

Village of Gilberts  
87 Galligan Road  
Gilberts, IL 60136  
Village Board  
Meeting Minutes  
July 16, 2013

APPROVED MINUTES

**Call to Order / Pledge of Allegiance**

President Zirk called the meeting to order at 7:02 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, Mierisch, LeClercq, Zambetti, Farrell, Hacker and President Zirk.

**Swearing in Ceremony**

Police Chief Williams introduced the newly hired part-time Officer Anthony Bartolone. Village Clerk Meadows administered the Oath of Office to Officer Anthony Bartolone. The Board Members welcomed Officer Bartolone.

**Introduction**

**Administrative Intern**

Administrator Keller introduced newly hired Administrative Intern Ms. Elizabeth Wright. The Board Members welcomed Intern Wright.

**Public Comment**

President Zirk inquired if anyone in the audience wished to address the Board Members at this time. There were no comments from the audience.

**Consent Agenda**

- A. A Motion to approve Minutes from the July 2, 2013 Village Board Meeting
- B. A Motion to approve Minutes from the July 9, 2013 Committee of the Whole Meeting
- C. A Motion to approve June 2013 Treasurer's Report
- D. A Motion to approve Bills and Salaries dated July 16, 2013 as follows: General Fund \$102,821.91, Developer Donations \$2,500.00, Permit Pass Thrus \$9,472.22, Performance Bonds and Escrows \$3,043.31, Water fund \$29,155.88 and Payroll \$71,682.47
- E. A Motion to approve Resolution 18-2013, a Resolution authorizing an agreement between the Village of Gilberts and the Illinois State Toll Highway Authority for storm water detention credits

President Zirk asked if any Board Member wished to remove any item from the consent agenda. There was no response from any of the Board Members to remove any items from the consent agenda. **A Motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve the consent agenda items A-E as presented.** Roll call: Vote: 6-ayes: Trustee Corbett, Mierisch, LeClercq, Zambetti, Farrell and Hacker. 0-nays, 0-abstained. Motion carried.

#### **Items for Approval**

##### **A Motion to approve Ordinance 19-2013, an Ordinance amending certain sections of the Village Code for Licensing of Solicitors, Peddlers, Transit Merchants and Itinerant Vendors**

Administrator Keller reported that at the last Committee of the Whole Meeting staff reported on concerns with Village's ordinances for licensing solicitors, peddlers and itinerant vendors. After reviewing other communities' ordinances for licensing solicitors and other itinerant merchants, staff drafted the provided ordinance for the Board's consideration. Trustee Corbett inquired if the fees suggested by staff were comparable to other communities. Administrator Keller responded yes. The surrounding community solicitor fee survey which was included in the packet noted that some communities' fees were as high as \$50.00 per day. President Zirk wanted to be sure that charitable organizations such as the girl scouts were exempted from the fees. Village Clerk Meadows reported that there is section in the code that does exempt charitable organizations.

**A Motion was made by Trustee LeClercq and seconded by Trustee Farrell to approve Ordinance 19-2013, an Ordinance amending certain sections of the Village Code for Licensing of Solicitors, Peddlers, Transit Merchants and Itinerant Vendors.** Roll call: Vote: 6-ayes: Trustees Mierisch, LeClercq, Zambetti, Farrell, Hacker and Corbett. 0-nays, 0-abstained. Motion Carried.

#### **Staff Reports**

Administrator Keller reported that staff met with the attorneys representing the new owners of what once was the Neumann Homes' property. They discussed the property's outstanding annexation agreement obligations and the tax liabilities. In addition, Administrator Keller reported that they have demonstrated "good faith" by demolishing the two model homes. They are asking if the Village would allow them to possibly use the two model home's existing foundations for future models. They have also established an escrow account to cover the legal and engineering cost associated with their exploratory investigation of the development site.

Trustee Zambetti inquired if they were currently asking for any deviations for any of the infrastructure improvement requirements agreed upon in the original development and annexation agreement. Administrator Keller stated that at this time they are in the process of investigating and ascertaining what infrastructure improvements have been constructed.

Trustee Mierisch inquired on the status of the home that recently experienced a fire. Administrator Keller reported that the Village is waiting for Nicor to pull the meter and confirm the gas service is off prior to the demolition of the home. Trustee LeClercq stated that he does have a contact at Nicor which might assist staff in expediting the removal of the meter. Administrator Keller replied contact information is always very helpfully.

President Zirk commented in length on the potential development of what was once Neumann Homes' pod 4 properties. He noted that the developer does have a good reputation as a vertical builder. However, President Zirk expressed concerns with the outstanding tax liabilities and the off-site infrastructure improvement obligations. President Zirk wants to ensure during the exploratory process staff exercise caution and limits the Village's exposure. Administrator Keller agreed and noted that the exploratory process is in preliminary stages. The developer is in the process of acquiring and reviewing all the annexation and development agreements associated with the properties. There was some discussion with respect to the two pod 4 performance bonds on file with the Village and the developers funding mechanism options. Village Administrator Keller will keep the Board Members apprised of the developer's exploratory process as it progresses.

Trustee Corbett inquired on the status of the abandoned horse farm located on Galligan Road directly adjacent to the recently purchased Neumann Homes' property. Administrator Keller reported that the Village has limited options due to the fact the horse farm is private property and the Village has been unsuccessful in identifying the property owner. Trustees Mierisch and Trustee LeClercq agreed that the property is unsightly and needs to be demolished. In addition, the grounds need to be mowed. Trustee LeClercq suggested a good way to demolish the building would be to use it for a Fire Department training exercise. Administrator Keller will research the Village's legal options to demolish the building and mow the grounds.

Finance Director Blocker reported that MDC would like to remind residents that the waste receptacles are plastic and if used to contain a fire they will melt.

Assistant Village Administrator Beith reported that staff recently met with Comcast to discuss their role in the proposed Fibercity Gilberts. At this time Comcast graciously declined to participate in the endeavor. Their current policy is to own and control their infrastructure. However, they did not completely rule out their options for future participation.

Assistant Village Administrator Beith reported that the Pickstock Group (was i3) has agreed to establish an escrow account to cover legal and engineering service expenses.

Trustee Corbett inquired if the Pickstock Group has received any interest from any service providers. Assistant Village Administrator Beith replied yes. Currently he believes they are working with three potential service providers.

#### **Trustee Reports**

Trustee Hacker commented on Pingree Grove's recent firework display. He reported the firework display was impressive and lasted at least thirty minutes. He estimated there were 1,500 people in attendance. Trustee Hacker thought incorporating a fireworks display into the Community Days would complement the event. Trustee Farrell replied that the Community Days Committee in the past had considered offering a fireworks display. However, the committee has unable to raise enough funds to offer both entertainment throughout the four day event and a fireworks display. In addition, she noted that offering a firework display increases the number of volunteers needed, the cost of police services, the need for traffic control and an increased demand for parking and she questioned who would be funding the fireworks display. Trustee Zambetti recalled in the past when he was involved with the Gilberts Festival the fireworks display was very expensive and required numerous volunteers. Trustee Farrell stated that the committee has never taken off the table the option of offering a fireworks display. However, the committee's philosophy is any new events added to the festival would need to be driven by other organizations or new committee members. Trustee Hacker reported that he would be open to coordinating the fireworks display if the committee was interested in entertaining the suggestion. Trustee Farrell will discuss this matter at the next committee meeting.

Trustee Corbett commented on the proposed extension to the license agreement between the Village and Phoenix & Associates, Inc. He questioned the Village's incentive for extending the agreement for a ten year term. Administrator Keller reported that the initial agreement was for a five year term which allowed for Phoenix & Associates to construct and maintain improvements to the existing basin and create additional capacity to provide for a detention credit bank which Phoenix and Associates was given the right to sell at a unit price not to exceed \$30,000.00. In return the Village was provided in-kind stormwater maintenance services in the amount of \$50,000.00 over the life of the agreement. By extending the agreement the Village will be able to retain Phoenix & Associates services for a longer term which directly benefits the Village.

Trustee Mierisch commented on the proposed agreement extension. She noted that term increase was significant. Trustee Mierisch questioned if Phoenix & Associates will continue to provide the Village with active stormwater maintenance over the length of the agreement. Administrator Keller replied yes. In President Zirk's opinion it would be in the Village's best interest to extend the agreement and identify the critical stormwater improvements that could be addressed early on.

Administrator Keller reported in August he will be providing the Board Members with a worksheet depicting various stormwater improvement projects which they can prioritize. Trustee Mierisch inquired if the worksheet would be a global list addressing the entire Village's subdivisions drainage and stormwater issues. Administrator Keller replied yes. Trustee Hacker reported that Phoenix & Associates have done a remarkable job addressing drainage issues in Indian Trails.

Trustee Corbett reported that Mr. Kannigan was also very instrumental in negotiating with the Tollway Authority to have them agree to construct a noise barrier berm on Tyrrell Road. Administrator Keller commented on the grant Phoenix & Associates had applied for on behalf of the Village. If the grant is awarded it would fund drainage improvement to Windmill Meadow and Old Town. A lengthy discussion ensued with respect to other drainage and stormwater improvements that are needed.

Trustee Corbett inquired when Clarke Mosquito Abatement Company would be providing the next spraying application. Finance Director Blocker reported that they will be spraying Thursday or Friday. She went on to report that the Village has received two applications this season.

Trustee LeClercq inquired about a past sign concern Gilberts Gun Shop experienced. Administrator Keller replied that this matter happened several years ago and has since been resolved. Trustee LeClercq was pleased to hear the matter had been resolved. He foresees an increase in their sales now that legislation has been passed to allow for residents in the State of Illinois to conceal and carry.

Trustee LeClercq commented on a property in Old Town that has an appearance of an ongoing garage sale. Administrator Keller reported that staff is aware of the situation and is working on ways in which to resolve this matter.

Trustee LeClercq reported that he is a certified National Incident Management Systems (NIMS) Trainer. He would be happy to provide NIMS 100 & 700 course training to the Board Members and any interested staff members. There was some discussion with respect to who is required to have the NIMS certifications. Trustee Mierisch expressed her frustration with the fact she had discussed NIMS training in the past and there was no action taken. Staff will research who is required to be NIMS certified.

Trustee Hacker commented on the abandoned horse farm. He would like to see the building demolished and the weeds cut down. Administrator Keller will discuss this issue with Attorney Tappendorf and then provide the Board with options and the associated cost.

Trustee Hacker commented on the condition of a portion of the Board meeting room ceiling.

Village Board  
Meeting Minutes  
July 16, 2013  
Page 6

**President's Report**

President Zirk recommended staff include information in the next newsletter announcing the Village had been awarded a certificate of recognition by First Energy Solution for participating in the Green Energy Program.

President Zirk reported that the Village had received a letter from resident Don Glaze. Mr. Glaze thanked the Village and Phoenix & Associates for the recent completion of drainage work on his property. His sump pump no longer runs constantly. Trustee Hacker noted that Phoenix & Associates is making a positive impact on the Village's entire stormwater and drainage infrastructure.

**Adjournment**

There being no further business to discuss, **a Motion was made by Trustee Corbett and seconded by Trustee Zambetti to adjourn from the public meeting at 8:40 p.m.** Roll call: Vote: 6-ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows

