

Village of Gilberts  
87 Galligan Road  
Gilberts, IL, 60136  
Village Board  
Meeting Minutes  
September 1, 2015

APPROVED MINUTES

**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**

Clerk Meadows called the roll. Roll call: Members present: Trustees: Kojzarek, Corbett, LeClercq, Zambetti and President Zirk. 2-absent: Trustees Farrell and Hacker.

**Public Comment**

Resident Dan Pace approached the dais. He proceeded to read an excerpt from the August 18<sup>th</sup> Village Board Meeting Minutes in which he inquired if the Village had issued any permits authorizing any contractors access to the Village's right-of-ways for the purpose of installing fiber optic cable. The minutes noted that Administrator Keller reported that he would have to check with the Chief Building Inspector, John Swedberg. Mr. Pace asked if Administrator Keller had done so. Administrator Keller apologized noting he had forgotten to follow-up with Chief Building Inspector Swedberg on his request.

Mr. Pace continued to try to articulate what documents he was requesting. Administrator Keller suggested in order for Staff to clearly understand his request Mr. Pace should consider filing a Freedom of Information Request. Mr. Pace replied he would do so.

**Consent Agenda**

- A. **A Motion to approve Minutes from the August 18, 2015 Village Board Meeting**
- B. **A Motion to approved Bills & Salaries dated September 1, 2015 as follows: General Fund \$32,030.52, Performance Bonds and Escrows \$39,454.35, Water Fund \$169,567.23 and Payroll \$76,391.79**
- C. **A Motion approve Resolution 36-2015, a Resolution authorizing acceptance of Public Improvements for Building III, Phase 1A, Burnet Drive for the Prairie Business Park Subdivision**

President Zirk inquired if there were any items the Board Members wished to remove from the consent agenda for separate consideration. The Board Members offered no comments. **A Motion was made by Trustee Zambetti and seconded by Trustee Corbett to approve the consent agenda items A-C as presented.** Roll call: Vote: 4-ayes: Trustees Kojzarek, Corbett, LeClercq and Zambetti. 0-nays, 0-abstained. Motion carried.

**Items for Approval**

**A Motion to approve Ordinance 20-2015, an Ordinance amending the Village Code to require the removal or completion of unfinished structures or removal or burial of abandoned foundations**

Administrator Keller reported approval of this Ordinance provides an additional mechanism for encouraging property owners and developers to address unsafe situations, particularly in cases where the project was abandoned and the building permit had expired.

Attorney Tappendorf noted that the Village Code and UDO do provide mechanisms addressing these types of situations. However, if the Village's citations went unaddressed the recourse would require court action thus leaving a gap in the Village's ability to enforce compliance.

President Zirk expressed concern that this Ordinance may provide for unattended consequences if improperly enforced. Administrator Keller noted that this Ordinance would only be enforced after all other enforcement actions had been taken.

There was some discussion on allowing residents to extend their building permits due to weather or other reasons out of their control. Administrator Keller noted that Staff would be reasonable in allowing residents to extend their building permits. Attorney Tappendorf commented on the fact that the Village is not obligated to extend a building permit.

Attorney Tappendorf reported that this Ordinance just provides the Village with an additional tool after all other reasonable action had been taken. There being no further discussion on the motion, **A Motion was made by Trustee Zambetti and seconded by Trustee LeClercq to approve Ordinance 20-2015, an Ordinance amending the Village Code to require the removal or completion of unfinished structures or removal or burial of abandoned foundations.** Roll call: Vote: 4-ayes: Trustees Corbett, LeClercq, Zambetti, and Kojzarek. 0-nays, 0-abstained. Motion carried.

**A Motion to approve Resolution 36-2015, a Resolution amending Resolution 40-2014, a Resolution authorizing a Work Order with Baxter & Woodman for professional services for the repair and resurfacing of Old Town Streets**

Administrator Keller reported that Staff recommends approval of this resolution amending the work order with Baxter & Woodman for their design and construction engineering services for the Old Town drainage improvements. He discussed the fact that the change in the project direction and the need for additional surveying to verify the proper grades for the ditches, Baxter & Woodman requested an additional \$16,000 increase to cover the additional design and inspection costs.

Administrator Keller reported that Staff will close out the unused balance of Baxter & Woodman's work order for the completed Mason Road project, freeing \$7,543 which will be reallocated to the amended Old Town engineering work order. The additional \$8,456 needed to cover the amended cost could be covered by using Road Improvement Funds and reflected with the year-end budget adjustment.

President Zirk stated that he would entertain a motion on the amended Resolution 36.2015. **A Motion was made by Trustee Zambetti and seconded by Trustee LeClercq to approve Resolution 36-2015, a Resolution amending Resolution 40-2014, a Resolution authorizing a Work Order with Baxter & Woodman for professional services for the repair and resurfacing of Old Town Streets.** Roll call: Vote; 4-ayes: Trustees LeClercq, Zambetti, Kojzarek and Corbett. 0-nays, 0-abstained. Motion carried.

#### **Items for Discussion**

##### **Conservancy Development Review**

Administrator Keller commented on the fact that the only Trustee that was in office during the approval of the Neumann Homes development was Trustee Zambetti. He thought it would be beneficial if he and Attorney Tappendorf provide the current Board Members with an overview of the Conservancy Development entitlements and outline the current number of units, sewer capacity and the cost allocation of the required improvements.

A lengthy discussion ensued with respect to the benefited area included in Special Service Area #19. Attorney Tappendorf noted that the area does not include the Schriener property.

The Board Members discussed in length restructuring the annexation and development agreement when and if the Developer wishes to reopen the agreement. In addition, the Board Members believed the obligations and entitlements need to be fair to all parties named in the agreement.

##### **Staff Reports**

Administrator Keller discussed the fact that the Illinois Tollway Authority has reported that the Route 72 Bridge reconstruction project is running 46 days behind schedule they anticipate completion sometime at the end of December or beginning of January.

Administrator Keller continued to discuss the Route 72 Bridge reconstruction project time-line. He reported that they are currently completing the south abutment for the first stage of the project.

Upon completion they will be erecting 8 large beams similar to last year's Tyrrell Road Bridge reconstruction project. This work will take place over the course of 2 nights. This will require the Il 72 Bridge to be shut down for a brief period of time during the beam erection. The work is anticipated to take place on September 10<sup>th</sup> and 11<sup>th</sup>.

#### **Board of Trustee Reports**

Trustee LeClercq commented on a recent concern he had shared with Administrator Keller with respect to cars parking along Summit Street. He noted Administrator Keller had pointed out if parking on this street was prohibited it may increase the speed in which motorist travel on that street. He agreed with Administrator Keller's observation.

Trustee LeClercq suggested the Board may want to consider installing lights in the Timber Trail tot lots. Administrator Keller reported that the tot lots are owned by the HOA.

Trustee Zambetti commented on how nice the new Village's monument sign looks. He asked if the second sign had been installed along Galligan Road. Administrator Keller replied yes.

Trustee Zambetti inquired if Kane County and the surrounding communities are still working on the realignment of Galligan Road at intersection of Huntley Road. Administrator Keller believed that there currently was no funding for those improvements.

#### **President's Report**

President Zirk reported that he would be unable to attend the next Committee of the Whole meeting due to a work related matter. The Board Members concurred to carry all agenda items over to the regularly scheduled September 15<sup>th</sup> Board Meeting.

#### **Adjournment**

There being no further business to discuss, **a Motion was made by Trustee Zambetti and seconded by Trustee LeClercq to adjourn from the public meeting at 8:35 p.m.** Roll call: Vote: 4-ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows

Village of Gilberts  
87 Galligan Road  
Gilberts, Illinois 60136  
Village Board Meeting  
September 1, 2015  
7:00 p.m.  
Sign-in-Sheet

Name

Contact Information (Optional)

Tom Wards

Tom Wards