

**Village of Gilberts
87 Galligan Road
Gilberts, IL. 60136
Village Board
Meeting Minutes
November 4, 2014**

Call to Order/Pledge of Allegiance

President Zirk called the meeting to order at 7:00 p.m. He proceeded to lead those present in the Pledge of Allegiance.

Roll Call / Establish Quorum

Village Clerk Meadows called the roll. Roll call: Members present: Trustees Corbett, Mierisch, Zambetti, Farrell, Hacker and President Zirk. 1-absent: Trustee LeClercq. Others present: Administrator Keller, Assistant Administrator Beith, Finance Director Blocker and Village Clerk Meadows. For members of the audience please see the attached sign-in sheet.

Public Comment

President Zirk asked if anyone from the audience wished to address the Board Members. Baseball Coach for the Gilberts Pirates, Joe Maskivish approached the podium. On behalf of the Gilberts Pirate Baseball team he presented the Board Members with an appreciation plaque. Coach Maskivish noted that the plaque represents the team's gratitude for the Board Members' continued support. The Gilberts Pirates are proud to represent the community.

Coach Maskivish commented on the team's inaugural season. He reported that the team had a record of 17-14-2. They came in first place at the Rockford tournament and they are looking forward to next year's season.

Coach Maskivish discussed the fact that the team and their families would like to continue to improve the field conditions at Memorial Park. He stated that last season the players and their families spent countless hours improving the ball field. Coach Maskivish inquired if the Board Members would consider approving an agreement granting the Gilberts Pirates the following:

- Allow the team additional field use times
- A key to the ball field fence
- Approval to construct a shed
- Provide fencing and they would construct two dug-out areas

Coach Maskivish commented if the Board Members allowed the Pirate team all of the above mentioned items they could continue to improve and maintain the field to a little league standard.

President Zirk noted that the contributions being requested by the Pirates are nominal and they are providing programming for children in the community that otherwise would not be offered. The Board Members agreed. President Zirk directed Coach Maskivish to work with staff and the YMCA on coordinating the 2015 schedule and addressing the other items listed on his request.

Consent Agenda

- A. A Motion to approve Minutes from the October 21, 2014 Village Board Meeting**
- B. A Motion to approve Bills and Salaries dated November 4, 2014 as follows: General Fund \$116,152.08, TIF \$330.00, Permit Pass Thrus \$540.00, Performance Bonds and Escrows \$21,451.25, Water Fund \$22,745.58, Payroll \$53,830.91**

President Zirk inquired if there were any items listed on the consent agenda any Board Member would like to have removed. There was no response from the Board Members. **A Motion was made by Trustee Hacker and seconded by Trustee Farrell to approve the Consent Agenda items A-B as presented.** Roll call: Vote: 5-ayes: Trustees Corbett, Mierisch, Zambetti, Farrell and Hacker. 0-nays, 0-abstained. Motion carried.

Items for Approval

A Motion to approve Ordinance 22-2014, an Ordinance approving a sign package and sign modification for Pod 4 of the Conservancy development

Administrator Keller provided an overview of the Gilberts Development LLC request for approval of a sign package that would allow development signage around the perimeter of the Conservancy development. Administrator Keller commented on that the fact that the original Neumann Homes annexation agreement did not provide details on development signage and the UDO provides a mechanism for approving a development sign package that may deviate from the terms of the sign code.

Administrator Keller went on to discuss the two elements of the sign package request. He noted that the first request is with respect to the development of the interior of Pod 4. This includes entrance signage, model names signs, a sale center sign and one brochure box on a post.

The second element of the sign package request includes marketing signage. They are requesting modifications from the UDO to allow for 64 square feet signs with additional 12 square-foot directional signs added to the base of the signs.

Administrator Keller reported that Developer Troy Mertz and Builder (Ryan Homes) Mark Fields were in attendance to answer any questions the Board Members may have. Mr. Mertz proceeded to introduce Mr. Fields.

Mr. Fields provided the Board Members with an overview of the Ryan Homes organization. He noted they have been building homes primarily on the East Coast and have just begun to move into the Chicago area. Mr. Fields believed that the Village of Gilberts is a prime target market for their housing products.

Trustee Zambetti expressed concerns not with the proposed sign package but with the lack of time provided to the Board to absorb all of the information. He noted that signage has been an issue in the past. It took a previous Board over two years to adopt the sign code. Trustee Hacker concurred with Trustee Zambetti. Trustee Hacker reported that he prefers time to allow for input from the residents.

Trustee Farrell inquired if the proposed signage provided in the packet would be exactly the signage that will be installed. Administrator Keller responded that the Village can regulate the size of the signs. However, the Village cannot regulate the content of the signs. If another developer was to take over the project and change the color and/or content of the signs the Village would not have the authority to prohibit the new developer's signage.

Trustee Zambetti inquired if Ryan Homes had a sign maintenance program in place. He noted in the past some of the development signage had been poorly maintained. Mr. Fields replied that they do have a sign maintenance policy. Administrator Keller elaborated on the discussion with respect to sign maintenance policy. He reported that the UDO contains a sign removal provision.

Trustee Mierisch reported that she had met with Administrator Keller and Chief Building Inspector Swedberg to discuss some of her concerns with the sign package. She commented on the proposed sign advertising that the development was near the grade school. She questioned if that sign was misleading. Due to the fact that School District 300 had discussed redistricting and the boundaries could change. A brief discussion ensued. The Board Members concurred that if the school district boundaries were to change the responsibility in notifying potential home buyers would be the responsibility of the builder.

President Zirk commented that he is comfortable with the Board Members considering approving the sign package as long as the Ordinance was amended to include language authorizing removal of the sign if it was not maintained. Trustee Zambetti weighed on the side of caution and would prefer to review the sign package in detail prior to considering approval.

The remainder of the Board Members concurred with President Zirk's recommendation to consider approving the sign package as amended. Trustee Zambetti noted that he would vote with the majority. **A Motion was made by Trustee Hacker and seconded by Trustee Corbett to approve Ordinance 22-2014, an Ordinance approving a sign package and sign modifications for Pod 4 of the Conservancy Development as amended to include a removal provision.** Roll call: Vote: 5-ayes: Trustee Mierisch, Zambetti, Farrell, Hacker and Corbett. 0-nays, 0-abstained. Motion carried.

A Motion to approve Ordinance 23-2014, an Ordinance granting a utility easement to AT&T

Administrator Keller commented on the proposed Ordinance 23-2014. He reported that AT&T is requesting a non-exclusive utility easement along the east side of Waitcus Park. The easement would be five feet wide, adjacent to the Union Pacific Railroad right of way stretching from the southern end of Tower Hill Road right of way to the northern edge of Route 72 right of way. The easement would allow AT&T to bury a new phone line between the two right of ways. For granting the easement AT&T has agreed to pay the Village \$8,000.00 which Administrator Keller recommends adding to the next year's tree/sidewalk replacement fund. Trustee Corbett inquired if the easement fee was a onetime consideration. Administrator Keller replied yes.

There being no further discussion on the motion, **a Motion was made by Trustee Farrell and seconded by Trustee Zambetti to approve Ordinance 23-2014, a Ordinance granting a utility easement to AT&T.** Roll call: Vote: 5-ayes: Trustees Zambetti, Farrell, Hacker, Corbett and Mierisch. 0-nays, 0-abstained. Motion carried.

A Motion to approve Resolution 41-2014, a Resolution authorizing a purchase agreement between the Village of Gilberts and Biggers Chevrolet, Elgin Illinois for the purchase of one 2015 4WD Colorado Chevrolet Truck

Administrator Keller commented at the Board Members direction at the last Board meeting, Staff received a new quote for a small truck with four-wheel drive, which will be primarily used by the Utilities Superintendent. The vehicle was included in the FY2015 budget. There being no further discussion on the motion, **a Motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve Resolution 41-2014, a Resolution authorizing a purchase agreement between the Village of Gilberts and Biggers Chevrolet, Elgin Illinois for one 2015 4WD Colorado Chevrolet Truck.** Roll call: Vote: 5-ayes: Trustees Farrell, Hacker, Corbett, Mierisch and Zambetti. 0-nays, 0-abstained. Motion carried.

A Motion to approve Resolution 42-2014, a Resolution accepting public improvements for Gilberts Town Center Unit 3, authorizing the release of the Developer's Subdivision Bond subject to certain terms and conditions.

Administrator Keller reported that Ryland Homes has requested the release of their performance bond for Gilberts Town Center Unit 3 as all of the required improvements have been completed. Village Engineers have reviewed the request and inspected the improvements in Unit 3. The engineering notes recommend releasing the bond contingent upon replacement of a broken handicap sidewalk at Reston/Columbia Lanes and the replacement of the trees noted in the final tree inspection. Administrator Keller reported that staff along with the Arborist had confirmed the trees noted in the file have been replaced. The Board Members inquired on the date that the trees were inspected. Administrator Keller was uncertain and would need to check with Staff and report back.

The Board Members inquired if the pond issues have been corrected. Administrator Keller replied yes.

Trustee Mierisch commented on a concern she had discussed with Staff with respect to a 4-way intersection that only had one stop sign. She expressed concern is that the intersection is adjacent to the park and poses a safety concern. President Zirk directed staff to investigate if the signage was noted on the plans.

Trustee Zambetti inquired if the one-year maintenance bond would also cover dead or dying trees. Administrator Keller replied yes. In addition, the nursery also provides a one-year warranty on the replacement trees.

The Board Members commented on the fact that at this time there are too many outstanding issues to consider releasing the performance bond. Staff will draft a list of the locations of all the trees that have been replaced and research the situation of the missing stop signs.

This matter will be carried over to the next Village Board meeting agenda.

A Motion to approve Resolution 43-2014, a Resolution waiving competitive bidding requirements and authorizing an agreement between the Village of Gilberts and Phoenix & Associates to provide professional services for designing and constructing Old Town Roadway and Drainage Improvements

Administrator Keller reported that as previously discussed at the last Board meeting Phoenix & Associates has drafted a scope of work for the Old Town Roadway and Drainage improvements. The scope of work does include auxiliary drainage work for Windmill Meadows.

Administrator Keller reported that Phoenix will be responsible for the construction of the improvements with the flexibility to make design/build adjustments in the field. Baxter & Woodman will provide oversight and inspections for the project. The contract reflects the expectation that significant work be done by August 1, 2015 and completed by November 1, 2015.

The total cost of the project is \$583,000.00 which was not included in the FY-2015 budget but can be covered by using the Village's Road Improvement Funds.

Administrator Keller commented on the fact that state statute does not specifically allow for "design/build" contracts, the resolution includes a waiver of the competitive bidding process set forth in state statute. Therefore the resolution will require a two-thirds approval by the Board.

Trustee Corbett inquired if Phoenix will have the manpower to adhere to the timeline with the large park improvement project underway. Stormwater Consultant Hutson replied yes. The remainder of the park improvements will be completed by sub-contractors. They will work on constructing the drainage improvements throughout the winter months.

Stormwater Consultant Hutson provided the Board Members with an update on the Town Center Park improvements.

Trustee Mierisch inquired when staff plan on hosting an open house to inform the residents in Old Town about the planned roadway and drainage improvements. Administrator Keller reported that staff will be scheduling the open house sometime after the holidays but before the road improvements are scheduled to begin.

There being no further discussion on the motion, **a Motion was made by Trustee Corbett and seconded by Trustee Zambetti to approve Resolution 43-2014, a Resolution waiving competitive bidding requirements and authorizing an agreement between the Village of Gilberts and Phoenix & Associates to provide professional services for designing and constructing Old Town Roadway and Drainage Improvements.** Roll call: Vote: 5-ayes: Trustee Hacker, Corbett, Mierisch, Zambetti, and Farrell. 0-nays, 0-abstained. Motion carried.

Motion to approve Resolution 44-2014, a Resolution waiving competitive bidding requirements and authorizing an agreement between the Village of Gilberts and Phoenix & Associates to provide professional services for designing and constructing Mason Roadway and Drainage Improvements-Option A

Motion to approve Resolution 45-2014, a Resolution waiving competitive bidding requirements and authorizing an agreement between the Village of Gilberts and Phoenix & Associates to provide professional services for designing and constructing Mason Roadway and Drainage Improvements Option B

Administrator Keller noted that Board Members have the choice of approving either Resolution 44-2014 or Resolution 45-2014

Administrator Keller discussed Resolution 44-2014. He reported that this option proposes matching the existing pavement width of 21 feet with one foot aggregate shoulders. The total cost of this option is \$307,000.00 which includes the base repair, drainage work and the final two-inch surface lift.

Administrator Keller discussed Resolution 45-2014. He reported that this option proposes widening the pavement width to 24 feet with one foot aggregate shoulders. The total cost of this option is \$351,600.00, which includes the base repair, drainage work and the final two-inch surface lift.

Administrator Keller reported that staff recommends approval of Resolution 45-2014. The wider roadway would support the anticipated increase in the truck traffic and increasing the life expediency of the roadway.

Administrator Keller noted that approval of either Resolution would require a two-thirds vote due to the fact that state statute does not specifically allow for "design-build" contracts. Both resolutions include a waiver of the competitive bidding process.

Trustee Hacker noted that increasing the pavement width while the road is being repaved makes some sense from the cost perspective. However, the existing road width has served community car traffic well for many years and increasing the width (at additional cost) to meet the anticipated demands of truck traffic from the Elgin Industrial Park does not appear to be in the best interest of the village residents.

Trustee Zambetti, Corbett and Farrell acknowledge that they supported Resolution 45-2014 which included the widening the road.

A Motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve Resolution 45-2014, a Resolution waiving competitive bidding requirements and authorizing an agreement between the Village of Gilberts and Phoenix & Associates to provide profession services for designing and constructing Mason Road Roadway and Drainage Improvements-Option B. Roll call: Vote: 5-ayes: Trustees Corbett, Mierisch, Zambetti, Farrell and President Zirk. 1-nay: Trustee Hacker, 0-abstained. Motion carried.

Items for Discussion

Holiday decorations in public rights of way

Administrator Keller reported that a resident recently complained about a neighbor's holiday decorations along the sidewalk and in the parkway, which are in the public right of way. Staff had investigated the property in question and did not find the decorations to be a public safety hazard.

President Zirk noted that holiday decorations as long as they are not a public safety issue are part of the character of the community.

Trustee Mierisch questioned if staff was still going to respond and investigate property maintenance concerns. Administrator Keller replied yes. Staff would respond to any resident complaints. Staff will ascertain if the concern poses a public safety hazard.

Staff Reports

Administrator Keller reported that Staff had been shown how to start-up, shut-down and winterize the splash pad. He went on to report on the status of the concession building. Trustee Mierisch inquired if staff had drafted policies with respect to patrolling the new park and securing the interior of the concession building. Administrator Keller replied that staff will work on drafting the park policies over the winter months.

Assistant Administrator Beith provided the Board Members with an update on the fiber. He reported that he has been working with Wide Open West as a potential provider and content partner.

Board of Trustee Reports

There were no reports provided by any of the Trustees.

President's Report

President Zirk discussed the construction of the Sola & Center water main. He reported that the construction of the water main should be completed by the end of the year. President Zirk noted completion of the water main provides the adjacent Industrial Park access to the Village's water supply.

President Zirk commented on the Hill-Newby (Mobile Mart) water main project. They originally had a recapture agreement for the properties their improvements would benefit. In 2011 the Village Board repaid Hill-Newby Recapture agreement with the use of the Central TIF Funds.

President Zirk discussed various options on incentives to entice the Industrial Park business owners to tap on to the Village's water supply.

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Administrator Keller reported that Staff will provide the Board Members with more details on this topic at the next Board Meeting. In addition, Staff will be providing the Board Members with more information on the Water Rate Study and a community outreach program.

Assistant Administrator Beith acknowledged Clerk Meadows for her work organizing the annual bonfire. He reported that the event was successful.

Adjournment

There being no further public business to discuss, **a Motion was made by Trustee Hacker and seconded by Trustee Farrell to adjourn from the public meeting at 8:19 p.m.** Roll call: Vote: 5-ayes by unanimous voice vote.

Respectfully submitted,

Debra Meadows