

President Mark Breckheimer called the regular Board Meeting to order at 7 p.m. on Monday, August 10, 2020.

Roll Call – all members reported present except Dan Starfeld. Others present were Dennis DuPrey, Kim Plate, Ben Boesch, Dylan Beil, John Noskowiak and Ed Byrne.

Pledge of Allegiance – The pledge of allegiance was recited by everyone present.

Citizen Questions and Concerns to be acted on at the next Board Meeting – Ben Boesch addressed the Board. He is speaking in regards to the spraying of the creek behind his house and he has questions to why it was done that he would like some answers to. He stated that according to Plate the creek bank by his house was sprayed with round up either Friday July 31st or Monday August 3rd he wasn't sure which. Weeds got sprayed on the rocks along the creek by other residences. He is not sure why they did by his house because he maintains it and because it's 4" of grass back there only; no noxious weeds. Boesch said that Plate told him that they can't get anyone back in by the creek to get the weeds cut and he had checked with Wunrow, from the Town of Rantoul, to see if he would do it since he has in the past. Boesch said that Plate stated that Wunrow said it was too hard to get back there and he would not cut it. Boesch talked to Wunrow himself then; Wunrow stated that the only area he talked to Plate about was near the wastewater treatment plant. Boesch said that nothing was posted and neighboring properties of the creek were not notified. Boesch has a concern regarding children being back there. He stated that when he was talking to Plate regarding this, Plate's response was that the children should not be down by the creek. Boesch stated that he is well aware of that and that is why he has a fence there, but things can happen. He said he was told it is what it is and in a few weeks' time it'll be back to being green. Boesch stated in his line of work that doesn't fly and he wants a better, more professional, reason to why it happened. He feels that a notification should have been provided that this was happening in his back yard since there is no reason for it to ever get sprayed to begin with. There are rules regarding pesticides according to the DNR – NR107. Boesch states that it was reported that only the area around the bank and up to the creek was sprayed; then no permit is required under NR107. He states that even the little island in the middle of the creek was sprayed and he thinks that not getting any of the spray in the water must have been very difficult and it was a good thing that the Village was so precise with the sprayer. He stated that he felt like this was a way to get around needing a permit. Especially since he's sure that the pesticide used had the aquatic label of DATCP. He doesn't understand why the two yards adjacent to the creek (referring to his and Dylan Beil's), which are the most maintained, got sprayed 100%. Boesch explained that the spraying promotes erosion by eliminating the root system by the bank. He wonders why was this done on only a small stretch of the creek and not throughout the whole town? He said it is encouraged by the DNR to have native plants, trees, shrubs around creek bed. He feels that legal or not it's not right what happened back there. He would like it resolved quickly and have the creek back to how it was before the spraying. Breckheimer informed Boesch that he knows that DuPrey made him aware that the topic is not on the agenda tonight so it cannot be discussed tonight. He informed Boesch that there will be a Street Committee to address this issue. The date for that is tentatively set for Monday, August 17th at 6 p.m. Breckheimer informed him that the office will confirm the details of the meeting time/date with him before then. Dylan Beil then addressed the Board and stated that he has the same concerns as Boesch. Why wasn't anyone notified? Why was nothing posted? He stated that through emails and phone calls he was been given 3 different stories. He thinks that either the Village can't get their story straight or something happened here that didn't need to happen. He stated that he has raspberry vines near the creek which had actually raspberries on them which all got sprayed and killed off and he also planted several trees along the creek also to help with soil erosion. All marked and staked and now all dead. He doesn't understand why they were sprayed and why they would spray up by his garden which comes down by the creek bank. Who's going to fix it? What's the plan? If something like this happens there should be a plan in place to have it taken care of. John Noskowiak added the licensed guy that comes to treat the pond by his home; who was hired by the Village, always puts up a notification. It states what was sprayed and when. He noticed that most do this. Why not do this for the creek? The residents that addressed the Board will be notified directly by the office when the Street Committee is so this topic can be discussed further.

Announcements – DuPrey stated that the Board members should start thinking of the 2021 Budget meetings that will be coming up soon. He also informed that Board that the meeting packets for September will be ready for pick-up on Friday, September 4th due to the office being closed on Labor Day, Monday, September 7th. It is a short turn-around time and DuPrey will try to have as much in the packets as possible.

Minutes – Action – to approve the Board Meeting minutes as presented – motion: Schrubbe; second: Roehrig; carried. The Fire Department minutes were presented to the Board. Action – to accept the Fire Department minutes and place them on file – motion: Keuler; second: Schrubbe; carried. The First Responder minutes were presented to the Board. Action – to accept the First Responder minutes and place them on file – motion: Schrubbe; second: Roehrig; carried.

Treasurer's Report for the Village of Hilbert - balances – (\$665,136.65) General fund; \$939,828.92 Sewer fund; \$196,175.57 Water fund; \$173,323.41 TID #1 fund; \$1,111,727.82 T-Plus fund; \$33,599.64 First Responder fund; (\$306,476.60) TID #2 fund; \$471,819.96 Capital Improvements fund. Action – to approve the treasurer's report as presented – motion: Schrubbe; second: Roehrig; carried. The Fire Department treasurer's reports were presented to the Board. Action – to approve the Fire Department

treasurer's reports as presented – motion: Roehrig; second: Schrubbe; carried. The First Responder treasurer's reports were presented to the Board. Action – to approve the First Responder treasurer's reports as presented – motion: Schrubbe; second: Roehrig; carried. Claims - examined and discussed. Action – to pay all claims – motion: Schrubbe; second: Roehrig; carried.

Correspondence – There was no MEG Newsletter presented to the Board. There was no Focus Newsletter presented to the Board. The Boardman & Clark Newsletter was presented to the Board for their information. The Calumet County Focus on Calumet Newsletters were presented to the Board for their information. A thank you card from the family of Laura Keuler was presented to the Board.

Reports - The report of labor hours was presented to the Board for their information. The report on building permits was presented to the Board for their information. The Notice of receipt of the July Installment of Shared Revenue in the amount of \$58,790.82 was presented to the Board for their information. The Notice of the July School Property Tax Credit Payment to the county in the amount of \$128,328.10 was presented to the Board for their information. The Notice of the July First Dollar Credit Payment to the county in the amount of \$31,862.81 was presented to the Board for their information. The Notice of Receipt of Exempt Computer Aid – Real Estate in the amount of \$762.81 was presented to the Board for their information. The Notice of Receipt of Exempt Computer Aid – TID #1 & TID #2 in the amount of \$1,503.32 was presented to the Board for their information. The Notice of Receipt of the 2% Fire Dues from the state in the amount of \$3,207.51 was presented to the Board for their information. The Notice of Receipt of the Video Service Provider Aid in the amount of \$1,260.16 was presented to the Board for their information. The Notice from the Department of Revenue – Preliminary 2020 Statement of Changes in Equalized Values was presented to the Board for their information. DuPrey stated that there was an increase of 1%; approximately \$1.2 million. The Notice from the Department of Revenue – Preliminary 2020 Net New Construction Percentage was presented to the Board for their information. DuPrey stated an increase of 1.19%. This allows us to raise the dollar levy by the amount of \$4,385.00. The Notice of Receipt of the WEC Care Subgrant Award in the amount of \$825.90 was presented to the Board for their information. DuPrey stated that this is part of the COVID-19 grant. We document what we spend on supplies and we can apply for additional amounts if needed.

Unfinished Business:

2019 Projects (Fochs Trails/Village Meadows Infrastructure) – Plate stated that regarding Village Meadows, the gas was going to be finished up on Friday. This will complete all infrastructure. He also informed the Board that the bank would have to be re-established because it got tore up a bit.

Change Orders – none.

Payment Requests – none.

Discussion and possible action regarding lawn repair at Frontier & Sargento Foods, Inc – Plate stated that we do not need to worry about the repair at Sargento's because Jossart is taking care of it because it is their responsibility. They are dealing with Sargento's directly regarding this. So, the quote received from Nett Landscaping will actually be lower. The lawn in front of Frontier will need to be leveled and pitched off. Plate stated that this is our responsibility due to work that was done there. Roehrig questioned about the parking lot damage at St. Vinnie's? Plate stated that is between Jossart and St. Vinnie's. He knows that they were in discussions but was not sure what the outcome was. Action – to proceed with the lawn repair in front of Frontier; not to exceed the cost of \$1,500.00 – motion: Schrubbe; second: Roehrig; carried.

2020 Projects – no updates.

Change Orders – none.

Payment Requests – none.

Stream Bank Stabilization Project – Ditch North of Creek Street – Plate stated that they are waiting on Jannette to find time to do the project. Looking at restoring what's there, getting broken culvert out and replacing it and putting stone on both sides. Permission slips have already been signed by residents effected. The DNR will need a week's notice before the project begins.

Recycling/Rubbish – The monthly report was presented to the Board for their information.

Police Protection for the Village – The monthly report was presented to the Board for their information.

Fire Department – No updates. Chief Loose was not in attendance.

TID District #1 – Notice from the Department of Revenue – Preliminary 2020 Tax Increment Value Report – DuPrey stated that there was a 1% increase. Discussion and possible action regarding resolution to extend TID District #1 by one additional year – DuPrey reminded the Board that this topic was discussed at previous Board meetings. It involves extending TID #1 by one year and then using the increment for affordable housing within the Village. The funds would be kept in a separate account and there is no deadline on when the funds need to be used by. There are various programs that the Village could start regarding dispersing the funds. The amount would be \$116K. Kueler questioned whether the funds could be used to improving the Sunrise Apartments on 3rd Street? DuPrey stated that yes that could be a possibility. It's basically extra money that we can grant out. DuPrey stated that it is a good option and we should grab it so we can start looking into starting a program(s) within the Village. Cedar Corporation will assist with the extension. Action – to approve Resolution #2020-08; Tax Incremental District (TID) Affordable Housing Extension Resolution – motion: Schrubbe; second: Keuler; Roll Call Vote – yes: Bolwerk, Schrubbe, Roehrig, Nolan, Keuler, Breckheimer; carried.

TID District #2 – Notice from the Department of Revenue – Preliminary 2020 Tax Increment Value Report – DuPrey stated that there was a 1% decrease due to the changes regarding personal property taxes.

Wastewater Treatment Plant – Plate stated that we on our 4th year of a 5-year permit. One chemical pilot has been completed. We are behind on this. DNR would like 3 completed by November. In order to do another pilot, we need to order chemicals. The chemicals along with the pump would cost approximately \$2,569.00. Keuler questioned whether wet testing will be required. Plate stated that yes that will be coming up soon. Breckheimer stated that the cost of the supplies required would be considered operational expenses.

Well #4 – nothing new.

Village Meadow Subdivision – Trail System – to approve the trail meeting minutes as presented – motion: Roehrig; second: Schrubbe; carried. Plate explained how there will be drain tile needed on the west side of the trail. He stated that there was a significant cost increase for lights and the drain tile on the new estimate from Robert E. Lee. Abstract Electric has confirmed there is enough room in the electrical box at the concession stand near the athletic field to run electric for the new trail lights. The new lights would be ground lights and very durable. Abstract Electric recommended getting 4 or 5 extras to have on hand when they need to be replaced. Breckheimer stated that there were no decisions made yet on who was paying for what as far as the high school goes. He would like to see them pay at least towards the drain tile since this will also benefit their practice field. Also, a letter was sent to Sargento requesting a possible donation. The project is expected to cost between \$95k and \$100k. Discussion and possible action regarding how to allocate proceeds from the lot sales – nothing new. No action needed.

Purchase of Bel Brands Property – Community Development Block Grant for Blight Removal – nothing new. Discussion and possible action regarding the third amendment to commercial offer to purchase – The current deadline is August 31st. DuPrey stated that the decision on the CDBG grant may come in at the end of August or early September. He suggests extending the closing day to March 2021. Action – to make a third amendment to the commercial offer to purchase extending the closing date to March 2021 – motion: Roehrig; second: Schrubbe; carried.

Hilbert Housing Authority – nothing new.

Fochs Trails Subdivision, 2nd Addition – nothing new.

2020 Census – nothing new.

Discussion and possible action regarding possible zoning code violation – DuPrey stated that regarding the property in question, the state inspector has not gotten back to him. It has now been two months that he's been trying to contact him. Breckheimer instructed DuPrey to go to the inspector's supervisor and inform him of the situation and see what happens from there.

Discussion and possible action regarding options for certified operator at the wastewater treatment plant – The Village attorney recommending contacting the Village insurance carrier to verify that there would be no issue with Tim Keuler acting as the temporary certified operator at the wastewater treatment plant. The insurance carrier stated that Keuler would need to be a paid employee (and the annual Board member pay does not classify) in order to be covered in case Keuler slips or falls or if there is an accident of some sort. Keuler stated that whatever pay he gets he would like to donate completely back to the park fund. Action – to hire Keuler at the rate of \$250 per quarter to be the temporary certified operator at the wastewater treatment plant – motion: Schrubbe; second: Roehrig; carried. Please note that Keuler abstained from the vote.

New Business:

Other Annual Appointments – none. Breckheimer informed the Board that they are still in need of someone to fill an opening on the Housing Authority Board and if anyone has recommendations to please let him know.

Application for Operator Licenses – none.

Application for Class B License – Action – to conditionally approve the application for Class B License to Pair of Dice pending the 15-day waiting period – motion: Schrubbe; second: Roehrig; carried. Action – to conditionally approve the application for the Class B License to MSIR Enterprises, LLC pending the 15-day waiting period – motion: Roehrig; second: Schrubbe; carried.

Classes/Seminars/Schooling for Employees – none.

Reports on schooling/training sessions – none.

Architectural Committee – To approve the committee minutes as presented – motion: Roehrig; second: Nolan; carried. Committee recommendation to approve the submitted plans as presented for the new home in Village Meadows – Action – to approved the committee recommendation to approve the plans as submitted – motion: Roehrig; second: Bolwerk; carried. No further action needed. Committee recommendation to amend the restrictive covenants to include the requirement that a full-size print (24" x 36") be submitted to review – DuPrey explained that the better way to do this may be to make it a policy instead. If we change the covenants then we would have to recorded again with the county and get all the updated information to the realtor. It's quite the process to go through. Schrubbe felt like this sounded like a good idea and that maybe just informing the owners that this is what is required would be enough. Action – to deny the recommendation from the committee to amend the restrictive covenants as requested – motion: Schrubbe; second: Roehrig; carried. No further action needed.

Discussion and possible action regarding Ordinance 2020-02 Amending Section 4.01(2) of the Code of Ordinances – This ordinance is in regards to incorporating the three new stop signs from the subdivisions. If we do not add these stop signs to the ordinance, then they cannot be enforced and no tickets can be issued. The following subsections are as follows: On Apple Blossom Drive at Thorn Creek Drive (Northbound), on Thorn Creek Drive at South Hwy 57 (Eastbound) and on Friendship Way at Elm Street (Northbound). Action – to approve Ordinance 2020-02 as presented – motion: Schrubbe; second: Roehrig; Roll Call Vote – yes: Bolwerk, Schrubbe, Roehrig, Nolan, Keuler, Breckheimer; carried.

Discussion and possible action regarding request to replace chain saw and weed eater – Plate explained to the Board that the chain saw they have now is broken and basically just patched together. For a weed eater, he is looking to get one with a steel cutter to help with maintenance in the creek areas.

Breckheimer explained, for future purchases, that usually these items need to get budgeted for. They were no miscellaneous tools budgeted in 2020. DuPrey stated that the money can come from Fund Balance, the Plappert St. Fund or Streets Equipment Fund. Action – to approve the purchase of the chain saw and weed eater as requested with the funds to be taken from the Streets Equipment Fund – motion: Schrubbe; second: Nolan; carried.

Discussion and possible action regarding the request to install a flag pole light for the Village Hall – Plate explained that the estimate he received from Abstract Electric came in at \$500. He explained that the flag cannot be kept up through the night without a light on so it must be taken down and put back up each day. Breckheimer questioned whether a solar light would work. Plate stated that it would not be bright enough depending on the weather. The best way to do the lighting is to get it hard wired in. Breckheimer stated that since it was not budgeted for that the funds would either need to be taken from General Funds or put on hold and budgeted for next year. The Board discussed it and decided it would be best if budgeted for and not be done right now. No action taken.

Discussion and possible action regarding restriping Main Street – Plate stated that the quote from Midwest Parking Lot Maintenance came in at \$2,2238. This would be for the center stripes, crosswalks and parking stalls. It would make Main Street look better. DuPrey stated that it has been quite awhile since this was last done. It has been neglected for a while. Right now, we are at about 33% of the Street Budget Fund being used so the money is there. Breckheimer agreed it should get done. Roehrig asked about the option for beads to be added to the crosswalk. Plate stated that it's not worth the cost. Action – to hire Midwest Parking Lot Maintenance to do the restriping on Main Street – motion: Schrubbe; second: Roehrig; carried.

Discussion and possible action regarding removing a tree in the park – It was stated that there is a cottonwood tree by the batting cage at the park that the HAA is requesting to have taken down. Plate stated there is also a tree that drops berries and makes a mess by Bel Brands that should be taken down. He said that guardrail will also need to be removed in case future sidewalk gets installed there. The Board discussed it and agreed that it should go to the Park & Recreation Committee for discussion so they can make a recommendation to the Board. Roehrig questioned on whether that would be too much of a delay? Plate stated that should be fine. No action taken.

Village Board Member Informational Report – Schrubbe questioned whether there was anymore discussion on the blanket approval for meeting minutes, treasury reports, correspondence and reports? DuPrey stated he believed that was checked into and because these items may change on a monthly basis that it could not be done with a blanket approval.

Village Personnel Informational Report – nothing new.

President's Report – nothing new.

Adjournment – Action – to adjourn – motion: Schrubbe; second: Keuler; carried. The meeting was adjourned at 7:53 p.m.

Missy Kieso

Missy Kieso, Deputy Clerk Treasurer