

**Village of Gilberts  
87 Galligan Road  
Gilberts, IL 60136  
Village Board  
Meeting Minutes  
August 15, 2017**

APPROVED MINUTES

**Call to Order/Pledge of Allegiance**

President Zirk called the meeting to order a few moments after 7:00 p.m. He proceeded to lead those present in the Pledge of Allegiance.

**Roll Call/ Establish Quorum**

Clerk Meadows proceeded to call the roll. Roll Call: Members present: Trustees Corbett, Allen, Zambetti, Hacker and President Zirk. 2-Absent: Trustees Kojzarek and Farrell. Others present: Administrator Sakas, Attorney Tappendorf, Assistant Administrator Beith, Chief Building Inspector Swedberg and Finance Director Erickson. 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 at this time. Those in attendance offered no comments.

**Proclamations**

**Proclamation proclaiming August 18, 2017 as Tri-Cities Little League Day-10U**

**Proclamation proclaiming August 18, 2017 as Tri-Cities Little League Day-11U**

**Proclamation proclaiming August 18, 2017 as Tri-Cities Little League Day-Major League**

President Zirk read three proclamations proclaiming August 18, 2017 as Tri-Cities Little League Day. The Board Members recognized and commended the little league ballplayers for their recent Illinois State Championship victory.

Vice President of the Timber Trails Home Owners Association Board, Jay Kilgore asked if he could address the Board Members. President Zirk replied yes. Vice President Kilgore on behalf of the HOA Board reported that the HOA Board is currently implementing a beautification program. Part of the program if approved included decorating the island located on Timber Trails Blvd.

Vice President Kilgore asked if the Board Members would consider allowing the HOA to access two existing light poles located on Timber Trails Blvd Island. The HOA would pay for the installation of several outlets installed by a certified insured electrician. The outlets could then be used to illuminate holiday decorations and other possible lighting features.

President Zirk expressed concern with the private use of municipal electricity and the effect it may have on the municipal electric rate.

Attorney Tappendorf recommended if this matter was to move forward the Village may want to consider drafting an agreement with the HOA along with adopting a policy with respect to the use of municipal electricity and municipal property. Staff will investigate the ComEd municipal rate and any effect it would have on private electrical use and report back.

#### **Consent Agenda**

- A. A Motion to approve Minutes from the August 8, 2017 Special Village Board Meeting**
- B. A Motion to approve the July 2017 Treasurer's report**
- C. A Motion to approve Bills & Payroll dated August 15, 2017 as follows: General Fund \$11,279.15, Water System \$4,179.13, Performance Bonds \$261.00, TIF #1 #146.25, and TIF #2 \$146.25**
- D. A Motion to approve Resolution 29-2017, a Resolution approving the Executive Session Meeting Minutes**

President Zirk asked the Board Members if there were any items listed on the consent agenda that they wished to remove for separate consideration. The Board Members offered no comments. A Motion was made by Trustee Allen and seconded by Trustee Zambetti to approve the consent agenda items A-D as presented. Roll call: Vote: 4-ayes: Trustees Corbett, Allen, Zambetti and Hacker. 0-nays, 0-abstained. Motion carried.

#### **Items for Approval**

##### **A Motion to approve Ordinance 18-2017, an Ordinance approving the Final Plat of Subdivision for the Conservancy Phase 2A-1**

Administrator Sakas discussed the proposed request for approval of the Conservancy Final Plat of Subdivision for Phase 2A-1. He reported that Phase 2A-1 included 51 lots immediately adjacent to what was once referred to as Pod 4. Administrator Sakas commented on the fact that the location of Phase 2A-1 makes the most sense and most cost efficient phase to continue development.

Administrator Sakas reported that the Plan Commission met on August 9<sup>th</sup> to consider the final plat. There was a quorum present and after deliberation the Plan Commission concurred that the final plat is in substantial conformance with the preliminary plat/planned development as approved by the Village Board on January 31, 2017 (Conservancy Ordinance 05-2017). Administrator Sakas continued on to report that Baxter & Woodman had drafted a letter of recommendation noting minor conditions.

President Zirk reported that he had a few questions which he will reserve until the Board Members had an opportunity to comment.

Trustee Hacker commented on the fact that Staff had sent Developer Mertz an email informing him of the number of available permits for the continuation of the development of Pod 4. In addition, Trustee Hacker questioned why the IEPA permit applications for the construction of the two wells that was drafted in February 2017 has yet to be submitted to the IEPA. Trustee Hacker expressed concerns that in his opinion Developer Mertz was dragging out the approval process along with the expansion of the water treatment plant and the construction of the two new wells. Developer Mertz responded to Trustee Hacker's comments. He noted that his engineer had the IEPA permit applications for the construction of the two new wells and from his understanding the location of the wells has yet to be determined.

In addition, Developer Mertz commented on the SSA funding of the development. He noted that as soon as SSA 25 is established the interest payments start and the clock continues to tick even if the IEPA permits have not been approved. He noted that last August the estimated cost for the infrastructure improvements was \$ 22 million.

Staff along with the engineers was able to decrease some of the cost associated with the infrastructure improvements including the plant expansion cost. Developer Mertz also noted that the Village had changed engineering firms on several occasions. Developer Mertz noted that Staff and the new engineering firm have been very accommodating.

Trustee Hacker once again expressed his frustration that since February 2017 to the present there has been no progress made on the water treatment plant expansion more specifically the construction of the two new wells. Developer Mertz responded by reporting that there has been continuous discussions on the cost effectiveness of possibly constructing the water treatment plant on the North portion of his property or expanding the current plant. Trustee Hacker commented on the fact that that there has been a long history with Developer Mertz pushing back on the need to construct two wells. Developer Mertz noted that the push back was after he was informed that one of the existing wells was going to be capped. However, after further discussion he realized the need to construct two new wells and is committed to ensuring the Village has an adequate water supply for his development and future developments.

Trustee Hacker noted that he gets very nervous due to the fact that over the last seven months there has been no progress on the water treatment plant expansion or the construction of two wells.

President Zirk commented on the 33' right-of-way depicted on Freeman Road. He directed Staff to confirm with the engineers that the Freeman Road right-of-way is consistent with Kane County requirements prior to recording.

There being on further discussion on the motion, **a Motion was made by Trustee Zambetti and seconded by Trustee Corbett to approve Ordinance 18-2017, An Ordinance approving the Final Plat of Subdivision for the Conservancy Phase 2A-1 contingent upon confirmation that the Freeman Road right-of-way as depicted on the final plat is correct.** Roll call: Vote: 4-ayes: Trustees Allen, Zambetti, Corbett and President Zirk. 1-nays: Trustee Hacker, 0-abstained. Motion carried. Developer Metz thanked the Board Members and Staff for their time.

#### **Items for Discussion**

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

#### **Staff Reports**

Administrator Sakas reported the Illinois Municipal League annual conference is scheduled for September 21<sup>st</sup> – 23<sup>rd</sup>. He reported that he will be attending the Friday session and asked if any of the Board Members were interested in attending. If so they may email Staff and Staff will proceed in making their reservations.

Administrator Sakas reported that the water/wastewater facilities roof bid will be mailed out by the end of the week.

Administrator Sakas reported that Staff will be meeting with the YMCA representatives to discuss ideas in re-purposing the skate park. He continued on to report that the skate park has now been secured.

Administrator Sakas provided the Board Members with an update on the Fiber Agreement. He noted that he is waiting for the Bill of Sale.

Administrator Sakas reported that President Zirk had sent the Board Members an email with the applications for appointment consideration for the vacancies of the Plan Commission, TIF Joint Review Board and the Police Pension Board. He respectfully asked the Board Members to forward their recommendations to Clerk Meadows before Friday of this week.

Administrator Sakas reported that he has scheduled agenda items for all three Village Board Meetings in September.

Attorney Tappendorf requested the Board Members enter into executive session to discuss potential litigation with no business to follow.

Assistant Administrator Beith provided the Board Members with an update on the NIU and Kane County Intergovernmental Agreements with respect to the fiber project.

Chief Building Inspector Swedberg provided the Board Members with an update on the status of crack sealing. He reported that Public Works will begin crack sealing next week. He noted that due to the reduction in his labor force they will be crack sealing streets less travel. In order to crack seal heavily travel streets he requires five laborers and at this time he only has four laborers to perform the task. Chief Building Inspector Swedberg noted that the less travel streets are in need of maintenance.

Finance Director Erickson reported that she will be emailing out the final technical audit by the end of the week. She asked if the Board Members could send her any comments by the end of next week.

#### **Trustees' Reports**

The Village Trustees offered no reports at this time.

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

President Zirk reminded the Board Members to forward their appointment recommendation to Clerk Meadows by the end of the week.

#### **Executive Session**

**A Motion was made by Trustee Corbett and seconded by Trustee Hacker to enter into executive session to discuss potential litigation as permitted by 5 ILCS 120/2 (c) (11) with no business to follow.** Roll call: Vote: 4-ayes: Trustees Corbett, Allen, Zambetti, and Hacker. 0-nays, 0-abstained. Motion carried.

The Board Members along with Administrator Sakas, Attorney Tappendorf, Assistant Administrator Beith, Chief Building Inspector Swedberg and Finance Director Erickson entered into the executive session at 7:47 p.m. and returned to the public meeting at 7:56 p.m.

**Reconvene/Roll call**

Clerk Meadows called the roll. Roll call: Members present: Trustees Corbett, Allen, Zambetti, Hacker and President Zirk. Others present: Administrator Sakas, Attorney Tappendorf, Assistant Administrator Beith, Chief Building Inspector Swedberg and Finance Director Erickson.

**Adjournment**

There being no further business to discuss, a Motion was made by Trustee Corbett and seconded by Trustee Allen to adjourn from the public meeting at 8:01 p.m. Roll call: Vote: 4-ayes by unanimous voice vote. 0-nays, 0-abstained motion carried.

Respectfully submitted,

Debra Meadows