

**REGULAR MEETING OF THE BOARD OF TRUSTEES
MINUTES
December 2, 2021**

The regular meeting of the Village Board of Hampshire was called to order by Village President Michael J. Reid, Jr. at 7:00 p.m. in the Village of Hampshire Village Board Room, 234 S. State Street, on Thursday, December 2, 2021.

Roll Call by Village Clerk Vasquez:

Present: Heather Fodor, Aaron Kelly, Toby Koth, Lionel Mott, Laura Pollastrini, and Erik Robinson.

A quorum was established.

In addition, present in-person were Village Manager Jay Hedges, Village Clerk Linda Vasquez, Finance Director Lori Lyons, Assistant to the Village Manager Josh Wray, Village Attorney Mark Schuster, and Police Chief Brian Thompson.

President Reid led the Pledge of Allegiance.

MINUTES

Trustee Pollastrini moved to approve the minutes of November 18, 2021.

Seconded by Trustee Fodor
Motion carried by roll call vote.
Ayes: Fodor, Kelly, Koth, Mott, Pollastrini, Robinson
Nays: None
Absent: None

APPOINTMENTS

Clerk Vasquez swore-in Sandro Palomares as a Police Officer. Officer Palomares introduced his wife and son. He comes to the Village with 15 years of experience as an officer in the Chicagoland area.

Trustee Kelly moved to approve the appointment of Gilbert Hueramo as a part-time Police Officer.

Seconded by Trustee Fodor
Motion carried by roll call vote.
Ayes: Fodor, Kelly, Koth, Mott, Pollastrini, Robinson
Nays: None
Absent: None

Clerk Vasquez swore-in Gilbert Hueramo as a part-time Police Officer. Officer Hueramo introduced his mother and close friend. He comes to the Village with over 20 years of experience, including time as a reserve officer.

VILLAGE MANAGER'S REPORT

Mr. Hedges asked the Village Board to move item 9-a to the top of the Village Manager's report so the variance petitioners can leave after their business if they choose.

A Motion to move 9-a after number 6, an Ordinance approving the petition for variations filed by William Investment Group for the property at 268 Mill Ave.

Trustee Robinson moved to approve moving 9-a on the agenda after number 6: Ordinance approving the petition for variations filed by William Investment Group for the property at 268 Mill Ave.

Seconded by Trustee Kelly
Motion carried by roll call vote.
Ayes: Fodor, Kelly, Robinson, Koth, Mott, Pollastrini
Nays: None
Absent: None

An Ordinance approving the petition for variations filed by William Investment Group for the property at 268 Mill Ave.

Attorney Schuster briefly described the discussion and action on this item at the Planning and Zoning Commission. He noted this petition includes three variances regarding the rear setback, side setback, and like-construction style requirements for accessory structures. The Planning and Zoning Commission voted 3-2 in favor of the three variances (voted as one motion), which does not satisfy the 4-vote requirement for a positive recommendation.

President Reid said he spoke with Planning and Zoning Chairman Mroch and two other commissioners and that there seemed to be two lines of thinking that caused the split vote at the Planning and Zoning Commission. First, the property owners have made an effort to clean up the property and add value to that area of town, so we should help them be successful by meeting them part-way. Second, the code requirements are there for a reason, and we should enforce them so that this area continues to move towards code compliance.

Trustee Robinson asked what like-construction would look like. Since the primary building is a brick structure, the accessory structure should have similar colors, style, brick fascia, etc. to meet the code requirement.

Mr. Hedges noted that the Village Board has been using the term "pole barn," which is a construction method that is not allowed in the Village. That style of building is allowed, but he clarified that the petitioners are not asking to have a pole barn, and the petitioners confirmed their building would have a foundation and be constructed as required by the building code.

Trustee Kelly noted that this area of town has no cohesive look; allowing a dissimilar style for the accessory building on the property would not degrade the area. The petitioners noted that most of the buildings in the area are pole barn style buildings.

President Reid noted that few other properties in this area conform to the setback requirements that were set in place after they were built and asked if the Village Board should make a code change here so that everyone in this area does not need a variance to do something that is already present. Mr. Hedges noted that variances are part of the zoning process, and he suggested this might be something the Village Board will continue to want to see and approve each time someone wants to build something new.

Trustee Koth moved to approve Ordinance 21-59; petition for variations filed by William Investment Group for the property at 268 Mill Ave.

Seconded by Trustee Robinson
Motion carried by roll call vote
Ayes: Fodor, Kelly, Robinson, Koth, Mott, Pollastrini
Nays: None
Absent: None

PUBLIC HEARINGS

Finance Director Lyons introduced the public hearings for the general property tax levy and the SSA levies.

Village President Reid opened at 7:30 p.m. Public Hearing regarding a property tax levy increase for the Village of Hampshire Annual Tax Levy for FY2022.

Finance Director Lyons went over why we have levies and how we collect them via Kane County. State law limits the levy request to 5% more than the prior year unless new construction value has added more than that. She presented the calculation for how the levy request is determined, which is based on the prior year levy, new assessed values of properties in the Village, the Consumer Price Index, value of new construction and new property, and a state multiplier.

Trustee Pollastrini asked about the Hampshire Township Assessor's process of reassessment every year compared to every four years that other assessors do. Ms. Lyons explained that each township also gets a multiplier value based on how the assessments compare to assessments in other townships, similar to how the state applies a multiplier to each county to ensure assessments are consistent across jurisdictions. Each year, the township assessor gets a preliminary multiplier then readjusts the assessments in order to get the multiplier to 1, so it is not really a whole new assessment that involves market value research every year. Trustee Koth asked if the assessors have any monetary incentive to hit a multiplier of 1. Ms. Lyons is not aware of anything like that.

Ms. Lyons continued to explain what the property tax levy is used for, including general corporate tax revenue, IMRF expenses, police protection, audit expenses, liability insurance, and Social Security. She then noted that, even though the total levy request is higher than last year, a property that does not see any change in assessed value will actually see a slightly lower total property tax under this levy request compared to last year – about \$12 for the year. This is because of all the new construction and property being added to the Village generating more tax revenue. Finally, she reminded everyone that the Village only receives \$0.06 for every property tax dollar collected.

President Reid asked how we explain this process better to residents. It is a messaging battle every year. Mr. Hedges noted that he has not seen this be an issue yet, but staff could prepare a short explanation of why a higher levy request does not mean the Village is raising property taxes.

Trustee Robinson moved to close the public hearing at 7:51 p.m.

Seconded by Trustee Fodor
Motion carried by roll call vote.
Ayes: Fodor, Kelly, Robinson, Koth, Mott, Pollastrini
Nays: None
Absent: None

Village President Reid opened at 7:52 p.m. Public Hearing regarding a property tax levy increase for the Village of Hampshire Special Service Area 7 (Hampshire Hills).

This SSA includes 3 detention areas totaling nearly 18 acres. The revenue for this levy will be used for controlled burning and herbicide applications as well as regular mowing. After the presentation last meeting, she spread the costs for these activities out further into the future in the maintenance plan in order to reduce the increase this year, but she and Mr. Hedges both stressed the importance of keeping on this maintenance schedule and not pushing any work.

Trustee Kelly asked if Village capital funds can be used for the more expensive work that is required to catch-up on neglected maintenance. Mr. Hedges noted that the years that maintenance was not performed also means that those property owners did not have SSA taxes those years. Staff will provide an official legal opinion on whether capital funds can be used for SSA expense, but Mr. Hedges also noted that the Village uses its limited capital funds on the tens of millions of dollars of expenditures for infrastructure, equipment, and buildings, so it would be a significant change in policy to use capital funds for SSA work.

Trustee Robinson moved to close the public hearing at 8:06 p.m.

Seconded by Trustee Kelly
Motion carried by roll call vote.
Ayes: Fodor, Kelly, Robinson, Koth, Mott, Pollastrini
Nays: None
Absent: None

Village President Reid opened at 8:06 p.m. Public Hearing regarding a property tax levy increase for the Village of Hampshire Special Service Area 10 (White Oak Ponds).

This SSA includes 4 detention areas totaling nearly 34 acres. This SSA has been machine and hand cleared of invasive brush and small trees and has had four herbicide applications. The revenue for this levy will be used for additional herbicide applications, controlled burning, and machine clearing.

Trustee Kelly asked if any work was done to the unit 2 pond as part of the Highland Ave. stormwater expansion project since we added more water flow into it. Some work had been done, including removing tree removal where the flow would enter, but none of it was charged to the SSA.

Trustee Robinson asked if the unit 3 pond was to be machine cleared again since it was already cleared last year. Ms. Lyons believes that is because not all of unit 3 was cleared last year.

Mr. Hedges noted that staff is not prepared at this meeting to discuss the maintenance plans in a high level of detail, and a Village Board meeting may not be the most effective forum for doing so. He suggested that Trustee Koth, chair of the Public Works Committee, meet with Streets Supervisor Dave Starrett and other appropriate personnel in the field to discuss the work and then hold a Public Works Committee meeting to discuss the plans in greater detail at the public meeting level.

Trustee Kelly asked for clarification on why Village staff cannot do the clearing. Ms. Lyons responded that the Village does not have the necessary equipment to do the work.

However, the specific maintenance expenditures are not locked-in at this meeting with the passage of the levy, only the dollar amount to be levied. Really, it they cannot be locked-in because maintenance plans can change depending on weather, vegetation growth, etc. He and Attorney Schuster reiterated that the levy-side of this plan does need to be passed tonight to go through the county process; maintenance plans can be changed, and taxes can even be abated if necessary.

Trustee Robinson moved to close the public hearing at 8:19 p.m.

Seconded by Trustee Kelly
Motion carried by roll call vote.
Ayes: Fodor, Kelly, Robinson, Koth, Mott, Pollastrini
Nays: None
Absent: None

Village President Reid opened at 8:20 p.m. Public Hearing regarding a property tax levy increase for the Village of Hampshire Special Service Area 12 (Hampshire Meadows).

This SSA includes nearly 9 acres of mowed area. The revenue for this levy will be used for regular mowing and maintenance expenses, especially along the frontage of Rt. 72. She expects wage expenses to increase for the approximately 360 hours of Village work each year.

Multiple board members asked for clarification on where the 9 acres is in this area because it does not seem like 9 acres of public grass exists in this small area. Staff will double-check.

Trustee Robinson moved to close the public hearing at 8:26 p.m.

Seconded by Trustee Mott
Motion carried by roll call vote.
Ayes: Fodor, Kelly, Robinson, Koth, Mott, Pollastrini
Nays: None
Absent: None

CONSENT AGENDA

Trustee Kelly asked if item 8-b-ix regarding SSA no. 12 could be removed from the consent agenda because he plans to abstain from voting on that item.

A Motion to agree to use the consent agenda for the items listed below with removing item: 8-b-ix, an Ordinance Approving the Levy and Assessment of Taxes for the period commencing May 1, 2021 and ending April 30, 2022 for the Village of Hampshire special service area #12 (Hampshire Meadows).to be voted separately

Attorney Schuster noted that the use of the consent agenda process requires unanimous Village Board approval.

Trustee Pollastrini moved to agree to use the consent agenda for the items listed under 8-b except for item 8-b-ix.

Seconded by Trustee Robinson
Motion carried by roll call vote.
Ayes: Fodor, Kelly, Robinson, Koth, Mott, Reid, Pollastrini
Nays: None
Absent: None

A Motion to approve all items on the consent agenda as follows:

Ordinance 21-46: Approving the Levy and Assessment of Taxes for the period commencing May 1, 2021 and ending April 30, 2022 for the Village of Hampshire.

Ordinance 21-47: Approving the Levy and Assessment of Taxes for the period commencing May 1, 2021 and ending April 30, 2022 for the Village of Hampshire special service area #2 (Old Mill Manor)

Ordinance 21-48: Approving the Levy and Assessment of Taxes for the period commencing May 1, 2021 and ending April 30, 2022 for the Village of Hampshire special service area #3 (Panama)

Ordinance 21-49: Approving the Levy and Assessment of Taxes for the period commencing May 1, 2021 and ending April 30, 2022 for the Village of Hampshire special service area #6 (Hampshire Prairie)

Ordinance 21-50: Approving the Levy and Assessment of Taxes for the period commencing May 1, 2021 and ending April 30, 2022 for the Village of Hampshire special service area #7 (Hampshire Hills)

Ordinance 21-51: Approving the Levy and Assessment of Taxes for the period commencing May 1, 2021 and ending April 30, 2022 for the Village of Hampshire special service area #8 (Hampshire Fields)

Ordinance 21-52: Approving the Levy and Assessment of Taxes for the period commencing May 1, 2021 and ending April 30, 2022 for the Village of Hampshire special service area #10

(White Oak Ponds)

Ordinance 21-53: Approving the Levy and Assessment of Taxes for the period commencing May 1, 2021 and ending April 30, 2022 for the Village of Hampshire special service area #11(Hampshire Highlands)

Resolution 21-16: Approving the 2021 Administrative Report for the Village of Hampshire Special Service Area No. 13, including the Amended Special Tax Roll for the Calendar year 2022 (for taxes to be collected in 2022) (Tuscany Woods)

Resolution 21-17: Approving the 2021 Administrative Report for the Village of Hampshire Special Service Area No. 14, including the Amended Special Tax Roll for the Calendar year 2022 (for taxes to be collected in 2022) (Lakewood Crossing)

Ordinance 21-55: Abating Special Taxes Levied for 2021 Tax Year (collectable in 2022) to pay debt service on Special Service Area Bonds issued for Special Area Service No. 13 (Tuscany Woods).

Ordinance 21-56: Abating Special Taxes Levied for 2021 Tax Year (collectable in 2022) to pay debt service on Special Service Area Bonds issued for Special Area Service No. 14 (Lakewood Crossing).

Ordinance 21-57: Abating Special Taxes Levied for 2021 Tax Year (collectable in 2022) to pay debt service on the issuance of up to \$2,750,000 General Obligation Refunding Bonds. (Alternate revenue sources) Series 2012.

Ordinance 21-58: Abating Special Taxes Levied for 2021 Tax Year (collectable in 2022) to pay debt service on the issuance of up to \$1,175,000 General Obligation Refunding Bonds. (Alternate revenue sources) Series 2016 (previously as Series 2015).

Trustee Robinson asked if we should be taxing residents in SSA No. 10 for stormwater that is coming from other parts of town after the Highland Ave. project. President Reid asked if we could abolish an SSA. Mr. Hedges responded no because it is a Kane County requirement. Trustee Robinson asked if the SSA could be expanded to include additional properties benefiting from the SSA facilities, and Attorney Schuster responded yes. Mr. Hedges noted that this issue was brought up before the Highland Ave. project was approved by the Village Board, and he recalls it was considered to be relatively insignificant at the time.

Trustee Kelly announced that he noticed the consent agenda includes more items than just the SSA levies, and he probably would not have voted for the current consent agenda if he would have seen that beforehand because those additional items had not been discussed at all. Ms. Lyons then explained that two of the additional items are related to abating taxes in two SSAs, and the other two items are related to abating taxes levied for two general obligation bonds for which that the Village does not need that revenue due to good performance of the primary revenue sources.

Trustee Fodor moved to approve all items on the consent agenda.

Seconded by Trustee Mott
Motion carried by roll call vote.
Ayes: Fodor, Robinson, Koth, Mott, Pollastrini
Nays: None
Absent: None
Abstained: Kelly

VILLAGE MANAGER'S REPORT

An Ordinance Approving the Levy and Assessment of Taxes for the period commencing May

1, 2021 and ending April 30,2022 for the Village of Hampshire special service area #12 (Hampshire Meadows).

Trustee Fodor moved to approve An Ordinance 21-54; Approving the Levy and Assessment of Taxes for the period commencing May 1, 2021 and ending April 30,2022 for the Village of Hampshire special service area #12 (Hampshire Meadows).

Seconded by Trustee Robinson
Motion carried by roll call vote.
Ayes: Fodor, Robinson, Koth, Mott, Pollastrini
Nays: None
Absent: None
Abstained: Kelly

MONTHLY REPORTS

Building Report

Asst. to the Village Manager Assistant Wray presented the building department performance metrics for November. One special note was that the construction on Brier Hill Rd. for the Midwest Companies recycling facility is on hold until the spring building season.

Streets Report

Trustee Koth explained one special note, which is that one of the new Streets employees did the Village a great service by building a wash rack to clean salt off the underside of the snow plows to help keep them from deteriorating.

ACCOUNTS PAYABLE

A Motion to approve the December 2, 2021 Accounts Payable to Personnel

Trustee Kelly moved to approve the Accounts Payable for Gina Land, Jacob Bell and Josh Wray in the sum of \$348.21 paid on or before December 8, 2021.

Seconded by Trustee Robinson
Motion carried by roll call vote.
Ayes: Fodor, Kelly, Pollastrini, Robinson, Koth, Mott
Nays: None
Absent: None

A Motion to approve the December 2, 2021 Regular Accounts Payable

Trustee Fodor asked what the breathalyzer expense is for. Police Chief Thompson responded that it is for the gas used to operate the breathalyzers.

Trustee Robinson moved to approve the Accounts Payable in the sum of \$135,207.65 paid on or before December 8, 2021.

Seconded by Trustee Mott
Motion carried by roll call vote.
Ayes: Fodor, Kelly, Pollastrini, Robinson, Koth, Mott
Nays: None
Absent: None

COMMITTEE / COMMISSION REPORTS

- a) Business Development Commission – Trustee Kelly reported there will be no meeting in December.

- b) Public Relations – Trustee Fodor reported there will be a meeting held on December 7 at 6:30 p.m.
- c) Public Works – Trustee Koth mentioned the tree is cut for downtown and the tree stand has been built. Mr. Hedges noted it will be put up by next Friday.
- d) Budget Committee – No report.

Trustee Pollastrini asked what the capital improvement fees are for that show up on the water bill. Ms. Lyons responded that they are fees used to pay for water and sanitary sewer capital expenses such as water lines, treatment equipment, pumps, etc. Ms. Lyons noted that some people have asked if the fees will ever go away, and she believes staff will be continuing to include them in the budget due to the tens of millions of dollars of capital expenses the Village has to address. Mr. Hedges added a clarification that these capital fees do not go to paying expenses related to roads, non-utilities facilities, or stormwater projects.

Trustee Kelly asked staff if they were aware of when the Village might start finding out about potential grants or other financing tools from the new infrastructure bill to pay for the state-mandated lead pipe replacements. Mr. Hedges responded that no information is out yet. There is a lot of information coming out from many organizations, but none of it really includes anything useful yet. He added that he expects a large portion of the financing for lead pipes will be in the form of IEPA low-interest loans, some of which might be forgivable but possibly only for low-income communities. He does not believe there will be any project work done under this infrastructure bill until 2023.

ANNOUNCEMENTS

President Reid announced that the Holiday Fest on State Street is December 11 and asked if anyone wanted to be in the parade for the Village. Laura Pollastrini will join.

President Reid and Mr. Hedges decide to challenge each other in the no-shave beard challenge in November to raise funds for prostate health, so they revealed their beards. President Reid conceded the contest.

ADJOURNMENT

Trustee Kelly moved to adjourn the Village Board meeting at 9:10 p.m.

Seconded by Trustee Robinson
Motion carried by roll call vote.
Ayes: Fodor, Kelly, Pollastrini, Robinson, Koth, Mott, Pollastrini
Nays: None
Absent: None


Linda Vasquez, Village Clerk

By Josh Wray, Deputy Village Clerk