

## Village of Hinckley Board Meeting for January 5, 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, Rob Judd, Planning Commission Chairman, Kevin Bomstad, Engineering Enterprises, Inc. (EEI), Deb Winkle, H-BR School Board Member and Bob Pritchard, State Representative.

The Pledge of Allegiance was recited.

The minutes for the December 15, 2008 Village Board meeting were presented for approval. Trustee Hubert made a motion to approve the minutes as presented; seconded by Trustee Godhardt.

**Motion carried 5-0.**

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

**Motion carried 5-0.**

### TOTAL OF ALL BILLS

|                      |    |                  |
|----------------------|----|------------------|
| General Fund         | \$ | 2,783.84         |
| Police Fund          |    | 1,658.11         |
| Park Activity Fund   |    | 89.00            |
| Water and Sewer Fund |    | 7,627.91         |
| Payroll Fund         |    | <u>26,406.41</u> |
| Total:               | \$ | 38,565.27        |

### TOTAL OF ALL DEVELOPER ESCROW BILLS

|                                   |    |               |
|-----------------------------------|----|---------------|
| Land Partners, LLC                |    | 9,771.75      |
| General (Joint) Escrow Account    |    | 51,973.93     |
| Royal Estates Subdivision, Unit 8 |    | 13,866.79     |
| Weslan Corporate Center           |    | <u>131.25</u> |
| Total:                            | \$ | 75,743.72     |

### ATTORNEY'S REPORT:

Attorney Lewis reported the streets throughout Royal Estates Subdivision, Unit 8 have been barricaded. He asked what else the Village wanted done there. President Diedrich stated he would like to know whom the Village is dealing with in regard to the subdivision. Mr. Lewis replied only Richard Samuelson, the Vice President of Benchmark Bank. Trustee Hubert asked if the Village can hire a contractor to do what needs to be done. Mr. Lewis replied, yes. Trustee Warner stated the Village can fill in the open holes at the intersections with Oak and Coster. Mr. Lewis replied the Village can do whatever it wants; however, the Village may never be reimbursed for the costs.

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Attorney Lewis stated he will talk to Mr. Samuelson on Tuesday, January 6, 2009 in order to get the holes filled by Friday, January 9, 2009. He will also schedule a meeting with the Village and the Bank by the end of January for the spring construction plans.

President Diedrich asked Mr. Lewis if he has done anything to help sell the former Wright Place property at 132-134 E. Lincoln Ave. Mr. Lewis replied he drew something up earlier; he will send it to Mrs. Grivetti tomorrow.

**DEPARTMENT SUPERVISOR'S REPORTS:**

**Waste Water Treatment Plant Supervisor, Dale Youngers** reported the RBC-2 chain broke again yesterday. This is the third time. He has no bid to upgrade it to direct drive yet. Mr. Youngers asked Kevin Bomstad, EEI, what the status is regarding permitting for Well No. 4. Mr. Bomstad replied the project is permitted and ready to go, however it will cost approximately \$120-150,000. President Diedrich stated the Finance Committee Chair says to go ahead with the project. Mr. Youngers then stated the shaft leading to the pump is bent. It will only last so long in that condition. Well No. 3 is the Village's only back-up. Trustee Luker asked how long it will take to do the actual work. Mr. Bomstad replied four to six weeks. Trustee Luker made a motion to replace Well No. 4 to make it a submersible pump; Trustee Godhardt seconded the motion.

**Motion carried 4-0 with Trustee Warner abstaining.**

**Police Chief Walker** reported the Village received a check from the Hinckley-Big Rock School District in the amount of \$2,967.00 for the Resource Officer. He thanked the Superintendent and the School Board.

**Public Works Supervisor, Joe Moore** was not present. President Diedrich reported on his behalf that the Village Board did not tell Mr. Moore where to put the "Welcome to Hinckley" signs. IDOT has said the population sign on the east end of town would have to be removed if the welcome sign is put on the north side of Rte 30. Trustee Luker stated he would like the sign placed on the south side of Rte 30 on the 84 Lumber property; the west-end sign can be placed where the current one is. Trustee Godhardt asked why on the south side. Trustee Luker replied there is no private property on the north side. Trustee Prellberg suggested adding the population sign to the welcome sign and putting the welcome sign where the population sign currently exists. Trustee Luker stated he does not want to eliminate the reflective IDOT population sign. Trustee Warner made a motion to put the new "Welcome to Hinckley" sign on State property on the east end of the Village and add the population to it. The motion was not seconded.

**COMMENTS FROM PERSONS PRESENT:**

Mark Lippoldt, 460 Clark St.

Mr. Lippoldt asked the Village Board what is being done regarding the flooding where Miller St. and Clark St. meet. President Diedrich gave an explanation of the existing tiles and stated the Village will be working on it soon. He stated the flooding is a result of construction in the Bish Subdivision and is also related to the Royal Estates Subdivision. Mr. Lippoldt asked about the Village's timetable. President Diedrich replied it depends on the meeting with Benchmark Bank. Mr. Lippoldt asked if the Village

knows the underground tile leads to the retention pond at Royal Estates. Trustee Warner replied the Village is working on that.

Deb Winkle, 640 Donald St.

Mrs. Winkle inquired about the Village's street resurfacing projects. She presented the Board with pictures of the six hundred block of Donald and Rees Streets. She stated the Village resurfaced this section of these streets resulting in flooding in the street. There is no pitch to the street allowing the water to flow into the gutters. Mrs. Winkle stated residents in the area were previously informed the Village wanted to wait for state funding to correct the problem. Trustee Prellberg replied he is aware of the problem and that it is slated for improvement in 2010 or 2011.

**COMMITTEE REPORTS:**

**George Hubert, Jr., Finance & Personnel Committees** – Trustee Hubert presented a statement from a recent Personnel Committee meeting. The Personnel Committee met with Mr. Rob Mason regarding the Treasurer's position. Trustee Hubert made a motion to appoint Mr. Mason Treasurer effective May 1, 2009 at an annual salary of \$2,500.00; and to hire Mr. Mason as a temporary employee for the period of January 1, 2009 through April 30, 2009 for a total salary of \$833.00 to assist the current Treasurer on a regular basis with the preparation of various monthly and annual fiscal year financial reports so that he becomes knowledgeable concerning the financial affairs, annual financial audit, and fiscal reporting requirements of the Village of Hinckley. Trustee Hubert was reminded that the Board may only recommend an appointment; the President appoints the Treasurer. Trustee Prellberg asked isn't that something the next President is supposed to do at the start of their new term. Trustee Luker restated the motion to appoint Mr. Mason Treasurer now. After further discussion, the Board recommended the appointment of Mr. Rob Mason as Treasurer effective January 1, 2009.

President Diedrich stated he will agree to hire Mr. Mason as a temporary employee to train with the current Village Treasurer effective January 1, 2009 through April 30, 2009; with an effective appointment as the new Treasurer commencing May 1, 2009. Trustee Luker made a motion to approve the hiring and effective appointment of Rob Mason as Treasurer; seconded by Trustee Godhardt.

**Motion carried 4-1 with Trustees: Hubert, Luker, Godhardt and Warner voting yes and Trustee Prellberg voting no.**

Trustee Hubert continued to report on a proposed change in the Personnel Manual that was overlooked by the Personnel Committee when the current manual was last updated on April 7, 2008. The Personnel Committee recommends the following changes:

- 9.3 Vacation – Employees are encouraged to use their vacation time. *However, employees are allowed to carry forward no more than five vacation days from one year to the next or receive payment at the regular hourly rate for no more than five vacation days (40 hours) if they so desire. Payment for up to five unused vacation days (40 hours) will be made only during the last pay period of the calendar year and must be requested in writing by the employee.*

Employees will be awarded vacation days based on length of continuous service completed as follows:

1 through 5 years: 10 Vacation Days

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Each additional year: 1 Vacation day up to a maximum of 25 per year (attained in year 20)

However, the vacation days earned during the first year of employment will become available on a quarterly basis as they are earned, i.e. 2.5 days available at the end of 3 months service, 5 days available at the end of 6 months service, etc.

(Note – if ~~the~~ this new schedule adopted on 7 April 2008 adversely affects any current Full Time employees as of 7 April 2008 ~~04/07/08~~, they will accrue vacation days using the formula set forth in the 17 February 2004 version of the Personnel Manual as amended. ~~current formula/February 4<sup>th</sup> amendment~~)  
(Approved and amended 7 April 2008 ~~04/07/2008~~)

Trustee Hubert made a motion to approve the recommended changes to the Personnel Manual; seconded by Trustee Godhardt.

**Motion carried 5-0.**

**Lee Luker, Building and Grounds** – Trustee Luker reported on building improvements to the Maintenance Shop. He stated the Village may need to purchase a new garage door. The roof also needs to be repaired. Trustee Luker directed employees in the Maintenance Dept. to clean up the shop and build shelves for extra storage.

President Diedrich stated he is concerned about future flooding issues along the Little Rock Creek bank under the Sycamore St. bridge. Trustee Luker directed Mr. Bomstad, EEI to look into landscaping options.

**Dan Godhardt, Economic Development** – Trustee Godhardt had nothing to report.

**Steve Warner, Water and Sewer** – Trustee Warner reported the Maintenance Dept. has been shutting off water to delinquent accounts. He also stated the Village had a “pumping incident” on December 27, 2008 that involved minor flooding; however there were no sewer back-ups that he is aware of. President Diedrich stated there are still a lot of illegal sump pumps draining into Village sewer mains. Trustee Warner also reported roughly one third of all new manhole lids have been installed.

Trustee Prellberg stated the Village still does not have a written emergency plan of what to do the next time major flooding occurs. He stated the Village promised residents yet a plan has not been developed. Trustee Warner replied he has reviewed Kane County’s emergency plan. Trustee Prellberg would like the Village to identify drop-off locations for sand and sand bags for residents.

**Todd Prellberg, Streets and Alleys** – Trustee Prellberg reported a resident has issues with the use of a north/south alley between the one hundred block of North Sycamore and May Streets. The resident cannot always access his garage because the alley is frequently blocked by cars using the adjacent parking lot. Trustee Prellberg stated the Village needs to clarify the division between the alleyway and the parking area.

Trustee Prellberg continued to report the 2008 Street Program has been completed at a cost of approximately \$132,900. This is \$10,000 over the estimation, but includes the railroad improvements.

The improvements to Pioneer Park came in under estimation. The School District has been made aware of their portion on the improvement costs.

Trustee Prellberg also stated he wished to re-submit a bill on behalf of a resident on Coster Ct. for improvements to a sidewalk. The Board previously approved and paid for the first half of the bill, however, this request was not approved by the Board. Trustee Prellberg made a motion to approve the reimbursement of \$275.00 to the resident for sidewalk improvements; seconded by Trustee Luker.

**Motion carried 5-0.**

Trustee Prellberg further stated Joe Moore's request for time off has been moved to February.

**Parks and Recreation** – There was no report.

#### **TABLED ISSUES**

There were no tabled issues to report.

#### **PRESIDENT'S REPORT:**

1. Village Clerk Ordinance

Trustee Luker asked if the terms of the appointment and salary should be included in the ordinance. Attorney Lewis replied the terms are congruent with the committee chair appointments and salaries are never included in ordinances. Trustee Prellberg made a motion to approve the Ordinance Authorizing the Appointment of Village Clerk; seconded by Trustee Godhardt.

**Motion carried 5-0.**

2. Water Rate Study and Design Engineering Agreement

Kevin Bomstad, EEI gave a presentation on the Water Rate Study conducted by Engineering Enterprises, Inc. The study offered three potential rate structure scenarios. One scenario includes constructing Well No. 5. Mr. Bomstad stated this new well will provide a higher quality of water to the residents while eliminating the need for bottled water and home water softeners. Trustee Luker stated if the Village receives a grant for construction for Scenario B, it would eliminate the need for debt service only; the Village would still have to increase water rates. Trustee Luker suggested a waste water rate study should also be done. Rob Judd, Planning Commission Chairman stated the Village should show the public full justification of water rate increase separate from waste water rate. President Diedrich suggested the Village could have several "open houses" to notify residents of rate changes. Mr. Judd added the Village should also notify every resident in writing.

Mr. Bomstad stated he needs a decision from the Board of which scenario the Village will choose soon in order to meet the State's deadline schedule. The Design Engineering Agreement with EEI will cost the Village \$233,000. This covers the costs from permitting to bidding only; equal to seven percent of total construction costs. Future costs to complete the project will be approximately seven to nine percent of construction costs. These fees are not included in debt service presented in the Water Rate Study.

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Mr. Bomstad stated, in order to secure loans and funding, this project needs to be done as soon as possible. The loan process is costly. Trustee Luker stated the Village cannot spend money it does not have. Trustee Warner added the Village cannot let the opportunity pass for another year.

Trustees Warner and Hubert will meet with EEI executives to discuss payment plan options on January 19, 2009 at 3:00 p.m. at EEI.

3. Village Project List

Kevin Bomstad, EEI distributed a list of known Capital Improvement Projects that can be submitted to State and Federal Representatives for funding consideration.

4. Draft Ordinances

President Diedrich reminded the Board of Robert Arthur Land Company's refusal to pay their portion of invoices due regarding the development of the draft Sign, Fence, Zoning and Subdivision Control Ordinances. President Diedrich asked where the Board stands with the draft ordinances. Trustee Luker reminded the President the Board agreed to hold another public hearing for the ordinances. President Diedrich asked why the Village should spend more money if it is not necessary; the Village is only making more work for itself. Trustee Warner stated once passed, the ordinances could always be amended if necessary. President Diedrich stated he would like to proceed with what the Village already has.

Trustee Godhardt chastised Mr. Art Zwemke for submitting such a letter and complaining now rather than during the process of developing the ordinances. He himself set up many of the meetings and insisted changes to current ordinances be made. Trustee Godhardt will respond to Mr. Zwemke on behalf of the Village in writing demanding payment. Trustee Prellberg informed the Board that Baxter & Woodman, the parent company of Local Government Strategies (who did most of the work on the ordinances) is being sued for over-billing developers of previous developments.

Trustee Godhardt further stated the Sign and Fence Ordinances have been approved. The Zoning Ordinance requires a Zoning Map which also requires a public hearing prior to approval. The Village Board previously agreed to display all draft ordinances at the public hearing. President Diedrich scheduled a Committee of the Whole meeting for January 12, 2009 at 7:00 p.m. to finalize discussions on all draft ordinances.

**ACTING CLERK'S REPORT:**

Mrs. Grivetti reported on the money received since December 15, 2008 and the transfers for approval.

**MONEY RECEIVED SINCE DECEMBER 15, 2008**

|   |    |                 |
|---|----|-----------------|
| Sales Tax   | \$ | 13,780.79       |
| Utility Tax (State)                                 |    | 4,329.28        |
| Income Tax (October)                                |    | 17,916.99       |
| Income Tax (November)                               |    | 11,190.10       |
| State Use Tax                                       |    | 2,534.99        |
| Park and Rec. Fees                                  |    | 125.25          |
| H-BR School Dist. (reimburse. For Resource Officer) |    | <u>2,967.00</u> |
| Total:  | \$ | 52,844.40       |

**TRANSFERS FOR APPROVAL**

|                       |    |                 |
|-----------------------|----|-----------------|
| To Payroll Fund from: |    |                 |
| General Fund          | \$ | 23,456.51       |
| Police Fund           |    | 23,046.06       |
| Water and Sewer Fund  |    | 7,703.04        |
| Road and Bridge Fund  |    | <u>6,788.85</u> |
| Total:                | \$ | 65,994.46       |

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

**Motion carried 5-0.**

**DISCUSSION:**

President Diedrich inquired about the status of the Welsan Corporate Center. Trustee Godhardt replied the Village is waiting for Weslan's Final PUD Plan; and the Annexation Negotiation Committee is working on an annexation agreement. Trustee Prellberg stated President Diedrich should ask Mr. Garbe to identify the lot he will be building his factory on. He should also be notified of his PUD deadline.

President Diedrich also stated the Village needs a representative to attend the next School Board meeting on Wednesday, January 14, 2009 at 7:00 p.m. at the High School. Trustee Godhardt agreed to attend on behalf of the Village.

**ADJOURNMENT**

Trustee Luker made a motion to adjourn the meeting at 10:05 p.m.  
Adjournment was approved unanimously.

There will be a Committee of the Whole meeting Monday, January 12, 2009 at 7:00 p.m. at Village Hall.

**The next regular meeting of the Hinckley Village Board will be Tuesday, January 20, 2008 at 7:30 p.m. at Village Hall do to the Martin Luther King Jr. holiday.**

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Joseph J. Diedrich, President

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Dawn R. Grivetti, Acting Clerk