

APPROVED MINUTES

**Village of Gilberts
87 Galligan Road
Gilberts, IL 60136
VillageBoard
Meeting Minutes
August 2, 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, LeClercq, Farrell, Hacker and President Zirk.1-absent: Trustee Zambetti. Others present: Administrator Sakas, Assistant Administrator Beith, Finance Director Blocker and Chief Building Inspector Swedberg. For members of the audience please see the attached copy of the sign-in sheet.

Trustee Zambetti arrived at 7:02 p.m.

Public Comment

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

Consent Agenda

- A. A Motion to approve Minutes from the July 19, 2016 Village Board Meeting**
- B. A Motion to approve the Bills and Salaries dated August 2, 2016 as follows: General Fund \$86,778.78, TIF \$209,000.81, Permit Pass Thrus \$5,395.00, Impact Donations \$35,801.00, Performance Bonds and Escrows \$1,281.00, Water Fund \$35,154.75 and Payroll \$77,723.37**
- C. A Motion to approve Resolution 22-2016, a Resolution approving the Executive Session Meeting Minutes**

President Zirk asked if any Board Members wished to remove any items from the consent agenda for separate consideration. Trustee Hacker requested to remove item A from the consent agenda and President Zirk requested that item C also is removed from the consent agenda.

A Motion was made by Trustee LeClercq and seconded by Trustee Hacker to approve consent agenda item B as presented. Roll call: Vote: 6-ayes: Trustees Kojzarek, Corbett, LeClercq, Zambetti, Farrell and Hacker. 0-nays, 0-abstained. Motion carried.

A Motion to approve Minutes from the July 19, 2016 Village Board Meeting.

Trustee Hacker commented on page 4 paragraph 9, last sentence which referenced the developer's donation of 25 acres. He felt that the reference should be "the developer was willing to donate up to 50 acres". The Board Members concurred with Trustee Hacker's recommendation. Village Clerk Meadows will amend the minutes to reflect the change as noted. **A Motion was made by Trustee Hacker and seconded by Trustee Zambetti to approve the minutes from the July 19, 2016 Village Board Meeting as amended.** Roll call: Vote: 6-ayes: Trustees Corbett, LeClercq, Zambetti, Farrell, Hacker and Kojzarek. 0-nays, 0-abstained. Motion carried.

A Motion to approve Resolution 22-2016, a Resolution approving the Executive Session Meeting Minutes

President Zirk commented on the fact that in his opinion some of the minutes from 2014 and 2015 should be released to the public. He noted that although the minutes reflect personnel issues the employees are not individually named. One of the 2014 minutes discussed a personnel issue and he himself could not recall who the employee was referenced in the minutes.

President Zirk discussed the fact that he realizes some community have the philosophy to keep any documents exempt by state statute confidential. However, he believes all documents are public record and the Board should only keep confidential the documents that would pose a liability to the Village. He will discuss this matter in length with Attorney Tappendorf.

President Zirk directed Staff to remove section 3 from the resolution as no executive session minutes were referenced. **A Motion was made by Trustee Farrell and seconded by Trustee LeClercq to approve Resolution 22-2016, a Resolution approving the Executive Session Meeting Minutes as amended.** Roll call: Vote: 6-ayes: Trustees LeClercq, Zambetti, Farrell, Hacker, Kojzarek and Corbett. 0-nays, 0-abstained. Motion carried.

Items for Approval

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

Items for Discussion

Village Engineer Agreement

Administrator Sakas reported that he has been discussing concerns with the services provided by the Village Engineer's Baxter & Woodman. He continues to discuss the concerns with both Elected Officials and Staff.

Administrator Sakas commented on Baxter & Woodman's invoice submittals. He noted that Baxter & Woodman's invoices are vague and unverifiable. In addition, they have been generating invoices in the amount just under the Village Administrator's spending limit eliminating the need for Board approval.

Administrator Sakas reported that if the Board was in favor he suggests drafting a RFP for engineering services or at the very least refreshing the 2003 service agreement.

President Zirk commented on the recent Road Program and the lack of oversight by Baxter & Woodman's engineers. He noted that the Board Members may want to consider allowing Baxter & Woodman to retain some of the engineering services that they currently provide to the Village. Administrator Sakas noted that the Barium Removal System currently used by the Village is a Baxter & Woodman patented system and the Village would be obligated to retain Baxter & Woodman for oversight of this treatment system.

President Zirk commented on his frustration with the engineering fees the Village and developers have incurred. He did not feel the Village had to keep all their engineering services in one basket.

Trustee Farrell questioned if Baxter & Woodman answered Staff questions with respect to the vague invoice detail. Finance Director Blocker reported that they have not been responsive to providing Staff with additional invoice detail. Trustee Farrell asked if their invoice detail has always been vague. Finance Director Blocker replied yes, they have always generalized the work that was performed.

Trustee Zambetti commented on a recent invoice for inspection of the installation of a sanitary sewer pipe. He stated in his opinion the engineering fee charged was outrageous.

There was some discussion on the lack of annual engineering reports. Which was an item listed as a service included in the 2003 service agreement.

Trustee Zambetti noted that many years ago Baxter & Woodman engineers did attend Village Board meetings and provide the Board with updates. However in recent years it appears the Village is being treated as a stepchild and overlooked.

Trustee Corbett asked how Baxter & Woodman notified the Village of any engineering rate increases since they haven't updated their service agreement in years. Administrator Sakas reported that they provide the Village with an annual rate sheet.

President Zirk noted that Baxter & Woodman had also submitted work orders for Board approval.

Administrator Sakas compared Ancel Glink's invoices to Baxter & Woodman's invoices. He noted that Ancel Glink's invoices are very detail and you know exactly what the Village is being billed for.

Trustee Corbett questioned if the Village would be better served if they had an engineer on staff. Administrator Sakas believes it would be in the best interest of the Village to have a general engineering service agreement which was not all inclusive.

Administrator Sakas noted that there is a loss of historical knowledge. Administrator Sakas asked if the Board Members are in favor of Staff drafting a RFP and retaining Baxter & Woodman as project managers for some of the engineering projects. The Board Members concurred with Staff's recommendation to draft a request for proposals.

Grizzlies Field Use Request

Administrator Sakas reported that the Grizzlies have requested to use Town Center Park as a practice field (generally south of the splash pad and east of the baseball field). In addition, the Grizzlies requested additional grading and seeding at the Village's expense. He stated that Staff had informed the Grizzlies that the Village will attempt to budget funds for final grading and seeding, but ultimately they will be the only programmed activity on the field and there is no guarantee the Village's FY-2018 budget will be able to accommodate the grading and seeding. Their organization should plan for funding all or part of the project for the 2017 football season and beyond.

Trustee Corbett questioned why all the other park improvements had been funded and completed other than the football field. Chief Building Inspector Swedberg reported that the football field had been graded and seeded. However, the summer has been hot and some of the seed did not have an opportunity to get established.

President Zirk noted that the football field was never intended to be a college level field. There was some discussion on the current condition of the field. A Grizzlies' representative reported that they have found rocks which contain nails on the field. Village Consultant Kannigan reported that he will inspect the field and remove any rocks that he finds.

The Board Members along with Staff discussed the second request to use the concession stand and restrooms.

Trustee Farrell asked if Public Works cleans the restrooms daily. Chief Building Inspector Swedberg replied yes the restrooms are clean daily even on the weekend.

Trustee Farrell asked if the Village requires a security deposit from groups using the concession stand. Chief Building Inspector Swedberg report at this time no money is exchanged. Chief Building Inspector Swedberg noted that currently the concession stand was only used to store Village owned equipment and the Village equipment can be easily relocated.

Trustee Farrell stated that at some point the Village should draft a policy for concession stand use and the policy should contain language addressing the user's liability if damage was to occur. Assistant Administrator Beith reported that Staff has been investigating how surrounding communities handle concession stand rentals.

Trustee Zambetti noted that the use of the concession stand is no different than the use of a community club house. The user must restore the club house to the condition they found it in. In addition, the Village built the park amenities to be used by the public.

President Zirk questioned if this use would be an exclusive use or available to other organizations. He questioned if the Grizzlies were intending to store equipment in the concession stand. The Grizzlies' representative responded yes. They wished to store their soft equipment bags during the week. President Zirk expressed concerns with storing equipment if the Village were to allow other organizations to use the concession stand. He commented on the fact that there might be hurt feelings if some of their belongings went missing.

Trustee LeClercq expressed his concern with allowing them to use the concession stand for practices. He could understand allowing them to use the concession stand on game days. The Grizzlies' representative stated that the purpose of the request is to supply the players with an opportunity to purchase drinks and food. Trustee Zambetti was unclear why it would matter if it was a practice session or a game.

President Zirk noted that the concessions would need to be regulated by the Kane County Health Department not the Village.

There was some discussion on the use of the concession stand to store any type of equipment.

The Board Members recommended any organization using the concession stand sign the Key Policy. The Key Policy states if you lose the universal key you must pay \$500.00 to rekey any of the facilities.

The Board Members concurred that the Grizzlies may use the restrooms and the concession stand. However, they will not be permitted to store equipment in the concession stand.

The Board Members along with Staff discussed the Grizzlies final request. They are requesting to be allowed to practice on the baseball outfield. The Board Members were not in favor of allowing the Grizzlies to practice on the outfield.

Administrator Sakas noted that their current agreement with the Village does cover the approved uses.

Trustee Hacker inquired if the Grizzlies representative knew the percentage of players that were Gilberts' residents. The Grizzlies representative reported that 70-75% is Gilberts' residents.

President Zirk noted that they are the first organization to request the use of the concession stand. Staff will begin drafting a policy for future use of the concession stand.

Public Works Manpower

Administrator Sakas reported that currently the Public Works Department has one full-time position open and half (3 of 6) of the part-time positions are vacant. Administrator Sakas commented on Staff's recommendation to reclassify the current –open part-time (4 days per week) Public Works Laborer to a full-time position. The expense would increase from approximately \$32, 000 per year to \$58,000. This would leave a \$26,000 gap which could be covered by the increase in permit revenues. Staff has spoken with both Ryan and Ryland Homes and both anticipate an increase in home sales.

Trustee Hacker asked if the part-time position is a seasonal position. Chief Building Inspector Swedberg stated that this position is year round.

Trustee Kojzarek asked if there were currently 2 full-time utility employees. Administrator Sakas reported that one of the full-time positions was eliminated due to budget restraints.

Trustee Farrell asked if the utility positions are funded by the enterprise fund and the laborers' positions are funded by the general fund. Administrator Sakas replied yes. Chief Building Inspector Swedberg reported that during snow plowing season the utility positions assist with snow plowing.

President Zirk suggested Staff investigate outsourcing some of the Public Works tasks. A lengthy discussion ensued with respect to outsourcing Public Works tasks. President Zirk noted that the cost of an additional 416 hours equals \$62.50 per hour.

Trustee LeClercq asked Chief Building Inspector Swedberg what type of experience does the laborer position require. Chief Building Inspector Swedberg stated he would prefer that the applicant have construction, mechanical, and truck driving experience.

President Zirk once again recommended Staff investigate outsourcing options. Staff will research this option over the winter months and report back.

Trustee Hacker suggested researching Staff that are employed by golf courses, as most of their employees are laid off in November.

Administrator Sakas noted that this is just the beginning of the conversation with respect to workloads and compensation. These topics will be discussed during the FY-18 budget conversations.

Staff Reports

Administrator Sakas reported that on July 19th the Board Members engaged in a constructive conversation with respect to Gilberts Development LLC's proposal for parks in the Conservancy development. Since that time he has had an opportunity to review their proposed park concept plan. Administrator Sakas stated that at this time he would like to review his observations and continue the conversation. However, he is not asking the Board Members to make any decisions at this time.

Administrator Sakas discussed the current development agreement which was passed in 2014. He reported that the current development agreement provided \$2.8 million dollars in 25 acres of park land dedication and \$2.6 million in park impact fees. The current developer Gilberts Development LLC is proposing 25 to 50 acres of park land and open space with \$1.2 million dollars in park impact fees to be collected during the permitting process.

Administrator Sakas discussed the proposed physical layout of the park concept plan. He reported the plan has 3 parks in 3 of the 11 neighborhoods. One of the parks already had playground equipment. The other parks are proposed to offer 3 baseball fields, 2 softball fields and 4 soccer/football fields.

Administrator Sakas outlined the timeline for the development of the proposed park land. He noted that the assumption is that Neighborhood 2's park is proposed to include 2 soccer/football fields and 1 playground and will be started immediately. Neighborhood 5's park which includes 5 ball fields is scheduled to be built sometime around 2027 and Neighborhood 11's park which has 2 soccer/football fields to be developed sometime in the mid-2030's.

Administrator Sakas discussed the proposed park improvements value. He reported the Gilberts Development LLC has submitted improvements with an estimated value at 3.7 million dollars. However, after omitting earthwork, trails and items on the cost list not depicted on the plan he estimates the credited improvements is 1.6 Million dollars.

Administrator Sakas commented on his concerns with the proposed park concept plan. He noted that the only feasible use for four fields would be league play practices and tournaments. He questioned if the Village wanted to go into the soccer or football tournament business. In addition, the plan does not identify adequate equipment, facilities, or parking.

Administrator Sakas provided additional comments with respect to the playgrounds. He noted that Neighborhood 5 proposed improvement cost included a playground. However, the playground is not depicted on the plan and the cost of the playground equipment is not included. Administrator Sakas questioned if one playground was sufficient to serve 997 homes.

Administrator Sakas summarized his thoughts on the proposed park concept plan. He questioned if the Board Members were comfortable with the scarcity of playground equipment. In addition, he once again asked if the Village want to be in the business of tournament games.

Administrator Sakas recommended the Village Board retain the 2014 scheme of dedication of the park space and impact fees and immediately enlist a qualified professional to plan the parks located within the Conservancy Development.

President Zirk suggested the Board Members take some time to review Administrator Sakas's 12 page memo.

Developer Troy Mertz commented on his proposed plan. He noted that the open space within the Conservancy would be a destination with the trails connecting to the adjacent Forest Preserve. He believes the Community Garden would also be an asset to the community by offering children an opportunity to harvest pumpkins and other crops.

There was some discussion with respect to the current Lakota Group's park plan. Developer Mertz reported that he has already spent \$180,000 on playground equipment.

Developer Mertz noted that his vision of the soccer and football fields is to resemble Lipoid Field's sports complex located in Crystal Lake. This tournament type of activity would draw visitors to the Village's restaurants and businesses. In addition, he believes this type of activity would be a source encouraging economic development.

President Zirk once again suggested the Board Members take some time to review Administrator Sakas's memo and after careful review provide comments on what park amenities they envision for the Conservancy.

Administrator Sakas noted that Attorney Tappendorf has suggested the Board Members may want to consider continuing to collect the current impact fee amounts and if they later decide to accept Developer Mertz's park plan they can always credit him back a portion of the impact fees collected under the current agreement.

Trustee Corbett stated that he was uncertain if he could envision what the Village park needs would be 10-15 years from now.

Developer Mertz commented on the fact that he needs a park plan to market and sell his housing products. Potential buyers often ask if their home would be located by or adjacent to park land or open space.

There was discussion with respect to the role inflation would play in developing park land 10-15 years from now. In addition, there was some discussion on the maintenance cost 10-15 years from now.

Trustee Zambetti express concerns with prolonging the development of the park land. He commented on the Ryland development in which the Board at that time could not agree on a park plan so the park remained open space with no amenities for years. He continued on by saying in his opinion it is unfair to a potential home buyer not to have information identifying active park space.

A lengthy discussion ensued on the various park space options.

President Zirk suggested developing the parks with each neighborhood phase. Developer Mertz noted that the cost of developing the park space all at once is more economical.

A lengthy discussion ensued with respect to the evaluation of the park land development cost.

Administrator Sakas stated he was uncertain if the role of the Board was to develop plans for park space. Developer Mertz reported that he was a sports enthusiast.

This matter will be discussed in more detail at the next Committee of the Whole Meeting.

Staff Reports

Administrator Sakas provided the Board Members with a few updates. He reported that the construction of the gas station is ongoing. The developer is working with KDOT and IDOT on the intersection improvements.

WOW's fiber project is moving forward. Staff will be providing the Board Members with an updated schedule. President Zirk noted that WOW has already been in his neighborhood and they did a great job restoring the residential properties in his neighborhood.

Administrator Sakas reported that Staff has begun working on the 2017 Calendar.

Administrator Sakas reported that Staff has provided them with a copy of the Fall Newsletter, if the Board Members have any comments to please contact Staff.

Trustee LeClerc reported that the WOW Trucks only have a small logo on the back of their trucks. Assistant Administrator Beith will contact WOW and inform them that they need larger truck logos.

Finance Director Blocker reported that the auditors will be attending the September 13th Committee of the Whole Meeting.

Village Clerk Meadow reported that the Northern Kane County Chamber has once again partnered with the Village and will be hosting the annual Rise and Shine event on Friday, August 26th at the Village Hall beginning at 8:30 a.m.

Trustee Reports

The Board Members offered no reports.

President's Report

President Zirk reported that Trustee Corbett will be drafting a letter to various organizations to see if they would be interested in providing nominations for the 4th Annual Community Service Award.

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Trustee Farrell believes involving other organizations in the nomination process was a very good idea.

President Zirk briefly commented on the Village Engineer transition process.

Executive Session

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

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 9:41 p.m. Roll call: Vote: 6 ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows