

APPROVED MINUTES

**Village of Gilberts
87 Galligan Road
Gilberts, IL 60136
Village Board
Meeting Minutes
May 19, 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 Kojzarek, Corbett, Zambetti, Farrell, Hacker and President Zirk. 1-absent: Trustee LeClercq. Others present: Administrator Keller, Assistant Administrator Beith, Finance Director Blocker, Engineer Harman, Water/Wastewater Superintendent Castillo and Village Clerk Meadows. For members of the audience please see the attached copy of the sign in sheet.

Public Comment

President Zirk asked if anyone in the audience wished to address the Board Members. Ms. Paula Amenta, Chief Marketing Communication Officer for Elgin Community College presented the Board Members with a 125th Anniversary Cake which was provided by ECC's Culinary Arts Department. She wished the Board Members along with the Village a very happy 125th Anniversary. President Zirk noted that after the conclusion of the Public Comment portion of the meeting there would be a brief recess to allow for the cake-cutting ceremony.

Superintendent Castillo reported that the Village along with Baxter & Woodman had earned the prestigious National Engineering Excellence Grand Award for the development of the Barium/Radium Removal Pretreatment System. The project was one of only eight Grand Awards given nationally to the most innovative and outstanding engineering accomplishments.

Superintendent Castillo noted that the project also earned the 2015 Technical Innovation Award from the American Public Works Association (APWA) Fox Valley Branch, the Project of the year-Environmental Under \$5 Million award from the APWA Chicago Metropolitan Chapter. President Zirk reported that he has a Public Works background, so he appreciated the gravity of the awards.

The Board Members thanked Engineer Harman and Superintendent Castillo for all the efforts and applauded them on their accomplishments.

President Zirk asked if anyone else in the audience wished to address the Board. Ms. Rosemarie Geier Grant approached the podium. She stated that she had attended the Board meeting to express her concerns with the proposed rezoning of 214 Galligan Road. In addition, Ms. Grant noted that she would also wish to comment on both the proposed Vehicle Weight Limit Schedule Ordinance and the Affordable Housing Plan.

Ms. Grant stated that the proposed rezoning in her opinion was inconsistent with the surrounding property uses. She acknowledged that the P Conservancy classification is considered to be out-dated. However, that does not impact the actual use of the adjacent and nearby properties.

If granted it would suggest the appearance of a case of single parcel zoning. The Staff recommendation does not appear to address case law on spot zoning. Ms. Grant noted that the UDO indicates the I-1 uses are limited to districts of a minimum of 4 acres. The proposed parcel is only 1.78 acres, and too small to qualify as a district and is not adjacent to another I-1 district, further adding to the appearance of spot zoning.

Ms. Grant went on to cite sections 10-2-1 and 10-11-10 of the Village's Unified Development Code. In her opinion rezoning the 214 Galligan Road to I-1 ("Industrial") is inconsistent with both the Comprehensive Plan and the Zoning Map.

Ms. Grant expressed concerns with the proposed Ordinance adopting a Vehicle Weight Limit Schedule. She noted that the Ordinance is inconsistent with the stated objectives of the UDO which states in 10-1-2 that truck traffic is to be discouraged on Village Streets.

Ms. Grant noted that the Old Town apartments commonly referred to as the "Flats" and her Mothers sleeping rooms located at 260 Galligan comply with the Affordable Housing Plan. However, if the Board Members approve the proposed rezoning of 214 Galligan Road the noise generated from the potential truck traffic would have a negative impact on the renters residing in her Mother's sleeping rooms. Due to the fact that the sleeping rooms directly face Galligan Road. The issue could directly impact her Mother's ability to rent the sleeping rooms and have a negative financial impact on her Mother's property.

President Zirk and Administrator Keller responded to Ms. Grants comments. President Zirk noted that Mr. Stavropoulos rezoning petition accelerated the discussion on which rezoning district to use to replace the archaic "P" Park-Conservancy Zoning District. The Board Members stated that they are sensitive to both sides of the rezoning district debate. This mater will be discussed in length in the order the matter appears on the agenda.

President Zirk called a brief recess at 7:35 p.m. so the Board Members could participate in the 125th Anniversary Cake-Cutting Ceremony. The Board Members reconvened the meeting at 7:43 p.m.

Consent Agenda

- A. A Motion to approve Minutes from the May 12, 2015 Special Village Board Meeting**
- B. A Motion to approve Bills & Salaries dated May 19, 2015 as follows: General Fund \$142,104.40, TIF \$810.00, Performance Bonds and Escrows \$743.90, Water Fund \$7,852.75 and Payroll \$71,898.19.**

President Zirk asked if there were any items the Board Members wished to remove from the consent agenda for separate consideration. There were no comments from any of the Board Members. **A Motion was made by Trustee Farrell and seconded by Trustee Zambetti to approve the consent agenda items A-B as presented.** Roll call: Vote: 5-ayes: Trustees Kojzarek, Corbett, Zambetti, Farrell and Hacker. 0-nays, 0-abstained. Motion carried.

Items for Approval

A Motion to approve Ordinance 12-2015, an Ordinance approving a zoning map amendment (rezoning) of property commonly known as 214 Galligan Road from P Conservancy to I-1 General Zoning District

Administrator Keller provided the Board Members with an overview of the petitioner's request to rezone 214 Galligan Road from "P" Conservancy to "I-1" General Industrial. He noted that the "P" Conservancy is a zoning district which was carried over from the 1971 Zoning Code and had since been removed from the newly adopted Unified Development Code.

Administrator Keller noted that the property has been used for industrial oriented businesses for several years. Rezoning the property to I-1 General Industrial would be consistent with the property's past use. Administrator Keller reported that the property's preexisting contractor's yard use has been discontinued for more than six months; the property's legal nonconforming ("grandfather") status has expired. The use and/or development of the property would be required to comply with the current UDO standards, such as fencing and screening around parking areas and site coverage.

Administrator Keller reported that the Plan Commission conducted a public hearing on the petition at their April 22nd meeting. The Plan Commission recommended approval by a vote of 6-0. He noted that the Plan Commission felt that the I-1 zoning district was the best fit to bring the property into compliance. A lively debate ensued with respect to rezoning the property to R-1 "residential".

There was some discussion on the adjacent property commonly referred to as the Kedzie property. In the past there were some environmental issues with the Kedzie property. The past environmental concerns make the property undesirable for residential use.

The Board Members discussed ways in which the property could retain its current use until the adjacent properties are developed which would assist in defining the appropriate zoning for 214 Galligan Road.

Administrator Keller will discuss this matter with Attorney Tappendorf and provide the Board Members with options in permitting the current use.

A Motion was made by Trustee Zambetti and seconded by Trustee Hacker to table Ordinance 12-2015, an Ordinance approving a zoning map amendment (rezoning) of property commonly known as 214 Galligan Road from P Conservancy to I-1 General Industrial Zoning District until June 2, 2015. Roll Call: Vote: 5-ayes: Trustees Corbett, Zambetti, Farrell, Hacker and Kojzarek. 0-nays, 0-abstained. Motion carried.

A Motion to approve Ordinance 13-2015, an Ordinance adopting a Vehicle Weight Limit Schedule

President Zirk noted that Staff had narrowed the scope of the truck weight limit restrictions. There being no further discussion on Ordinance 13-2015, a **Motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve Ordinance 13-2015, an Ordinance adopting a Vehicle Weight Limit Schedule.** Roll call: Vote: 5-ayes: Trustee Zambetti, Farrell, Hacker, Kojzarek and Corbett. 0-nays, 0-abstained. Motion carried.

Items for Discussion

Affordable Housing Plan

Administrator Keller reported that in 2003 the State of Illinois adopted the Affordable Housing Planning and Appeal Act, which required all Illinois municipalities provide their respective "fair share" of affordable housing stock. Administrator Keller noted that Attorney Tappendorf had drafted a plan to satisfy the state's requirements. If the Board Members approve of the plan the plan will be adopted by resolution at the Board's June 2nd meeting.

Trustee Zambetti requested that the resolution not be placed on the consent agenda.

Staff Reports

Administrator Keller reported that late last week he had received a copy of a development petition and accompanying drawings for the Elgin's PUD petition for the Huang property on the east side of Tyrrell Road. He had asked the City of Elgin for additional details, including the engineering and grading plans and details about the building height. He asked the Board Members to send him in any question they might have and he will forward those questions on to the City of Elgin and report back.

Administrator Keller provided the Board Members with an update on the status of the Copenhaver's site restoration work.

Board of Trustee Reports

Trustee Hacker inquired on the status of the proposed Grove Mart Gas Station. Administrator Keller reported that they are proceeding with their petition to request a 1 ½ acre gas station site.

Trustee Hacker inquired on the status of the code amendment with respect to tap-on fees. Administrator Keller reported that he along with Attorney Tappendorf are in the process of drafting language amending the code regarding tap-on fees. The difficulty is adopting Engineer Fisher's fee adjustment schedule into written language that makes sense. President Zirk suggested adopting a policy which defined the tap-on fee adjustments over time. Administrator Keller thought the fee schedule should be codified.

Trustee Kojzarek inquired if the Tollway Authorities had agreed to install a temporary three-way signal during the Route 72 bridge reconstruction project. Administrator Keller replied no, they did not agree to install the three-way signal as requested by the Village. President Zirk directed staff to write a letter appealing their decision citing motorist safety concerns. Staff will draft a letter to the Tollway Authorities requesting they reconsider their position.

President's Report

President Zirk directed Staff to place signage on the splash park noting the hours of operation. Staff will order a sign for the splash park.

Executive Session

President Zirk inquired if anyone had any matters they wished to discuss in executive session. There were no comments provided by the Board of Trustees or Staff.

**Village Board
Meeting Minutes
May 19, 2015
Page 6**

Adjournment

There being no further public business to discuss, a Motion was made by Trustee Zambetti and seconded by Trustee Farrell to adjourn from the public meeting at 9:10 p.m. Roll call: Vote: 5-ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows