jericho Rd. from E. Sandwich Rd east along the development site. Trustee Prellberg stated he was concerned about inheriting Jericho Rd. at a standard less than that which the Village holds other incorporated roads to. Mr. Roush replied there are no changes to the plan regarding Jericho Rd.  
Norm Beeh, Beeh Engineering stated the Traffic Study done for this development did not address Jericho Rd. All traffic is to enter/exit the site via E. Sandwich Rd. The developer will be required to improve E. Sandwich Rd. from the railroad crossing to a point 300 feet south of Garbe Dr. Trustee Prellberg asked Mr. Beeh if he would recommend the Village annex Jericho

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Rd. as is. Mr. Beeh replied it is in bad shape. He also added there could be an east phase to this development at which point Jericho Rd. could be required to be re-built. Trustee Godhardt stated trucks could still come west on Jericho Rd. from E. County Line Rd. to E. Sandwich Rd. to access Garbe Dr.

President Diedrich stated if the Village annexes the site, the Village could put up truck restriction signs. Trustee Godhardt asked if the Village posts the road, will we be able to enforce it.

Trustee Luker stated there should be some consideration to upgrading Jericho Rd. He also stated the Board hasn't discussed sidewalks and landscaping yet. President Diedrich stated industrial parks shouldn't be required to install sidewalks. Trustee Luker stated detention ponds should be required to have landscaping. Trustee Godhardt stated landscaping can be included in the annexation agreement.

Trustee Godhardt reminded the Board they were only asked to approve the location of the industrial development site and the design presented to insure it meets Village standards. All other requests need to be discussed for inclusion in the annexation agreement.

Mr. Beeh was asked by the Board if the development plan meets water and drainage codes. Mr. Beeh replied yes. Mr. Youngers asked if anyone had considered what the sewage would consist of. Mr. Beeh replied the developer has proposed limited water use. Anna Kurtzman, ICCI stated once the zoning of the development is approved, the Village cannot regulate what industry develops there.

Trustee Luker made a motion to accept the Planning Commissions recommendation to approve the Weslan Preliminary Plat/Plan; seconded by Trustee Warner.

**Motion carried 5-0.**

Trustee Godhardt made a motion to schedule a public hearing for July 30, 2008 for the zoning of the Weslan Corporate Center as I-1 with a Special Use for a Planned Unit Development; seconded by Trustee Luker.

**Motion carried 5-0.**

Trustee Prellberg asked the Board who would be on the Annexation Committee for the Weslan Corporate Center. It was established that Trustees Warner and Luker would represent the Village. The Board also agreed Attorney Lewis would handle the annexation of this property.

2. Personnel Manual  
Previously discussed in Committee Reports
3. Mural  
Previously discussed in Committee Reports

**PRESIDENT'S REPORT:**

1. Former Wright Place Property Auction  
Previously discussed in Attorney's Report

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2. Repair Cost Bids for Televised Sanitary System  
Previously discussed in Department Supervisor's Report

**DISCUSSION:**

President Diedrich informed the Board of a DeKalb County Township Officials' Dinner at Hopkins Park in DeKalb on August 5, 2008. The Village will provide the tickets for any Board member wanting to attend.

Trustee Luker stated the vegetation in Royal Estates Subdivision, Unit 8 is not being maintained.

Trustee Luker also asked about the status of the plaque that was to be installed at Pioneer Park in memory of Mr. Earl Johnson. President Diedrich is still working on the matter.

Trustee Prellberg asked who will chair Trustee Fischer's committee when he resigns. President Diedrich indicated he will chair the Parks and Equipment Committee until a replacement is appointed.

Trustee Luker asked when the Village Inspector is in the community is he to do follow-up work while he is in town. President Diedrich replied he is under the impression the Inspector is to remain in town for that purpose. Trustee Luker asked how the Village forces residents to complete work that a permit was issued for. Ms. Kurtzman replied it is up to the property owner to proceed. President Diedrich added the Village needs to have a mechanism in place to force property owners to finish work started. Ms. Kurtzman will follow up with Bill and Barb Dettmer, ICCL.

**CLERK PRO TEM'S REPORT:**

Mrs. Grivetti presented the money received since June 16, 2008.

**MONEY RECEIVED SINCE JUNE 16, 2008**

Income Tax	\$	16,232.57
Utility Tax (State)		4,026.71
Utility Tax (NICOR)		19,086.60
Park Rental (Binkley / 6-22)		50.00
Park Rental (Walley / 6-28)		50.00
Park and Rec. Fees		817.00
Police Report		70.00
Ordinance Violation (Clifford/weeds)		25.00
Police Special Acct.		1,300.00
Recycle Bin		5.00
Reimbursement from T.E.S.T., Inc. for labels		17.98
Faxon Rental (July, August, September)		225.00
Construction Grant		50,000.00
Permit #08-36 (Hummell/roof)		100.00
Permit #08-37 (Baumgartner/roof)		100.00
Permit #08-38 (Apadaca/roof)		100.00
Permit #08-39 (Gilland/window)		100.00

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Permit #08-40 (J&J Partnership/remodel)	550.00
Permit #08-41 (Moss/fence)	<u>100.00</u>
Total:	\$ 95,495.79

**TRANSFERS FOR APPROVAL**

To Payroll from:	
General Fund	\$ 16,751.65
Police Fund (done on 7/1/08)	17,968.47
Water and Sewer Fund	4,695.30
Road and Bridge Fund	<u>3,760.70</u>
Total:	\$ 43,176.12

Trustee Hubert moved to approve the Transfers; seconded by Trustee Godhardt.  
**The motion carried 5-0.**

**ADJOURNMENT**

Trustee Luker made a motion to adjourn the meeting at 9:35 p.m., seconded by Trustee Godhardt.  
**The motion carried 5-0.**

The next Committee of the Whole meeting of the Hinckley Village Board will be July 16, 2008 at 7:00 p.m. at the Village Hall.

The next regular meeting of the Hinckley Village Board will be July 21, 2008 at 7:30 p.m. at the Village Hall.

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Joseph J. Diedrich, President

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Dawn R. Grivetti, Clerk Pro-Tem