

VILLAGE OF HEBRON  
VILLAGE BOARD MEETING  
JUNE 27, 2022

President Shelton called the meeting to order at 6:00 p.m.

The meeting began with the Pledge of Allegiance.

Trustees Shepherd, Mogan, Drevalas, Stevens, Peterson, and Lange answered aye to roll call.

**Motion to Approve the Minutes of May 23, 2022, Village Board Meeting**

Trustee Peterson made a motion to approve the minutes of the May 23, 2022, Village Board meeting. Trustee Stevens seconded the motion. Trustee Peterson, Stevens, Mogan, Drevalas, Shepherd, and Lange approved the motion by answering aye. Motion carried.

**Motion to Approve the May/June 2022 Accounts Payable**

Trustee Shepherd made a motion to approve the May/June 2022 accounts payable as presented with no add-ons. Trustee Mogan seconded the motion. Trustee Shepherd reported that there was \$29,570.13 due in accounts payable for General Fund and \$14,772.30 due in the Water/Sewer Fund accounts payable. The total due for accounts payable was \$44,342.43. Trustee Shepherd reported that dispatch services and the purchase of sewer chemicals were high this month. Trustee Drevalas questioned dispatch and sewer postage. Trustee Shepherd stated that the dispatch payment was one of two payments per year for services. Treasurer Fotland explained that sewer postage was high as there was a payment for the purchase of water/sewer billing card stock. Trustee Shepherd, Mogan, Drevalas, Stevens, Peterson, and Lange approved the motion by answering aye. Motion carried by all.

**President's Report**

President Shelton reported that the grant for the Prairie Street water line replacement has been received. He also reported that the damaged Frontier utility pole at the corner of Illinois and Prairie was replaced. He announced that the Annual Hebron Garage Sale Day will be on August 13<sup>th</sup>, the Hebron 4<sup>th</sup> of July Parade will be held on Saturday, July 2<sup>nd</sup> at 10 a.m. with staging at the high school between 9 and 10 a.m., and Hebron Fall Fest will be on Saturday, September 17<sup>th</sup> from 10 a.m. to 4 p.m.

**Public Comments**

*Penny Smith, and School Board Representative, and resident at 10113 Brigham Trail, thanked all that responded to the recent school survey. She reported that they received 352 responses. She also reported that the results of the responses and the Community Feedback Presentation regarding the referendum facilities planning on June 15 and can be found on the school's website.*

*Brian Ahrens, 12110 Price Road, wanted to know how many calls were responded to by the McHenry County Sheriff's Office in the absence of Village of Hebron police officers.*

*Christopher Robert, Village of Hebron Police Officer, declined to speak.*

*Kimmy Martinez, 9619 Main Street, read from a prepared comment which is attached to these minutes in its entirety.*

**Motion to Approve FY2022-2023 Appropriations Ordinance**

Trustee Shepherd made a motion to approve the FY2022-2023 Appropriations Ordinance. Trustee Mogan seconded the motion. President Shelton stated that they bumped up fuel costs as they have risen substantially. He also mentioned that they were able to cut legal fees down quite a bit since the case involving Trails of Hebron and J&L is complete. Attorney Smoron explained that an appropriation community is not a budgetary system. It allows setting a ceiling on what can be spent. He recommended the Village of Hebron to be conservative and to set limits a little higher to be safe as it is not legally binding, but exceedingly difficult to change. Trustee Peterson reported that President Shelton, Mark Shepherd, and herself worked diligently on this and feels it is in order. Trustee Shepherd, Mogan, Drevalas, Stevens, Peterson, and Lange approved the motion by answering aye. Motion carried.

**Motion to Approve an Ordinance Repealing that Certain Resolution Creating the Additional Position of Lieutenant and Eliminating the Position of Lieutenant at the Village of Hebron Police Department**

Trustee Shepherd made a motion to approve an ordinance repealing that certain resolution creating the additional position of Lieutenant and eliminating the position of Lieutenant at the Village of Hebron Police Department. Trustee Stevens seconded the motion.

Trustee Peterson read from a prepared statement and asked if repealing the resolution will have any effect on the police department as a whole or on the Chief of Police who has been with the department for over a decade. She added that recently the police department has been depleted of personnel and funds due to budget cuts. She feels that if this resolution is repealed, it would bring one more avenue to bring unwanted change to the remaining police department staff and structure. She asked the Board to table this until the next meeting in July to give the trustees time to discuss this issue with their fellow colleagues. President Shelton stated that he did not feel that the Lieutenant position is needed for the size of the town. Trustee Peterson stated that this position is not costing the Village anything currently as no one is filling this position. Trustee Lange agreed with Trustee Peterson. Trustee Drevalas expressed concern that the Board was not given enough time to make an informed decision. Trustee Mogan stated that he did not feel the department needed all these layers and pointed out that there is still an open sergeant's position available. Resident Kimmy Martinez asked to speak and Attorney Smoron stated that this was not an open discussion. Discussion ensued as to the legality of repealing this resolution and Officer Robert stated that the FOP rejected this proposal earlier.

Trustee Peterson amended the motion to table this issue until the July 25, 2022, Village Board meeting. Trustee Drevalas seconded the amended motion. Trustee Peterson, Drevalas, Shepherd, Mogan, Stevens, and Lange approved the motion by answering aye. Motion carried by all.

Officer Robert added that the proposed was received by the FOP on October 13, 2021, from Village Attorney Brad Stuart at 1:58 p.m.

**Motion to Approve Amending Section II of the Village of Hebron Personnel Rules and Regulations Manual**

Trustee Mogan made a motion to approve amending Section II of the Village of Hebron Personnel Rules and Regulations Manual. Trustee Shepherd seconded the motion. Trustee Peterson read from a prepared statement explaining that the current Village personnel handbook, Section II, allows the department heads to interview a future employee who would best fit the needs of their individual departments, subject to compensation level not to exceed the budget and would then make a recommendation to the Village President the Village Board for approval of hiring. She stated that the motion as it stands would eliminate the department heads from the process of hiring and given solely to the Village President with approval of the Board. She feels that this would negatively affect and negate any authority by the department heads. She asked if the President or the Trustees know the needs of the departments better than the department heads. She asked that this proposed amendment be to Section II of the Village of Hebron Personnel Rules and Regulations Manual be tabled until the July meeting for further review.

Discussion ensued regarding the role of the department heads when hiring employees. Trustee Peterson stated that the department heads should have first say when reviewing applicants and she feels that they should not be eliminated from the process. Trustee Lange stated that what he feels Trustee Peterson is questioning is why the Board is being asked to change this process at all. After much discussion, Trustee Mogan asked if it could be changed to read that an employee can be hired by department heads with the approval of the President and Village Board. He asked if the motion could be changed to this and voted on at this meeting. Attorney Smoron suggested it read "hired by the department head subject to approval of the Village President with the approval of the Board of Trustees." Trustee Peterson asked that "any employee may be terminated by the Village President or, alternatively, the Village President with the approval of the Board of Trustees" be stricken. Attorney Smoron gave an example of an issue with a previous employee's misconduct that makes this necessary to include. Trustee Peterson asked which of the positions are appointed. It was determined that the Treasurer, Clerk, Chief of Police, and the Attorney are appointed. Attorney Smoron explained the code that permits the termination of an appointed position. Trustee Mogan amended the original motion to read as the Village Attorney recommended. Trustee Shepherd seconded the amended motion. Trustees Mogan, Shepherd, Peterson, and Stevens voted aye. Trustees Drevalas and Lange voted nay. Motion carried.

**Motion to Approve Water Tanker Truck Hydrant Fill-up from \$50 to \$100**

Trustee Mogan made a motion to approve the increase for filling water tanker trucks from \$50 to \$100. Trustee Stevens seconded the motion. Superintendent Nelson stated that he did not feel the Village would lose money by this increase and he also did not feel that someone from public works needs to be there during fillings, however, they are always available if there was an issue. He stated that the money coming in from this adds up. Trustee Peterson stated that she would like the start day of August 1, 2022, to be added to the motion. Trustee Mogan amended his

motion to include this start date. Trustee Drevalas seconded the motion. Trustee Mogan, Drevalas, Shepherd, Lange, Stevens, and Peterson approved the motion by answering aye. Motion carried by all.

### **Department Head Reports**

*Superintendent Nelson, Public Works*, reported that they repaired the drop box in front of the Village Hall, flushed hydrants, cleaned gutters, mowed and weed wacked Village properties, mowed ditches, cleaned the park bathrooms, put new bearings in one of the squad cars, sprayed weeds, installed new lights at the Village Hall, trimmed and cut trees at the park as well as at some resident's homes and they repaired a water leak at the lift station.

*President Shelton reported for Frank Michalczyk* that all sewer lab equipment has been calibrated as required by the IEPA. He started collecting lead and copper samples from the assigned sites and have taken them to the lab. He asked if the two pumps at the main lift station were approved for replacement. Superintendent Nelson stated that the parts were no longer available to repair them. Trustee Peterson stated that this the replacement of these two pumps is in the budget. Trustee Peterson asked if there have been any changes in the water/sewer billing program. Superintendent Nelson responded that no changes have been made yet.

*Present Shelton* read the McHenry County Sheriff's report in Chief Donlea's absence.

*Treasurer Fotland* reported that the grant money came through and they are in the process of surveying Prairie Avenue.

There were no other reports.

### **Attorney Report**

No report

### **Board Comments**

Several of the trustees wished everyone a safe July 4<sup>th</sup> weekend. Trustee Drevalas thanked all for attending the meeting. Trustee Peterson thanked Sue Fotland, Treasurer, for her work on obtaining a grant for \$120,000 to change out the 4" mains on Prairie Avenue to 12" mains. She added that the Village must match these funds per the grant. Trustee Lange said that the grant mentioned was started in 2019 and he wished to congratulate Sue as well.

President Shelton reported that the Village Board meeting on July 11<sup>th</sup> is cancelled, and the next Village Board meeting will be on Monday, July 25 at 6:00 p.m.

### **Adjournment**

Trustee Shepherd made a motion to adjourn at 7:37 p.m. Trustee Stevens seconded the motion. Trustee Shepherd, Stevens, Drevalas, Lange, Mogan, and Peterson approved the motion by answering aye. Motion carried by all.

VILLAGE OF HEBRON  
VILLAGE BOARD MEETING  
JUNE 27, 2022



Jean Attermeier,  
Village Clerk



Robert W. Shelton  
Village President



While many are here for another extremely important issue, I'd like to recognize that we must still pay attention to important agenda issues.

The first is a motion to approve an ordinance repealing a resolution creating the position of Lieutenant within the Police Department and eliminating it completely.

The reason we cannot allow this to happen is quite simple. The size of the Police Department should never matter when it comes to having ranks within. When a ranking officer is out on vacation, sick leave or for some other reason, there MUST be an officer of rank to oversee the general patrol division. Decisions need to be made, questions must be answered and only another certified Law Enforcement officer can do this; not a Trustee, not the Village President.

I am hoping Trustee Mogan realizes this, as a former Law Enforcement officer and the other Trustees understand the reasoning why. If the vote is split, I can assure you, the Village President will go ahead with elimination. We have already witnessed his hostility towards law enforcement and rest assured, it has been enhanced this past week.

The second motion which needs attention is vaguely written on tonight's agenda. It states "Motion to approve amending Section II of the Village of Hebron Personnel Rules & Regulations Manual". This MUST NOT be passed. The current rule gives department heads, also widely known as managers, the ability to hire, fire and discipline their direct employees. This is EXACTLY HOW IT SHOULD WORK. President Shelton wants to take that ability away and have COMPLETE CONTROL over hiring, firing and disciplining ANY AND ALL employees. Can you say PATRONAGE? It is a dangerous precedent and would put this municipality in line with a dictatorship. It takes away the power of the Village Board to veto the firing of a Department Head. Government needs checks and balances! I appeal to the board to truly think about this decision and its repercussions.

*Kimmy Martinez*

*6-27-2022*

