

APPROVED MINUTES

**Village of Gilberts
87 Galligan Road
Gilberts, IL 60136
Village Board
Meeting Minutes
January 19, 2016**

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, Farrell, Hacker and President Zirk. Others present: Administrator Keller, Attorney Tappendorf, Assistant Administrator Beith and Finance Director Blocker. For members of the audience please see the attached sign-in sheet. President Zirk declared a quorum.

Recognition

3rd Annual Community Service Recipient

Village Clerk Meadows reported that Ms. Laura Britto, Manager of the Mobil Mart and 3rd Annual Community Service Recipient was unable to attend tonight's meeting due to family obligations. President Zirk reported that Ms. Britto was recently acknowledged by the Northern Chamber of Commerce and the Village of Gilberts for her efforts and hard work in supporting local charities and community events. President Zirk noted that Ms. Britto has hosted fundraisers to benefit Special Olympic such as Tip a Cop for pumping gas, Polar Plunge and several golf outings and BBQ's. On behalf of the Village, President Zirk thanked and recognized Ms. Britto for all of her volunteer efforts. In addition, President Zirk thanked Trustee Corbett for attending the Chamber event on his behalf. He noted that he had heard Trustee Corbett did an excellent job in presenting Ms. Britto with the 3rd Annual Community Service Award.

Employee Introductions

Utilities Technician I

Utility Superintendant Castillo introduced newly hired Utilities Technician I, Mr. Zach Ruemelin who started his employment with the Village on January 4th. Utility Superintendant Castillo provided the Board Members with a brief overview of Utilities Technician Ruemelin's professional background.

Utility Superintendent Castillo reported that Technician Ruemelin had graduated from Huntley High School in 2006. He continued his education at Northern Illinois University. He transferred to Ashford University and received his bachelor's degree in social and criminal justice and minor in organizational management where he specialized in forensics. Most recently Technician Ruemelin was an employee of the Village of Huntley as an operator trainee. The Board Members welcomed Technician Ruemelin to the Village. Technician Ruemelin thanked the Board Members and Staff for the opportunity to serve the Village.

Public Comment

President Zirk asked if any member of the audience wished to address the Board. There were no comments provided by anyone in attendance.

Consent Agenda

- A. A Motion to approve Minutes from the January 5, 2016 Village Board Meeting**
- B. A Motion to approve the December 2015 Treasurer's Report**
- C. A Motion to approve Bills & Salaries dated January 19, 2016 as follows: General Fund \$108,702.99, Performance Bonds and Escrows \$53,685.07, Water Fund \$45,409.76 and Payroll \$61,386.32**
- D. A Motion to present and file the Illinois Department of Transportation Compliance Review No. Initial & Final-Series 2011 Bonds**

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

Items for Approval

There were no items listed under "Items for Approval".

Items for Discussion

Conservancy Development Concept Plan

Administrator Keller provided the Board Members with a brief history of the Neumann Homes' Conservancy development which was approved in 2005. He reported that the Neumann Homes' annexation agreement and the PUD ordinance entitled the construction of 985 single-family detached homes.

Administrator Keller went on to report that in 2009 Neumann Homes filed for bankruptcy and since that time the Village has worked closely with Gilberts Development LLC to restructure the property's SSA debt and resurrect the Conservancy as a viable residential subdivision. Ryan Homes has purchased and will build out 123 lots that were platted in the conservancy's Pod 4 neighborhood.

Administrator Keller discussed Gilberts Development LLC's revised concept plan which includes 995 single family detached lots, located throughout the 895 acres owned by Gilberts Development LLC. He noted that the revised concept plan excludes the Cascairo ("horse farm") property, which is owned by an out-of-state third party. The revised concept plan also excludes the southeast corner of Galligan and Freeman Roads, which consist of the Gilberts Elementary School site and property owned by North Star Trust, which was included in the Conservancy annexation agreement by virtue of a purchase contract by Neumann Homes that lapsed prior to the bankruptcy.

Administrator Keller reported that Gilberts Development LLC's proposed concept plan adds a total of 304 additional lots, which was made possible in part by more-refined wetlands and floodway/floodplain delineations that yielded more buildable land than previously shown. In addition, the concept land includes 152 smaller age-targeted lots to be located at the southeast corner of the development in the area labeled Neighborhood 3.

Administrator Keller proceeded to introduce land owner Troy Mertz and his legal counsel to discuss the proposed concept plan.

Mr. Mertz distributed two hand-outs; one of the hand-outs was a depiction of the contrast and comparison between the proposed concept plan and the 2005 Neumann Homes concept plan as designed by the Lakota engineering firm. The second hand-out depicted the proposed development standards. Prior to discussing the hand-outs Mr. Mertz expressed his tremendous appreciation for having the opportunity to work with Administrator Keller who recently resigned from the Village to accept a new position as Village Manager for the City of Lake Zurich.

Mr. Mertz continued to discuss the proposed concept plan. He noted for over the last year and half he had worked closely with Mr. Kannigan and Phoenix & Associates investigating the developments' soils, wetlands, floodways and floodplains. He noted that in the 60's the property was a working farm; however, in the 70's the property was leased farmland and farmed only several weeks a year, thus producing drain title failure and the increase in wildlife. These series of events produced over 488 acres of wetlands. Mr. Mertz and Phoenix & Associates have since addressed and corrected the wetland/floodway concerns and return the property's soils to their original condition. This corrective action created additional buildable land which has been certified by the Army Corps of Engineers.

Mr. Mertz continued discussing the proposed concept plan. He noted that with Phoenix & Associates' assistance they have produced 74 acres of additional park space, which he would like to dedicate to the Village. In addition, the proposed concept plan offers a 9 mile bike/walking trail, two fishing ponds, a 20 acre community park, and Wi-Fi hot spots located within the open spaces. Mr. Mertz commented on a variety of park amenities.

Attorney Burney suggested Mr. Mertz elaborate on the age-targeted product. Mr. Mertz provided the Board Members with pictures of the proposed MBR Developers' age-targeted product options. Mr. Mertz noted that the age-targeted products are for consumers wanting to downsize. The product offers maintenance free ranch style single family homes which include granite countertops and other high-end features. He discussed the price point and the square footage of the age-targeted product. There was some discussion on how MBR Developer's plan to market the product to only older empty nesters. Mr. Mertz stated that this could be addressed through the CCR's and the price point. He commented on the fact they could prohibit land accessories such as swing-sets, pools and other accessories that you typically see in family originated neighborhoods. Mr. Mertz reported that he is in the process of discussing school impact fees with District 300 with respect to the age-targeted neighborhood.

At this time Mr. Mertz opened the dialogue to the Board Members and Staff. Administrator Keller suggested Mr. Mertz consider relocating the 20 acre park feature from the location in Neighborhood 11 to an area closer to Neighborhood 5. Administrator Keller commented on KDOT requirements for access points off of Galligan Road.

Attorney Tappendorf questioned if the Village was in favor of granting park credit to small areas depicted on the proposed concept plan that are adjacent to residential lots. In her opinion these open spaces provide the character and feel of an extension of the backyards. A lengthy discussion ensued with respect to park space credits.

Administrator Keller recommended that each neighborhood be developed independently of each other and the water and sanitary infrastructure be looped. There was some discussion with respect to the current recapture agreement obligations.

Mr. Mertz commented on the fiber project. He noted that he along with Assistant Administrator Beith had been working with Kane County and Chairman Lauzen to pursue an initiative to expand the county's fiber optic network. Chairman Lauzen is proposing a public-private partnership with the Village of Gilberts making it one of the first gigabit fiber-optic communities in the state.

Trustee Hacker inquired if Mr. Mertz had considered marketing the age-targeted neighborhood age as an age restricted neighborhood. Mr. Mertz replied that the current housing market is not supporting age restrictive neighborhoods.

Trustee Corbett asked for clarification on the correction to the wetland soils. He questioned if originally Neumann Homes had investigated the soils. Mr. Mertz responded that indeed Neumann Homes had conducted soil tests. However, not to the extent that V3 and Phoenix & Associates had recently done over the last year. Trustee Corbett asked if the new homes being built in the Conservancy are being constructed on Helical Piers. Mr. Mertz responded no, with the wetland/floodway improvements the water table has been lower resulting in the creation of buildable land. Mr. Mertz reported that the compression of the soils has been independently tested and approved by TSC.

Trustee Hacker questioned Mr. Mertz as to what was envisioned with respect to the area depicted on the concept plan as "Flex-Residential". Mr. Mertz replied that area could potentially provide for an assisted living complex. The complex may also include independent living options, memory therapy and medical offices.

Trustee Hacker reported he also supported Administrator Keller's recommendation of relocating the community park.

President Zirk commented on the fact that he does not base much merit on using density calculations to determine if a development is livable. He prefers using green space calculations, product quality and price points.

President Zirk discussed the age-targeted price point. He noted that in his opinion if the age-targeted sale price is equal to an existing larger single family home the consumer with a family would more than likely purchase the larger home. A lengthy discussion ensued with respect to the age-targeted sale price and the housing market.

There was some discussion with including language in the annexation agreement in regards to the regional stormwater commodity. In Attorney Tappendorf's opinion this matter should be dealt with separately.

There was a lengthy discussion on who would be responsible for maintaining the open spaces. In the past developments the Village owns the open space and the HOA's provide the maintenance.

A lengthy discussion ensued with respect to the recapture agreement. The Board Members concurred that all benefited property owners should pay their fair share of the infrastructure improvements cost.

The Board Members along with Staff discussed future road realignments. There are some road realignment options that would be more beneficial to the Village.

Administrator Keller discussed the aggressive schedule with respect to amending the annexation agreement and the PUD Ordinance. President Zirk expressed the importance of having the Plan Commission review the UDO and PUD Ordinance amendments prior to Administrator Keller's departure.

Administrator Keller reported that he will try to schedule the Plan Commission Public Hearing for February 17th. President Zirk agreed even if the hearing was continued at least they would have the background of what was being considered.

The Village Board will then consider amending the annexation agreement at the March 15th Board meeting. Mr. Mertz and Staff thought that timeline was reasonable.

President Zirk acknowledged and thanked Phoenix & Associates for the work they performed in creating more buildable land in the Conservancy. He noted that in his opinion overall this proposed concept plan is better than the previous plan.

Water & Sewer Rates

Administrator Keller reported that they have discussed water and sewer rates over the course of the last three years. He noted that Staff has done an excellent job in holding down operating cost. However, the new IEPA requirement to add phosphorus and barium removal systems has increased the Village's operating and financing costs. The increase debt and operating costs has produced a deficit in both FY 2015 and FY 2016.

Administrator Keller reported that the Village has not raised water and sewer rates since 2008. However, to maintain the long-term solvency of the enterprise fund, Staff recommends raising the water and sewer rates from \$4.50 (per 1,000 gallons) to \$5.50 (per 1,000 gallons). The Board Members could consider increasing the water and sewer rates gradually. However, this option would still produce deficits in FY-16, FY-17, FY-18 and FY-19.

Trustee Hacker inquired on what would be the average per month increase to the residents. Finance Director Blocker reported the average user would notice a \$15.00 a month increase in their water and sanitary bill.

The Board Members concurred with the Staff's recommendation to raise the water rates by \$1.00 per 1,000 gallons making the new rate \$5.50. Staff will place an article in the next newsletter informing the residents that their July water bills will reflect the rate increase. In addition, Staff will note the reasons for the increase are due to new mandates by the IEPA.

Staff Reports

Village Clerk Meadows reported that Hacienda Mexican Grill's owner had decided not to renew his liquor license. Staff will draft an ordinance amending the Village Code.

Board of Trustees Reports

Trustee Hacker commented on a resident that is refusing to allow the Village access to his water meter. The Board Members concurred if the resident does not comply with the Village Code Staff should turn-off the property's water service.

President's Report

President Zirk commented on a request to amend the UDO to require kennel operations obtain a special use. Staff is in the process of reviewing the UDO permitted uses. The Plan Commission will be discussing this matter during their February meeting.

Executive Session

President Zirk asked if any Board Member or Staff had any reason to enter into an executive session. Neither the Board Members nor Staff provided any comments.

Adjournment

There being no further public business to discuss, a Motion was made by Trustee Hacker and seconded by Trustee Corbett to adjourn from the public meeting at 9:50 p.m. Roll call: Vote: 4-eyes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows