

APPROVED MINUTES

**Village of Gilberts
87 Galligan Road
Gilberts, IL 60136
Committee of the Whole
Meeting Minutes
April 14, 2015**

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, Farrell, Hacker and President Zirk. Others present: Administrator Keller, Assistant Administrator Beith and Village Clerk Meadows. For members of the audience please see the attached sign-in sheet.

Administrator Keller reported that the representative proposing the construction of a gas station and car wash concept plan was unable to attend tonight's meeting. They have asked to reschedule the presentation until the April 21st Village Board Meeting.

Trustee Zambetti arrived at 7:02 p.m.

President Zirk acknowledged that there were audience members that were in attendance to comment on agenda item G-"Gas Station concept plan-Prairie Business Park". He asked if any of the Board Members objected to moving agenda item G up allowing for the discussion to be the first of the night. The Board Members offered no objections to moving the discussion with respect to the gas station concept plan up.

Administrator Keller discussed the details of the proposed gas station concept plan located along Higgins Road on the commercial frontage of the Prairie Business Park. The proposed gas station site would extend across sliver lots 1-21, located north of Trillium Drive and between Prairie Parkway and Tyrrell Road. The combination of the sliver lots would establish a single 3+ acre gas station site, which would qualify as "truck stop" under the state's video gaming license regulations. The truck stop designation would allow the owner to apply for a video gaming license without needing a liquor license that accommodates "on premises consumption", as is otherwise required to get a video gaming license.

However, to accommodate the development of their proposed concept plan, the Village Board would need to vacate the Larkspur Drive right of way, located between sliver lots 11 and 14. If the right of way is vacated, the applicant can proceed with final plan approval of the entire site, as the car wash would still be attached to the gas station site.

Administrator Keller continued on to discuss if the right of way is not vacated, the applicant can proceed with the final plan approval for the gas station on lots 1-11, but would then have to apply for a special use permit to allow a "stand alone car wash" on Lots 14-21. Because the developer would control two 1.5 acre sites instead of a single 3+ acre site, he would not be able to get a video gaming licenses as a "truck stop".

The applicant is also asking the Village Board to create a new liquor license to allow package liquor sales at the convenient store. Presently, the Village does not have an available license and the Board would need to amend the Village Code to create one.

Administrator Keller noted that he was looking for feedback from the Board so he could pass the information onto the developer.

Trustee Zambetti stated that he was not in favor of the proposed gas station site. He expressed concern with the amount of retail frontage the Village would be forfeiting for a gas station/car wash complex. In addition, Trustee Zambetti expressed concern with trucks being parked overnight and in the winter running their engines overnight. Also in Trustee Zambetti's opinion the streetscape was not what he envisioned along the commercial district of Route 72. Trustee Hacker agreed with Trustee Zambetti. He too voiced concerns with trucks being parked over night with their engines running.

Trustee Farrell expressed concern that the proposed gas station complex is located too close to a residential subdivision. She noted that residents currently express concerns with the existing commercial sites along Route 72.

Trustee Hacker inquired on the anticipated increase in non-home rule sales tax revenue. Administrator Keller believes the increase would be very slight due to the fact that there is already competition at the NE corner of Route 72 and the traffic pattern is going in the same direction.

Trustee Corbett agreed with all the previous comments. He questioned the site's internal traffic pattern.

President Zirk commented on the potential loss of property tax if the Board were to approve the proposed truck stop. In addition, he expressed concern with allowing the video gaming opportunity to a new business when the Board could not accommodate the request from the current gas station owners due to State regulations with respect to video gaming.

President Zirk commented on the fact that banks and dry cleaners don't generate sales tax. However, they do increase the quality of life for the residents.

President Zirk also agreed with all the comments previously provided by the Board Members. Administrator Keller will relay the concerns to the applicant, and this matter will be placed on the next Board agenda for discussion with the applicant present.

Minutes from the April 7, 2015 Village Board Meeting

President Zirk asked if any of the Board Members had any questions or comments on the April 7th Village Board Meeting Minutes. The Board Members offered no comments or questions. President Zirk directed staff to place the minutes on the next consent agenda.

Resolution 16-2015, a Resolution authorizing the approval of the CY-2015 Recreational Programming Agreement with the Tri-Cities Travel Baseball Team

Administrator Keller reported approval of this resolution would allow the Tri-Cities Travel Baseball Team to use the new baseball diamond at Town Center Park for their practices on Monday, Wednesday and Friday afternoons from April 1, 2015 through October 15, 2015.

President Zirk asked if the Tri-Cities schedule would interfere with any of the YMCA programs. Staff responded no, currently the YMCA is not planning on using the Town Center Park ball field.

President Zirk questioned if the parking lot could accommodate all the activities currently scheduled at the park. Staff will review the park use calendar and report back.

Trustee Hacker inquired who would be responsible for checking the conditions of the field during inclement weather. Staff reported Chief Building Inspector Swedberg would monitor the fields during the week, and Trustee Corbett would be the Field Marshall during off hours.

Trustee Zambetti recalled in the past Tri-Cities had boundaries which excluded a portion of Gilberts. Staff will check to see if the boundaries were still the same as in years past.

This matter will be placed on the next Board agenda for Board consideration.

Resolution 17-2015, a Resolution authorizing the approval of the CY-2015 Recreational Programming Agreement with the Gilberts Grizzlies

Administrator Keller reported approval of this resolution continues the Village's arrangement for football field use by the Gilberts Grizzlies for calendar year 2015.

President Zirk commented on the fact the Gilberts Grizzlies are now being marketed as GPH Grizzlies. Staff will check to see if there have been any changes to the football league and if the Certificate of Insurance needs to be updated.

Trustee Hacker inquired on the percentage of Grizzlies participants that are Gilberts' residents. Staff will research this matter and report back.

This matter will be placed on the next Village Board agenda.

Resolution 18-2015, a Resolution approving a Certificate Regarding O&M as required under the provision of the State of Illinois Revolving Loan Fund Regulations

Administrator Keller reported that approval of this resolution certifies to the State of Illinois that the Village will operate and maintain the barium/radium removal improvements at the water treatment plant in accordance with the IEPA's standards. This certification is required because the improvements are being financed through the IEPA's revolving loan fund.

The Board Members had no comment on the IEPA's certificate. This matter will be placed on the next consent agenda.

Resolution 19-2015, a Resolution exercising an option to renew for one-year, an Intergovernmental Agreement with the County of Kane for Animal Control Services

Administrator Keller reported that this resolution triggers a one-year extension of the current agreement with Kane County for animal control services. He noted that the Police Department is not a frequent user of the County's services, but the extension maintains the agreement should their services be needed in the future. The Board Members offered no comments or questions on the proposed agreement. This matter will be placed on the next consent agenda.

Vacation of a portion of the Union Street Right of Way

Administrator Keller reported that the Village had received a request from the owner of 130 Galligan Road asking if the Village Board would consider vacating some or all of the adjacent unused Union Street right of way. The adjacent property owner has requested that the unused right of way be vacated so that it can be used as an extension of his property.

Administrator Keller commented on the process of vacating the right of way. This process would include preparing a plat of vacation and providing the utility companies a 30 day objection period. In addition, Staff will discuss this matter with Stormwater Consultant Kannigan to ensure there are no stormwater issues.

Administrator Keller reported that if the Board prefers a second option would be to draft a licensing use agreement allowing some or all of the right of way to be used by the adjacent property owner.

The Board Members expressed no concerns with either method. Administrator Keller will discuss this matter with Stormwater Consultant Kannigan, and if he expresses no concerns Administrator Keller will then notify the utilities companies.

Board Member Compensation (Amended Agenda Item)

Administrator Keller reported at the last board meeting, the Board Members directed Staff to draft language modifying the compensation structure for the Village Board of Trustees. Attorney Tappendorf had drafted a memo to reflect language amending the Village Code Title 1 Section 6 "Village Officers and Personnel".

Attorney Tappendorf understood the Board Members desire to modify Board of Trustees compensation to implement a "per meeting" compensation model subject to a monthly not-to-exceed amount. She suggested the following language "Any village trustee elected in 2017 or at any election thereafter shall receive a stipend of \$125.00 of each village board or committee of the whole meeting actually attended by the trustee in a month, provided that the total monthly stipend paid to a village trustee shall not exceed \$250.00 regardless of the number of meetings actually attended by the trustee in that month". A Board Member discussed ensued.

After a lively debate the Board Members unanimously concurred with Attorney Tappendorf's recommendation of the Board of Trustees compensation amendment to the Village Code. Staff will draft an Ordinance reflecting the code amendment.

Staff Reports

Administrator Keller commented on the Tollway's I-90 and the Route 72 roadway reconstruction projects.

Board of Trustee Reports

The Board Members offered no reports

President's Report

President Zirk inquired if the Board Members had any reservations about moving the May 5th meeting up to April 28th so newly elected Trustee Kojzarek's family could attend the swearing in ceremony. The Board Members expressed no objections to the change in meeting dates.

Public Comment

President Zirk asked if anyone in the audience wished to address the Board Members. There were no comments from the audience.

Executive Session

President Zirk inquired if there was any reason to enter into an executive session. Neither the Board Members nor Staff expressed any reason to enter into executive session.

Adjournment

There being no further public business to discuss, **a Motion was made by Trustee Hacker and seconded by Trustee Zambetti to adjourn from the public meeting at 8:21 p.m.** Roll call: Vote: 4-eyes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows