

Village of Gilberts
87 Galligan Road
Gilberts, IL 6013
Village Board
Meeting Minutes
April 16, 2013

APPROVED MINUTES

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, Clark, Zambetti, Farrell, Hacker and President Zirk. 1-absent: Trustee Mierisch. Others present: Administrator Keller, Attorney Tappendorf, Finance Director Blocker, Assistant to the Village Administrator Beith and Village Clerk Meadows. For members of the audience please see the attached list.

President Zirk asked those in attendance to join him in a moment of silence to reflect on those who were negatively impacted by the tragic event that occurred during the Boston Marathon.

Reappointment

Reappointment of Dean Stiegemeier to the Police Commission

A motion was made by Trustee Clark and seconded by Trustee Zambetti to concur with President Zirk's recommendation to reappoint Dean Stiegemeier to the Police Commission. Roll call: Vote: 5-ayes: Trustee Corbett, Clark, Zambetti, Farrell and Hacker. 0-nays, 0-abstained. Motion carried.

Public Hearing

A motion was made by Trustee Hacker and seconded by Trustee Zambetti to open the Public Hearing for the FY-2014 Budget at 7:03 p.m. Roll call: Vote: 5-ayes: Trustee Clark, Zambetti, Farrell, Hacker and Corbett. 0-nays, 0-abstained. Motion carried.

Administrator Keller reported that the FY-2014 proposed budget is a balanced budget with a 1.45% adjustment over last year's budget. Included in the budget is \$282,000 transferred from impact fees to fund special projects such as new community entrance signs; the installation of a permanent power source at Town Square Park; repairs to Kreutzer and Mason Roads; improvements at the Police Station and funding for small stormwater management projects.

President Zirk asked if anyone in the audience wished to comment on the proposed FY-2014 budget. There were no comments from the audience. A motion was made by Trustee Clark and seconded by Trustee Farrell to close the public hearing at 7:05 p.m. Roll call: Vote: 5-ayes: Trustee Farrell, Hacker, Corbett, Clark and Zambetti. 0-nays, 0-abstained. Motion carried.

Public Comment

Dunhill resident Steve Dolewski commented on the I-90 expansion. He reported that he had spoken with Brian Wagner an Illinois State Tollway Authority representative and was informed that Dunhill Estate Subdivision does not have enough affected residential properties to warrant a sound wall. However, the Tollway Authorities would be willing to provide a landscape buffer if the Village would allow the use of a portion of their property. President Zirk reported that on the agenda tonight there is a Resolution for Board consideration supporting the inclusion of additional landscaping along the expansion of the Jane Addams Memorial Tollway and allowing the use of Village owned property. Mr. Dolewski thanked the Board Members and staff for their support.

Consent Agenda

- A. A Motion to approve Minutes from the March 26, 2013 Village Board Meeting
- B. A Motion to approve Minutes from the April 2, 2013 Village Board Meeting
- C. A Motion to approve Minutes from the April 9, 2013 Committee of the Whole Meeting
- D. A Motion to approve the March 2013 Treasurer's Report
- E. A Motion to approve Bills and Salaries dated April 16, 2013 as follows: General fund \$70,493.09, Permit Pass Thrus \$2,185.00, Performance Bonds and Escrows \$4,860.50, Water Fund \$18,566.87 and Payroll \$52,328.33
- F. A Motion to approve Proclamation 02-2013, a Proclamation declaring May as Motorcycle Awareness Month
- G. A Motion to approve Ordinance 10-2013, an Ordinance amending the FY 2013 Annual Budget for fiscal Year Ending April 30, 2013
- H. A Motion to approve Ordinance 11-2013, an Ordinance adopting the FY 2014 Annual Budget for the Fiscal Year Ending April 30, 2014
- I. A Motion to approve job descriptions for the Assistant Village Administrator and Utilities Intern positions

A motion was made by Trustee Clark and seconded by Trustee Zambetti to approve the Consent Agenda items A-I as presented. Roll call: Vote: 5-ayes: Trustees Farrell, Hacker, Corbett, Clark and Zambetti. 0-nays, 0-abstained. Motion carried.

Items for Approval

A Motion to approve Ordinance 12-2013, an Ordinance approving a Development Agreement for Prairie Business Park

Administrator Keller reported that approval of this ordinance would set forth the terms for establishing a new planned unit development (PUD) which will primarily result in large multi-tenant industrial buildings supported by a mix use of retail, commercial and office space.

Administrator Keller commented on the supporting ordinances noted on the agenda. He stated that the supporting ordinances would establish customized zoning and preliminary plan for the intended development for the entire property. The ordinances would result in the vacation of easements and rights of way that would conflict with the new lot layout shown in the preliminary plat/plan.

Administrator Keller reported that the final action on the supporting documents provided for the approval of the final plan for the first phase of the Prairie Business Park and would allow the developer to proceed with the infrastructure and building to be constructed in this area.

Administrator Keller discussed the latest agreement modifications. He noted that both staff and Interstate Partners had agreed upon the amendment to Section 5 "Improvements" and had deleted the phrase referencing Section 10. In addition they had agreed to amend Section 10 "Performance Security" to reflect the allowance of fifteen business days for the developer to replenish or replace the Performance or Payment Security. President Zirk reported that the Village had offered other options with respect to replenishment and/or replacement of the security. However, Interstate Partners was not in favor of the alternative options.

Trustee Hacker expressed his concerns with Section 3 "Special Uses" in the PUD Ordinance. He was uncomfortable with allowing the manufacturing of chemicals because of possible noxious fumes and other environmental hazards that could result from mixing chemicals. Trustee Hacker was okay with storing and packing chemicals. In Trustee Hacker's opinion allowing the manufacturing of chemicals present a potential life safety concern to the community and could negatively affect property values. Additionally, the potential for a hazardous materials incident could arise during the manufacturing of chemicals. Trustee Hacker expressed objection to providing a special use which allows for refining petroleum products due to noxious gases and environmental hazards. Trustee Hacker was also concerned as to whether the Village has the expertise to monitor chemical manufacturing and petroleum refining facilities for hazardous conditions or EPA compliance.

Trustee Hacker expressed concerns with the Special Use which allows for motor freight terminals. He recalled previous discussions that occurred during the consideration of a FedEx facility. He noted that in the past discussion residents expressed their concerns with allowing this type of activity due to an increase in traffic, noise and diesel exhaust fumes.

Trustee Farrell reported that the Interstate Partners building lay-out is much different than the proposed FedEx facility.

In addition, the industrial users would have a different business plan than a FedEx shipping and receiving terminal. Trustee Zambetti agreed with Trustee Farrell. He noted that the FedEx facility was one large building which offered very little landscape buffering. In his opinion Interstate Partners' plan offers a much better scenario. Trustee Hacker agreed.

Trustee Clark reported that the Board is not obligated to grant a Special Use Permit. Attorney Tappendorf elaborated on the Special Use process. She noted that prior to Board consideration the petitioner would appear before the Plan Commission, a Public Hearing would be held and the Plan Commission would submit their "Findings of Facts". The Board would then make their decision to deny, approve, or approve with conditions.

A lengthy discussion ensued with respect to the Industrial and Manufacturing Uses. President Zirk asked Interstate Partners' Attorney, Nicholas Peppers if this would be a category they would be willing to omit. He replied no, this category allows them to be flexible with the types of tenants they can attract.

Administrator Keller commented on the Final Plat page two (2) of the Final Plat had been revised to reflect the Development Agreement with respect to the dedication of Burnett Drive.

Trustee Clark noted that he felt as though the Board was being rushed into making a decision tonight. He understood the motivation and believes the development is beneficial to the community. However, he believes the vote should be pushed to May to allow time for the Board Members to digest all of the development agreement revisions. President Zirk replied that it wasn't his goal to make any of the Board Members feel they are being rushed into a vote. However, the negotiation process has been extremely challenging. Attorney Tappendorf reported that the two amendments discussed tonight were negotiated and resolved after the packets went out on Friday. However, staff is comfortable with the final agreement. Trustee Farrell and Trustee Zambetti reported that they did not feel they were being rushed into a vote. Trustees Farrell and Zambetti thanked President Zirk and the Staff for all their hard work in drafting the agreement.

A Motion to approve Ordinance 12-2013, an Ordinance approving a Development Agreement for Prairie Business Park

A Motion was made and Trustee Zambetti and seconded by Trustee Clark to approve Ordinance 12-2013, an Ordinance approving a Development Agreement for Prairie Business Park as amended (Section 5-K.I and Sections 10.F-10.I). Roll call: Vote: 5 ayes: Trustees Hacker, Corbett, Clark, Zambetti and Farrell. 0-nays, 0-abstained. Motion carried.

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A Motion to approve Ordinance 13-2013, an Ordinance approving a Planned Unit Development, Subdivision Plat, Vacation of Easements and Rights of Way, and Preliminary Plans for Prairie Business Park

A Motion was made by Trustee Clark and seconded by Trustee Zambetti to approve Ordinance 13-2013, an Ordinance approving a Planned Unit Development, Subdivision Plat, Vacation of Easements and Rights of Way, and Preliminary Plans for Prairie Business Park. Roll call: Vote: 4-ayes: Trustees Corbett, Clark, Zambetti and Farrell. 1-nay: Trustee Hacker, 0-abstained. Motion carried.

A Motion to approve Ordinance 14-2013, an Ordinance approving a Final Plat of Subdivision for the Prairie Business Park

A Motion was made by Trustee Farrell and seconded by Trustee Zambetti to approve Ordinance 14-2013, an Ordinance approving a Final Plat of Subdivision for the Prairie Business Park as amended (Exhibit "A" page 2). Roll call: Vote: 5-ayes: Trustees Clark, Zambetti, Farrell, Hacker and Corbett. 0-nays, 0-abstained. Motion carried.

A Motion to approve Ordinance 15-2013, an Ordinance approving a Final Plan for Phase 1 of Prairie Business Park (PUD)

A Motion was made by Trustee Clark and seconded by Trustee Farrell to approve Ordinance 15-2013, an Ordinance approving a Final Plan for Phase 1 of Prairie Business Park (PUD). Roll call: Vote: 5-ayes: Trustees Zambetti, Farrell, Hacker, Corbett, and Clark. 0-nays, 0-abstained. Motion carried.

A Motion to approve Resolution 11-2013, a Resolution Committing Fund Balances

A Motion was made by Trustee Clark and seconded by Trustee Zambetti to approve Resolution 11-2013, a Resolution committing fund balances. Roll call: Vote: 5-ayes: Trustees Farrell, Hacker, Corbett, Clark and Zambetti. 0-nays, 0-abstained. Motion carried.

A Motion to approve Resolution 12-2013, a Resolution Supporting the Inclusion of Additional Landscaping along the Expansion of the Jane Addams Memorial Tollway.

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A Motion was made by Trustee Clark and seconded by Trustee Zambetti to approve Resolution 12-2013, a Resolution Supporting the Inclusion of Additional Landscaping along the Expansion of the Jane Addams Memorial Tollway. Roll call: Vote: 5-ayes: Trustees Hacker, Corbett, Clark, Zambetti and Farrell. 0-nays, 0-abstained. Motion carried.

Items for Discussion

None

Staff Reports

None

Board of Trustees Reports

Trustee Farrell commented on the upcoming Village Wide Clean-up. She noted that the only subdivision that participates in the clean-up efforts is Timber Trails. She suggested that next year the event be sponsored by the Timber Trails Homeowners Association.

Trustee Corbett inquired if the Village is aware of any types of recycling programs that would allow for residents to disposal of items such as paint, oil and other types of hazardous materials. Staff reported that Kane County does offer a recycling service. However, if the Board Members are interested in offering a Village Wide Recycling Day staff will contact Elgin Recycling and see if they are interested in partnering with the Village. Staff discussed the possibility of offering an annual recycling day that includes document shredding.

President's Report

President Zirk reported for the second consecutive year Finance Director Blocker has been awarded the Certificate of Achievement for Excellence in Financial Reporting. He noted that this award is difficult to achieve and commended Finance Director Blocker for her efforts.

Adjournment

There being no further public business to discuss, **a motion was made by Trustee Clark and seconded by Trustee Zambetti to adjourn from the public meeting at 7:55 p.m.** Roll call: Vote: 5-ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows

