

Village of Gilberts
87 Galligan Road
Gilberts, IL 60136
Committee of the Whole
Meeting Minutes
April 9, 2013

APPROVED MINUTES

Call to Order / Pledge of Allegiance

President Zirk called the meeting to order at 7:00 pm. 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, Clark, Zambetti, Farrell and President Zirk. 2-absent: Trustees Hacker and Mierisch. Others present: Administrator Keller, Attorney Tappendorf, Assistant to the Village Administrator Beith and Finance Director Blocker.

Items for Discussion

Minutes from the March 26, 2013 Village Board Meeting

President Zirk asked if there were any comments on the March 26th Village Board Meeting Minutes. There were no comments. The minutes will be placed on the next consent agenda.

Minutes from the April 2, 2013 Village Board Meeting

President Zirk asked if there were any comments on the April 2nd Village Board Meeting Minutes. There were no comments. The minutes will be placed on the next consent agenda.

March 2013 Treasurer's Report

President Zirk asked if there were any comments or questions on the March 2013 Treasurer's Report. There were no comments or questions on the March 2013 Treasurer's Report. The report will be placed on the next consent agenda.

Proclamation 02-2013, a Proclamation declaring May as Motorcycle Awareness Month

President Zirk asked if there were any comments on the Proclamation. There were no comments. The Proclamation will be placed on the next consent agenda.

Prairie Business Park PUD Ordinance

Administrator Keller reported that the PUD ordinance establishes the customized zoning for the development, including the preliminary plan which outlines the intended development of the entire property. The PUD ordinance had been amended to reflect the updated terms of the development agreement and the recent discussion with respect to permitted and special uses.

President Zirk questioned the seventh preamble's language addressing vacation of easements. Attorney Tappendorf responded by stating that there were two separate plats one vacating the easements and the other plat which vacated the Right-of-Ways. However staff could add language to include the vacation of the Right-of-Ways.

President Zirk questioned Exhibit F-2-j "Permitted Uses" - "Restaurant" he asked if a sports bar was a permitted use. Administrator Keller reported that bars and taverns were allowable uses.

Administrator Keller reported that the developer had asked the Board to consider bond reductions and acceptance of infrastructure improvements in sections rather than phases. Administrator Keller reported that staff recommends the Board Members consider bond reductions and/or acceptance to the developer's infrastructure improvements in logical segments. Administrator Keller provided the Board Members with examples of what staff recommends as logical segments.

President Zirk commented on a voicemail message he had received from Interstate Partners Developer Mark Ebacher prior to the start of the meeting. He reported that Mr. Ebacher expressed his dissatisfaction with the language contained in the development agreement. Administrator Keller reported that he informed Mr. Ebacher if Interstate Partners wanted to continue to debate the terms of the development agreement it would not move forward until mid-May.

President Zirk questioned Section 3-C-3 of the development agreement titled "Final Landscaping Plans". He thought it was uncommon for the final landscaping plans not to accompany the final engineering. Administrator Keller reported that the developer wants to ensure there is no conflict with the infrastructure prior to drafting the landscape plans. However, the developer is not asking for any deviations or relief from the current building or zoning codes.

President Zirk questioned Section 4-A-12 of the development agreement in which it references "The Building Code that is in effect as of the effective date of this Agreement except for life safety amendments mandated by federal, state, or county requirements or laws". He thought all of the building, electrical, plumbing codes should be referenced. Attorney Tappendorf responded by stating that within the development agreement there is a reference to the Village Code section in which all relative building codes are referenced. With respect to the same section of the development agreement President Zirk recommended staff amend section 4-A-12 to include ADA compliance mandates.

There was some discussion with respect to Section 5-C-1 of the development agreement in which the completion of the Sola to Center Drive water main extension and improvements are referenced.

President Zirk inquired if the trail and sidewalk system's variations in construction materials (gravel and/or concreted) had been identified. Administrator Keller reported that the approved trail systems construction materials and the locations will be identified on the final engineering plans. Administrator Keller commented on the Board Members directive ensuring the entire trail system is publicly accessible has been satisfied. He reported that the trail and sidewalk system will be granted public access easements and shall be managed and maintained by the property owner's association.

Interstate Partner's Attorney Baugh requested the Board Members consider increasing the days in which they are required to replace or replenish their securities. He recommended 60 days to replenish and 150 to replace the securities. Attorney Tappendorf expressed concern with Interstate Partners request to extend the days required to replenish and/or replace the securities. She discussed the increased exposure to the Village by extending the time in which the developer has to replenish or replace the securities. If the extension was granted it would leave the Village vulnerable and having no mechanism in place to ensure the cost of the infrastructure improvements is funded. A lengthy discussion ensued as to what is a reasonable and fair length of time for the replenishment or replacement of the securities. Staff will contact one of the Village's financial institutions to inquire on the average time a bank can release or replenish a letter of credit or bond.

Trustee Clark recommended staff draft a worksheet depicting the various agreement trigger dates.

There was some discussion with respect to the CCR's. Attorney Tappendorf reported that the Village will be referenced in the CCR's only to allow the Village the right to have the ability to enforce the CCR's not the obligations. This allows the Village the right to enforce a global situation impacting the development.

FY 2013 Budget Adjustments / FY 2014 Budget

Administrator Keller reported in the near future staff will be presenting an overview of the water fund. There being no further discussion the Public Hearing for the FY 2014 Budget is scheduled for Tuesday, April 19th.

Stormwater Management Program

Administrator Keller discussed staff's proposed development of a stormwater management program. He noted that staff had been working with Phoenix & Associates and Baxter & Woodman to launch a program in FY 2014. The Village would retain Phoenix & Associates to serve as the stormwater management consultant similar to the Village retaining engineers, attorneys, and other professionals.

Phoenix would work with the Village to develop and implement a stormwater management program and provide for over-the-shoulder assistance to the Public Works Department.

President Zirk recommended the development of a GIS mapping system depicting the Village's infrastructure and field titles locations. In addition, he would like for staff to draft a Standard Operating Procedure Manual. Mr. Kannigan agreed with President Zirk's recommendations. Administrator Keller reported that he has earmarked \$20,000.00 of General Funds to initially support the program.

Job Descriptions

Administrator Keller reported he that had not received any comments from the Board Members with respect to the job descriptions for the Assistant Administrator or the Utilities Intern.

Staff Reports

Village Clerk Meadows reported that the Community Days Committee is offering free T-Shirts to anyone that signs-up to volunteer during the Community Days Festival.

Board of Trustees Reports

None

President's Reports

None

Adjournment

There being no further business to discuss, a Motion was made by Trustee Clark and seconded by Trustee Zambetti to adjourn from the public meeting at 7:58 p.m. Roll call: 4-ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows

