

**Village of Gilberts
87 Galligan Road
Gilberts, IL 60136
Committee of the Whole
Meeting Minutes
July 12, 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 Corbett, LeClercq, Zambetti, Farrell, Hacker and President Zirk. 1-absent: Trustee Kojzarek. Others present: Village Administrator Sakas, Attorney Tappendorf, Assistant Administrator Beith, Finance Director Blocker, and Village Clerk Meadows. For members of the audience please see the attached copy of the sign-in sheet.

Items for Discussion

Minutes from the July 5, 2016 Village Board Meeting

President Zirk asked if any of the Board Members had any questions or comments on the July 5, 2016 Village Board Meeting Minutes. He noted that the minutes were the amended minutes that Staff had emailed on Monday after one of the Board Members had provided comments. The Board Members offered no comments on the amended minutes. President Zirk directed Staff to place the minutes on the next consent agenda.

June 2016 Treasurer's Report

President Zirk asked if any of the Board Members had any questions or comments on the June 2016 Treasurer's Report. The Board Members offered no comments. President Zirk directed Staff to place the June 2016 Treasurer's Report on the next consent agenda.

Gilberts Development LLC's (Conservancy Development) requested amendments to the PUD and Annexation Agreement

Administrator Sakas summarized the open items noted in Attorney Tappendorf's memo dated July 8, 2016. Administrator Sakas discussed talking point #1 with respect to bulk standards for the residential neighborhoods. The main change being requested is the change in neighborhood 3 to allow for an age-targeted product on smaller lots.

Administrator Sakas discussed talking point #2 which recommends changes to the annexation language with regards to the commercial uses. Attorney Tappendorf recommends simply referencing C-1 use in the Unified Development Code.

Administrator Sakas commented on talking point #3 in which the petitioner is requesting 12 additional sanitary sewer connections. Staff is looking for Board direction on this matter.

Administrator Sakas discussed talking point #4. He noted the petitioner is asking for flexibility to connect additional homes to the water system during the Water Treatment Plant expansion.

Administrator Sakas commented on talking point #5 with respect to the Board's expectation of the timing of the Freeman Road improvements.

Administrator Sakas discussed the developer's request to establish an SSA to finance the water project and the roadway improvements.

Administrator Sakas reported that Staff is looking for direction on talking point #7 with respect to both the recapture and systems agreements.

Administrator Sakas continued to comment on the final talking point dealing with park donations.

The Gilberts Development Team approached the dais to discuss in detail their various open items. Developer Mertz reported that his team has drafted a timeline for the water plant expansion and the construction of the well. He is projecting the project will be completed by August 1, 2017. He noted that Village Engineers along with his team are in the process of reviewing the concept plan. Once the plan is approved they will submit the plan to the IEPA for the issuance of the construction and operating permits. The final layer of the process is establishing public financing to fund the project. He noted that the repayment of the SSA bonds would not be a burden to the tax payers. The bonds would be prepaid at the time of occupancy.

A lengthy discussion ensued with respect to the proposed timeline.

Attorney Tappendorf discussed in length her memo dated July 8, 2016. Attorney Tappendorf noted on page two she had outlined the zoning amendment requests which were approved by the Plan Commission. President Zirk noted that although the density had increased so had the open space area due to the reconfiguration of the wetland areas.

President Zirk reported that he prefers the new concept plan over the original concept plan.

A lengthy discussion ensued with respect to the proposed age-targeted neighborhood. Attorney Tappendorf noted that the neighborhood would have restrictions prohibiting items such as swing-sets, pools and other outdoor items that you would typically find in a single family development. These restrictions would ensure the neighborhood was targeted to those 55 and older.

Trustee Hacker questioned the number of bedrooms which are typically associated with an age-targeted neighborhood. Developer Mertz noted that age-targeted neighborhoods are not what they were 10-15 years ago. The newer age-targeted demographics on average are looking for a home product that offers 3-4 bedrooms. President Zirk agreed. He noted that he was currently in the process of developing an age-targeted development in Geneva. The development offers 3-4 bedrooms and typically one of the bedrooms is a game or exercise room. The other bedrooms are used when the college students or grandchildren visit.

There was some discussion on the type of product that would be marketed in the age-targeted neighborhood. Developer Mertz reported that MDR would offer both ranch models and two story models. The two story model's master bedroom would be located on the main floor. The Board Members questioned the reasoning behind offering a two story model to empty nesters. Developer Mertz noted that many of the potential buyers are looking for game rooms and guest rooms located on the second floor. Developer Mertz commented on the price point of the age-targeted homes. He noted that the homes would sell for \$300,000-\$350,000 with a monthly HOA due estimated at \$200.00. Trustee Hacker asked if Developer Mertz knew the percentage of two-story homes that would be built. Developer Mertz reported around 1/3 would be two-story homes and 20% would have basements. President Zirk directed Staff to ensure that there is a mechanism in place to address the age-targeted restrictions. The Board Members concluded the discussion on the age-targeted neighborhood by directing Staff to add language to the annexation agreement amendments which would require the developer to get approval from the Village Board if they want to build a home with any more than 3 bedrooms.

Attorney Tappendorf discussed the proposed changes to the C-1 uses. She recommended the language should just simply reference the UDO in effect at that time. The Board Members agreed.

Attorney Tappendorf commented on Developer Mertz's request to allow 12 additional connections to the sanitary sewer system. There was some discussion on the tap-on fee. President Zirk noted that the original 985 connections had been paid for. However, the additional 12 are not. President Zirk suggested the developer pre-pay the connection fees so there would be no chance that the required payment of

the tap-on fees is overlooked in the future. Developer Mertz agreed to do so.

A lengthy discussion ensued with respect to the expansion of the water treatment plant and the construction of the wells. Developer Mertz reported that they have an aggressive schedule and anticipates having the system on-line by August 1, 2017.

Developer Mertz reported that sales in Pod 4 have been very successful. He asked if the Village Board would consider allowing him to begin grading and constructing the public improvements in neighborhood 2-A-1. This flexibility would allow him the resources to continue to sell homes. Trustee Hacker expressed concerns with allowing Developer Mertz to continue to build homes beyond Pod 4 without the water treatment system on-line. The Board Members discussed providing Developer Mertz with the flexibility to connect additional homes to the Village's existing water plant prior to the water system improvements being completed and operational. They asked how many additional homes he was considering. Developer Mertz reported he would like approval for an additional 51 homes. Trustee Farrell noted that John Castillo the Village's Water Superintendant reported that any additional homes outside of Pod 4 would place a strain on the current water system.

Administrator Sakas noted that currently the Village has the capacity to pump 1.2 million gallons of water a day. Currently on average the Village pumps 700,000 gallons a day. However, the EPA limits the water usage to 930,000 gallons per day. He noted that an average household uses 350 gallons of water per day.

President Zirk noted that the Board could consider allowing Developer Mertz to proceed with the infrastructure improvement in neighborhood 2-A-1 and just not issue the building permits. Developer Mertz reported that he has contractual obligations and could not move forward if the Board did not agree to issue any building permits. A lengthy discussion ensued with respect to the issuance of any additional building permits. Trustee Farrell suggested allowing Developer Mertz the flexibility to begin the public improvements in neighborhood 2-A-1 and issuing a total of 123 building permit that was platted for Pod 4. The Board Members concurred with Trustee Farrell's suggestion.

Attorney Tappendorf discussed the construction of certain road improvements to Freeman Road. Developer Mertz has asked the Village to approve a schedule for construction of these improvements to be triggered upon completion of 75% of the homes in Neighborhoods 1, 2 and 3. Attorney Tappendorf noted that this could take up to 7-10 years. However, if the Board Members shorten the construction completion date and accept the Freeman Road improvements the road is then the Village's to maintain. The Board Members concurred that the improvements need to be made sooner than later. The Board Members agreed on having the road improvements commence after two years.

President Zirk commented on an Intergovernmental Agreement the Village has with Kane County. He wants to ensure a portion of the open space located off of Galligan Road is not disturbed by wetland or detention ponds. In addition, this portion of the land is conveyed to the Village. Attorney Tappendorf was unaware of the agreement and will have to research this matter and report back.

There was some discussion on the current systems and recapture agreements. President Zirk commented on the existing recapture agreements. He was unclear if they correctly represented the benefited areas. A lengthy discussion ensued with respect to the system and recaptures agreements. Attorney Burney was in favor of Attorney Tappendorf's recommended language with respect to the reference to the current recapture agreement.

Trustee Corbett noted that in the original annexation agreement the Village was to receive 2.6 million dollars in park improvements. He was unclear how they could quantify the current park amenities Developer Mertz is committing to construct. Trustee Zambetti noted that in the past the Village has requested cash in lieu of the amenities. However, this method causes delay in the construction of park improvements. He was in favor of having Developer Mertz construct the park amenities with each phase. A lengthy discussion ensued with respect to the park amenities' value. Developer Mertz will provide the Board Members with a detailed park concept plan and an itemized cost estimate of the construction work and the park features.

Attorney Tappendorf reported that the Public Hearing is scheduled for next Tuesday. However, she does not believe this will allow enough time for Staff to draft an amended annexation agreement. The Board Members can open and close the public hearing or allow public comment. The amendment to the annexation could be continued to August 2nd at which time the Board Members could take action.

Prairie Business Park requested amendments to the Development Agreement and the Tax Increment Allocation Revenue Notes A and B

President Zirk reported that Interstate Partners has requested this matter be delayed until the August 2nd Village Board Meeting.

Splash Pad Policy

Administrator Sakas commented on the proposed Splash Pad Policy. He noted that the policy recommends dividing the splash day into 8 a.m. to noon and 1:00 p.m. to 5:00 p.m. time blocks. The capacity is determined to be 55 persons and organized groups of 5 or more individuals must preregister with the Village Clerk. The cumulative number of groups will not exceed 25 persons. The Board Members were in favor of implementing the policy. Staff will publish the policy and implement the procedures. In addition, Staff will post the necessary signage.

Staff Reports

Administrator Sakas commented on a recent error with the water bill. Finance Director Blocker reported that to date they have only received 8 calls and the residents were all very understanding.

Administrator Sakas reported that Glogovsky Oil now has fulfilled the Village's obligation to proceed on the construction of the gas station site and are just waiting KDOT and IDOT approvals.

Finance Director Blocker reported that she received the draft audit and the management letter. She should have the TIF report in about a week.

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Board of Trustees Reports

Trustee Corbett asked the status of the farm located on Galligan Road adjacent to the Conservancy. Attorney Tappendorf reported the property in question is in bankruptcy court, and Staff has been unable to determine who the owner is.

President's Report

President Zirk commented on the recent situations with respect to law officers. He wanted to take this opportunity to thank the Gilberts Police Department for their service.

Public Comment

Wow Representatives Jared Trombetta and Chris Kasallis provided the Board with an update on their fiber construction schedule. WOW is anticipating having the fiber build-out completed in 120 days. The Board Members thanked the WOW representatives for the update.

Executive Session

President Zirk asked if the Board Members or Staff had any matters they wished to discuss in executive session. Both the Board Members and Staff offered no comments.

Adjournment

There being no further public business to discuss, a Motion was made by Trustee Corbett and seconded by Trustee Zambetti to adjourn from the public meeting at 9:45 p.m. Roll call: Vote: 5-ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted, Debra Meadows