

VILLAGE OF HEBRON
VILLAGE BOARD MEETING
JANUARY 22, 2024

President Shelton called the meeting to order at 6:01 p.m.

The meeting began with the Pledge of Allegiance.

Trustees Shepherd, Correll, Milarski, Stevens, Knaack, and Mogan answered aye to roll call.

Attorney Smoron was in attendance.

Motion to Approve the Minutes of December 20, 2023, Village Board Meeting

Trustee Correll made a motion to approve the minutes of the December 20, 2023, Village Board meeting. Trustee Knaack seconded the motion. Trustee Correll, Knaack, Stevens, Shepherd, Mogan, and Milarski approved the motion by answering aye. Motion carried.

Motion to Approve the December 2023/January 2024 Accounts Payable Balance

Trustee Shepherd made a motion to approve the December 2023/January 2024 accounts payable balance. Trustee Milarski seconded the motion. Trustee Shepherd pointed out that there were several large bills including Bill's Top Notch Tree Service, LLC for tree removal, Digital Ally for Body Cam Contract Services, CSI Technical Services, Inc. for IT services, HLR, Inc. for the building department, Hawkins, Inc. for chemicals, MJD Plumbing, Inc. for new water heater, Motorola Solutions-Starcom21 Network for contract services, Pat's Services, Inc. for pump lift station and jetting the storm sewer. Trustee Shepherd reported that there was \$30,431.90 due in accounts payable for the General Fund and \$22,595.71 due in the Water/Sewer Fund accounts payable. The total due for accounts payable was \$53,027.61. Trustee Shepherd reported that there were no add-ons this month. Trustee Shepherd, Milarski, Correll, Stevens, Knaack, and Mogan approved the motion by answering aye. Motion carried.

President's Report

President Shelton commended the public works department for their excellent work on plowing and keeping the snow cleared in the Village. He reminded the residents that parking on Main Street from 2:00 a.m. to 6:00 a.m. is not allowed. He announced that the Prairie Avenue grant for the third phase has been submitted and the Village is requesting \$460,000 to complete the project. President Shelton reported that the Village treasurer is working with the County and Pam Althoff to consolidate service areas and to continue the program throughout the county. He congratulated Chief Gumble for completing and graduating from Staff and Command education and training. Lastly, he reported that the votes are in for the Christmas Light Contest and the results will be reported on later in the meeting.

Public Comments

John Vole, 10006 Main Street, stated that he was at the Village Hall at 5:00 p.m. to attend the Planning and Zoning meeting prior to this meeting. He was concerned about the item on the Village Board agenda regarding the Village Downtown Overlay District requiring a building on premises to do sales because the Board is concerned about customers using other businesses

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bathrooms. He said he was trying to put a tiny house at the northeast corner of Route 173 and Route 47 to be used for used car sales, but this was denied by the Village. He feels that the agenda is to try to shut that corner down as it does not have a brick-and-mortar building. He feels that because it is an election year, he would like to sell Trump materials. He said that this is the second time the Board has created an ordinance to shut the corner down; the first being an ordinance regarding temporary fencing regulations. He asked why the Board is picking and choosing issues within the Village.

Steve Morris, 11902 Prairie Avenue, stated that he is hoping to get better communication regarding the construction on Prairie Avenue. He said that some residents are unable to get out of their driveways in the morning as they are blocked by construction equipment. He added that the residents and the workers almost get into altercations over such issues. He also expressed that he felt starting a project like this in the winter was a mistake as it makes plowing the roads very inefficient. He stated that some of his Christmas lights were ripped out of their tree because the workers could not bother to try and be gentle with it. President Shelton said that he will address these problems with the Village engineer, Frank Cuda.

Frank Michalczyk, 9704 Marci Lane, reported that a new VFP drive was installed in at station three and he also announced that he is retiring from his job with the Village of Hebron. He will let the Village know what his final day will be. He thanked the Village for being able to work for them for thirteen years.

An Ordinance Amending Title 5 Zoning Regulations (5A) Chapter 1, General Provisions, Section 5A-1-5 to increase the amount of penalties, Chapter 2, Definitions, to add the term Principal Building, Chapter 9, Business and Municipal Districts, Sections 5A-9-1.1, 5A-9-2-1, 5A-10-1.1 regarding Permitted and Special Uses in the B-1 and B-2 Business Districts, Chapter 10, Industrial Districts, Sections 5A-10-1.1, 5A-10-2.1, 5A-10-3.1 regarding Permitted and Special Uses in the I-1 and I-2 Industrial (Light) and I-3 Industrial (Heavy) Zoning Districts, Sections 5A-9-5.1 and 5A-9-5.3, Downtown Overlay District, and Appendix A, Uses Permitted in Agriculture, Business, Industrial and Municipal Zoning Districts of the Hebron Municipal Code, to add public parking lot as a permitted use in the B-1 and B-2 Business Zoning Districts

Trustee Milarski made a motion to approve the amendment to Title 5 Zoning regulations (5A) Chapter 1 as presented. Trustee Correll seconded the motion. President Shelton stated that this agenda item is for Village Board discussion only and he asked Trustee Milarski to explain what is being discussed tonight. Trustee Milarski said that she has been working on updating what pertains to B-1, B-2, I-1, I-2, and I-3 of the municipal code asking that business must be done within a structure which includes a foundation, has public utilities, pays sales tax, is a registered business. She added that the Board is aware of businesses in the Village business district that the Village has not received sales tax from and the temporary structures are left abandoned with items blowing all over resulting in calls to the Village Police Department. In addition, she stated that the employees and patrons of these pop-up businesses are using public restrooms in other establishments and she stated that the owners of these establishments have complained that this has become cumbersome at times. President Shelton said that the current administration is the

first to work with the State of Illinois and McHenry County to track sales tax paid to the Village. He added that currently no sales tax has been paid to the Village from any tented vendors operating in the Village. Trustee Stevens asked how this would affect street sales. President Shelton stated that businesses with brick-and-mortar buildings can sell items outside of their establishment if they do not block a sidewalk or impede pedestrian traffic.

Attorney Smoron stated that there were two things that came out of the public hearing which was that there was no testimony or evidence offered to counter the testimony that no sales tax is being recorded from any of the sales. Attorney Smoron stated that a former Village official attending the Planning and Zoning inquired about whether this ordinance change would address the location of flags. Attorney Smoron stated that this ordinance would not but added that if there was interest by the Board to address the stability of flags it could be addressed at some point. He said that there was mention of flags being attached to rebar in the hearing, but the ordinance presented this evening does not impact flying of flags, their location, or stability. Both Trustee Stevens and Mogan expressed that this has nothing to do with what is being sold, but it is about the Village of Hebron not receiving its share of sales tax. Trustee Shepherd stated that there are properties in the overlay district that are still zoned residential. Attorney Smoron stated what is being presented is to give a geographical description of what the downtown overlay district is and he explained that it does not affect the rezoning of any properties. Trustee Milarski, Correll, Shepherd, Mogan, and Stevens, approved the motion by answering aye. Trustee Knaack abstained. Motion carried.

Motion to Approve an Ordinance Amending Title 1, Administrative, Chapter 4, General Penalty, Section 1-4-3 Settlement of Offenses of the Hebron Municipal Code, to Delete Zoning Regulations from the Settlement of Offenses Table.

Trustee Mogan moved to approve the motion as presented and Trustee Knaack seconded the motion. Trustee Mogan, Knaack, Stevens, Shepherd, Correll, and Milarski approved the motion by answering aye. Motion carried.

Motion to Approve an Ordinance Amending Chapter 2, Stopping, Standing, or Parking, of Title 9, Traffic Regulations, of the Hebron Municipal Code

Trustee Stevens moved to approve the motion as presented and Trustee Milarski seconded the motion. President Shelton stated that this Ordinance amending Chapter 2 is to address major parking issues throughout the Village especially when it snows. He said that it addresses when there is two or more inches of snow there is no parking allowed on the streets as it impedes snow removal. He added that in this situation the cars will be ticketed or towed at the owner's expense. Trustee Mogan stated that he knows that Public Works has experienced a lot of problems regarding this issue. Trustee Stevens asked if there would be signs posted about this. President Shelton stated that there will be signs posted on Main Street and discussion ensued as to other areas where it may be needed. Trustee Shepherd expressed concern about parking spaces on Main Street within twenty feet of an intersection and fifteen feet of a fire hydrant. President Shelton stated that there are signs on Main Street regarding parking specifying no

parking allowed from 2 a.m. to 6 a.m., but no one will receive a parking ticket for parking correctly. President Shelton responded to Trustee Stevens question about parking for residents in apartments on Main Street stating that they will be allowed to park on the side streets. Trustee Stevens, Milarski, Shepherd, Correll, Knaack, and Mogan approved the motion by answering aye. Motion carried.

Motion to Approve GW & Associates, P.C. as the Auditor for the Fiscal Year Ending April 2024

Trustee Shepherd moved to approve the motion as presented and Trustee Knaack seconded the motion. President Shelton explained that George Roach has completed the Village audits for many years and does an outstanding job. Recently, he merged his business with GWA. President Shelton stated that they provided a contract including a slight increase as there was last year as well and he added that they are basically still the same firm. President Shelton added that the audits have been thorough with no issues. Trustee Sheperd agreed stating that they are very easy to work with and respond quickly when questions are asked. Trustee Shepherd, Knaack, Mogan, Stevens, Milarski and Correll and approved the motion by answering aye. Motion carried.

Motion to Ratify Approval of Nathan Muehl hired as Full-Time Police Officer of the Village of Hebron Police Department

Trustee Stevens moved to approve the motion as presented and Trustee Knaack seconded the motion. President Shelton reported that he has received many positive comments regarding Officer Muehl. Chief Gumble asked President Shelton to bring Officer Muehl on as a full-time officer of the Village Police Department as he would be a good asset to the Village. Trustee Stevens commended Officer Muehl for handling an incident at the public library regarding a transient woman. Trustee Stevens asked the Village police department for assistance and he said that Officer Muehl responded by doing everything in his power to help the young woman. Trustee Stevens stated that this showed Officer Muehl's commitment to the Village and to people in general. President Shelton stated that the police department has been completely restructured within the last year keeping in mind fiscal responsibility and providing structure as well. He worked with Treasurer Andrus to make sure it was possible to bring on both Officer Muehl and CSO Tomlin as full-time employees of the Village police department. President Shelton added that the police budget regarding wages has remained the same for the second year running. He feels that it is very important for the community to feel good, safe, responded to. Trustee Mogan stated that it is a pleasure to have Officer Muehl on the Village police force and that he has received nothing but praise regarding him. Trustee Milarski appreciates Officer Muehl and is happy that he will be in the Village more often. Trustee Stevens, Knaack, Mogan, Shepherd, Correll, and Milarski approved the motion by answering aye. Motion carried.

Motion to Ratify Approval of Darrick Tomlin hired as Full-Time CSO Officer of the Village of Hebron Police Department

Trustee Stevens moved to approve the motion as presented and Trustee Correll seconded the motion. President Shelton stated that CSO Tomlin has made a good and positive impact on the Village as well as at the schools taking care of necessary needs. Trustee Stevens stated that he is pleased with the impact that CSO Tomlin has had on the community and at the schools as well as truly creating a relationship between the Village and the police department. Trustee Milarski agreed. Trustee Mogan stated that he knows how important it is to have good community relations as an officer of a police department. He added that he has seen CSO Tomlin at functions and he has that skill naturally. Trustee Stevens, Correll, Shepherd, Milarski, Mogan, and Knaack approved the motion by answering aye. Motion carried.

Motion to Approve School District Fourth Grade Free Library at the Community Park

Trustee Stevens moved to approve the motion as presented and Trustee Knaack seconded the motion. Trustee Stevens explained that it will be a small box to house free books installed at the community park. He said that three fourth graders sought him out at the school because they needed to speak with a Village Board member about the possibility of making a place to have access to free literature. Trustee Shepherd said that he thought it was a great idea. Trustee Stevens said when the girls have more information regarding the specifics, they will let the Village Board know. Trustee Stevens, Knaack, Mogan, Milarski, Correll, and Shepherd approved the motion by answering aye. Motion carried.

Announcement of Christmas Light Winners

President Shelton reported that there were three categories to vote for instead of first through third placings. He said the three categories were Traditional, Griswold, and Rookie. He added that contestants had to register with the Village and choose a category. The Village Board voted for the winner of each category and each received a \$75 prize.

The winners were as follows:

Traditional: Deb Mindham of 11614 Prairie Avenue

Griswold: Steve Morris of 11902 Prairie Avenue

Rookie: Shawn and Courtnie Cadwell of 9614 Marci Lane

Trustee Shepherd said that this event gets better every year and said it is a challenge to vote on it. He also thanked everyone that participated.

Department Head Reports

President Shelton stated that Dan Nelson, Superintendent of Public Works, was not able to attend the meeting, but reported that Dan has been working a lot on snow removal. President Shelton also reported that Frank Michalczyk has been working on keeping the plant up and running. He also mentioned that Frank stated earlier that he was retiring.

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Chief Gumble, Chief of Police, said that the department overall is doing very well. She reported that the monthly calls were a total of 217 and the calls per month have remained steady. She said that she appreciated the Village Board filling spots within the department with additional staff and stated that Officer Muehl has been a great addition to the department. She also reported that she received a score of 92 percent for her staff and command training. Chief Gumble announced that her door is always open to the public.

Attorney Report

There was no report.

Board Comments

Trustee Shepherd commended the Public Works department for keeping up with snow removal recently. He also stated that he is happy that the police department is growing and he added that he enjoyed the Christmas lights around town.

Trustee Correll wanted to thank the police department for what they do and she added that they work well together. She stated that the Cocoa with a Cop was a nice event.

Trustee Stevens thanked all for attending the meeting tonight. He also expressed that the public works department did an awesome job with snow removal. He added that, although it was unexpected hearing that Frank Michalczyk will be retiring, he wished him well. Lastly, he commended the police department for all that they do for the Village.

Trustee Knaack thanked all for attending the meeting.

Trustee Mogan congratulated Chief Gumble for graduating from the Northwestern Public Safety school for staff and command which is a community leadership school for law enforcement. He stated that the Village is lucky to have been able to send their chief to take part in this training. He also thanked Sergeant Biancalana and the rest of the police staff for their help during the Chief's absence. He thanked Dan Nelson and public works for the wonderful job they did with snow removal and he added that he has been happy to see sidewalks shoveled as it helps with the community's safety.

Trustee Milarski stated that the Village will be starting the Monarch Pledge again. She asked for ideas to help promote monarch's and pollinators. She asked that people contact her with ideas.

Resident Joann Lange announced that St. John's Church has a small food pantry on the side of the church and anyone is welcome to access it. President Shelton added that with the cold temperatures the Village Hall and the Hebron Library welcome people during office hours to come in and warm up, if needed.

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Adjournment

Trustee Shepherd made a motion to adjourn at 7:14 p.m. Trustee Knaack seconded the motion. Trustee Shepherd, Knaack, Mogan, Shepherd, Correll, and Milarski approved the motion by answering aye. Motion carried by all.



Jean Attermeier,
Village Clerk



Robert W. Shelton
Village President

