



Village of Gilberts

Village Hall: 87 Galligan Road, Gilberts, Illinois 60136

Ph. 847-428-2861 Fax: 847-428-2955

www.villageofgilberts.com

VILLAGE BOARD MEETING AGENDA

Tuesday, May 21, 2024 - 7:00 p.m. - Village Hall Board Room

ORDER OF BUSINESS

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

2. ROLL CALL / ESTABLISH QUORUM

3. PUBLIC COMMENT*

4. CONSENT AGENDA

A. A Motion to approve Minutes from the May 7, 2024 Village Board Meeting

B. A Motion to approve Bills & Payroll dated May 21, 2024

C. A Motion to approve the April 2024 Treasurer's Report

5. ITEMS FOR APPROVAL

A. An Ordinance Approving an Amendment to a Special Use Permit To And Variations from the Gilberts Unified Development Ordinance [38 East Higgins Road – Pub 72] (Ordinance 11-2024)

B. An Ordinance Amending Chapter 4 of Title 2 of the Village Code Regarding Fees for the Use of Park and Recreation Facilities (Ordinance 12-2024)

C. A Resolution Establishing Fees for the Usage of Public Parks, Recreation Areas, and Associated Facilities and Services (Resolution 21-2024)

D. An Ordinance Amending the Fiscal Year 2024 Budget for the Fiscal Year Ending December 31, 2024 (Ordinance 13-2024)

E. An Ordinance Amending Chapter 8 of Title 1 of the Village Code to Establish the Appointed Position of Deputy Chief of Police (Ordinance 14-2024)

6. ITEM FOR DISCUSSION

7. STAFF REPORTS

8. TRUSTEES' REPORTS

9. PRESIDENT'S REPORT

10. EXECUTIVE SESSION

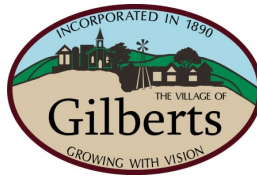
11. ADJOURNMENT

***Public Comment Policy**

Anyone indicating a desire to speak during Public Comments portion of the Village Board Meeting will be acknowledged by the Village President. All remarks are to be addressed to the Village President and Board of Trustees as a whole, not to any specific person(s). To ensure that everyone who wishes to speak has the opportunity to do so, please limit your comments to five minutes. Additional time may be granted at the discretion of the Village President. If you have written comments, please provide a copy to the Village President. If there are a number of individuals present to speak on the same topic, please designate a spokesperson that can summarize the issue. During Public Comments, the Village President, Trustees and Staff will listen to comments and will not engage in discussion. The Village President or Trustees may ask questions to better understand your concern, suggestion or request. Please direct any personnel concerns to the Village Administrator before or after the meeting. The Village of Gilberts complies with the Americans Disabilities Act (ADA). For accessibility Assistance, please contact the Village Clerk at the Village Hall, telephone number is 847-428-2861". Assistive services will be provided upon request.

Posted on May 17, 2024 at:

Village of Gilberts, 87 Galligan Road, Gilberts, IL 60136



VILLAGE OF GILBERTS
VILLAGE BOARD MEETING MINUTES
Tuesday May 7, 2024
Village Hall: 87 Galligan Road, Gilberts, IL 60136

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE:

President Zambetti called the meeting to order at 7:00 PM. He proceeded to lead those present in the Pledge of Allegiance.

2. ROLL CALL / ESTABLISH QUORUM:

Village Clerk Lynda Lange called roll. Roll call of Board members present: Trustees, Vanni, Allen, Redfield and Marino were present, as was President Zambetti. Also present was Administrator Brian Bourdeau, Management Analyst Riley Lynch, Management Analyst Mitchell Anderson, Chief of Police Todd Block, Finance Director Taunya Fisher and Building Department Clerk, Claudine Russell. Trustees Chapman and Coats were absent.

3. PUBLIC COMMENT: Public Comment regarding BeSpoke Motor Union was held until after the presentation to allow the public opportunity to ask questions. No comments on other topics were given.

4. ITEM FOR DISCUSSION:

A team of representatives of BeSpoke Motor Union were in attendance to present information regarding the development of a Car Condominium Concept. Information included the following:

- 144 Car Condominiums are proposed, all units will be owned individually, and the unit ranges in size from 800-1600 square feet.
- 2 levels to each unit, a garage open area on the first floor and customizable space on the 2nd level that can be personalized for use by the owner.
- These are not permitted for residential living. Covenants & Restrictions will restrict/limit the use of the space to prevent using as a residential living space.
- The planned location is at Tyrell & Columbia and includes stormwater detention areas, landscaping (incorporating as many mature trees into the landscape as possible), screening & fencing, which are accessible through a gated entrance.
- Ancillary buildings that would include a clubhouse & retail space that would be accessible to the general population as well as boutique car dealerships, auto performance, auto detail shops.

Trustee Marino commented that the presentation was thorough and professional and he believes this concept would fill a need and provide be a benefit to the community.

PUBLIC COMMENT: (previously held until after Bespoke Presentation)

- 413 Town Center: questioned how development would affect property taxes and the SSA 15 costs. He was concerned that costs would increase. He was advised that the development would not

cause an increase to taxes or SSA.

- 254 Rockville: resident questions regarding access to the development, traffic management (would there be a stop light installed) and possible removal of mature willow trees. BeSpoke representative advised that entrance and exit would be off of Columbia onto Tyrell. Village Staff would have to reach out to the County for additional information on traffic lights. The Developer also advised that they would be keeping most of the Willow trees and incorporating them into their design plan. They will, however, have to remove a few that would be impeding construction.
- Binnie Trail: The resident owns a home in unincorporated Kane County where a corner of his property would back to up to the development on the North side of the Complex. He had questions related to construction and how close the buildings would be built to his property. He also questioned future development of the open space of the property.
- 721 Kerry: resident requested information regarding access to the Car Condominium development. He was informed that the community will be gated and owners will have a key fob to gain access. Additional questions related to construction, the proposed clubhouse & car shows. Answers were provided as follows: Construction will be on a built as sold basis and broken into phases. The clubhouse will be available for rental for car condominium owners and possibly to the general community. Car shows will be scheduled periodically for owners to display their vehicles within the Car Condo property.
- 487 Joan Ct: States support for the concept and feels it would be a positive addition to the community. Small businesses for retail development/community will provide additional opportunities to Gilberts.
- 213 Brielle: Resident requested information on the build out i.e., how much setback/easement area will there be between existing homes and the development of the project, additional building plans beyond the current 144 planned units and the mature tree line that provides screening between property lines. The developer advised that there would be no plans at this time for additional development beyond 144 units, the construction would be approximately 75 ft from the area her home is located, the mature trees (willows) will remain with only a few having to be removed to allow construction, and a decorative fencing will be installed to provide privacy to neighboring homes.

5. CONSENT AGENDA:

- A. A Motion to approve the Minutes from the April 16, 2024 Village Board Meeting.
- B. A Motion to ratify Bills & Payroll dated May 7, 2024.
- C. A Motion to approve the March 2024 Treasurer's Report.
- D. A Motion to approve (**Resolution 18-2024**), a Resolution Adopting the Village of Gilberts Comprehensive Parks Policy.

President Zambetti asked if any Board member wished to remove an item from the Consent Agenda. No removals were requested.

A Motion to Approve Consent Agenda items 4. (A-D), as presented was made by Trustee Allen, seconded by Trustee Redfield. Roll call votes – Aye: (4) Trustees Vanni, Allen, Redfield & Marino. Nay: (0) / Absent: Trustees Chapman & Coats (2) Abstain: (0).

6. ITEMS FOR APPROVAL:

- A. Ordinance Amending Chapter 2 of Title 3/Village Code Regarding the Number of Class OS Liquor Licenses (**Ordinance 10-2024**).

A Motion to Approve Ordinance 10-2024, Amending Chapter 2 of Title 3/Village Code Regarding the Number of Class OS Liquor Licenses, as presented was made by Trustee Allen, seconded by Trustee Vanni. Roll call votes – Aye: (4) Trustees Vanni, Allen, Redfield & Marino. Nay: (0) / Absent: Trustees Chapman & Coats (2) Abstain: (0).

B. Resolution 19-2024 Approving a First Amendment to the Residential Waste Disposal Agreement with RRD Holding Company (MDC) for a Term of August 31, 2023-August 31, 2028.

A Motion to Approve Resolution 19-2024, Approving a First Amendment to the Residential Waste Disposal Agreement with RRD Holding (MDC) for a Term of August 31, 2023-August 31, 2028, as presented was made by Trustee Allen, seconded by Trustee Redfield. Roll call votes – Aye: (4) Trustees Vanni, Allen, Redfield & Marino. Nay: (0) / Absent: Trustees Chapman & Coats (2) Abstain: (0).

C. Resolution 20-2024 Authorizing Approval of an Agreement with Hardy Pro-Air for the Rebuild of an Aeration Blower in a Not-to-Exceed Amount of \$ 20,000 (Resolution 20-2024).

A Motion to Approve Resolution 20-2024, Authorizing Approval of an Agreement with Hardy Pro-Air for the Rebuild of an Aeration Blower in a Not-to-Exceed Amount of \$ 20,000, as presented was made by Trustee Allen, seconded by Trustee Redfield. Roll call votes – Aye: (4) Trustees Vanni, Allen, Redfield & Marino. Nay: (0) / Absent: Trustees Chapman & Coats (2) Abstain: (0).

7. STAFF REPORTS:

- ***Village Clerk Lynda Lange:*** Commented that all Village employees had submitted their Statements of Economic Interest on time.
- ***Management Analyst Riley Lynch:*** Provided an update on current status of Community Days and advised that the Community Days Newsletter will be mailed out within the next 2 weeks. Riley advised that the tickets for wristbands are now available for advanced purchase at \$ 25 per person. Trustee Redfield suggested starting the ticket booth operation at 11:30 instead of noon to allow exchange of pre-purchased tickets for wristbands. Riley will discuss this option with the Carnival staff.
- ***Village Administrator Brian Bourdeau:*** Provided updated information on scheduled meetings regarding the status of boundary agreements with surrounding communities. Huntley & Elgin have approved and completed the boundary agreements. Additional meetings are underway with surrounding communities and Brian will provide updates on progress. He and Chief Block also discussed a proposal to reorganize some positions within the Police Department to have a staff supervisor on duty for all night shifts. Part of this reorganization proposal calls for the reintroduction of a Deputy Chief of Police. The Board agreed with the Police Department reorganization as proposed.
- ***Finance Director Taunya Fischer/Village Administrator Brian Bourdeau:*** Distributed a report to the Board regarding a comparative of Gilberts positions and that of surrounding communities. It was noted that Gilberts was currently quite low and not competitive with multiple surrounding communities including but not limited to: West Dundee, Hampshire, Carpentersville, Huntley, South Elgin. The last time Gilberts was evaluated for salary ranges was in 2020. Currently, Gilberts

has seen quite a few employees leaving Gilberts to work in neighboring communities with higher pay structure. In order to draw new employees and retain existing employees, it is evident that this must be reviewed again as Gilberts has fallen below the competitive range. After extensive discussion, it was decided to allow additional time for the Trustees to fully review the proposed changes to allow Trustees to make a decision at the next board meeting.

8. TRUSTEE REPORTS:

- **Trustee Allen:** A review of several communities with regard to water rates/senior discounts was provided by Trustee Allen who proposed a potential water rate adjustment plan of 10% to senior citizens in Gilberts.

9. **PRESIDENT'S REPORT:** President Zambetti provided a request submitted by the Eagles Club to host a training on drug overdose immediate treatment in administering NARCAN.

10. EXECUTIVE SESSION

(None)

11. ADJOURNMENT

There being no further public business to discuss, a motion to adjourn from the public meeting was made by Trustee Allen and seconded by Trustee Vanni at 9:13pm. Voice vote carried unanimously, - Aye: (4) Trustees Vanni, Allen, Redfield & Marino . / Nay: 0 / Absent: (2) Trustees Chapman & Coats/ Abstained: 0

The meeting ended at 9:13pm.

Respectfully submitted,

Lynda Lange

Lynda Lange
Village Clerk

Department: 00 GENERAL FUND

ACTION AUTO WORKS INC	CAPITAL PROJECTS - POLICE	885.00
CARD SERVICES	EQUIPMENT & SERVICES	50.76
DOUBLE D BOOKING	ENTERTAINMENT	12,350.00
FUN FUNKY FAB ART'S & ENTERTAINM	ENTERTAINMENT	400.00
GERARD AUDIO	ENTERTAINMENT	2,375.00
JG'S REPTILE ROADSHOW	ENTERTAINMENT	375.00
JK RENTALS, INC	EQUIPMENT & SERVICES	5,233.80
ROBINSON ENGINEERING, LTD.	ESCROWS PAYABLE	3,834.75
SPECIAL EVENT SERVICES GROUP, IN	ENTERTAINMENT	3,025.00
SUNSHINE FARM II	ENTERTAINMENT	950.00
THE FUNKY BRUSH & PALETTE, LLC	ENTERTAINMENT	1,125.50
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Total: 00 GENERAL FUND		30,604.81

Department: 01 ADMINISTRATIVE

AMERICAN LEGION POST 679	COMMUNITY RELATIONS	5,100.00
ANCEL GLINK, P.C.	LEGAL LITIGATION	1,179.75
ANCEL GLINK, P.C.	LEGAL EXPENSE	12,357.27
B S & A SOFTWARE	CONTRACTUAL SERVICES	1,000.00
CARD SERVICES	OPERATING EXPENSE	497.99
CARD SERVICES	COMMUNICATIONS	16.99
CARD SERVICES	BANK FEES	113.81
CARD SERVICES	CONTRACTUAL SERVICES	746.26
CARD SERVICES	TRAINING EXPENSE	548.45
COON CREEK SOD FARMS, LLC	MAINTENANCE BUILDING	280.00
ILLINOIS STATE POLICE	OPERATING EXPENSE	28.25
MARCO TECHNOLOGIES LLC	RENTAL-EQUIPMENT	372.22
WAREHOUSE DIRECT, INC	OFFICE SUPPLIES	13.00
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Total: 01 ADMINISTRATIVE		22,253.99

Department: 02 POLICE

CARD SERVICES	UNIFORMS	169.00
CARD SERVICES	COMMUNICATIONS	84.95
CARD SERVICES	OFFICE SUPPLIES	216.25
CARD SERVICES	MAINTENANCE BUILDING	101.73
CARD SERVICES	COMMUNITY RELATIONS	164.13
COON CREEK SOD FARMS, LLC	MAINTENANCE BUILDING	140.00
MARCO TECHNOLOGIES LLC	RENTAL-EQUIPMENT	186.11
PEERLESS	COMMUNICATIONS	63.67
POSITIVE PROMOTIONS	COMMUNITY RELATIONS	508.30
STEPHEN D. TOUSEY LAW OFFICE	LEGAL EXPENSE	400.00
WEX BANK	GASOLINE	2,596.33
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Total: 02 POLICE		4,630.47

Department: 03 PUBLIC WORKS

ALL WILDLIFE ANIMAL EVICTION, IN	MAINTENANCE GROUNDS	415.00
BOBCAT OF ROCKFORD	SMALL TOOLS AND EQUIPMENT	7,700.00
C&L RENTALS	SMALL TOOLS AND EQUIPMENT	374.99
CARD SERVICES	OPERATING EXPENSE	168.69
CARD SERVICES	COMMUNICATIONS	33.99
CARD SERVICES	MAINTENANCE BUILDING	54.96
CARD SERVICES	CONTRACTUAL SERVICES	57.76
CHERRY VALLEY LANDSCAPE CENTER I	MAINTENANCE EQUIPMENT	1,030.05
COMMONWEALTH EDISON	STREETLIGHTING	64.72
COON CREEK SOD FARMS, LLC	MAINTENANCE STREETS	400.00
ELGIN KEY & LOCK CO., INC.	MAINTENANCE BUILDING	1,905.05
HIGH STAR TRAFFIC	SMALL TOOLS AND EQUIPMENT	601.00
HIGH STAR TRAFFIC	SIGNS EXPENSE	437.15
HINCKLEY SPRINGS	CONTRACTUAL SERVICES	32.44

KANE COUNTY TREASURER	OPERATING EXPENSE	37,214.08
MENARDS - CARPENTERSVILLE	OPERATING EXPENSE	923.32
PATRIOT CONTRACTORS EQUIPMENT SA	SMALL TOOLS AND EQUIPMENT	6,160.00
VULCAN MATERIALS COMPANY	MAINTENANCE STREETS	151.53
WEX BANK	GASOLINE	1,333.45
Total: 03 PUBLIC WORKS		59,058.18

Department: 04 BUILDING

ROBINSON ENGINEERING, LTD.	BUILDING PERMIT EXPENSE	850.50
Total: 04 BUILDING		850.50

Department: 06 PARKS

C&L RENTALS	GASOLINE	311.92
COON CREEK SOD FARMS, LLC	MAINTENANCE GROUNDS	140.00
ELGIN KEY & LOCK CO., INC.	MAINTENANCE GROUNDS	63.30
KIRBY BUILT, LLC	CAPITAL EQUIPMENT	8,428.88
PEERLESS	COMMUNICATIONS	236.89
THAYER ENERGY SOLUTIONS	MAINTENANCE GROUNDS	491.94
VULCAN MATERIALS COMPANY	MAINTENANCE GROUNDS	91.92
WEX BANK	GASOLINE	295.76
Total: 06 PARKS		10,060.61

Department: 08 GARBAGE HAULING

MDC ENVIRONMENTAL SVCS.	GARBAGE HAULING EXPENSE	59,190.79
Total: 08 GARBAGE HAULING		59,190.79

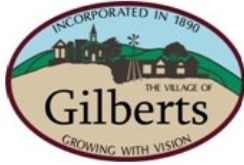
Department: 10 WATER SYSTEMS

CARD SERVICES	COMMUNICATIONS	42.47
MARCO TECHNOLOGIES LLC	RENTAL-EQUIPMENT	93.06
PACE ANALYTICAL SERVICES	LABORATORY TESTING	528.20
PEERLESS	COMMUNICATIONS	269.73
VIKING CHEMICAL COMPANY	CHEMICALS	2,094.00
WEX BANK	GASOLINE	291.52
Total: 10 WATER SYSTEMS		3,318.98

Department: 20 WASTEWATER SYSTEMS

CARD SERVICES	COMMUNICATIONS	42.47
CARD SERVICES	OUTSIDE SERVICES	115.22
G&R HEATING AND AIR	MAINTENANCE BUILDING	165.00
MARCO TECHNOLOGIES LLC	RENTAL-EQUIPMENT	93.06
MENARDS - CARPENTERSVILLE	MAINTENANCE BUILDING	99.96
NICOR	UTILITIES	138.05
PEERLESS	COMMUNICATIONS	269.72
SUBURBAN LABORATORIES	LABORATORY TESTING	13,160.41
WEX BANK	GASOLINE	291.51
Total: 20 WASTEWATER SYSTEMS		14,375.40

*** GRAND TOTAL *** 204,343.73



Village of Gilberts
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Memorandum

TO: Village President Zambetti and Village Board of Trustees
CC: Brian Bourdeau, Village Administrator
FROM: Taunya Fischer, Finance Director
DATE: May 21, 2024 Board Meeting
SUBJECT: April 30, 2024 Treasurer's Report

Here is a brief snapshot of the Village's Budget vs. Actual as of April 30, 2024 for the General and Water Funds.

General Fund	Budget	Actual	% BDGT Used
Revenues	5,161,522.00	1,572,579.31	30%
Expenditures	4,910,887.00	4,477,626.09	91%
Net of Rev & Exp	250,635.00	(2,905,046.78)	

Water Fund	Budget	Actual	% BDGT Used
Revenues	1,814,605.00	660,988.81	36%
Expenditures	2,002,690.00	473,012.63	24%
Net of Rev & Exp	(188,085.00)	187,876.18	

The percent of the Village's 2024 fiscal year completed is 33%. General Fund revenues are at 30% and expenditures are at 91%; Water Fund revenues are at 36% and expenditures are at 24%. Looking at all funds, village-wide revenues are at 24% and expenditures are at 52% as shown on the included Summary page. Property tax receipts from Kane County will begin in May.

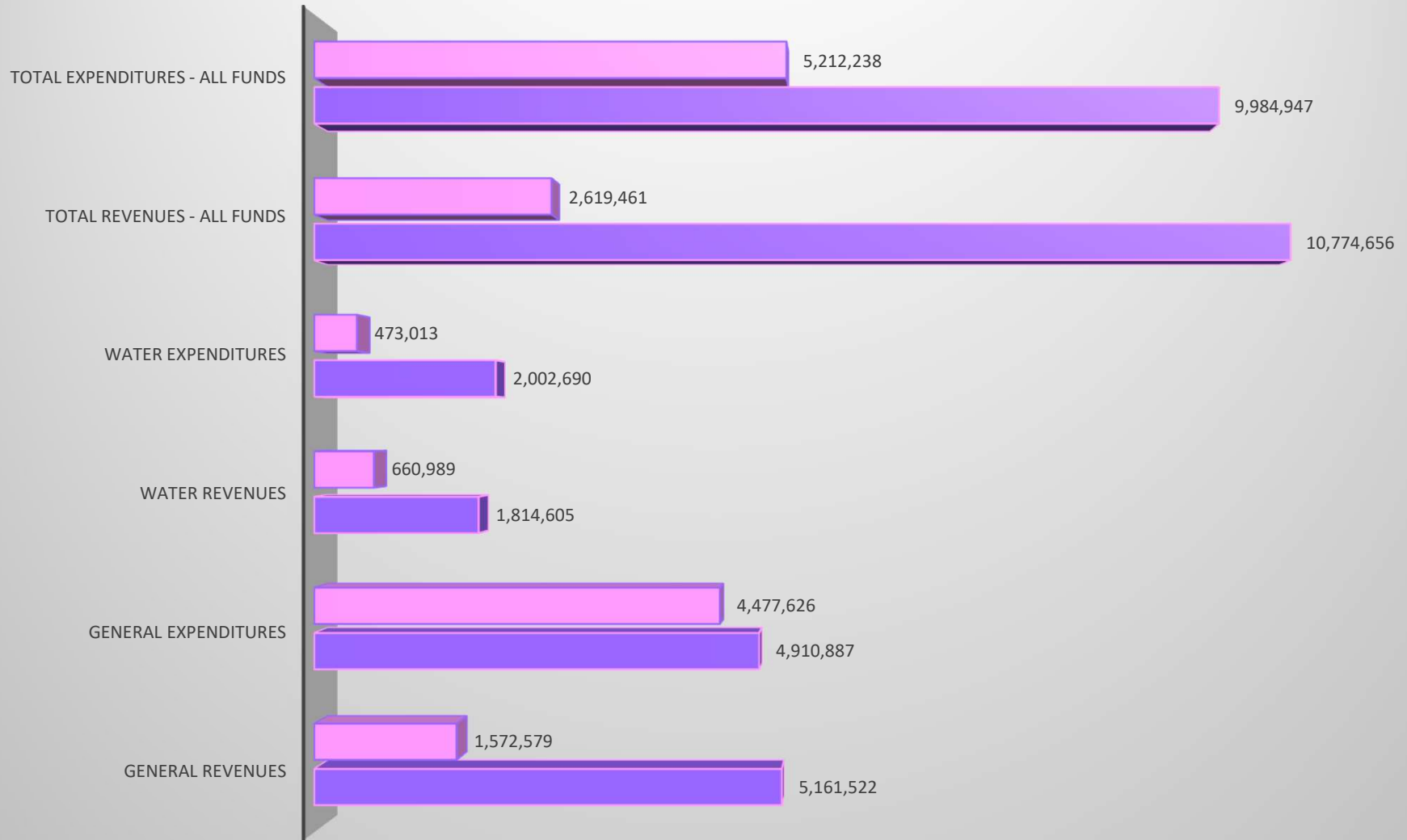
When taking into account the purchase of 185 Industrial, General Fund expenditures would be down to 25% or \$1,239,314.09. This will be reflected on the DETAIL monthly reports going forward for this fiscal year.

Also included in this report for April 30, 2024 are:
Revenue and Expense Budget vs. 04/30/24 YTD chart
Summary – All Funds report
Detail – All Funds report

Respectfully submitted,
Taunya Fischer, Finance Director

Village of Gilberts Revenues vs. Expenditures 2024 Budget vs. YTD as of 4/30/2024

YTD AS OF 4/30/2024 2024 BUDGET



REVENUE AND EXPENDITURE REPORT FOR GILBERTS VILLAGE
PERIOD ENDING 04/30/2024 - SUMMARY
% Fiscal Year Completed: 33.06

GL NUMBER	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
	BUDGET	04/30/2024	MONTH 04/30/2024	BALANCE	USED
Fund 01 - GENERAL FUND:					
TOTAL REVENUES	5,161,522.00	1,572,579.31	409,275.37	3,588,942.69	30
TOTAL EXPENDITURES	4,910,887.00	4,477,626.09	306,022.61	433,260.91	91
NET OF REVENUES & EXPENDITURES	250,635.00	(2,905,046.78)	103,252.76	3,155,681.78	
NET OF REVENUES & EXPENDITURES - <i>less building purchase</i>	250,635.00	333,265.22	103,252.76	(82,630.22)	
Fund 11 - COMMUNITY DAYS:					
TOTAL REVENUES	78,900.00	37,724.00	8,074.00	41,176.00	48
TOTAL EXPENDITURES	74,310.00	6,939.75	19.75	67,370.25	9
NET OF REVENUES & EXPENDITURES	4,590.00	30,784.25	8,054.25	(26,194.25)	
Fund 12 - INFRASTRUCTURE FUND:					
TOTAL REVENUES	1,402,000.00	189,404.25	36,438.18	1,212,595.75	14
TOTAL EXPENDITURES	1,218,100.00	45,300.00	45,300.00	1,172,800.00	4
NET OF REVENUES & EXPENDITURES	183,900.00	144,104.25	(8,861.82)	39,795.75	
Fund 15 - CAPITAL PROJECTS:					
TOTAL REVENUES	374,300.00	-	-	374,300.00	0
TOTAL EXPENDITURES	421,500.00	111,264.03	-	310,235.97	26
NET OF REVENUES & EXPENDITURES	(47,200.00)	(111,264.03)	-	64,064.03	
Fund 20 - WATER SYSTEM:					
TOTAL REVENUES	1,814,605.00	660,988.81	259,575.52	1,153,616.19	36
TOTAL EXPENDITURES	2,002,690.00	473,012.63	129,643.11	1,529,677.37	24
NET OF REVENUES & EXPENDITURES	(188,085.00)	187,976.18	129,932.41	(376,061.18)	
Fund 30 - MFT:					
TOTAL REVENUES	357,697.00	155,015.55	36,856.19	202,681.45	43
TOTAL EXPENDITURES	125,000.00	98,094.01	-	26,905.99	78
NET OF REVENUES & EXPENDITURES	232,697.00	56,921.54	36,856.19	175,775.46	
Fund 31 - PERFORMANCE BOND:					
TOTAL REVENUES	3,000.00	3,305.69	827.68	(305.69)	110
TOTAL EXPENDITURES	-	1.55	0.39	(1.55)	100
NET OF REVENUES & EXPENDITURES	3,000.00	3,304.14	827.29	(304.14)	
Fund 34 - TIF#1 CENTRAL REDEVELOPMENT:					
TOTAL REVENUES	316,000.00	249.28	61.81	315,750.72	0
TOTAL EXPENDITURES	100,000.00	-	-	100,000.00	0
NET OF REVENUES & EXPENDITURES	216,000.00	249.28	61.81	215,750.72	
Fund 35 - TIF#2 HIGGINS ROAD IND. PARK:					
TOTAL REVENUES	943,000.00	191.61	47.51	942,808.39	0
TOTAL EXPENDITURES	906,460.00	-	-	906,460.00	0
NET OF REVENUES & EXPENDITURES	36,540.00	191.61	47.51	36,348.39	
Fund 40 - DRUG FORFEITURE PD ACCOUNT:					
TOTAL REVENUES	-	2.47	0.61	(2.47)	100
TOTAL EXPENDITURES	-	-	-	-	0
NET OF REVENUES & EXPENDITURES	-	2.47	0.61	(2.47)	
Fund 43 - POLICE PENSION FUND:					
TOTAL REVENUES	323,632.00	-	-	323,632.00	0
TOTAL EXPENDITURES	226,000.00	-	-	226,000.00	0
NET OF REVENUES & EXPENDITURES	97,632.00	-	-	97,632.00	
TOTAL REVENUES - ALL FUNDS	10,774,656.00	2,619,460.97	751,156.87	8,155,195.03	24
TOTAL EXPENDITURES - ALL FUNDS	9,984,947.00	5,212,238.06	480,985.86	4,772,708.94	52
NET OF REVENUES & EXPENDITURES	789,709.00	(2,592,777.09)	270,171.01	3,382,486.09	
NET OF REVENUES & EXPENDITURES - <i>less building purchase</i>	789,709.00	645,534.91	270,171.01	144,174.09	

REVENUE AND EXPENDITURE REPORT FOR GILBERTS VILLAGE
PERIOD ENDING 04/30/2024 - DETAIL
% Fiscal Year Completed: 33.06

GL NUMBER	DESCRIPTION	2024 BUDGET	YTD BALANCE 04/30/2024	ACTIVITY FOR		% BDGT USED
				MONTH 04/30/2024	AVAILABLE BALANCE	
Fund 01 - GENERAL FUND						
Revenues						
Dept 00 - GENERAL FUND						
01-00-3010	PROPERTY TAX	1,431,438.00	-	-	1,431,438.00	0
01-00-3020	PERSONAL PROPERTY REPL TAX	500.00	211.83	52.66	288.17	42
01-00-3030	TAX-SALES	504,000.00	193,732.16	38,038.76	310,267.84	38
01-00-3040	TAX-STATE INCOME	1,112,678.00	471,314.09	129,561.38	641,363.91	42
01-00-3041	STATE LOCAL USE TAX	317,908.00	113,938.04	20,759.43	203,969.96	36
01-00-3043	CANNABIS USE TAX	11,922.00	4,664.40	1,254.45	7,257.60	39
01-00-3060	LICENSE-LIQUOR	13,900.00	10,400.00	200.00	3,500.00	75
01-00-3090	PULLTABS & JAR GAMES TAX	900.00	-	-	900.00	0
01-00-3100	FEE-BUSINESS REGISTRATION	3,800.00	775.00	650.00	3,025.00	20
01-00-3110	FEE-CABLE FRANCHISE	50,000.00	16,400.42	6,275.93	33,599.58	33
01-00-3140	UTIL TAX-ELECTRIC	190,000.00	59,918.58	12,521.94	130,081.42	32
01-00-3150	ULT TAX-GAS	180,000.00	72,659.05	15,255.84	107,340.95	40
01-00-3160	CONTRACTOR REGISTRATION	9,000.00	2,940.00	960.00	6,060.00	33
01-00-3180	ULIT TAX-COMMUNICATIONS	60,000.00	24,685.11	5,945.39	35,314.89	41
01-00-3200	ZBA/PLAN.COMM. HEARINGS	-	1,000.00	1,000.00	(1,000.00)	100
01-00-3210	MISCELLANEOUS INCOME	5,000.00	12,664.49	574.00	(7,664.49)	253
01-00-3220	FINES-COURT	19,000.00	3,673.94	-	15,326.06	19
01-00-3230	FINES-OTHER	2,200.00	2,575.00	400.00	(375.00)	117
01-00-3250	FEES-BUILDING PERMITS	110,000.00	24,251.96	13,213.60	85,748.04	22
01-00-3260	OVERWT/SIZE PERMIT FEE	1,500.00	1,010.00	520.00	490.00	67
01-00-3280	BUILDING ENGINEERING FEES	7,500.00	1,000.00	1,000.00	6,500.00	13
01-00-3290	RECYCLING LICENSE	2,500.00	-	-	2,500.00	0
01-00-3330	PARK PAVILION RENTAL	700.00	270.00	150.00	430.00	39
01-00-3410	INTEREST EARNED	50,000.00	209,858.90	44,381.76	(159,858.90)	420
01-00-3440	PARK IMPACT FEES	26,480.00	-	-	26,480.00	0
01-00-3451	GILBERTS POLICE REPORT REQUEST	150.00	115.00	35.00	35.00	77
01-00-3460	MUNICIPAL UTILITY IMPACT FEE	10,000.00	-	-	10,000.00	0
01-00-3480	ANTENNA RENTAL	66,935.00	19,590.04	5,577.91	47,344.96	29

GL NUMBER	DESCRIPTION	ACTIVITY FOR				
		2024 BUDGET	YTD BALANCE 04/30/2024	MONTH 04/30/2024	AVAILABLE BALANCE	% BDGT USED
01-00-3500	GRANT REVENUE	6,711.00	-	-	6,711.00	0
01-00-3510	COMMUNITY EVENTS DONATIONS	-	3,000.00	3,000.00	(3,000.00)	100
01-00-3520	MISCELLANEOUS LICENSE	-	1,700.00	-	(1,700.00)	100
01-00-3530	VACANT PROP / BUILDING REGISTRATION	-	200.00	200.00	(200.00)	100
01-00-3540	RAFFLE LICENSE	-	90.00	-	(90.00)	100
01-00-3550	FOOD VENDOR REGISTRATION	-	100.00	100.00	(100.00)	100
01-00-3560	GARBAGE HAULER LICENSE	400.00	400.00	-	-	100
01-00-3580	VIDEO GAMING	162,000.00	55,131.41	14,428.19	106,868.59	34
01-00-3630	MUNICIPAL IMPACT FEE	55,000.00	5,500.00	5,500.00	49,500.00	10
01-00-8100	TRANSFERS IN	-	1.55	0.39	(1.55)	100
Total Dept 00 - GENERAL FUND		4,412,122.00	1,313,770.97	321,556.63	3,098,351.03	30
Dept 07 - ENHANCED DUI PROGRAM						
01-07-3017	ENHANCED DUI - VEHICLE SEIZURE	2,000.00	2,000.00	-	-	100
Total Dept 07 - ENHANCED DUI PROGRAM		2,000.00	2,000.00	-	-	100
Dept 08 - GARBAGE HAULING						
01-08-3018	GARBAGE REVENUE	708,000.00	236,747.97	78,077.71	471,252.03	33
01-08-3028	FRANCHISE REVENUE -GARBAGE	35,400.00	17,605.08	8,819.81	17,794.92	50
01-08-3080	LATE FEES	4,000.00	2,455.29	821.22	1,544.71	61
Total Dept 08 - GARBAGE HAULING		747,400.00	256,808.34	87,718.74	490,591.66	34
TOTAL REVENUES		5,161,522.00	1,572,579.31	409,275.37	3,588,942.69	30
Expenditures						
Dept 01 - ADMINISTRATIVE						
01-01-5010	WAGES-BOARD	24,000.00	7,250.00	2,000.00	16,750.00	30
01-01-5020	WAGES-PLANNING AND ZBA	2,100.00	150.00	-	1,950.00	7
01-01-5030	WAGES-GENERAL	474,542.00	131,825.27	29,585.39	342,716.73	28
01-01-5040	FICA	28,374.00	8,407.25	1,907.72	19,966.75	30
01-01-5050	MEDICARE	6,636.00	1,966.19	446.16	4,669.81	30
01-01-5051	STATE UNEMPL TAX	-	3,480.69	3,480.69	(3,480.69)	100
01-01-5052	IMRF	45,873.00	14,540.21	3,263.24	31,332.79	32
01-01-5054	GROUP HEALTH INS	29,767.00	14,768.90	3,340.61	14,998.10	50
01-01-5056	WORKER'S COMP INS	36,000.00	-	-	36,000.00	0
01-01-5060	OPERATING EXPENSE	3,500.00	1,511.82	895.97	1,988.18	43
01-01-5070	DUES	8,505.00	270.00	-	8,235.00	3

GL NUMBER	DESCRIPTION	ACTIVITY FOR				
		2024 BUDGET	YTD BALANCE 04/30/2024	MONTH 04/30/2024	AVAILABLE BALANCE	% BDGT USED
01-01-5080	LEGAL NOTICES	1,600.00	213.25	58.00	1,386.75	13
01-01-5090	COMMUNICATIONS	13,850.00	1,522.35	167.97	12,327.65	11
01-01-5100	POSTAGE	2,300.00	838.10	438.10	1,461.90	36
01-01-5110	PRINTING	6,650.00	-	-	6,650.00	0
01-01-5150	COMMUNITY RELATIONS	7,400.00	1,406.96	1,406.96	5,993.04	19
01-01-5190	RENTAL-EQUIPMENT	5,320.00	1,679.47	372.22	3,640.53	32
01-01-5200	OFFICE SUPPLIES	4,000.00	1,016.68	250.90	2,983.32	25
01-01-5210	NISRA EXPENSE	900.00	-	-	900.00	0
01-01-5220	LEGAL LITIGATION	-	4,050.00	900.00	(4,050.00)	100
01-01-5230	LEGAL EXPENSE	75,000.00	40,974.00	10,364.72	34,026.00	55
01-01-5240	ACCOUNTING SERVICES	50,000.00	17,305.00	11,537.00	32,695.00	35
01-01-5270	BANK FEES	175.00	100.30	100.30	74.70	57
01-01-5310	INSURANCE LIABILITY	57,000.00	52,858.71	-	4,141.29	93
01-01-5320	INSURANCE VEHICLES & EQUIP.	16,000.00	10,947.29	-	5,052.71	68
01-01-5360	ENGINEERING SERVICES	26,800.00	8,705.50	2,395.75	18,094.50	32
01-01-5370	GASOLINE	250.00	37.85	37.85	212.15	15
01-01-5390	MAINTENANCE VEHICLES	200.00	-	-	200.00	0
01-01-5400	MAINTENANCE EQUIPMENT	600.00	-	-	600.00	0
01-01-5410	MAINTENANCE BUILDING	2,100.00	845.13	98.63	1,254.87	40
01-01-5450	CONTRACTUAL SERVICES	62,787.00	2,529.38	176.16	60,257.62	4
01-01-5480	CAPITAL EQUIPMENT	8,500.00	-	-	8,500.00	0
01-01-5491	EMPLOYEE ENGAGEMENT	3,000.00	-	-	3,000.00	0
01-01-5560	VILLAGE PLANNER SERVICES	40,000.00	1,204.50	-	38,795.50	3
01-01-5580	TRAINING EXPENSE	22,605.00	2,333.56	-	20,271.44	10
01-01-5661	73 INDUSTRIAL PRINCIPAL	30,000.00	9,427.69	2,414.09	20,572.31	31
01-01-5671	73 INDUSTRIAL INTEREST	15,000.00	4,614.47	1,096.45	10,385.53	31
01-01-5960	REIMBURSED EXPENSES	-	(63,528.06)	550.00	63,528.06	100
01-01-8500	TRANSFERS OUT	1,050.00	-	-	1,050.00	0
Total Dept 01 - ADMINISTRATIVE		1,112,384.00	283,252.46	77,284.88	829,131.54	25
Dept 02 - POLICE						
01-02-5030	WAGES-POLICE	977,749.00	345,656.25	76,729.50	632,092.75	35
01-02-5031	WAGES - HOLIDAY WORKED	27,000.00	11,821.19	3,127.52	15,178.81	44
01-02-5032	WAGES - OVERTIME	22,762.00	12,605.19	2,688.16	10,156.81	55
01-02-5040	FICA	62,032.00	22,215.19	4,939.59	39,816.81	36

GL NUMBER	DESCRIPTION	ACTIVITY FOR				
		2024 BUDGET	YTD BALANCE 04/30/2024	MONTH 04/30/2024	AVAILABLE BALANCE	% BDGT USED
01-02-5050	MEDICARE	14,508.00	5,195.50	1,155.24	9,312.50	36
01-02-5052	IMRF	8,168.00	2,758.51	509.73	5,409.49	34
01-02-5054	GROUP HEALTH INS	152,102.00	47,094.50	12,542.20	105,007.50	31
01-02-5058	UNIFORMS	12,600.00	3,355.33	481.44	9,244.67	27
01-02-5060	OPERATING EXPENSE	10,925.00	346.01	61.14	10,578.99	3
01-02-5070	DUES	4,760.00	2,200.00	1,900.00	2,560.00	46
01-02-5090	COMMUNICATIONS	9,300.00	2,630.57	528.07	6,669.43	28
01-02-5110	PRINTING	1,000.00	1,080.15	-	(80.15)	108
01-02-5170	PUBLICATIONS/BROCHURES	150.00	-	-	150.00	0
01-02-5180	SMALL TOOLS AND EQUIPMENT	1,000.00	6,991.16	-	(5,991.16)	699
01-02-5190	RENTAL-EQUIPMENT	2,235.00	558.33	186.11	1,676.67	25
01-02-5200	OFFICE SUPPLIES	3,000.00	377.07	221.72	2,622.93	13
01-02-5230	LEGAL EXPENSE	5,600.00	2,300.00	400.00	3,300.00	41
01-02-5300	DISPATCHING	100,425.00	-	-	100,425.00	0
01-02-5370	GASOLINE	30,000.00	9,017.61	2,574.58	20,982.39	30
01-02-5390	MAINTENANCE VEHICLES	31,200.00	4,791.70	72.65	26,408.30	15
01-02-5400	MAINTENANCE EQUIPMENT	3,000.00	-	-	3,000.00	0
01-02-5410	MAINTENANCE BUILDING	19,100.00	1,462.21	151.99	17,637.79	8
01-02-5450	CONTRACTUAL SERVICES	14,035.00	2,204.65	1,220.89	11,830.35	16
01-02-5480	CAPITAL EQUIPMENT	5,200.00	-	-	5,200.00	0
01-02-5570	COMMUNITY RELATIONS	2,000.00	185.70	185.70	1,814.30	9
01-02-5580	TRAINING EXPENSE	9,550.00	779.60	479.60	8,770.40	8
01-02-8500	TRANSFERS OUT-POLICE	45,300.00	-	-	45,300.00	0
Total Dept 02 - POLICE		1,574,701.00	485,626.42	110,155.83	1,089,074.58	31
Dept 03 - PUBLIC WORKS						
01-03-5030	WAGES-PPW	294,693.00	103,641.81	24,148.55	191,051.19	35
01-03-5032	WAGES - OVERTIME	11,140.00	9,587.61	112.36	1,552.39	86
01-03-5040	FICA	18,962.00	6,943.44	1,485.34	12,018.56	37
01-03-5050	MEDICARE	4,435.00	1,623.88	347.38	2,811.12	37
01-03-5052	IMRF	32,510.00	12,489.23	2,675.98	20,020.77	38
01-03-5054	GROUP HEALTH INS	13,472.00	4,431.51	1,185.26	9,040.49	33
01-03-5058	UNIFORMS	3,200.00	157.31	-	3,042.69	5
01-03-5060	OPERATING EXPENSE	8,100.00	1,590.35	306.76	6,509.65	20
01-03-5070	DUES	400.00	-	-	400.00	0

GL NUMBER	DESCRIPTION	ACTIVITY FOR				
		2024 BUDGET	YTD BALANCE 04/30/2024	MONTH 04/30/2024	AVAILABLE BALANCE	% BDGT USED
01-03-5090	COMMUNICATIONS	5,140.00	1,683.06	303.90	3,456.94	33
01-03-5180	SMALL TOOLS AND EQUIPMENT	31,500.00	7,229.21	111.21	24,270.79	23
01-03-5190	RENTAL-EQUIPMENT	2,000.00	175.00	-	1,825.00	9
01-03-5251	NPDES PERMITS	1,000.00	-	-	1,000.00	0
01-03-5260	STREETLIGHTING	38,100.00	9,660.31	2,305.49	28,439.69	25
01-03-5370	GASOLINE	20,000.00	8,164.61	1,742.96	11,835.39	41
01-03-5380	SIGNS EXPENSE	4,000.00	2,162.60	2,162.60	1,837.40	54
01-03-5390	MAINTENANCE VEHICLES	24,000.00	5,595.45	519.00	18,404.55	23
01-03-5400	MAINTENANCE EQUIPMENT	12,000.00	5,982.03	574.24	6,017.97	50
01-03-5410	MAINTENANCE BUILDING	16,000.00	1,109.96	74.88	14,890.04	7
01-03-5420	MAINTENANCE STREETS	52,000.00	7,666.71	5,592.85	44,333.29	15
01-03-5440	MAINTENANCE GROUNDS	11,000.00	7,874.70	3,489.97	3,125.30	72
01-03-5441	TREE/SIDEWALK REPLACEMENT	8,400.00	-	-	8,400.00	0
01-03-5450	CONTRACTUAL SERVICES	41,900.00	1,968.91	113.93	39,931.09	5
01-03-5480	CAPITAL EQUIPMENT	12,000.00	3,238,311.84	3,560.04	(3,226,311.84)	26986
01-03-5580	TRAINING EXPENSE	4,000.00	313.28	122.50	3,686.72	8
01-03-8500	TRANSFERS OUT	284,000.00	-	-	284,000.00	0
Total Dept 03 - PUBLIC WORKS		953,952.00	3,438,362.81	50,935.20	(2,484,410.81)	360
Total Dept 03 - PUBLIC WORKS <i>less building purchase</i>		953,952.00	200,050.81	50,935.20	753,901.19	21
Dept 04 - BUILDING						
01-04-5030	WAGES-BUILDING	51,170.00	17,196.48	3,821.44	33,973.52	34
01-04-5040	FICA	3,173.00	1,066.18	236.93	2,106.82	34
01-04-5050	MEDICARE	742.00	249.35	55.41	492.65	34
01-04-5052	IMRF	5,440.00	1,896.75	421.50	3,543.25	35
01-04-5054	GROUP HEALTH INS	40.00	13.20	3.30	26.80	33
01-04-5070	DUES	186.00	160.00	-	26.00	86
01-04-5090	COMMUNICATIONS	540.00	-	-	540.00	0
01-04-5250	BUILDING PERMIT EXPENSE	80,000.00	11,198.76	3,549.33	68,801.24	14
01-04-5450	CONTRACTUAL SERVICES	12,500.00	-	-	12,500.00	0
01-04-5580	TRAINING EXPENSE	500.00	302.55	302.55	197.45	61
Total Dept 04 - BUILDING		154,291.00	32,083.27	8,390.46	122,207.73	21
Dept 06 - PARKS						
01-06-5030	REG WAGES	26,245.00	-	-	26,245.00	0
01-06-5040	FICA	1,628.00	-	-	1,628.00	0

GL NUMBER	DESCRIPTION	2024 BUDGET	YTD BALANCE 04/30/2024	ACTIVITY FOR		AVAILABLE BALANCE	% BDGT USED
				MONTH 04/30/2024			
01-06-5050	MEDICARE	381.00	-	-		381.00	0
01-06-5052	IMRF	1,333.00	-	-		1,333.00	0
01-06-5060	OPERATING EXPENSE	1,500.00	-	-		1,500.00	0
01-06-5090	COMMUNICATIONS	2,840.00	707.72	-		2,132.28	25
01-06-5120	UTILITIES	4,000.00	425.26	79.25		3,574.74	11
01-06-5190	RENTAL-EQUIPMENT	2,000.00	605.00	-		1,395.00	30
01-06-5211	MAINTENANCE SUPPLIES	1,900.00	-	-		1,900.00	0
01-06-5370	GASOLINE	2,000.00	155.96	-		1,844.04	8
01-06-5391	MAINTENANCE-SPORTS/PLAYGROUND EQUIP.	17,600.00	-	-		17,600.00	0
01-06-5400	MAINTENANCE EQUIPMENT	2,500.00	-	-		2,500.00	0
01-06-5410	MAINTENANCE BUILDING	2,000.00	-	-		2,000.00	0
01-06-5440	MAINTENANCE GROUNDS	20,000.00	824.73	189.90		19,175.27	4
01-06-5450	CONTRACTUAL SERVICES	10,000.00	-	-		10,000.00	0
01-06-5480	CAPITAL EQUIPMENT	20,000.00	199.00	-		19,801.00	1
01-06-8500	TRANSFERS OUT-PARKS	45,000.00	-	-		45,000.00	0
Total Dept 06 - PARKS		160,927.00	2,917.67	269.15		158,009.33	2
Dept 07 - ENHANCED DUI PROGRAM							
01-07-5480	CAPITAL EQUIPMENT	23,000.00	-	-		23,000.00	0
Total Dept 07 - ENHANCED DUI PROGRAM		23,000.00	-	-		23,000.00	0
Dept 08 - GARBAGE HAULING							
01-08-5068	GARBAGE HAULING EXPENSE	708,000.00	235,383.46	58,987.09		472,616.54	33
Total Dept 08 - GARBAGE HAULING		708,000.00	235,383.46	58,987.09		472,616.54	33
Dept 89 - GPD DOWN STATE PENSION FUND							
01-89-5621	GPD DOWNSTATE PENSION FUND	223,632.00	-	-		223,632.00	0
Total Dept 89 - GPD DOWN STATE PENSION FUND		223,632.00	-	-		223,632.00	0
TOTAL EXPENDITURES		4,910,887.00	4,477,626.09	306,022.61		433,260.91	91
TOTAL EXPENDITURES - less building purchase		4,910,887.00	1,239,314.09	306,022.61		3,671,572.91	25
Fund 01 - GENERAL FUND:							
TOTAL REVENUES		5,161,522.00	1,572,579.31	409,275.37		3,588,942.69	30
TOTAL EXPENDITURES		4,910,887.00	4,477,626.09	306,022.61		433,260.91	91
NET OF REVENUES & EXPENDITURES		250,635.00	(2,905,046.78)	103,252.76		3,155,681.78	
NET OF REVENUES & EXPENDITURES - less building purchase		250,635.00	333,265.22	103,252.76		(82,630.22)	

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	04/30/2024	MONTH	BALANCE	USED
Fund 11 - COMMUNITY DAYS						
Revenues						
Dept 00 - GENERAL FUND						
11-00-3015	COMMUNITY DAYS DONATIONS	20,000.00	25,100.00	6,350.00	(5,100.00)	126
11-00-3210	OTHER INCOME	17,000.00	-	-	17,000.00	0
11-00-3520	VENDOR FEES	3,400.00	3,874.00	1,724.00	(474.00)	114
11-00-3590	VIDEO GAMING LICENSE	12,000.00	8,750.00	-	3,250.00	73
11-00-3980	BEVERAGE SALES	25,000.00	-	-	25,000.00	0
11-00-8100	TRANSFERS IN	1,500.00	-	-	1,500.00	0
Total Dept 00 - GENERAL FUND		78,900.00	37,724.00	8,074.00	41,176.00	48
TOTAL REVENUES		78,900.00	37,724.00	8,074.00	41,176.00	48
Expenditures						
Dept 00 - GENERAL FUND						
11-00-5060	BEVERAGE OPERATIONS	15,500.00	19.75	19.75	15,480.25	0
11-00-5070	PERMITS & LICENSES	70.00	-	-	70.00	0
11-00-5079	ADVERTISING / MARKETING	3,930.00	-	-	3,930.00	0
11-00-5130	MISCELLANEOUS EXPENSES	500.00	-	-	500.00	0
11-00-5159	ENTERTAINMENT	42,200.00	6,920.00	-	35,280.00	16
11-00-5213	LABOR & OUTSIDE SERVICES	6,000.00	-	-	6,000.00	0
11-00-5610	EQUIPMENT & SERVICES	6,110.00	-	-	6,110.00	0
Total Dept 00 - GENERAL FUND		74,310.00	6,939.75	19.75	67,370.25	9
TOTAL EXPENDITURES		74,310.00	6,939.75	19.75	67,370.25	9
Fund 11 - COMMUNITY DAYS:						
TOTAL REVENUES		78,900.00	37,724.00	8,074.00	41,176.00	48
TOTAL EXPENDITURES		74,310.00	6,939.75	19.75	67,370.25	9
NET OF REVENUES & EXPENDITURES		4,590.00	30,784.25	8,054.25	(26,194.25)	

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	04/30/2024	MONTH	BALANCE	USED
				04/30/2024		
Fund 12 - INFRASTRUCTURE FUND						
Revenues						
Dept 00 - GENERAL FUND						
12-00-3031	NON HOME RULE 1% SALES TAX	480,000.00	175,035.14	36,090.28	304,964.86	36
12-00-3050	TAX-ROAD AND BRIDGE	8,000.00	-	-	8,000.00	0
12-00-3211	PLANNED USE OF FUND RESERVES	900,000.00	-	-	900,000.00	0
12-00-3390	SSA#24 BOND INTEREST	13,000.00	13,915.99	235.54	(915.99)	107
12-00-3410	INTEREST EARNED	1,000.00	453.12	112.36	546.88	45
Total Dept 00 - GENERAL FUND		1,402,000.00	189,404.25	36,438.18	1,212,595.75	14
TOTAL REVENUES		1,402,000.00	189,404.25	36,438.18	1,212,595.75	14
Expenditures						
Dept 00 - GENERAL FUND						
12-00-5270	BANK FEES	500.00	-	-	500.00	0
12-00-5360	ENGINEERING SERVICES	-	9,000.00	9,000.00	(9,000.00)	100
12-00-5480	CAPITAL EQUIPMENT	900,000.00	-	-	900,000.00	0
12-00-5490	GO BOND PRINCIPAL	245,000.00	-	-	245,000.00	0
12-00-5491	GO BOND INTEREST	72,600.00	36,300.00	36,300.00	36,300.00	50
Total Dept 00 - GENERAL FUND		1,218,100.00	45,300.00	45,300.00	1,172,800.00	4
TOTAL EXPENDITURES		1,218,100.00	45,300.00	45,300.00	1,172,800.00	4
Fund 12 - INFRASTRUCTURE FUND:						
TOTAL REVENUES		1,402,000.00	189,404.25	36,438.18	1,212,595.75	14
TOTAL EXPENDITURES		1,218,100.00	45,300.00	45,300.00	1,172,800.00	4
NET OF REVENUES & EXPENDITURES		183,900.00	144,104.25	(8,861.82)	39,795.75	

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	04/30/2024	MONTH	BALANCE	USED
			04/30/2024	04/30/2024		
Fund 15 - CAPITAL PROJECTS						
Revenues						
Dept 00 - GENERAL FUND						
15-00-8100	TRANSFERS IN	374,300.00	-	-	374,300.00	0
Total Dept 00 - GENERAL FUND		374,300.00	-	-	374,300.00	0
TOTAL REVENUES		374,300.00	-	-	374,300.00	0
Expenditures						
Dept 00 - GENERAL FUND						
15-00-5481	CAPITAL PROJECTS	421,500.00	111,264.03	-	310,235.97	26
Total Dept 00 - GENERAL FUND		421,500.00	111,264.03	-	310,235.97	26
TOTAL EXPENDITURES		421,500.00	111,264.03	-	310,235.97	26
Fund 15 - CAPITAL PROJECTS:						
TOTAL REVENUES		374,300.00	-	-	374,300.00	0
TOTAL EXPENDITURES		421,500.00	111,264.03	-	310,235.97	26
NET OF REVENUES & EXPENDITURES		(47,200.00)	(111,264.03)	-	64,064.03	

GL NUMBER	DESCRIPTION	ACTIVITY FOR				
		2024 BUDGET	YTD BALANCE 04/30/2024	MONTH 04/30/2024	AVAILABLE BALANCE	% BDGT USED
Fund 20 - WATER SYSTEM						
Revenues						
Dept 00 - GENERAL FUND						
20-00-3021	INFRASTRUCTURE FEE - WASTEWATER	-	18,979.75	12,172.82	(18,979.75)	100
20-00-3022	INCOME - WASTEWATER	825,000.00	281,421.74	107,386.00	543,578.26	34
20-00-3032	INCOME - WATER	920,000.00	300,362.89	113,619.67	619,637.11	33
20-00-3033	INFRASTRUCTURE FEE - WATER	-	21,010.05	13,532.02	(21,010.05)	100
20-00-3080	LATE FEES	25,000.00	11,959.25	4,152.03	13,040.75	48
20-00-3210	MISCELLANEOUS INCOME	-	9,171.81	100.56	(9,171.81)	100
20-00-3310	FEE-TAP-ON - WATER	4,000.00	-	-	4,000.00	0
20-00-3360	METER SALES	7,605.00	1,086.14	1,086.14	6,518.86	14
20-00-3390	SSA#24 BOND INTEREST	13,000.00	(13,444.92)	(235.54)	26,444.92	-103
20-00-3410	INTEREST EARNED	20,000.00	30,442.10	7,761.82	(10,442.10)	152
Total Dept 00 - GENERAL FUND		1,814,605.00	660,988.81	259,575.52	1,153,616.19	36
TOTAL REVENUES		1,814,605.00	660,988.81	259,575.52	1,153,616.19	36

Expenditures

Dept 10 - WATER SYSTEMS

20-10-5030	REG. WAGES	195,184.00	54,296.94	5,849.56	140,887.06	28
20-10-5032	WAGES - OVERTIME	8,000.00	2,633.68	397.53	5,366.32	33
20-10-5040	FICA	11,358.00	3,384.86	367.75	7,973.14	30
20-10-5050	MEDICARE	2,657.00	791.69	86.06	1,865.31	30
20-10-5052	IMRF	19,473.00	6,279.52	689.07	13,193.48	32
20-10-5054	GROUP HEALTH INS	33,989.00	10,097.49	1,138.91	23,891.51	30
20-10-5056	WORKER'S COMP INS	17,000.00	-	-	17,000.00	0
20-10-5058	UNIFORMS	2,000.00	-	-	2,000.00	0
20-10-5070	DUES	1,100.00	-	-	1,100.00	0
20-10-5080	LEGAL NOTICES	100.00	-	-	100.00	0
20-10-5090	COMMUNICATIONS	11,570.00	2,241.49	323.87	9,328.51	19
20-10-5100	POSTAGE	2,900.00	1,290.96	71.04	1,609.04	45
20-10-5110	PRINTING	2,100.00	902.94	-	1,197.06	43
20-10-5120	UTILITIES	100,000.00	52,543.86	28,833.13	47,456.14	53
20-10-5180	SMALL TOOLS AND EQUIPMENT	4,000.00	833.64	846.96	3,166.36	21
20-10-5190	RENTAL-EQUIPMENT	4,120.00	279.18	93.06	3,840.82	7

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	04/30/2024	MONTH 04/30/2024	BALANCE	USED
20-10-5200	OFFICE SUPPLIES	1,000.00	317.05	68.23	682.95	32
20-10-5213	OUTSIDE SERVICES	6,000.00	2,355.57	1,854.96	3,644.43	39
20-10-5262	LAB SUPPLIES & EQUIPMENT	7,000.00	719.06	358.79	6,280.94	10
20-10-5281	CHEMICALS	85,000.00	26,069.64	2,687.44	58,930.36	31
20-10-5301	MAINT SUPPLIES-JANTORIAL	200.00	-	-	200.00	0
20-10-5310	INSURANCE LIABILITY	25,000.00	33,401.00	-	(8,401.00)	134
20-10-5320	INSURANCE VEHICLES & EQUIP.	7,000.00	6,746.00	-	254.00	96
20-10-5360	ENGINEERING SERVICES	8,000.00	969.50	969.50	7,030.50	12
20-10-5370	GASOLINE	7,000.00	1,640.09	284.23	5,359.91	23
20-10-5381	MAINTENANCE PARTS & MATERIALS	8,000.00	5,397.86	1,488.91	2,602.14	67
20-10-5390	MAINTENANCE VEHICLES	5,000.00	608.74	-	4,391.26	12
20-10-5410	MAINTENANCE BUILDING	2,000.00	600.00	600.00	1,400.00	30
20-10-5431	HYDRANT MAINTENANCE	10,000.00	-	-	10,000.00	0
20-10-5450	CONTRACTUAL SERVICES	32,400.00	5,469.19	23.95	26,930.81	17
20-10-5480	CAPITAL EQUIPMENT	239,000.00	6,459.67	6,459.67	232,540.33	3
20-10-5510	WATER METERS	30,000.00	34,317.02	-	(4,317.02)	114
20-10-5520	LABORATORY TESTING	50,000.00	6,191.00	3,460.70	43,809.00	12
20-10-5580	TRAINING EXPENSE	4,000.00	-	-	4,000.00	0
20-10-5601	REPAIRS-WATER DISTRIBUTION SYS.	6,000.00	2,350.95	709.81	3,649.05	39
20-10-5652	BRINE HAULING EXPENSES	60,000.00	17,076.16	3,292.30	42,923.84	28
20-10-5662	IEPA LOAN-PRINCIPAL	26,836.00	13,482.65	-	13,353.35	50
20-10-5672	IEPA LOAN - INTEREST	6,155.00	3,012.76	-	3,142.24	49
Total Dept 10 - WATER SYSTEMS		1,041,142.00	302,760.16	60,955.43	738,381.84	29
Dept 20 - WASTEWATER SYSTEMS						
20-20-5030	WAGES	184,893.00	55,826.75	8,624.61	129,066.25	30
20-20-5032	WAGES - OVERTIME	8,000.00	3,339.74	927.48	4,660.26	42
20-20-5040	FICA	11,464.00	3,531.69	566.75	7,932.31	31
20-20-5050	MEDICARE	2,681.00	825.89	132.49	1,855.11	31
20-20-5052	IMRF	19,655.00	6,526.04	1,053.58	13,128.96	33
20-20-5054	GROUP HEALTH INS	22,765.00	8,042.85	1,275.27	14,722.15	35
20-20-5058	UNIFORMS	1,800.00	179.56	-	1,620.44	10
20-20-5090	COMMUNICATIONS	6,170.00	2,241.47	323.86	3,928.53	36
20-20-5100	POSTAGE	2,900.00	1,290.96	71.04	1,609.04	45
20-20-5110	PRINTING	2,100.00	902.94	-	1,197.06	43

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	04/30/2024	MONTH 04/30/2024	BALANCE	USED
20-20-5120	UTILITIES	140,000.00	59,305.91	40,613.06	80,694.09	42
20-20-5180	SMALL TOOLS AND EQUIPMENT	4,000.00	83.76	83.76	3,916.24	2
20-20-5190	RENTAL-EQUIPMENT	3,120.00	279.18	93.06	2,840.82	9
20-20-5200	OFFICE SUPPLIES	1,000.00	317.06	68.23	682.94	32
20-20-5213	OUTSIDE SERVICES	32,000.00	-	-	32,000.00	0
20-20-5251	NPDES PERMITS	20,000.00	-	-	20,000.00	0
20-20-5262	LAB SUPPLIES & EQUIPMENT	8,000.00	3,234.63	1,873.65	4,765.37	40
20-20-5281	CHEMICALS	38,000.00	10,350.69	5,174.77	27,649.31	27
20-20-5301	MAINT SUPPLIES-JANITORIAL	200.00	-	-	200.00	0
20-20-5360	ENGINEERING SERVICES	8,000.00	-	-	8,000.00	0
20-20-5370	GASOLINE	7,000.00	1,630.06	274.22	5,369.94	23
20-20-5381	MAINTENANCE PARTS & MATERIALS	8,000.00	1,774.32	-	6,225.68	22
20-20-5390	MAINTENANCE VEHICLES	5,000.00	666.02	-	4,333.98	13
20-20-5410	MAINTENANCE BUILDING	4,000.00	-	-	4,000.00	0
20-20-5450	CONTRACTUAL SERVICES	80,000.00	1,646.05	13.95	78,353.95	2
20-20-5480	CAPITAL EQUIPMENT	282,800.00	-	-	282,800.00	0
20-20-5520	LABORATORY TESTING	44,000.00	1,738.50	999.50	42,261.50	4
20-20-5580	TRAINING EXPENSE	2,000.00	-	-	2,000.00	0
20-20-5602	REPAIRS-W/WATER COLLECTION SYS.	4,000.00	6,518.40	6,518.40	(2,518.40)	163
20-20-5660	COLLECTION SYS. PUMP MAINT.	8,000.00	-	-	8,000.00	0
Total Dept 20 - WASTEWATER SYSTEMS		961,548.00	170,252.47	68,687.68	791,295.53	18
TOTAL EXPENDITURES		2,002,690.00	473,012.63	129,643.11	1,529,677.37	24
Fund 20 - WATER SYSTEM:						
TOTAL REVENUES		1,814,605.00	660,988.81	259,575.52	1,153,616.19	36
TOTAL EXPENDITURES		2,002,690.00	473,012.63	129,643.11	1,529,677.37	24
NET OF REVENUES & EXPENDITURES		(188,085.00)	187,976.18	129,932.41	(376,061.18)	

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	04/30/2024	MONTH	BALANCE	USED
04/30/2024						
Fund 30 - MFT						
Revenues						
Dept 00 - GENERAL FUND						
30-00-3410	INTEREST EARNED	20,000.00	37,384.12	9,516.26	(17,384.12)	187
30-00-3450	MOTOR FUEL TAX	337,697.00	117,631.43	27,339.93	220,065.57	35
Total Dept 00 - GENERAL FUND		357,697.00	155,015.55	36,856.19	202,681.45	43
TOTAL REVENUES		357,697.00	155,015.55	36,856.19	202,681.45	43
Expenditures						
Dept 00 - GENERAL FUND						
30-00-5462	MFT RESOLUTION	125,000.00	8,998.95	-	116,001.05	7
30-00-5463	MFT - REBUILD IL	-	89,095.06	-	(89,095.06)	100
Total Dept 00 - GENERAL FUND		125,000.00	98,094.01	-	26,905.99	78
TOTAL EXPENDITURES		125,000.00	98,094.01	-	26,905.99	78
Fund 30 - MFT:						
TOTAL REVENUES		357,697.00	155,015.55	36,856.19	202,681.45	43
TOTAL EXPENDITURES		125,000.00	98,094.01	-	26,905.99	78
NET OF REVENUES & EXPENDITURES		232,697.00	56,921.54	36,856.19	175,775.46	

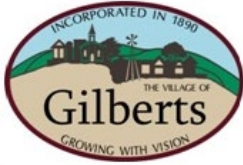
GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	04/30/2024	MONTH	BALANCE	USED
				04/30/2024		
Fund 31 - PERFORMANCE BOND						
Revenues						
Dept 00 - GENERAL FUND						
31-00-3410	INTEREST EARNED	3,000.00	3,305.69	827.68	(305.69)	110
Total Dept 00 - GENERAL FUND		3,000.00	3,305.69	827.68	(305.69)	110
TOTAL REVENUES		3,000.00	3,305.69	827.68	(305.69)	110
Expenditures						
Dept 00 - GENERAL FUND						
31-00-8500	TRANSFERS OUT	-	1.55	0.39	(1.55)	100
Total Dept 00 - GENERAL FUND		-	1.55	0.39	(1.55)	100
TOTAL EXPENDITURES		-	1.55	0.39	(1.55)	100
Fund 31 - PERFORMANCE BOND:						
TOTAL REVENUES		3,000.00	3,305.69	827.68	(305.69)	110
TOTAL EXPENDITURES		-	1.55	0.39	(1.55)	100
NET OF REVENUES & EXPENDITURES		3,000.00	3,304.14	827.29	(304.14)	

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	04/30/2024	MONTH	BALANCE	USED
04/30/2024						
Fund 34 - TIF#1 CENTRAL REDEVELOPMENT						
Revenues						
Dept 00 - GENERAL FUND						
34-00-3010	PROPERTY TAX	316,000.00	-	-	316,000.00	0
34-00-3410	INTEREST EARNED	-	249.28	61.81	(249.28)	100
Total Dept 00 - GENERAL FUND		316,000.00	249.28	61.81	315,750.72	0
TOTAL REVENUES		316,000.00	249.28	61.81	315,750.72	0
Expenditures						
Dept 00 - GENERAL FUND						
34-00-5074	FACADE GRANT	100,000.00	-	-	100,000.00	0
Total Dept 00 - GENERAL FUND		100,000.00	-	-	100,000.00	0
TOTAL EXPENDITURES		100,000.00	-	-	100,000.00	0
Fund 34 - TIF#1 CENTRAL REDEVELOPMENT:						
TOTAL REVENUES		316,000.00	249.28	61.81	315,750.72	0
TOTAL EXPENDITURES		100,000.00	-	-	100,000.00	0
NET OF REVENUES & EXPENDITURES		216,000.00	249.28	61.81	215,750.72	

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	04/30/2024	MONTH	BALANCE	USED
Fund 35 - TIF#2 HIGGINS ROAD IND. PARK						
Revenues						
Dept 00 - GENERAL FUND						
35-00-3010	PROPERTY TAX	943,000.00	-	-	943,000.00	0
35-00-3410	INTEREST EARNED	-	191.61	47.51	(191.61)	100
Total Dept 00 - GENERAL FUND		943,000.00	191.61	47.51	942,808.39	0
TOTAL REVENUES		943,000.00	191.61	47.51	942,808.39	0
Expenditures						
Dept 00 - GENERAL FUND						
35-00-5061	ADMINISTRATIVE FEES	5,550.00	-	-	5,550.00	0
35-00-5071	TIF NOTE INTEREST	255,910.00	-	-	255,910.00	0
35-00-5081	TIF NOTE PRINCIPAL	645,000.00	-	-	645,000.00	0
Total Dept 00 - GENERAL FUND		906,460.00	-	-	906,460.00	0
TOTAL EXPENDITURES		906,460.00	-	-	906,460.00	0
Fund 35 - TIF#2 HIGGINS ROAD IND. PARK:						
TOTAL REVENUES		943,000.00	191.61	47.51	942,808.39	0
TOTAL EXPENDITURES		906,460.00	-	-	906,460.00	0
NET OF REVENUES & EXPENDITURES		36,540.00	191.61	47.51	36,348.39	

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	04/30/2024	MONTH	BALANCE	USED
Fund 40 - DRUG FORFEITURE PD ACCOUNT						
Revenues						
Dept 00 - GENERAL FUND						
40-00-3410	INTEREST EARNED	-	2.47	0.61	(2.47)	100
Total Dept 00 - GENERAL FUND		-	2.47	0.61	(2.47)	100
TOTAL REVENUES		-	2.47	0.61	(2.47)	100
Fund 40 - DRUG FORFEITURE PD ACCOUNT:						
TOTAL REVENUES		-	2.47	0.61	(2.47)	100
TOTAL EXPENDITURES		-	-	-	-	0
NET OF REVENUES & EXPENDITURES		-	2.47	0.61	(2.47)	

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		BUDGET	04/30/2024	MONTH	BALANCE	USED
			04/30/2024	04/30/2024		
Fund 43 - POLICE PENSION FUND						
Revenues						
Dept 00 - GENERAL FUND						
43-00-3490	EMPLOYER CONTRIBUTIONS	223,632.00	-	-	223,632.00	0
43-00-3491	EMPLOYEE CONTRIBUTIONS	100,000.00	-	-	100,000.00	0
Total Dept 00 - GENERAL FUND		323,632.00	-	-	323,632.00	0
TOTAL REVENUES		323,632.00	-	-	323,632.00	0
Expenditures						
Dept 00 - GENERAL FUND						
43-00-5030	RETIREE PENSION PAY	168,000.00	-	-	168,000.00	0
43-00-5040	FICA	16,000.00	-	-	16,000.00	0
43-00-5240	ACCOUNTING SERVICES	17,000.00	-	-	17,000.00	0
43-00-5321	PROFESSIONAL FEES	25,000.00	-	-	25,000.00	0
Total Dept 00 - GENERAL FUND		226,000.00	-	-	226,000.00	0
TOTAL EXPENDITURES		226,000.00	-	-	226,000.00	0
Fund 43 - POLICE PENSION FUND:						
TOTAL REVENUES		323,632.00	-	-	323,632.00	0
TOTAL EXPENDITURES		226,000.00	-	-	226,000.00	0
NET OF REVENUES & EXPENDITURES		97,632.00	-	-	97,632.00	
TOTAL REVENUES - ALL FUNDS						
		10,774,656.00	2,619,460.97	751,156.87	8,155,195.03	24
TOTAL EXPENDITURES - ALL FUNDS						
		9,984,947.00	5,212,238.06	480,985.86	4,772,708.94	52
NET OF REVENUES & EXPENDITURES		789,709.00	(2,592,777.09)	270,171.01	3,382,486.09	
NET OF REVENUES & EXPENDITURES - less building purchase		789,709.00	645,534.91	270,171.01	144,174.09	



Village of Gilberts

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To: President Zambetti & Board of Trustees
From: Riley Lynch, Management Analyst
Cc: Brian Bourdeau, Village Administrator
Date: May 21, 2024 Village Board Meeting
Re: Item 5.A – Approval of Ordinance 11-2024 Approving an Amendment to a Special Use Permit and Variance Requests Related to Outdoor Seating Areas for Pub 72 (38 East Higgins Road).

Summary:

Pub 72 Inc. (*The Applicant*) is requesting:

1. An amendment to their 2014 special use permit to include an additional 805sqft of outdoor seating area.
2. A variance to encroach 10 feet into the 10-foot required side-yard setback.
3. A variance to encroach 10 feet into the required 15-foot front-yard setback.
4. A variance from the requirement to provide an additional 14 parking spaces due to the increase in the floor area of the outdoor seating areas.

The Plan Commission held a public hearing regarding the Applicant's request on May 8, 2024. After deliberation the Plan Commission unanimously gave a positive recommendation to the Board that the request be approved, subject to the conditions that concrete bollards be installed around the southernmost seating area, and that all other conditions of the Applicant's current special use and variances continue to be applied.

Background:

The Applicant operates a restaurant and bar located at 38 E Higgins Road (PIN: 02-24-154-010). This property is zoned as C1 Commercial, with the OT Old Town district and residential uses to the north and west, I1 Industrial district to the south across Higgins Road, and more of the Commercial district and commercial uses to the east across Galligan Road.

Previous Zoning Approvals

On August 19, 2014, the Applicant received approval for a special use permit to operate a permanent outdoor seating area ancillary to their restaurant and bar (ORD 16-2014). This permit specifically pertained to a 32'x22' deck on the east side of the main building, facing the Galligan and Higgins Road intersection. The 2014 special use permit included variances from setback regulations and from additional parking requirements caused by the increased seating and customer capacity. Additionally, this special use permit applied the following conditions:

- No part of the proposed deck/outdoor seating area may encroach into the sight - distance triangle extending 25 feet along both lot lines starting at the southeast corner of the property.

The petitioner must provide an engineering site plan demonstrating that the proposed deck/outdoor seating area complies with the provisions of UDO.

- The proposed deck shall match the material, color and appearance of the principal structure.
- Access to the proposed deck shall be strictly controlled through the existing principal structure, which shall be altered to provide access / egress for the deck in accordance with all applicable building and life safety codes
- The perimeter of the deck shall be enclosed by a wooden fence that is at least 50% open and does not exceed three (3) feet in height, unless otherwise required to comply with applicable building or life safety codes. The fence shall match the material, color and appearance of the deck itself and the principal structure
- Landscaping shall be installed and maintained around the perimeter of the deck. The landscaping shall comply with the Village Code requirements for permitted species of trees and shrubs. Landscaping shall not obstruct the sight-distance triangle or otherwise impair traffic visibility or safety.
- The deck shall be used for seated food and/or seated beverage service only; it shall not be used for private parties or special events not shall it function as an enclosed beer garden where liquor is principally served.
- Use of the outdoor seating area shall be limited to between 10 a.m. and 10 p.m. daily, subject to further restriction by any applicable Liquor Code requirements affecting the restaurant/bar's sale or consumption of alcohol.
- No outdoor music, amplified sounds, live performances or other noise- or vibration-generating activities shall be permitted within the outdoor seating area.
- Smoking in the outdoor seating area is prohibited
- Any lighting of the outdoor seating area shall comply with the requirements set forth by UDO Section. Compliance with the UDO shall be demonstrated by the submittal and approval of a photometrics plan prior the issuance of any building permits for the lights.
- The subject property and business continues to comply with all other terms set forth in the UDO
- Bollards shall be placed at the perimeter of the deck to protect it from errant traffic.
- If liquor is to be served and/or consumed within the outdoor serving area, the petitioner shall apply for and satisfy all requirements of a liquor license allowing outdoor service or consumption, as set forth by the Liquor Code of the Village of Gilberts.
- All alcohol shall be dispensed from within the principal structure/establishment. No bar may be set up or operated within the outdoor seating area.
- Maximum occupancy of the outdoor seating area shall be based on the maximum seated capacity as determined by the Village's building and life safety codes. The maximum seated occupancy of the outdoor seating area shall be prominently displayed at its entrance.

On September 17, 2019, the Applicant received a special use permit for the purposes of installing an outdoor volleyball court (ORD 13-2019). This special use applied the following conditions on the property:

- No Authorization of Work. This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind may be commenced on the Property pursuant to the approvals granted in this Ordinance unless and until all conditions of this Ordinance precedent to that work have been fulfilled and after all permits, approvals, and other authorizations for the

work have been properly applied for, paid for, and granted in accordance with applicable law, including, without limitation, issuance of required permits.

- Compliance with Laws. The UDO, the Building Code, and all other applicable Village ordinances and regulations shall continue to apply to the Property, and the development and use of the Property must comply with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.
- Lighting Limitation. All lighting on the volleyball court on the Property must be turned off no later than 10:00 p.m.
- No Alcohol or Food Service. The Owners may not serve alcohol, food, or beverages at or around the volleyball court on the Property.
- No Speakers or Amplifiers. No speakers or amplifiers may be installed or used at or around the volleyball court on the Property.
- Signage Prohibition. No temporary or permanent signs may be erected at or around the volleyball court on the Property.
- Operational Limitation. The volleyball court may not be used unless and until all the screening and netting required by this Ordinance has been installed to the satisfaction of the Village.
- Compliance with Plans. The construction and operation of the volleyball court on the Property will be in substantial compliance with the plans and drawings attached.

On April 18, 2023, the Applicant received approval for a variance from the requirement to provide an additional six parking spaces incidental to an expansion on the west side of the main building. This expansion included an exterior deck on the north and west faces of the expansion. However, this deck area was added to their permit plans after receiving the parking variance approval and does not have a special use permit for outdoor seating. Consequently, this existing deck space on the north face of the expansion cannot be used for outdoor seating.

Special Use and Variance Requests:

The Applicant seeks to establish two additional permanent outdoor seating areas ancillary to their business. The first area involves a 490 sq ft wrap-around wooden deck on the south and southwest faces of the most recent building expansion. This deck, expected to accommodate approximately 8 tables or 32 people, will be accessed from the main building via sliding doors and an overhead garage door. The proposed design calls for the deck to encroach into the required front and side-interior yard setbacks by approximately 9-10 feet each. For a detailed view, please refer to Exhibit 3, which shows the Applicant's site plan.

The second proposed area is a 315 sq ft fully fenced-in asphalt section on the north face of the newest expansion, designed to accommodate about 5 tables or 20 people. Access to this area will be provided by a deck and staircase on the north side of the main building. This area is also depicted in Exhibit 3 of the Applicant's site plan.

Per Chapter 4-3-2e of the Village's Unified Development Ordinance (UDO), "*permanent outdoor seating areas accessory to bars, restaurants, and taverns*" require a special use permit in the C1 Commercial Zoning District. A special use permit applies only to a defined area and does not allow for the expansion of or creation of a new outdoor seating area without amending an

existing permit or obtaining a new one. Therefore, the Applicant needs to amend their existing special use permit to include these newly proposed seating areas.

Furthermore, Chapter 9-1-B-3 of the Village's UDO stipulates that restaurants, bars, and taverns must provide 18 parking spaces per 1,000 sq ft of net floor area, which also applies to outdoor seating areas. The proposed total additional area of 805 sq ft would thus require 14 more parking spaces. The Applicant is requesting a variance to waive this requirement altogether. Granting this variance would result in a deficit of over 25 parking spaces, taking into account previous zoning approvals.

It is important to note that outdoor liquor consumption is regulated by the Class OS Liquor License, which adheres to a specific set of regulations. There is no variance process for these regulations, and violations can lead to the revocation of the holder's liquor licenses, among other penalties.

In total, the Applicant is requesting:

5. An amendment to their 2014 special use permit to include an additional 805 sq ft of outdoor seating area.
6. A variance to encroach 10 feet into the 10-foot required side-yard setback.
7. A variance to encroach 10 feet into the required 15-foot front-yard setback.
8. A variance from the requirement to provide an additional 14 parking spaces due to the increase in the floor area of the outdoor seating areas.

Public Hearing and Plan Commission Meeting:

On May 8, 2024 the Plan Commission held a public hearing discussion regarding the Applicant's requests. The major takeaways from that meeting were:

- A member of the public had submitted a concern that the additional outdoor seating areas could cause further disruptions due to noise and by overflowing parking onto 17 Galligan Road in front of their home. The Plan Commission allowed the Applicant to address those concerns. The Plan Commission were satisfied with the Applicant's response to the resident's concerns.
- The Plan Commission discussed how the Applicant's current outdoor seating area near the intersection of Galligan Road and Route 72 has concrete bollards around it to protect the area. They suggested that the Applicant install similar bollards around the proposed seating area along Route 72.
- The Plan Commission found that the Applicant met all the findings of fact and satisfied all the standards required by the UDO for variances and special use permits.
- The Plan Commission unanimously passed a positive recommendation that the Village Board approve the Applicant's requests with the conditions that the Applicant installs concrete bollards around the outdoor seating area abutting Route 72.

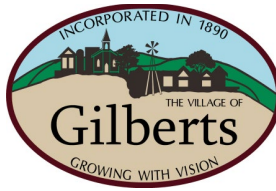
For additional details about what was discussed at the Plan Commission meeting, please see the attached Plan Commission Packet.

Conclusion & Recommendation:

Based on the material submitted by the Applicant and analysis of that material, it appears that the Applicant may not meet all of the standards and findings of fact required by the Village's UDO. However, the Plan Commission recommends the Board approve the Applicant's requests with the condition that concrete bollards be installed along the seating area that abuts Route 72.

Attachments:

- Exhibit 1:
 - Unapproved Minutes from the May, 8 2024 Plan Commission Meeting
- Exhibit 2:
 - May 8, 2024 Plan Commission Meeting Packet
- Exhibit 2:
 - (Ordinance 11-2024) Approving an Amendment to a Special Use Permit To And Variations from the Gilberts Unified Development Ordinance [38 East Higgins Road – Pub 72]



**MINUTES FOR VILLAGE OF GILBERTS
SPECIAL PLAN COMMISSION/ZONING BOARD OF APPEALS MEETING
Village Hall: 87 Galligan Road, Gilberts, IL 60136
Meeting Minutes
Wednesday, May 8, 2024**

1. CALL TO ORDER

Chairman Mills called the meeting to order at 7:00 p.m.

2. ROLL CALL / ESTABLISH QUORUM

Village Clerk Lynda Lange called the roll. Roll call of Members present: Commissioners Page, Sullivan and Lateer along with Chairman Mills were present. Commissioners Borgardt, McHone, and DelVecchio were absent. Others present were Administrator Brian Bourdeau, Management Analyst Riley Lynch, Management Analyst Mitchell Anderson, Village Clerk Lynda Lange, and Attorney Kurt Asprooth.

3. PUBLIC COMMENT

There were no public comments at this time.

4. ITEMS FOR APPROVAL

A. A Motion to Approve Minutes from the January 10, 2024 Plan Commission Meeting

A Motion to Approve the meeting minutes from the January 10, 2024 board meeting was made by Commissioner Lateer and seconded by Commissioner Page. Roll call vote: Commissioners, Page, Sullivan & Lateer, and Chairman Mills voted Aye (4). Nays (0). Absent (3) Commissioners Borgardt, McHone & DelVecchio (0) Abstain:

5. PUBLIC HEARING AND RECOMMENDATION to the Village Board Regarding a Special Use and Variance Requests Related to Outdoor Seating Areas for Pub 72 (38 East Higgins Rd):

A Motion to open the Public Hearing was made by Commissioner Lateer and seconded by Commissioner Page. Roll call vote: Commissioners, Page, Sullivan & Lateer, and Chairman Mills voted Aye (4). Nays (0). Absent (3) Commissioners Borgardt, McHone & DelVecchio (0) Abstain:

Analyst Lynch detailed the Applicant's requests.

Pub 72 Inc. (*The Applicant*) is requesting:

- An amendment to their 2014 special use permit to include an additional 805sqft of outdoor seating area.
- A variance to encroach 10ft into the 10ft required side yard setback.

- A variance to protrude 10ft into the required 15ft front yard setback.
- A variance from the required 14 additional parking spaces caused by the increased area of the outdoor seating areas.

Analyst Riley Lynch provided an overview of history relative to special use permits and variances issued previously as outlined below:

- The Applicant operates a restaurant and bar located at 38 E Higgins Road (PIN: 02-24-154-010). This property is zoned as C1 Commercial, with the OT Old Town district and residential uses to the north and west, I1 Industrial district to the south across Higgins Road, and C1 Commercial to the east across Galligan Road.
- On August 19, 2014, the Applicant received approval for a special use permit to operate a permanent outdoor seating area ancillary to their restaurant and bar (ORD 16-2014). This permit specifically pertained to a 32'x22' deck on the east side of the main building. The 2014 special use permit included variances from setback regulations and from additional parking requirements caused by the increased seating and customer capacity.
- On September 17, 2019, the Applicant received a special use permit for the purposes of installing an outdoor volleyball court (ORD 13-2019). This special use application also contained specific compliance criteria.
- On April 18, 2023, the Applicant received approval for a variance from the requirement to provide an additional six parking spaces incidental to an expansion on the west side of the main building. This expansion included an exterior deck on the north and west faces of the expansion. However, this deck area was added to their permit plans after receiving the parking variance approval and does not have a special use permit for outdoor seating. Consequently, this existing deck space on the north face of the expansion cannot be used for outdoor seating.

Special Use and Variance Requests:

The Applicant seeks to establish two additional permanent outdoor seating areas ancillary to their business. The first area involves a 490 sq ft wrap-around wooden deck on the south and southwest faces of the most recent building expansion. This deck, expected to accommodate approximately 8 tables or 32 people, will be accessed from the main building via sliding doors and an overhead garage door. The proposed design calls for the deck to encroach into the required front and side-interior yard setbacks by approximately 9-10 feet each. The second proposed area is a 315 sq ft fully fenced-in asphalt section on the north face of the newest expansion, designed to accommodate about 5 tables or 20 people. Access to this area will be provided by a deck and staircase on the north side of the main building.

Per Chapter 4-3-2e of the Village's Unified Development Ordinance (UDO), "*permanent outdoor seating areas accessory to bars, restaurants, and taverns*" require a special use permit in the C1

Commercial Zoning District. A special use permit applies only to a defined area and does not allow for the expansion of or creation of a new outdoor seating area without amending an existing permit or obtaining a new one. Therefore, the Applicant needs to amend their existing special use permit to include these newly proposed seating areas. Furthermore, Chapter 9-1-B-3 of the Village's UDO stipulates that restaurants, bars, and taverns must provide 18 parking spaces per 1,000 sq ft of net floor area, which also applies to outdoor seating areas. The proposed total additional area of 805 sq ft would thus require 14 more parking spaces. The Applicant is requesting a variance to waive this requirement altogether. Granting this variance would result in a deficit of over 25 parking spaces.

The applicants for Pub 72, Tom Trier and Brian Zirlin were present to provide supporting information regarding their requested Variances and Special Use amendment. Brian Zirlin passed out a comparison spreadsheet noting a variety of restaurants located in the surrounding suburbs outlining how much additional income is generated to those providing outdoor dining during warm weather months vs cold weather months when there is indoor dining only. They also answered several questions from the Commissioners regarding their plans, including safety & security measures, lighting plans, potential noise disturbances to neighboring homes and parking issues.

Attorney Asprooth advised on the OS Liquor License requirements.

Management Analyst Riley Lynch read into public record, a letter, received through electronic means from a neighboring resident, Penny & Cindy Bauer at 28 Galligan Rd. They expressed concerns over parking congestion on their street due the reduced number of parking places, potential noise and lighting issues.

The applicants advised that there will be no additional lighting installed, the outdoor area will be closing at 10:00pm and there will be no outdoor music (other than events that applicant will obtain a special event license for) and vehicle noise will be no different than it is currently.

Chairman Mills asked about signage, noting that no additional signs can be installed. Additionally, there is current signage that is not compliant with the UDO and must be addressed. The UDO allows only 1 sign per street frontage. Applicant Tom Trier advised that they have had signs in place over 10 years and were unaware that they could not have them. Tom Trier advises that they have already removed the Volleyball sign and will be working with the Village to become compliant.

Several questions from Commissioners revolved around parking and set back requirements.

Analyst Lynch read each of the variance requests and provided existing zoning district regulations that are required to be met for each variance. The findings of fact and standards were reviewed.

The Commissioners did not feel that all provisions/standards were in compliance with the UDO.

Administrator Bourdeau advised that any variance request that is submitted must meet specific standards that align with the UDO.

Attorney Kurt Asprooth explained that the OS (outside dining) license requirements must be met, as required.

Analyst Anderson read the hardship requirements and advised the Board members that the applicant must meet each of the required findings of fact in order for the Plan Commission to recommend approval.

Attorney Asprooth also advised on the discussion of additional parking that the applicant utilizes from another commercial property he also owns and currently uses for overflow parking. If the property sells or leases to a party that requires parking at the additional property, the parking lot would not be available for use by applicant for his restaurant. The additional commercial property has its own parking requirements and cannot be counted for the restaurant.

After sufficient deliberation, the Plan Commission moved to close the public hearing and to make their recommendation.

A Motion to Close the Public Hearing was made by Commissioner Lateer and seconded by Commissioner Page. Roll call vote: Commissioners, Page, Sullivan & Lateer, and Chairman Mills voted Aye (4). Nays (0). Absent (3) Commissioners Borgardt, McHone & DelVecchio (0) Abstain:

A Motion to Recommend the Applicant's Request to Amend the Special Use request and variances with a condition that the applicant install bollards along the Rt. 72 installation was made by Commissioner Lateer and seconded by Commissioner Page. Roll call vote: Commissioners, Page, Sullivan & Lateer, and Chairman Mills voted Aye (4). Nays (0). Absent (3) Commissioners Borgardt, McHone & DelVecchio (0) Abstain:

6. NEW BUSINESS - None

7. OTHER BUSINESS – None

8. ADJOURNMENT

There being no further public business to discuss, a Motion was made by Commissioner Page and seconded by Commissioner Lateer to adjourn from the public meeting at 9:10 p.m. Voice vote of Aye carried unanimously (4). Motion carried.

Respectfully submitted,

Lynda Lange

Lynda Lange, Village Clerk

VILLAGE OF GILBERTS

ORDINANCE 11-2024

AN ORDINANCE APPROVING AN AMENDMENT TO A SPECIAL USE PERMIT TO AND VARIATIONS FROM THE GILBERTS UNIFIED DEVELOPMENT ORDINANCE

(38 East Higgins Road – Pub 72)

WHEREAS, Pub 72, Inc. (“*Applicant*”), is the occupant of the property located 38 E. Higgins Road, Gilberts, Illinois, which property is more specifically described in *Exhibit A* (“*Property*”); and

WHEREAS, the current owner of the Property is the Home State Bank of Crystal Lake, as Trustee under a Trust Agreement dated October 5, 1988, and known as Trust 3523 (“*Owner*”); and

WHEREAS, the Property is zoned in the C-1 Commercial zoning district; and

WHEREAS, the Applicant currently operates a restaurant on the Property called “Pub 72 Bar & Grill” (the “*Restaurant*”); and

WHEREAS, on August 19, 2014, the Village Board passed Ordinance 16-2014, granting a special use permit to allow a permanent outdoor serving area for the Restaurant (the “*Existing SUP*”), and approving three variations from the Gilberts Unified Development Ordinance (“*UDO*”) to reduce the minimum front yard setback for the property from 15 feet to 5 feet; reduce the reduce the minimum front yard setback to match the south wall of the principal structure on the Property; and to waive the parking space requirement applicable to the outdoor seating area; and

WHEREAS, on September 17, 2019, the Village Board passed Ordinance 13-2019, granting a special use permit to allow the construction and operation of an outdoor volleyball court accessory to the principal restaurant use on the Property; and

WHEREAS, on April 18, 2023, the Village Board passed Ordinance 07-2023, approving a variation from the UDO to reduce the number of off-street parking spaces for the Property from 38 spaces to 32 spaces; and

WHEREAS, the Applicant desires to expand the current permanent outdoor seating area, approved by the Existing SUP, to add two additional outdoor seating areas with a total area of 805 square feet (the “*Outdoor Expansion*”); and

WHEREAS, Section 4-3(2)(e) of the UDO provides that permanent outdoor seating areas accessory to bars, restaurants, and taverns require a special use permit in the C1 Commercial Zoning District; and

WHEREAS, Section 4-6(A) of the UDO provides that the minimum interior side yard setback for buildings in the C1 Commercial District is 10 feet, and that the minimum front yard setback for buildings in the C1 Commercial District is 15 feet; and

WHEREAS, Section 9-1(B)(3) of the UDO provides the required number of off-street parking spaces for specific uses; and

WHEREAS, the Outdoor Expansion and corresponding increase in net floor area for the Restaurant require an additional 14 off-street parking spaces on the Property; and

WHEREAS, the Applicant, with the permission of the Owner, has filed an application for an amendment to the Existing SUP to add the Outdoor Expansion to the Restaurant on the Property (the “*SUP Amendment*”); and

WHEREAS, the Applicant, with the permission of the Owner, has also filed an application for the following variations from the UDO: (2) a variation from Section 4-6(A) of the UDO to allow the Outdoor Expansion to encroach into the required side yard by 10 feet; (3) a variation from Section 4-6(A) of the UDO to allow the Outdoor Expansion to encroach into the required front yard setback by 10 feet; and (4) a variation from Section 9-1(B)(3) of the UDO to reduce the 14 additional off-street parking spaces required by the Outdoor Expansion to 0 spaces (collectively, the “*Variations*”); and

WHEREAS, pursuant to notice duly published, the Gilberts Plan Commission/Zoning Board of Appeals (“*PC/ZBA*”) held a public hearing on May 8, 2024, for the purpose of hearing and considering testimony on the Applicant’s requested SUP Amendment and Variations (collectively, the “*Zoning Relief*”); and

WHEREAS, at the conclusion of the public hearing, the PC/ZBA voted to recommend approval of the Applicant’s requested Zoning Relief, subject to certain conditions; and

WHEREAS, the Village Board makes the following findings of fact in reference to the Applicant’s requested SUP Amendment to add the Outdoor Expansion to the Restaurant on the Property:

- a. The proposed special use complies with all provisions of the applicable district regulations;
- b. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or the public welfare at large. The Applicant will install safety bollards along the portion of the proposed expanded outdoor seating area that is adjacent to Illinois Route 72.
- c. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.
- d. Adequate utility, drainage, and other necessary facilities have been or will be provided.

- e. The proposed special use, where such developments and uses are deemed consistent with good planning practice, can be operated in a manner that is not detrimental to the permitted developments and uses in the district, can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall conform to the applicable regulations of the district; and is deemed essential or desirable to preserve or promote the public health, safety, and general welfare of the Village.

WHEREAS, the Village Board makes the following findings of fact in reference to the Applicant's request for approval of the Variations to allow the Outdoor Expansion to encroach into the required side yard setback by 10 feet, allow the Outdoor Expansion to encroach into the required front yard setback by 10 feet, and to reduce the required 14 additional off-street parking spaces for the Outdoor Expansion to 0 spaces:

- a. The Property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district;
- b. The extraordinary or exceptional conditions of the Property requiring the request for the Variations were not caused by the Applicant;
- c. The proposed Variations will alleviate a peculiar, exceptional or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship;
- d. The denial of the proposed Variations will deprive the Applicant of the use permitted to be made by the owners of property in the immediate area;
- e. The proposed Variations will result in structures that are appropriate to and compatible with the character and scale of structures in the area in which the variances are being requested, and
- f. There is no other means other than the requested Variations by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Property.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois as follows:

Section 1. **Recitals.** The recitals are incorporated into this Section 1 as if fully set forth.

Section 2. **Special Use Permit Amendment.** Subject to the conditions set forth in Section 4 of this Ordinance, the Village Board of Trustees hereby approves an amendment to the Existing SUP to add the Outdoor Expansion to the Restaurant on the Property, as more fully depicted on the plans attached hereto as *Exhibit B*. In the event of any inconsistency between the Existing SUP and this Ordinance, this Ordinance shall control.

Section 3. Variations. Subject to the conditions set forth in Section 4 of this Ordinance, the Village Board of Trustees hereby approves the following variations for the Property:

1. A variation from Section 4-6(A) of the UDO to allow the Outdoor Expansion to encroach into the required side yard setback of 10 feet by 10 feet (0-foot setback), as depicted in Exhibit B.
2. A variation from Section 4-6(A) of the UDO to allow the Outdoor Expansion to encroach into the required front yard setback of 15 feet by 10 feet (5-foot setback), as depicted in Exhibit B.
3. A variation from Section 9-1(B) of the UDO to reduce the required additional of off-street parking spaces for the Outdoor Expansion to the Restaurant on the Property from 14 spaces to 0 spaces.

Section 4. Conditions. The approvals granted pursuant to Section 2 and Section 3 of this Ordinance are conditioned upon and limited by the following conditions, the violation of any of which shall, in the discretion of the President and Board of Trustees, be grounds for the repeal and revocation of the approval granted by this Ordinance in accordance with applicable law. In addition, any violation of this Ordinance will be deemed a violation of the UDO and subject the Owner to enforcement proceedings accordingly.

- A. Continued Effect of Existing Approvals. The Existing SUP that was granted by Ordinance 16-2014 and the SUP granted pursuant to Ordinance 13-2019 remain in full force and effect to govern the Property, except as expressly modified by this Ordinance.
- B. Safety Bollard Installation. The Applicant must install concrete bollards along the portion of the Outdoor Expansion that is adjacent to Illinois Route 72.
- C. No Authorization of Work. This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind may be commenced on the Property pursuant to the approvals granted in this Ordinance unless and until all conditions of this Ordinance precedent to that work have been fulfilled and after all permits, approvals, and other authorizations for the work have been properly applied for, paid for, and granted in accordance with applicable law.
- D. Compliance with Laws. The UDO, the Building Code, and all other applicable Village ordinances and regulations shall continue to apply to the Property, and the development and use of the Property must comply with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.
- E. Compliance with Plans. The development, maintenance, and use of the Property will be in substantial conformance with the plans attached hereto as Exhibit B.

Section 5. Failure to Comply. Upon failure or refusal of the Owner to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, the approvals in Section 2 and Section 3 this Ordinance for the Property (“*Conditioned Approval*”), will, at the sole discretion of the Board of Trustees, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Board of Trustees will not revoke the Conditioned Approval unless it first provides the Owner with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Board of Trustees regarding the revocation. In the event of revocation, the development and use of the Property will be governed solely by the regulations of the C-1 Zoning District, as the same may, from time to time, be amended. Further, in the event of revocation, the Village Administrator and Village Attorney are authorized and directed to bring all zoning enforcement actions as may be appropriate under the circumstances. The Owner acknowledges that public notices and hearings have been held with respect to the adoption of this Ordinance, have considered the possibility of the revocation provided for in this Section 5, and agree not to challenge any revocation on the grounds of any procedural infirmity or any denial of any procedural right, provided that the notice to the Owner required by this Section 5 is given.

Section 6. Binding Effect; Non-Transferability. The privileges, obligations, and provisions of each and every section of this Ordinance are for the sole benefit of, and shall be binding on, the Applicant and the Owner. Nothing in this Ordinance will be deemed to allow the Special Use Permit granted pursuant to this Ordinance, or pursuant to Ordinance 13-2019, to be transferred to any person or entity without a new application for approval for any person or entity other than the Owner or the Applicant.

Section 7. Severability. In the event a court of competent jurisdiction finds this Ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 8. Repeal and Saving Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or cause of action which shall have accrued to the Village of Gilberts prior to the effective date of this Ordinance.

Section 9. Effective Date. Upon its passage and approval according to law, this Ordinance shall, by authority of the Board of Trustees, be published in pamphlet form; provided, however, that this Ordinance shall be of no force or effect unless and until the Owner has executed and filed with the Village its unconditional agreement and consent, in the form attached to this Ordinance as *Exhibit C*, within 30 days following the passage of this Ordinance.

PASSED BY VOTE OF THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this ____ day of _____ 2024.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	_____	_____	_____	_____
Trustee Robert Chapman	_____	_____	_____	_____
Trustee Robert Vanni	_____	_____	_____	_____
Trustee Brandon Coats	_____	_____	_____	_____
Trustee Justin Redfield	_____	_____	_____	_____
Trustee Frank Marino	_____	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____

APPROVED this _____ day of _____, 2024.

(SEAL)

Village President Guy Zambetti

ATTEST: _____
Village Clerk, Lynda Lange

Exhibit A

Description of the Property

Common Address: 38 E. Higgins Road, Gilberts, Il 60136

PIN: 02-24-154-010

EXHIBIT B

Plans

EXHIBIT C

Unconditional Agreement and Consent

Pursuant to Section 9 of Ordinance No. _____, and to induce the Village to grant the approvals provided for in that Ordinance, the undersigned acknowledges for itself and its successors and assigns in title to the Property that it:

1. has read and understand all of the terms and provisions of Ordinance No. _____;
2. hereby unconditionally agrees to accept, consent to, and abide by all of the terms, conditions, restrictions, and provisions of this Ordinance, the UDO, and all other applicable codes, ordinances, rules, and regulations;
3. acknowledges and agrees that the Village is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village’s issuance of any permits for the use of the Property, and that the Village’s issuance of any permit does not, and shall not, in any way, be deemed to insure the Applicant or Owner against damage or injury of any kind and at any time;
4. acknowledges that the public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, have considered the possibility of the revocation provided for in the Ordinance, and agree not to challenge any revocation on the grounds of any procedural infirmity or any denial of any procedural right; and
5. represents and acknowledges that the person signing this Unconditional Agreement and Consent is duly authorized to do so on behalf of the Applicant and Owner.

PUB 72, INC.

By: _____

Its: _____

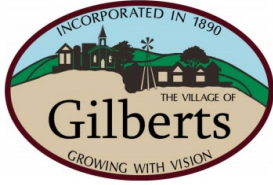
Date: _____

Home State Bank of Crystal Lake, as Trustee under a Trust Agreement dated October 5, 1988, and known as Trust 3523

By: _____

Its: _____

Date: _____



Village of Gilberts

Village Hall: 87 Galligan Road, Gilberts, Illinois 60136

Ph. 847-428-2861 Fax: 847-428-2955

www.villageofgilberts.com

Special Village Plan Commission / ZBA Meeting Agenda Wednesday, May 8, 2024 – 7:00 p.m. - Village Hall Board Room

ORDER OF BUSINESS

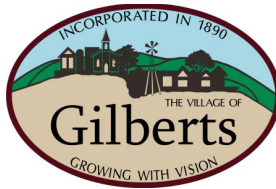
- 1. CALL TO ORDER**
- 2. ROLL CALL / ESTABLISH QUORUM**
- 3. PUBLIC COMMENT ***
- 4. ITEMS FOR APPROVAL**
 - A. A Motion to Approve Minutes from the January 10, 2024 Special Plan Commission Meeting
- 5. PUBLIC HEARING AND RECOMMENDATION TO THE VILLAGE BOARD REGARDING A SPECIAL USE AND VARIANCE REQUESTS RELATED TO OUTDOOR SEATING AREAS FOR PUB 72 (38 EAST HIGGINS ROAD).**
- 6. NEW BUSINESS**
- 7. OTHER BUSINESS**
- 8. ADJOURNMENT**

The Village of Gilberts complies with the Americans Disabilities Act (ADA). For accessibility Assistance, please contact the Village Clerk at the Village Hall, telephone number is 847-428-2861. Assistive services will be provided upon request.

* Intended for public comment on issues not otherwise on the agenda.

Posted on May 3, 2024 at:

Village of Gilberts, 87 Galligan Road, Gilberts, IL 60136



**MINUTES FOR VILLAGE OF GILBERTS
SPECIAL PLAN COMMISSION/ZONING BOARD OF APPEALS MEETING
Village Hall: 87 Galligan Road, Gilberts, IL 60136
Meeting Minutes
Wednesday, January 10, 2024**

1. CALL TO ORDER

Chairman Mills called the meeting to order at 7:00 p.m.

2. ROLL CALL / ESTABLISH QUORUM

Village Administrator Brian Bourdeau called the roll. Roll call of Members present: Commissioners McHone, Sullivan, Page, Del Vecchio and Lateer along with Chairman Mills were present. Commissioner Borgardt was absent. Others present were Administrator Brian Bourdeau, Management Analyst Riley Lynch, Management Analyst Mitchell Anderson and Village Clerk Lynda Lange.

3. PUBLIC COMMENT

There were no public comments at this time.

4. ITEMS FOR APPROVAL

A. A Motion to Approve Minutes from the November 8, 2023 Plan Commission Meeting

A Motion to Approve the meeting minutes from the November 8, 2023 board meeting was made by Commissioner McHone and seconded by Commissioner Page. Roll call vote: Commissioners, McHone, Page, Sullivan and Chairman Mills voted Aye (4). Nays (0). Absent (1) Commissioner Borgardt. (2) Abstain: Commissioners Del Vecchio and Lateer.

5. CONSIDERATION AND RECOMMENDATION TO THE VILLAGE BOARD REGARDING APPROVAL OF THE FINAL PLAT/PUD FOR NEIGHBORHOOD 3B OF THE CONSERVANCY DEVELOPMENT.

Administrator Brian Bourdeau provided information regarding the proposed approval of the final phase/PUD NH3B. Commissioner Del Vecchio requested information on park space and was advised that there were 2 parks currently in place in NH1 and NH2 and another in NH3b. It was also noted that the planned NH3 will have a total of 108 homes.

A Motion to Approve the Final Plat/PUD For Neighborhood 3B of the Conservancy Development was made by Commissioner Page seconded by Commissioner McHone. Roll call vote: Commissioners, McHone, Page, Sullivan, Del Vecchio, Lateer and Chairman Mills voted Aye (6), Nays (0). Absent (1) Commissioner Borgardt.

6. CONSIDERATION AND RECOMMENDATION TO THE VILLAGE BOARD REGARDING APPROVAL OF A PLAT OF CONSIDERATION FOR THE GROVE WASH DEVELOPMENT (351 E. HIGGINS ROAD).

Management Analyst Riley Lynch provided an overview of the Grove Wash Development's plat for consolidation of multiple (6) sliver lots into 1 lot.

A Motion to Approve the Consolidation of multiple sliver lots into one lot, with the stipulation made by IDOT that there will be no access onto Higgins Rd and that access will be through existing access points was made by Commissioner Page seconded by Commissioner McHone. Roll call vote: Commissioners, McHone, Page, Sullivan, Del Vecchio, Lateer and Chairman Mills voted Aye (6), Nays (0). Absent (1) Commissioner Borgardt.

7. NEW BUSINESS:

Administrator Brian Bourdeau informed the Commission that the BeSpoke Motor Union group Submitted an article to the Daily Herald which was published, regarding their planning of a Luxury Motor Condo development. Detailed information will be provided as soon as it becomes available.

8. OTHER BUSINESS – None.

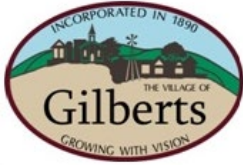
9. ADJOURNMENT

There being no further public business to discuss, *a Motion was made by Commissioner McHone and seconded by Commissioner Lateer to adjourn from the public meeting at 7:26 p.m.* Voice vote of Aye carried unanimously (6). Motion carried.

Respectfully submitted,

Lynda Lange

Lynda Lange, Village Clerk



Village of Gilberts

Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

To: Plan Commission
From: Riley Lynch, Management Analyst
Cc: Brian Bourdeau, Village Administrator
Date: May 8, 2024 Plan Commission Meeting
Re: Item 5 – Public Hearing and Recommendation to the Village Board Regarding a Special Use and Variance Requests Related to Outdoor Seating Areas for Pub72 (38 East Higgins Road).

Summary:

Pub 72 Inc. (*The Applicant*) is requesting:

1. An amendment to their 2014 special use permit to include an additional 805 sq ft of outdoor seating area.
2. A variance to encroach 10 feet into the 10-foot required side-yard setback.
3. A variance to encroach 10 feet into the required 15-foot front-yard setback.
4. A variance from the requirement to provide an additional 14 parking spaces due to the increase in the floor area of the outdoor seating areas.

The Plan Commission should review the background and analysis below to assist in determining if the Applicant meets all of the standards and findings of fact as outlined and required by the Village's Unified Development Ordinance (UDO).

Background:

The Applicant operates a restaurant and bar located at 38 E Higgins Road (PIN: 02-24-154-010). This property is zoned as C1 Commercial, with the OT Old Town district and residential uses to the north and west, I1 Industrial district to the south across Higgins Road, and more of the Commercial district and commercial uses to the east across Galligan Road.

On August 19, 2014, the Applicant received approval for a special use permit to operate a permanent outdoor seating area ancillary to their restaurant and bar (ORD 16-2014). This permit specifically pertained to a 32'x22' deck on the east side of the main building, facing the Galligan and Higgins Road intersection. The 2014 special use permit included variances from setback regulations and from additional parking requirements caused by the increased seating and customer capacity. Additionally, this special use permit applied the following conditions:

- No part of the proposed deck/outdoor seating area may encroach into the sight - distance triangle extending 25 feet along both lot lines starting at the southeast corner of the property. The petitioner must provide an engineering site plan demonstrating that the proposed deck/outdoor seating area complies with the provisions of UDO.
- The proposed deck shall match the material, color and appearance of the principal structure.
- Access to the proposed deck shall be strictly controlled through the existing principal structure, which shall be altered to provide access / egress for the deck in accordance with all applicable building and life safety codes

- The perimeter of the deck shall be enclosed by a wooden fence that is at least 50% open and does not exceed three (3) feet in height, unless otherwise required to comply with applicable building or life safety codes. The fence shall match the material, color and appearance of the deck itself and the principal structure
- Landscaping shall be installed and maintained around the perimeter of the deck. The landscaping shall comply with the Village Code requirements for permitted species of trees and shrubs. Landscaping shall not obstruct the sight-distance triangle or otherwise impair traffic visibility or safety.
- The deck shall be used for seated food and/or seated beverage service only; it shall not be used for private parties or special events not shall it function as an enclosed beer garden where liquor is principally served.
- Use of the outdoor seating area shall be limited to between 10 a.m. and 10 p.m. daily, subject to further restriction by any applicable Liquor Code requirements affecting the restaurant/bar's sale or consumption of alcohol.
- No outdoor music, amplified sounds, live performances or other noise- o vibration-generating activities shall be permitted within the outdoor seating area.
- Smoking in the outdoor seating area is prohibited
- Any lighting of the outdoor seating area shall comply with the requirements set forth by the UDO. Compliance with the UDO shall be demonstrated by the submittal and approval of a photometrics plan prior the issuance of any building permits for the lights.
- The subject property and business continues to comply with all other terms set forth in the UDO
- Bollards shall be placed at the perimeter of the deck to protect it from errant traffic.
- If liquor is to be served and/or consumed within the outdoor serving area, the petitioner shall apply for and satisfy all requirements of a liquor license allowing outdoor service or consumption, as set forth by the Liquor Code of the Village of Gilberts.
- All alcohol shall be dispensed from within the principal structure/establishment. No bar may be set up or operated within the outdoor seating area.
- Maximum occupancy of the outdoor seating area shall be based on the maximum seated capacity as determined by the Village's building and life safety codes. The maximum seated occupancy of the outdoor seating area shall be prominently displayed at its entrance.

On September 17, 2019, the Applicant received a special use permit for the purposes of installing an outdoor volleyball court (ORD 13-2019). This special use applied the following conditions on the property:

- No Authorization of Work. This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind may be commenced on the Property pursuant to the approvals granted in this Ordinance unless and until all conditions of this Ordinance precedent to that work have been fulfilled and after all permits, approvals, and other authorizations for the work have been properly applied for, paid for, and granted in accordance with applicable law, including, without limitation, issuance of required permits.
- Compliance with Laws. The UDO, the Building Code, and all other applicable Village ordinances and regulations shall continue to apply to the Property, and the development and use of the Property must comply with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.

- **Lighting Limitation.** All lighting on the volleyball court on the Property must be turned off no later than 10:00 p.m.
- **No Alcohol or Food Service.** The Owners may not serve alcohol, food, or beverages at or around the volleyball court on the Property.
- **No Speakers or Amplifiers.** No speakers or amplifiers may be installed or used at or around the volleyball court on the Property.
- **Signage Prohibition.** No temporary or permanent signs may be erected at or around the volleyball court on the Property.
- **Operational Limitation.** The volleyball court may not be used unless and until all the screening and netting required by this Ordinance has been installed to the satisfaction of the Village.
- **Compliance with Plans.** The construction and operation of the volleyball court on the Property will be in substantial compliance with the plans and drawings attached.

On April 18, 2023, the Applicant received approval for a variance from the requirement to provide an additional six parking spaces incidental to an expansion on the west side of the main building. This expansion included an exterior deck on the north and west faces of the expansion. However, this deck area was added to their permit plans after receiving the parking variance approval and does not have a special use permit for outdoor seating. Consequently, this existing deck space on the north face of the expansion cannot be used for outdoor seating.

Special Use and Variance Requests:

The Applicant seeks to establish two additional permanent outdoor seating areas ancillary to their business. The first area involves a 490 sq ft wrap-around wooden deck on the south and southwest faces of the most recent building expansion. This deck, expected to accommodate approximately 8 tables or 32 people, will be accessed from the main building via sliding doors and an overhead garage door. The proposed design calls for the deck to encroach into the required front and side-interior yard setbacks by approximately 9-10 feet each. For a detailed view, please refer to Exhibit 3, which shows the Applicant's site plan.

The second proposed area is a 315 sq ft fully fenced-in asphalt section on the north face of the newest expansion, designed to accommodate about 5 tables or 20 people. Access to this area will be provided by a deck and staircase on the north side of the main building. This area is also depicted in Exhibit 3 of the Applicant's site plan.

Per Chapter 4-3-2e of the Village's Unified Development Ordinance (UDO), "*permanent outdoor seating areas accessory to bars, restaurants, and taverns*" require a special use permit in the C1 Commercial Zoning District. A special use permit applies only to a defined area and does not allow for the expansion of or creation of a new outdoor seating area without amending an existing permit or obtaining a new one. Therefore, the Applicant needs to amend their existing special use permit to include these newly proposed seating areas.

Furthermore, Chapter 9-1-B-3 of the Village's UDO stipulates that restaurants, bars, and taverns must provide 18 parking spaces per 1,000 sq ft of net floor area, which also applies to outdoor seating areas. The proposed total additional area of 805 sq ft would thus require 14 more parking

spaces. The Applicant is requesting a variance to waive this requirement altogether. Granting this variance would result in a deficit of over 25 parking spaces, taking into account previous zoning approvals.

In total, the Applicant is requesting:

1. An amendment to their 2014 special use permit to include an additional 805 sq ft of outdoor seating area.
2. A variance to encroach 10 feet into the 10-foot required side-yard setback.
3. A variance to encroach 10 feet into the required 15-foot front-yard setback.
4. A variance from the requirement to provide an additional 14 parking spaces due to the increase in the floor area of the outdoor seating areas.

It is important to note that outdoor liquor consumption is regulated by the Class OS Liquor License, which adheres to a specific set of regulations. There is no variance process for these regulations, and violations can lead to the revocation of the holder's liquor licenses, among other penalties.

Analysis:

The Village's Unified Development Ordinance (UDO) stipulates specific standards that must be met to recommend or grant variances and special use permits. This section analyzes the Applicant's compliance with those standards.

Special Use Standards (UDO 11-11-E):

a) Compliance with District Regulations

- **Standard:** *No special use permit shall be recommended or granted pursuant to this section unless the owner shall establish that the proposed special use complies with all provisions of the applicable district regulations.*
- **Applicant's Response:** The Applicant has not directly addressed this standard.
- **Analysis:** Permanent outdoor seating areas accessory to a restaurant specifically require a special use permit within the C1 Commercial District. Therefore, it appears that the Applicant meets this standard.

b) Impact on Property Values and Public Welfare

- **Standard:** *No special use permit shall be recommended or granted pursuant to this section unless the owner shall establish that the proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large.*
- **Applicant's Response:** "The proposed area will not be detrimental to the area and will provide a further dining experience for our current patrons and new customers. There is no disturbance to the current structures, walkways or service areas, thus using open space to beautify the area even further."
- **Analysis:** Based on the Applicant's response, the outdoor seating areas do not appear to be unreasonably detrimental to surrounding property values. However, the southern deck seating area has the potential to block line-of-sight of drivers exiting the property onto Route 72, and of drivers approaching the intersection of Galligan and Route 72 from the North.

c) Neighborhood Dominance

- **Standard:** *No special use permit shall be recommended or granted pursuant to this section unless the owner shall establish that the location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to:*
 - (1) *The location, nature and height of buildings, structures, walls and fences on the site; and*
 - (2) *The nature and extent of proposed landscaping and screening on the proposed site.*
- **Applicant's Response:** "The proposed area will not be detrimental to the area and will provide a further dining experience for our current patrons and new customers. There is no disturbance to the current structures, walkways or service areas, thus using open space to beautify the area even further."
- **Analysis:** The Applicant's proposal does not appear to have the potential to dominate the area in which future development is deterred. However, the southern deck seating area has the potential to conflict with future development/expansion of Route 72.

d) Adequacy of Utilities, Drainage, and Infrastructure

- **Standard:** *No special use permit shall be recommended or granted pursuant to this section unless the owner shall establish that adequate utility, drainage and other such necessary facilities have been or will be provided.*
- **Applicant's Response:** The Applicant has not directly addressed this standard.
- **Analysis:** The proposed seating areas will be placed over a surface that is already paved, and does not appear to require additional drainage provisions or utilities.

e) Compliance with District Regulations

- **Standard:** *No special use permit shall be recommended or granted pursuant to this section unless the owner shall establish that the proposed special use, where such developments and uses are deemed consistent with good planning practice, can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the Village of Gilberts.*
- **Applicant's Response:** "The proposed area will not be detrimental to the area and will provide a further dining experience for our current patrons and new customers. There is no disturbance to the current structures, walkways or service areas, thus using open space to beautify the area even further."
- **Analysis:** The need for several variances raises concerns about its alignment with the district's regulatory framework and the Village's desired district appearance.

Additionally, the proposed seating areas have the potential to increase the draw and capacity of patrons to the Applicant's business without expanding parking space to accommodate that increase. Furthermore, the Applicant's proposed southern deck seating area would have the smallest safety buffer between a structure and Route 72 than any other property within the Village. Based on these concerns, it does not appear that the Applicant's special use request meets this standard.

Standards for Variations (11-10-F):

1. General Standard

- a) **Standard:** *No variation shall be recommended or granted pursuant to this section unless the owner shall establish that carrying out the strict letter of the provisions of this code would create a particular hardship or a practical difficulty.*
- b) **Applicant's Response:** "our guests are asking us for outdoor seating and even telling us that they are going to restaurants just for that reason - we tend to lose business in the summer months because of this". They also note that the new dining areas "will provide a further dining experience for our current patrons and new customers."
- c) **Analysis:** The Applicant already offers outdoor seating pursuant to their previous special use permit. Additionally, there are locations on the Applicant's properties where they can provide additional outdoor seating while being complaint with the Village's UDO. It would not appear that the Applicant meets this standard.

2. Supplemental Standards

- a) Impairment of Light and Air:
 - **Standard:** *In considering proposed variations to this code, the Board of Appeals will consider whether the proposed variation will: Impair an adequate supply of light and air to adjacent property.*
 - **Applicant's Response:** "The proposed area will not be detrimental to the area..."
 - **Analysis:** It does not appear that the Applicant's requests will impair an adequate supply of light or air to adjacent properties.
- b) Congestion of Streets:
 - **Standard:** *In considering proposed variations to this code, the Board of Appeals will consider whether the proposed variation will: Unreasonable increase the congestion in public streets.*
 - **Applicant's Response:** "The proposed area will not be detrimental to the area..."
 - **Analysis:** The Applicant's proposed seating area seems to increase the number of patrons they can serve without increasing parking spaces. This could put an additional burden on surrounding properties, public streets, and could cause patrons to need to cross streets to access the Applicant's business. Note that offsite parking spaces cannot be counted towards the required number of spaces for a property (UDO 9-1). Overall, it does not seem that the Applicant's requests meet this standard.

c) Fire & Life Safety:

- **Standard:** *In considering proposed variations to this code, the Board of Appeals will consider whether the proposed variation will: Increase the danger of fire or endanger the public safety.*
- **Applicant's Response:** "Hours will be limited to 10am-10pm; there is only one entrance to the area in full view of our staff and camera systems; there is no standing room; there is no outdoor bar/serving area; the area is open for all and can not be reserved for special events; and all of our servers are BASSET and Food Handler trained." The applicant has also indicated that they would be open to installing a gate that can only be opened from the inside of the seating area.
- **Analysis:** A gate that can only be opened on the inside of the seating area would satisfy fire safety requirements. However, neither seating areas propose any protection for errant traffic. Additionally, the southern seating area would be closer to Route 72 than any other structure within the Village. It also has the potential to block line of sight from people leaving the property, and from traffic approaching the Galligan and Route 72 intersection from Galligan Road. The northernmost seating area will reduce the space in which cars can navigate the Applicant's parking lot. It does not seem that the Applicant currently meets this standard.

d) Impair Surrounding Property Values:

- **Standard:** *In considering proposed variations to this code, the Board of Appeals will consider whether the proposed variation will: Unreasonably diminish or impair established property values within the surrounding area.*
- **Applicant's Response:** "The proposed area will not be detrimental to the area..."
- **Analysis:** The Applicant's proposal has the potential to increase the burden of parking on other properties around them. It also has the potential to increase the amount of noise coming from the property due to the increased amount of people sitting outside. However, they already have outdoor seating, so the sound impacts will not likely be much greater than the impacts the current outdoor area has. Overall, it does not seem that these requests would unreasonably impair surrounding property values, but the Applicant has not provided evidence to establish that. Therefore, it does not seem that the Applicant sufficiently satisfies this standard.

e) Impair Surrounding Property Values:

- **Standard:** *In considering proposed variations to this code, the Board of Appeals will consider whether the proposed variation will: In any other respects impair the public health, safety, or welfare of the inhabitants of the village.*
- **Applicant's Response:** "The proposed area will not be detrimental to the area..."

- **Analysis:** Neither seating areas propose any protection for errant traffic. Additionally, the southern seating area would be closer to Route 72 than any other structure within the Village. It also has the potential to block line of sight from people leaving the property, and from traffic approaching the Galligan and Route 72 intersection from Galligan Road. The northernmost seating area also seems to reduce the space in which cars can navigate the Applicant's parking lot. Overall, it does not seem that the Applicant meets this standard

3. Findings of Fact: *Upon review of the application and information presented at the public hearing, the Board of Appeals shall consider and adopt findings of fact sustaining each of the following criteria which are consistent with the rules provided to govern determinations of the Board of Appeals as referenced by state statute.*

a) Reasonable Return of the Property

- **Standard:** *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district.*
- **Applicant's Response:** "The proposed area will not be detrimental to the area and will provide a further dining experience for our current patrons and new customers. There is no disturbance to the current structures, walkways or service areas, thus using open space to beautify the area even further."
- **Analysis:** The Applicant currently operates a restaurant on the subject property and offers outdoor seating for that use. Due to this, and how the property seems to already yield a reasonable return, it does not appear that the Applicant meets this finding of fact.

b) Hardship Not Caused by the Applicant

- **Standard:** *The extraordinary or exceptional conditions of the property requiring the request for the variance were not caused by the applicant.*
- **Applicant's Response:** "Our guests are asking us for outdoor seating and even telling us that they are going to restaurants just for that reason - we tend to lose business in the summer months because of this."
- **Analysis:** The Applicant currently operates a restaurant on the subject property and offers outdoor seating for that use. Additionally, it seems that the Applicant's other improvements to the sites have limited their placement of the additional outdoor seating areas and parking. If it were not for their prior improvements, it appears that they could provide the additional outdoor seating areas and follow the UDO without needing variances. Currently however, it does not seem that the Applicant meets this finding of fact.

c) Alleviation of Hardship

- **Standard:** *The proposed variance will alleviate a peculiar, exceptional or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship.*

- **Applicant's Response:** "Our guests are asking us for outdoor seating and even telling us that they are going to restaurants just for that reason - we tend to lose business in the summer months because of this."
- **Analysis:** The Applicant currently offers outdoor seating accessory to their business. Offering more outdoor seating would increase the number of patrons they can serve, and potentially increase the profits they would receive. Additionally, if they were to remove other improvements to the site, there appear to be other places on the applicant's property where they could add outdoor seating areas and additional parking that all comply with the Village's UDO. Therefore, it would seem that the Applicant's request seeks to alleviate a pecuniary inconvenience rather than a peculiar, exceptional, or undue hardship.

d) Deprivation of Use

- **Standard:** *The denial of the proposed variance will deprive the applicant the use permitted to be made by the owners of property in the immediate area*
- **Applicant's Response:** The Applicant does not directly address this finding of fact.
- **Analysis:** The Applicant currently offers outdoor seating accessory to their business. Therefore, it does not seem that the Applicant satisfies this finding of fact.

e) Appropriateness of Structure

- **Standard:** *The proposed variance will result in a structure that is appropriate to and compatible with the character and scale of structures in the area in which the variance is being requested.*
- **Applicant's Response:** "The proposed area will not be detrimental to the area and will provide a further dining experience for our current patrons and new customers. There is no disturbance to the current structures, walkways or service areas, thus using open space to beautify the area even further. The landscaping will entail a few potted, seasonal flowers."
- **Analysis:** The character of the proposed structures seems to be compatible with other structures in the surrounding area. However, the location of those structures and their scale do not appear compatible or similar to structures in the surrounding area. It does not appear the Applicant satisfies this finding of fact.

f) No Alternative Means

- **Standard:** *There is no other means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.*
- **Applicant's Response:** The Applicant does not directly address this finding of fact.
- **Analysis:** There are other areas across the properties owned by the Applicant which appear to have enough room to provide additional outdoors seating

areas and parking without requiring a variance from the UDO. Therefore, it does not seem that the Applicant satisfies this finding of fact.

Conclusion:

Based on the material submitted by the Applicant and analysis of that material, it appears that the Applicant does not meet all of the standards and findings of fact required by the Village's UDO. However, the Plan Commission is now charged with determining if the Applicant meets all of the standards and findings of fact as outlined and required by the Village's Unified Development Ordinance (UDO).

If the Plan Commission has any questions as they deliberate the Applicant's requests, representatives of the Applicant and staff will be present to help answer them.

Attachments:

- Exhibit 1 - Daily Herald Certificate of Publication – 38 E Higgins Road Public Hearing
- Exhibit 2 - Pub 72 Application for a SUP and Related Variances
- Exhibit 3 - Pub 72 Site Plan Drawing
- Exhibit 4 - Pub 72 South Deck Plans
- Exhibit 5 - South Deck Specs
- Exhibit 6 - Plat of Survey

VILLAGE OF GILBERTS
PUBLIC NOTICE
REGARDING A HEARING
ON A SPECIAL USE AND
VARIANCE APPLICATION
PUBLIC NOTICE IS
HEREBY GIVEN that the
Gilberts Plan Commission
will conduct a public hear-
ing on Wednesday, May 8,
2024, at 7:00 p.m. at the Gil-
berts Village Hall, 87 Galli-
gon Road, Gilberts, Illinois,
to consider an application
from Pub 72 Inc. ("Appli-
cant") concerning the prop-
erty located at 38 East Hig-
gins Road, Gilberts, Illinois,
and identified by PINS 02-24-
154-010, 02-24-154-012, and 02-
24-154-004 ("Property"). The
Applicant requests the ap-
proval of (1) an amendment
to their existing Special Use
Permit to allow for addi-
tional outdoor seating ar-
eas; (2) variances from Sec-
tion 4-6 of the Gilberts
Unified Development Ordi-
nance (UDO) to allow for
the new outdoor seating
area to encroach into the
front yard and side yard set-
back requirements; and (3)
a variance from Section 9-1
of the UDO to reduce the re-
quired amount of off-street
parking spaces for the Prop-
erty.
All persons interested in the
variance application should
attend and will be given an
opportunity to provide writ-
ten and oral testimony.
Members of the public can
also submit written
comments via email at
info@villageofgilberts.com.
Additional information
about the variance applica-
tion and the public hearing
are available from the Vil-
lage of Gilberts at (847) 428-
2861. The public hearing
may be continued from time
to time without further pub-
lic notice.
Gilberts Plan Commission
Village of Gilberts
Published in Daily Herald
April 23, 2024 (4614886)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Fox Valley Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Fox Valley DAILY HERALD**. That said **Fox Valley DAILY HERALD** is a secular newspaper, published in Elgin, Kane County, State of Illinois, and has been in general circulation daily throughout Kane County, continuously for more than 50 weeks prior to the first Publication of the attached notice, and a newspaper as defined by 715 ILCS 5/5.

I further certify that the **Fox Valley DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 04/23/2024 in said **Fox Valley DAILY HERALD**. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

BY *Danula Baltz*
Designee of the Publisher of the Daily Herald

Control # 4614886





The Village of Gilberts

APPLICATION FOR DEVELOPMENT AND ZONING APPROVALS

Last Updated: November 2021

Application for Zoning and Development Approvals	2
For Reference	2
Definitions	2
Development Review Process	3
Zoning and Development Application Fees	4
Application for Development Approval	5
Exhibit 1: Site Plan Review	10
Exhibit 2: Special Use Permit	15
Exhibit 3: Variance Requests	17
Exhibit 4: Rezoning and Text Amendments	20
Exhibit 5: Zoning Appeals	22
Exhibit 6: Zoning Interpretations	23
Exhibit 7: Planned Unit Development	24
Exhibit 8: Temporary Uses	28
Supplemental Graphics	30

Application for Zoning and Development Approvals

This Application is used to request development approval from the Village when consideration by the Gilberts Plan Commission and Zoning Board of Appeals, or Village Board is required. This application packet is available on the Village's website at <https://www.villageofgilberts.com>. Additional questions concerning this packet and requirements should be directed to Village Hall by email at development@villageofgilberts.com, or by phone at (847) 428-2861.

For Reference

- The Village's official Zoning Map can be found on the Village's website [here](#).
- Unless stated otherwise, items referring to the Village Code of Ordinances or Village Code refer to the most current code for the Village, available online [here](#).
- UDO - Unified Development Ordinance. Throughout this packet, Unified Development Ordinance may be abbreviated to "UDO." The UDO is found in Title 10 as a portion of the Village Code, although available as an additional document so that it may remain easily accessible. The UDO outlines limitations, regulations, requirements and other aspects pertaining to development, and is available online [here](#).
- When referring to the Village Code or UDO, chapters, titles, and sections may be abbreviated. For example, Title 1 Chapter 2 Section 3 would be abbreviated 1-2-3.

Definitions

As defined in the Village of Gilberts UDO. A full list of definitions can be found in the Village of Gilberts UDO, 10-13-13. Any definitions found elsewhere will have included reference or example.

- Plan Commission: The Planning Commission of the Village of Gilberts, Illinois. This appointed board of residents consisting of six members and one chairperson holds office for one-year terms and provides recommendation to the Village Board of Trustees on matters of planning, zoning, and development. (10-11-3 UDO)
- Permitted Use: Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.
- Special Use Permit: In addition to uses classified and permitted in each zoning districts, there are additional uses that may be desirable to allow, however due to unique requirements and impacts, additional consideration is required through this permitting process. (10-11-11 UDO)
- Variance: A request to deviate from certain zoning requirements in the case that practical difficulties or particular hardships require relief. (10-11-10 UDO)
- Zoning District: A specifically delineated land area within the Village of Gilberts, Illinois, as specified on the Zoning Map—included attached to the end of this packet—within which regulations and requirements govern the use, placement, spacing, and size of land and buildings.

Development Review Process

1. Pre-Application

Review the Village's Code and Unified Development Ordinance as it relates to your request. The Code and UDO is available online [here](#). Depending on the request, you may wish to have a preliminary or concept meeting with staff. These meetings are entirely optional, but encouraged to gain a better understanding of the request.

2. The Application

Complete the general Application for Development Approval and the exhibits relevant to your request. Submittal of the Application should include all materials and applicable fees required by this Application and the Village Code. This includes the required fees, escrow and agreement to reimburse the Village for its costs pursuant to Section [2-5-3](#) of the Village Code. Applications can be submitted to Village Hall at 87 Galligan Road, or electronically. Electronic submission can be sent through email to development@villageofgilberts.com if the submission is less than 10 MB, through a flash drive, or through an online document transfer site with a link that DOES NOT expire. *Submittals will not be accepted or processed until all of the submittal requirements are met.*

3. Staff Review

Once a complete Application is submitted, the Village will forward it to the applicable Village departments and consultants for review and comment. The Village will send its review comments to the Primary Contact Person as identified in this application. Comments may necessitate revisions to plans prior to scheduling the project for a hearing or meeting with the Plan Commission, Zoning Board of Appeals, or Village Board

4. Notice Requirements and the Public Hearing

Depending on the type of approval sought, the applicant may have to notify the public before meeting with the Plan Commission. Public notice for a hearing must occur no more than 30 days and no less than 15 days in advance of the hearing date. Additionally, an applicant requesting relief that requires a public hearing must give notice of the hearing, no less than 10 days in advance of the hearing date, to owners of property within 250 feet of the subject property pursuant to [Section 10-11-5C](#) of the Village Code. Then a public hearing will be held concerning the request. This is where one can justify the request and where members of the public can speak to voice their support or concerns.

5. Plan Commission Meeting

When the public hearing is closed, the Plan Commission will discuss the request. After sufficient deliberation, the Plan Commission will give a recommendation to the Village board about what to do with the request.

6. Village Board Meeting

Following a public hearing and recommendation by the Plan Commission and/or the Zoning Board of Appeals, or as otherwise necessary, the project will be scheduled for Village Board consideration. Projects will not be included on a Village Board agenda until Village staff has determined that all plans are in technical compliance with all Village codes, rules, and policies. The Village Board will take final action on requests after sufficient deliberation.

Zoning and Development Application Fees

Below is a summary fee schedule of common fees required throughout the development process. Exact fees related to development may vary based on use or on zoning. For any questions on the fee schedule as related to zoning and development, please contact Village Hall at (847) 428-2861.

Zoning Fee Schedule - Village Code 2-4-13

<input type="checkbox"/> Site plan review (Variable Escrow)	\$5,000.00
<input type="checkbox"/> Appeals to zoning board	\$300.00
<input type="checkbox"/> Petitions to plan commission	\$50.00
<input type="checkbox"/> Zoning map amendments	\$100.00
<ul style="list-style-type: none"> ▪ Plus \$20.00 per acre. Number of Acres: _____ 	
<input type="checkbox"/> Planned unit developments	\$100.00
<ul style="list-style-type: none"> ▪ Plus \$20.00 per acre. Number of Acres: _____ 	
<input type="checkbox"/> Special use permits:	
<ul style="list-style-type: none"> <input type="checkbox"/> Home occupations 	\$25.00
<ul style="list-style-type: none"> <input type="checkbox"/> All others 	\$500.00
<input type="checkbox"/> Variations	\$500.00
<input type="checkbox"/> Continued, postponed and multiple meetings, per meeting	\$53.00

Petitioners seeking annexation agreements must contact the Village to determine applicable fees.

In addition to the filing fee set out in this section, each petitioner shall reimburse the village for the fees and costs incurred thereby for publication, consultant, legal, engineer, planning and architect fees incurred in relation to such petition or review.

The site plan review fee, specified above, shall be considered a deposit to establish an escrow toward the hourly fees incurred by the village in such review as otherwise stated above.

Application for Development Approval

Please complete this section before any other part of this packet.

Development name: Pub 72

Address of subject property: 32 E Higgins Gilberts IL 60136

Parcel identification number (P.I.N.): 02-24-154-010

I. Applicant: Tom Trier

Address: _____

City: _____ State: _____ Zip code: _____

Phone: _____ Email: _____

II. Property Owner(s): Tom Trier

Address: 420 Tenby Way

City: Algonquin State: IL Zip code: 60102

Phone: 773-742-7975 Email: evergreenpubandgrill@gmail.com

III. Primary contact: Contractor: Rick Csekme

Check one that best applies:

Owner Attorney Engineer Broker Other: GC

Phone: 312-656-6130 Email: FTCNPRO@gmail.com

IV. Other staff

Name: _____

Owner Attorney Engineer Broker Other: _____

Phone: _____ Email: _____

Name: _____

Check one that best applies:

Owner Attorney Engineer Broker Other: _____

Phone: _____ Email: _____

V. PROPOSED DEVELOPMENT

Check all that apply and provide written responses to corresponding exhibits on a separate sheet.
If unsure contact Village Hall at 847-428-2861 or development@villageofgilberts.com.

- Site Plan Review**
(Complete Exhibit 1)
- Special Use** (New or Amendment)
(Complete Exhibit 2)
- Variance Request**
(Complete Exhibit 3)
- Rezoning or Text Amendment**
(Complete Exhibit 4)
- Subdivision/Annexation**
(Please contact Staff)
- Zoning Appeal**
(Complete Exhibit 5)
- Zoning Interpretation**
(Complete Exhibit 6)
- Planned Unit Development**
(Complete Exhibit 7)
- Temporary Use**
(Complete Exhibit 8)
- Other** (Please Specify _____)

Acreage of property: 14 577 sq ft

Description of proposal/use (use the following page or a separate sheet if necessary):

Adding outdoor seasonal seating on new deck

VI. APPLICANT'S SIGNATURE

I, Richard Csekme [Applicant's Printed Name and Title], being duly sworn, declare that: i) I am duly authorized to make this Application for Development Approval on behalf of the Applicant; ii) I have read and understand this Application for Development Approval, and the Village of Gilberts UDO, available online [here](#).

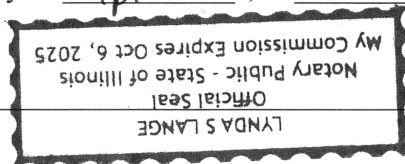
I have read, understand, and will comply by the provisions of the Village Code, found [here](#) online regarding reimbursement of the Village's costs; and iv) the above information, to the best of my knowledge, is true and accurate.

[Signature]
(Signature of Applicant or authorized agent)

4-4-24
(Date)

SUBSCRIBED AND SWORN TO before me this 4th day of April, 2024

[Signature]
(Notary Public and Seal)



VII. OWNER'S AUTHORIZATION LETTER

I/we hereby certify that I/we am/are the owner(s) of the above-described Subject Property. I/we am/are respectfully requesting processing and approval of the request(s) referenced in this Application. I/we hereby authorize the Applicant listed on this Application to act on my/our behalf during the processing and presentation of this request(s).

[Handwritten Signature]
(Signature of 1st Owner or authorized agent)

4-4-24
x (Date)

(Signature of 2nd Owner or authorized agent)

(Date)

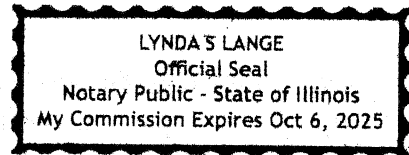
1st Owner's Printed Name and Title

2nd Owner Printed Name and Title

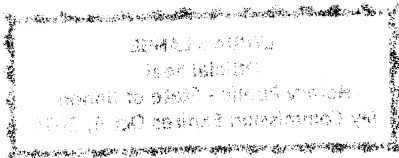
****Please include additional pages if the Subject Property has more than two owners****

SUBSCRIBED AND SWORN TO before me this 4th day of April, 2024

[Handwritten Signature]



(Notary Seal and Signature)



VIII. DISCLOSURE OF BENEFICIARIES

Name: Thomas Trier

Address: 420 Tenby Way Algonquin IL 60102

Nature of Benefit sought: Various special use

Nature of Applicant: (please check one)

- Natural Person
- Corporation
- Land Trust/Trustee
- Trust/Trustee
- Partnership
- Joint Venture

If applicant is not an entity described above, briefly state the nature of the applicant(s):

S Corp Thomas Trier.

In your answer above, if you checked box b, c, d, e or f. identify by name and address each person or entity which is a 5% shareholder in the case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of C3Se of a joint venture, or who otherwise has a proprietary interest, interest in profits and losses or right to control such entity:

	<u>Name</u>	<u>Address</u>	<u>Interest</u>
a)	<u>Thomas Trier</u>	<u>420 Tenby Way Algonquin IL 60102</u>	<u>Owner</u>
b)			
c)			
d)			

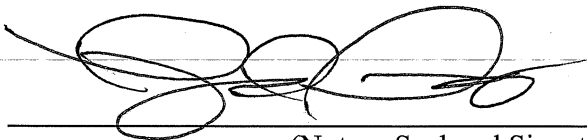
Name, address and capacity of person making this disclosure on behalf of the applicant:

Important Note: In the event your answers above identify entities other than a natural person, additional disclosures are required for each entity.

VERIFICATION

I, Lynda Lange being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this 4th day of April, 2024.



(Notary Seal and Signature)

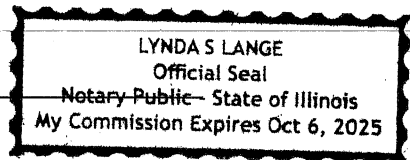


Exhibit 1: Site Plan Review

Providing a site plan for review is a requirement of all requests that involve changes to one or more parcels of land. Site plan review is where you can show the Village what your plans are for specific plots of land. The requirements may differ depending on the specific case and the scope of the project. For minor site plans, the zoning administrator may waive certain submittal requirements. If unsure about what you need to provide, contact the Village at 847-428-2861.

A. Checklist of Required Submittals

- A site plan of the proposed project and the land it takes place on. This could include the most up-to-date plat of survey of the subject parcel(s) of land. If this is not available or applicable, please provide a detailed drawing or depiction of the parcel(s) of land.

The site plan should include the following:

- Architect's and/or engineer's name and address. **OSCAR CHAVEZ**
 - A cardinal arrow that depicts the direction of North.
 - Date of site plan submittal with all dates of revision. **4/4/24**
 - The scale of drawing and the size of the site (in square feet or acres).
 - Type, size, and location of all existing and proposed structures and signs.
 - Height of all existing and proposed structures, in feet and stories.
 - Building and yard setbacks.
 - The location of all existing and proposed easements on the site, including natural resource protection and mitigation area easements, landscape easements, access easements, utility easements, and all other easements.
 - The location of pedestrian sidewalks and walkways.
 - Existing and proposed street names.
 - Existing and proposed public street rights of way or reservations.
 - Off-street parking spaces, loading, ingress and egress, and driveway locations of adjoining properties.
 - A graphic outline of any development staging or phasing which is planned. **Parking lot**
 - If applicable, provide copies of any letters of review or permits granted by applicable federal, state, or county regulatory agencies having jurisdiction over highway access.
 - If applicable, proposed and existing sanitary sewers, storm sewers, and water mains.
- A digital copy of the above-described site plan delivered with the rest of this application packet either by physical flash drive or email to development@villageofgilberts.com.
- A written project summary including operational information, building schedule, and estimate of project value and including all site improvement costs.
- Additional information as required by the Village, which might include the preparation and submittal of detailed traffic impact analysis studies performed by a transportation engineer or fiscal impact analyses studies.

Exhibit 2: Special Use Permit

A. Checklist of Required Submittals

- A. Site Plan in accordance with Exhibit 1 of this development packet.
- A narrative describing the proposed use.
- Additional information as required by the Village.

B. Responses to Standards

1. Special Use Standards (See 10-11-11-E of UDO)

Please provide a written narrative that responds to the following standards below. Use the next page or another sheet of paper for your responses.

- (a) The proposed special use complies with all provisions of the applicable district regulations.
- (b) The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large.
- (c) The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to:
 - (1) The location, nature and height of buildings, structures, walls and fences on the site.
 - (2) The nature and extent of proposed landscaping and screening on the proposed site.
- (d) Adequate utility, drainage and other such necessary facilities have been or will be provided
- (e) The proposed special use, where such developments and uses are deemed consistent with good planning practice, can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the Village of Gilberts.

2. Special Standards (see 10-11-11-E-2 of UDO)

When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the owner shall establish compliance with such special standards. These may not apply depending on which district the development takes place in.

Use this page or another sheet of paper for your responses to the Special Use Standards.

Please see page 19

Exhibit 3: Variance Requests

A. Checklist of Required Submittals

- A site plan in accordance with Exhibit 1 of this development packet.
- Additional information may be required by the Village.

B. Variance Request Details

Please provide a written narrative that responds to the following standards below. Use the next page or another sheet of paper for your responses.

1. Indicate the section(s) of the code from which a variance is requested.
We will be building pass the set back.
2. Statement regarding the request, giving distances and dimensions where appropriate.
like to add on to current decking to make wrap around.
Add 10' x 43'
Add 5' x 12'
3. Give a description of conditions and/or hardship which justify the need for a variance.
Out door seating in the summer to retain and invite customers.
4. Date(s) of any previous application for a variance and the result of them.
2-13-23 parking, Approved
5. Additional information as required by the Village.

C. Responses to Standards

Standards for Variations (See 10-11-10F of UDO)

Please provide a written narrative that responds to the following standards below. Use the next page or another sheet of paper for your responses.

1. *General Standard.* No variation shall be recommended or granted pursuant to this section unless the owner shall establish that carrying out the strict letter of the provisions of this code would create a particular hardship or a practical difficulty.
2. *Supplemental Standards.* In considering proposed variations to this code, the Board of Appeals will consider whether the proposed variation will:
 - a. Impair an adequate supply of light and air to adjacent property.
 - b. Unreasonable increase the congestion in public streets.
 - c. Increase the danger of fire or endanger the public safety.
 - d. Unreasonably diminish or impair established property values within the surrounding area.
 - e. In any other respects impair the public health, safety, or welfare of the inhabitants of the village.
3. *Findings of Fact.* Upon review of the application and information presented at the public hearing, the Board of Appeals shall consider and adopt findings of fact sustaining each of the following criteria which are consistent with the rules provided to govern determinations of the Board of Appeals as referenced by state statute.
 - a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district.
 - b. The extraordinary or exceptional conditions of the property requiring the request for the variance were not caused by the applicant.
 - c. The proposed variance will alleviate a peculiar, exceptional or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship.
 - d. The denial of the proposed variance will deprive the applicant the use permitted to be made by the owners of property in the immediate area.
 - e. The proposed variance will result in a structure that is appropriate to and compatible with the character and scale of structures in the area in which the variance is being requested.
 - f. There is no other means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

Use this page or another sheet of paper for your responses to the Standards for Variations.

We would like to add to the current deck to offer outdoor seating for our customers to retain them in the summer months from leaving to go to other restaurants out of town that offer outdoor seating.

Our guests are asking us for outdoor seating and even telling us that they are going to restaurants just for that reason.

We tend to lose business in the summer months because of this.

This expansion will not only retain current guests but will attract new guests.

Nobody in town offers outdoor dining.

Thank
you.

Pub 72, Inc
38 E Higgins Rd
Gilberts, IL
60136

Site Plan Project Review

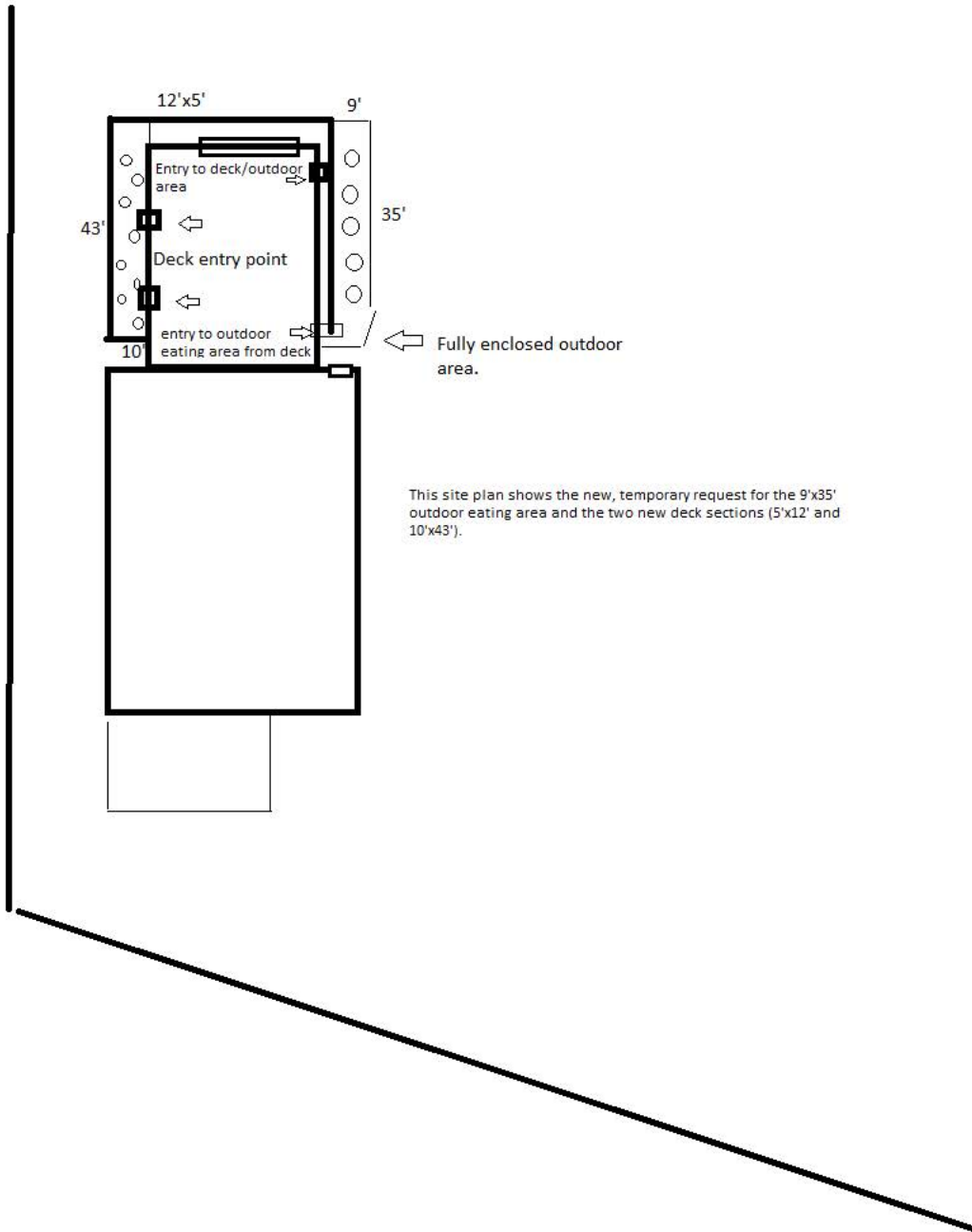
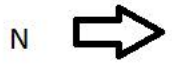
This project will have wooden fence sections no higher than 3' that will blend with the trim of our existing establishment. The fencing will have a cost of approximately \$300. The tables are in our current possession and will not add to the current cost. The cost, added with flowers, will be \$500. The installation process will take no more than 4-5 hours.

Special Use Permit Narrative

Pub 72 would like to use a small space (9'x35'), as indicated in the site plan, to have dining patio tables for the outdoor dining season. This area will comply with the Code of Ordinance Sections of the Liquor Code by: Hours will be limited to 10am-10pm; there is only one entrance to the area in full view of our staff and camera systems; there is no standing room; there is no outdoor bar/serving area; the area is open for all and can not be reserved for special events; and all of our servers are BASSET and Food Handler trained.

The proposed area will not be detrimental to the area and will provide a further dining experience for our current patrons and new customers. There is no disturbance to the current structures, walkways or service areas, thus using open space to beautify the area even further.

The landscaping will entail a few potted, seasonal flowers.



This site plan shows the new, temporary request for the 9'x35' outdoor eating area and the two new deck sections (5'x12' and 10'x43').

Date: 3/08/2024 - 8:44 AM

Design ID: 312151980227

Estimate ID: 30917

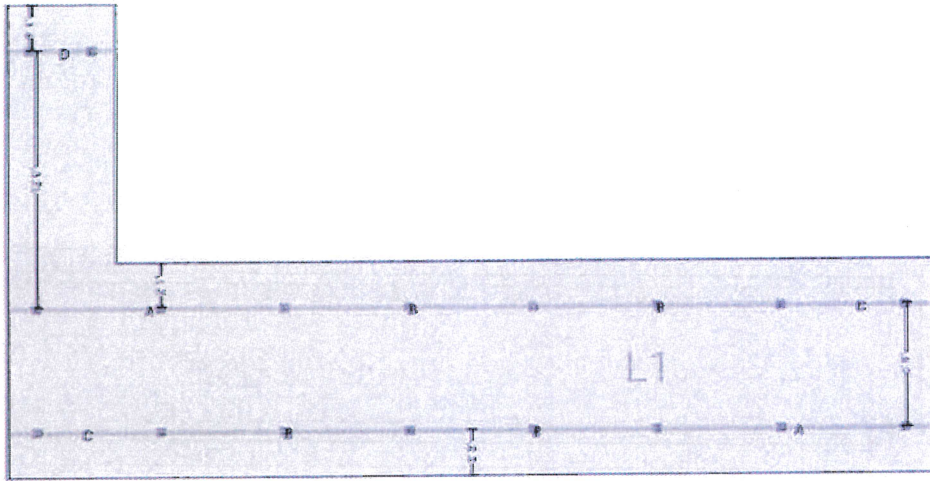
Estimated Price: \$6,874.28

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS

Design & Buy™ DECK

L1 - Beams



2 boards nailed together is 2 ply

L1 - Lumber: 2 ply - 2 x 10 AC2

Label	Length	Count
A	12' 10"	2
B	11' 6"	4
C	7' 1"	2
D	5' 0"	1

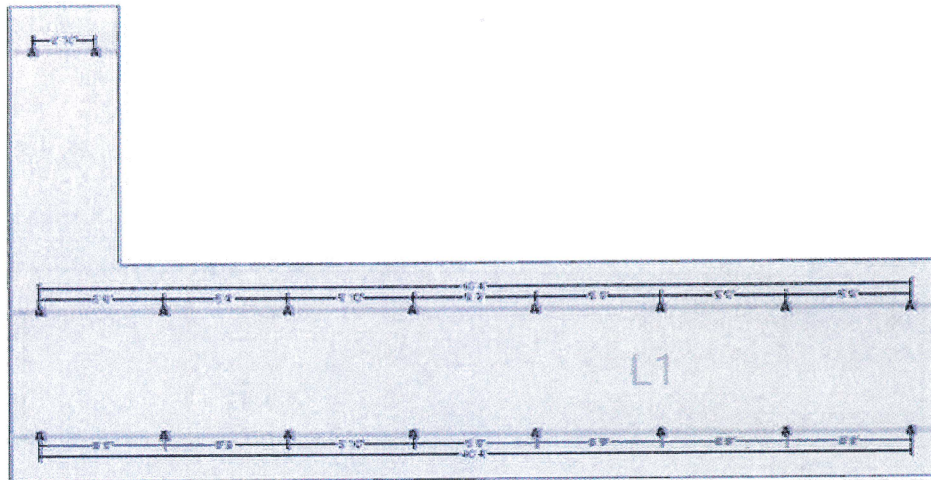
Date: 3/08/2024 - 8:44 AM
Design ID: 312151980227
Estimate ID: 30917
Estimated Price: \$6,874.28

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS

Design & Buy™ DECK

L1 - Posts and Footings



Dimensions displayed are from center of post to center of post.

L1 - Framing Posts

Label	Post Size	Count
A	6 x 6	18

Date: 3/08/2024 - 8:44 AM

Design ID: 312151980227

Estimate ID: 30917

Estimated Price: \$6,874.28

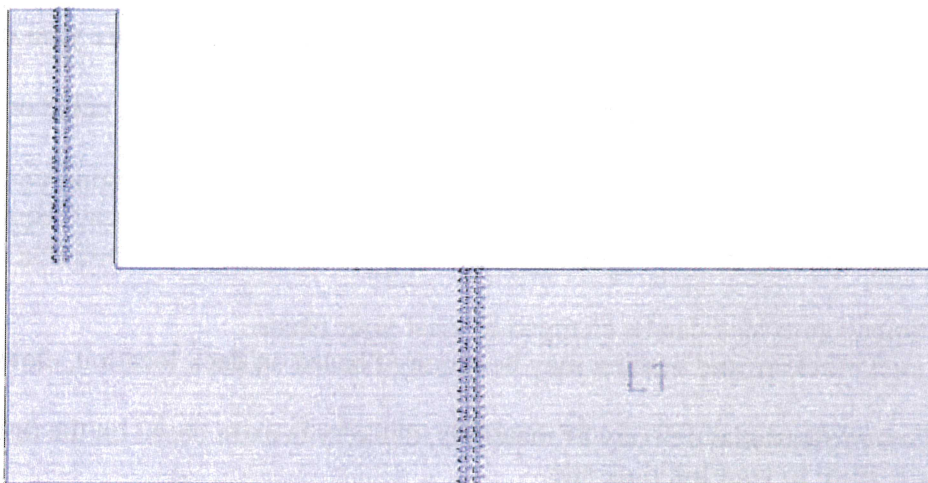
**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS

Design & Buy™

DECK

L1 - Deck Boards



Lengths displayed are provided as general guide. The deck board lengths and/or quantities may need to be adjusted based on framing or the deck board splice pattern you prefer. Please confirm deck board lengths estimated and quantities prior to the start of your project.

Deck Board

Length	Count	Length	Count
43' 0"	22	5' 0"	26

Date: 3/08/2024 - 8:44 AM

Design ID: 312151980227

Estimate ID: 30917

Estimated Price: \$6,874.28

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS

Design & Buy™

DECK

Menards Deck Building Checklist

Planning

1. Get a permit. Check restrictions, building codes or local zoning to make sure your design complies with all requirements.
2. Contact local utilities to ensure construction will not disturb any electrical, cable or plumbing.
3. If necessary, hire a professional to help with planning and construction.
4. Consider site conditions including soil type, grade, and runoff before finalizing your design.
5. For decks attached to a building the attachment is critical, the attachment may require additional hardware and/or framing material including additional material inside the building for proper attachment.
6. Material estimates provided can be changed to meet your needs.
7. Additional joist blocking and bracing may be required based on deck location, elevation, and deck board type.
8. Menards offers professional delivery of materials, delivery is extra based on the distance from your local Menards store to your building site.
9. Final deck design and material calculations should be performed by a registered professional engineer.

Construction

- Practice good safety habits, use PPE including eye protection & dust masks during construction
- The deck railing will provide both a finishing touch to your project and the required safety needed. Make sure to follow good building practice and all manufacturer's instructions.
- Use all the hardware and fasteners recommended.
- With treated material its recommended to seal and/or stain your deck as soon as the decking will absorb the sealant.

Enjoy!!!

Date: 3/08/2024 - 8:44 AM
Design ID: 312151980227
Estimate ID: 30917
Estimated Price: \$6,874.28

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

L1 - Railing Posts

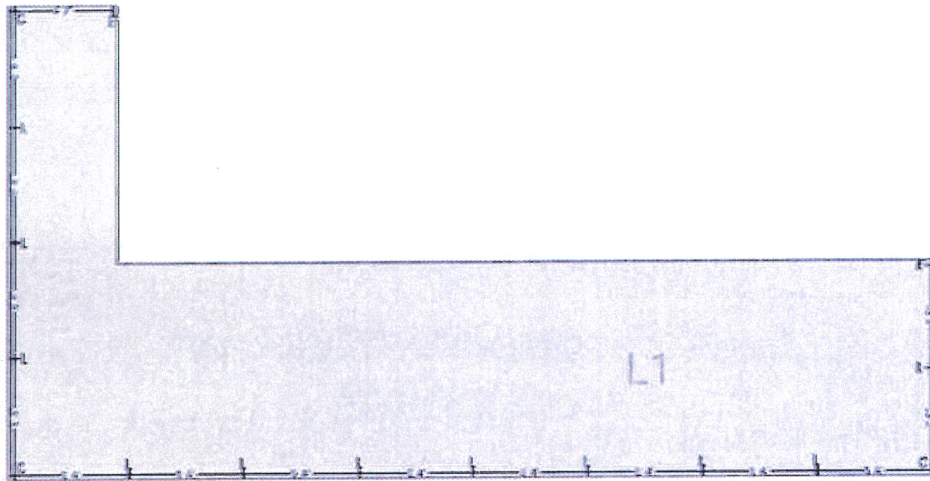


Illustration does not represent all available railing post placement options.
Railing post dimensions are on center.

L1

Label	Count
C - Corner Post	3
L - Line Post	11
E - End Post	2

Date: 3/08/2024 - 8:44 AM

Design ID: 312151980227

Estimate ID: 30917

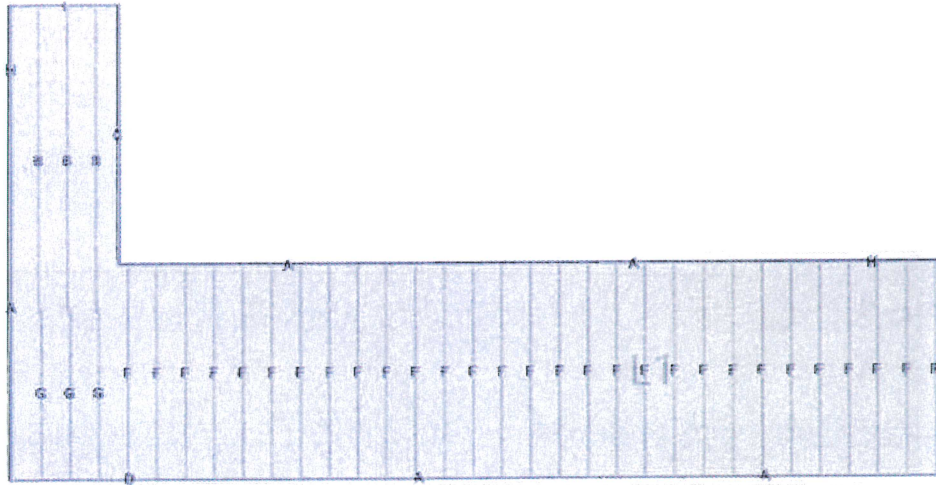
Estimated Price: \$6,874.28

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS

Design & Buy™ DECK

L1 - Joists



Lumber: 2 x 10 AC2

Joist Spacing: 16" on center

Label	Length	Count	Usage
A	16' 0"	5	Rim Joist
B	14' 2"	3	Internal Joist
C	12' 0"	1	Rim Joist
D	10' 9"	1	Rim Joist
E	10' 0"	1	Rim Joist
F	9' 9"	29	Internal Joist
G	7' 11"	3	Internal Joist
H	6' 0"	2	Rim Joist
I	4' 9"	1	Rim Joist

Date: 3/08/2024 - 8:44 AM
Design ID: 312151980227
Estimate ID: 30917
Estimated Price: \$6,874.28

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS

Design & Buy™ DECK

How to recall and purchase your design at home:

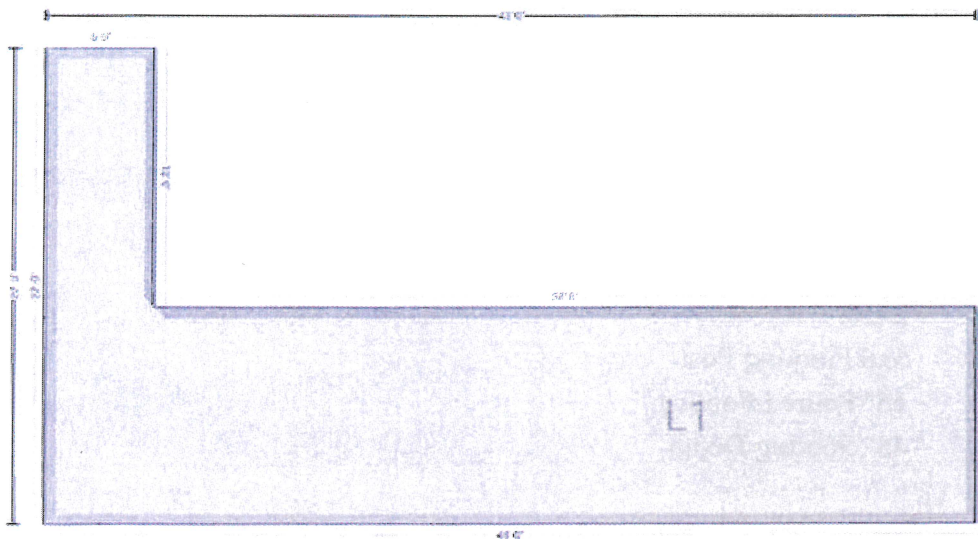


OR

1. On Menards.com, enter "Design & Buy" in the search bar
2. Select the Deck Designer
3. Recall your design by entering Design ID: 312151980227
4. Follow the on-screen purchasing instructions

How to purchase your design at the store:

1. Enter Design ID: 312151980227 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions



Deck Side Color Legend

	Open Side/No Railing		Railing
	Unattached Walls		Attached Walls

Illustration intended to show general deck size and shape. Some options may not be shown for picture clarity.

Estimated Price: \$6,874.28

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

Layout dimension sheets are intended as a construction aid. Not all options selected are shown.

Final design should be performed by a registered professional engineer to ensure all applicable building codes and regulations are met.

This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest. Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF THE WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS.

For other design systems search "Design & Buy" on Menards.com

Date: 3/08/2024 - 8:44 AM

Design ID: 312151980227

Estimate ID: 30917

Estimated Price: \$6,874.28

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS

Design & Buy™

DECK

Dimensions

Height off the ground: 3' 0"
Width: 43' 0"
Length: 22' 0"
Joist Spacing: 16" On Center
Load Rating: 40 lbs

Decking

Deck Board Material Type: AC2 Green Treated
Deck Board: 5/4x6 Thick Deck
Deck Board Fastener: 6-Lobe Drive Tan Premium Exterior Deck Screw

Framing

Framing Material Type: AC2 Green Treated
Joist: 2x10
Beam: 2x10
Framing Post: 6x6 Framing Post
Footing: 16" Poured Footing
Footing Depth: 48" Footing Depth

Railing

Railing Material Type: AC2 Railing
Railing Style: Traditional Railing
Spindle: 2x2x36 Square
Handrail: 2 x 4 Handrail
Railing Post: 4 x 4 x 54 AC2 Treated Chamfered Deck Post
Mounting Hardware: FastenMaster® ThruLOK®

Date: 3/08/2024 - 8:44 AM

Design ID: 312151980227

Estimate ID: 30917

Estimated Price: \$6,874.28

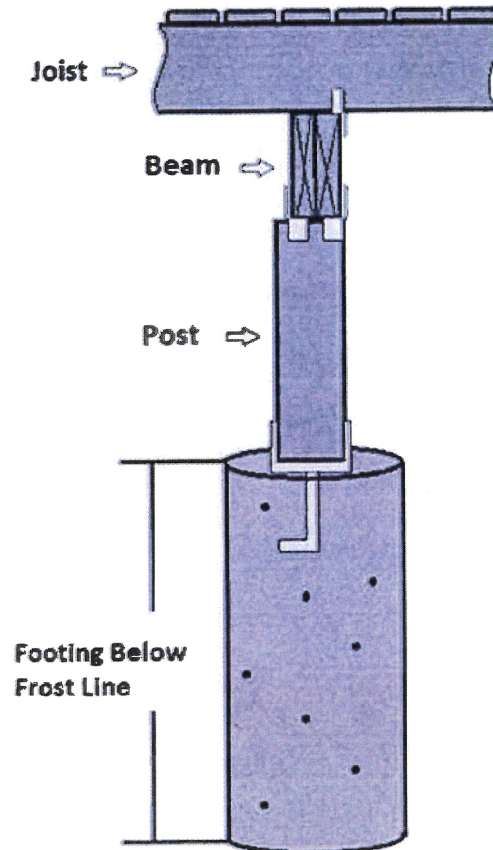
**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS

Design & Buy™

DECK

Typical Framing and Footing



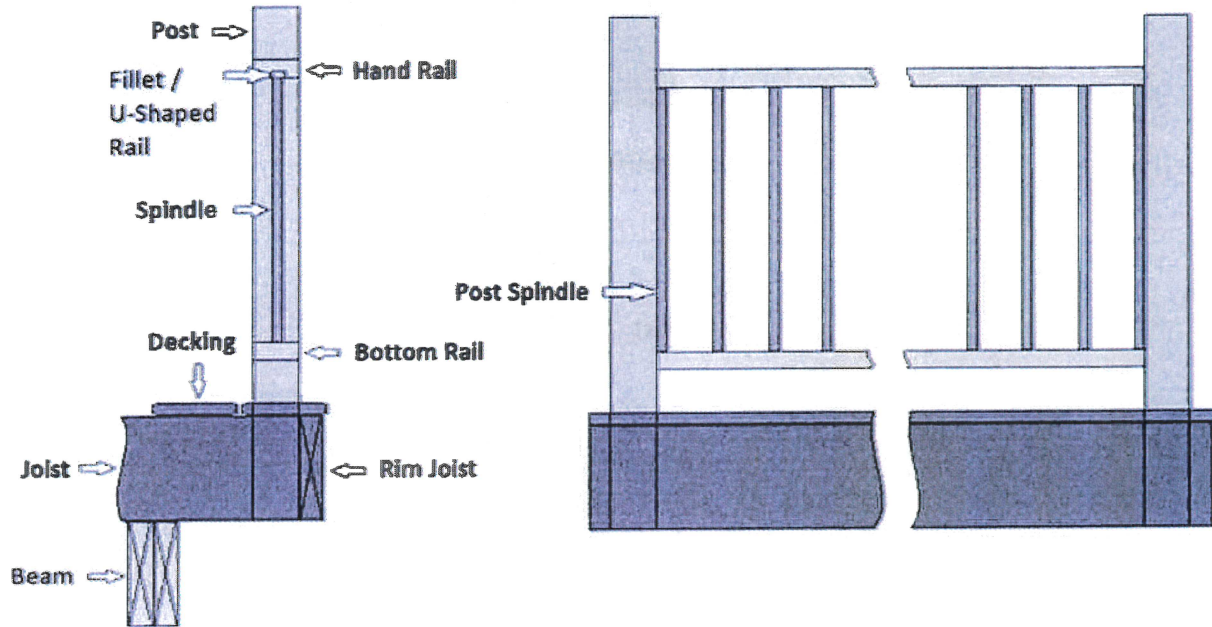
Date: 3/08/2024 - 8:44 AM
Design ID: 312151980227
Estimate ID: 30917
Estimated Price: \$6,874.28

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

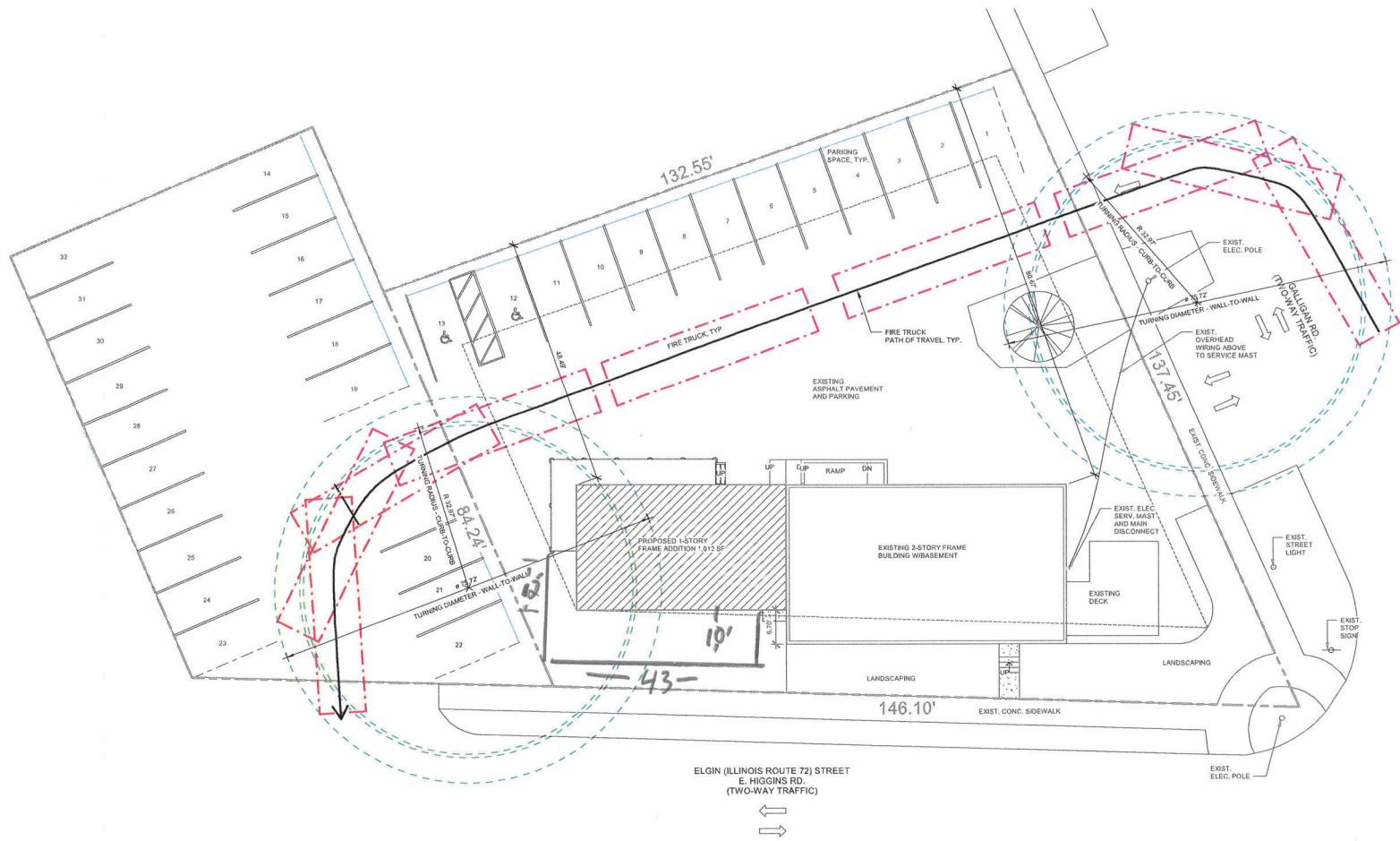
MENARDS

Design & Buy™ DECK

Traditional Railing



4/17/2023 7:31:04 PM



1 SITE PLAN - FIRE TRUCK PATH DIAGRAM
SCALE: 1" = 10'-0"

CITY APPROVAL STAMP:

PUB 72 FIRST FLOOR ADDITION
FIRST FLOOR ADDITION TO EXISTING PUB AND GRILL

THOMAS R. TRIER
32 E. HIGGINS RD.
GILBERTS, IL 60136

No.	Description	Date
A	ISSUED FOR PERMIT	04/03/23
1	PERMIT REV 1	04/17/23

DESIGN FIRM:
LUCID
ENGINEERING SERVICES GROUP, LLC
DESIGN FIRM NO.: 184-006684-0006
PROFESSIONAL ENGINEER
15 FRIEDLAND STREET, SUITE 100, ELGIN, IL 60120
(C) 635-963-2851 | E@lucidengr.com

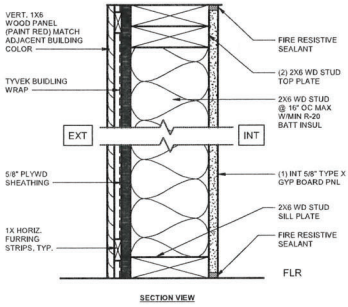
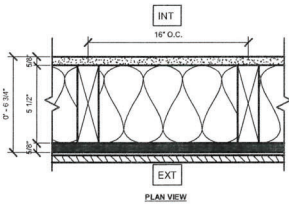
STAMP:

DATED: 04/17/23
LICENSE NO.: 081-008522
LICENSE EXPIRES: 11/30/24

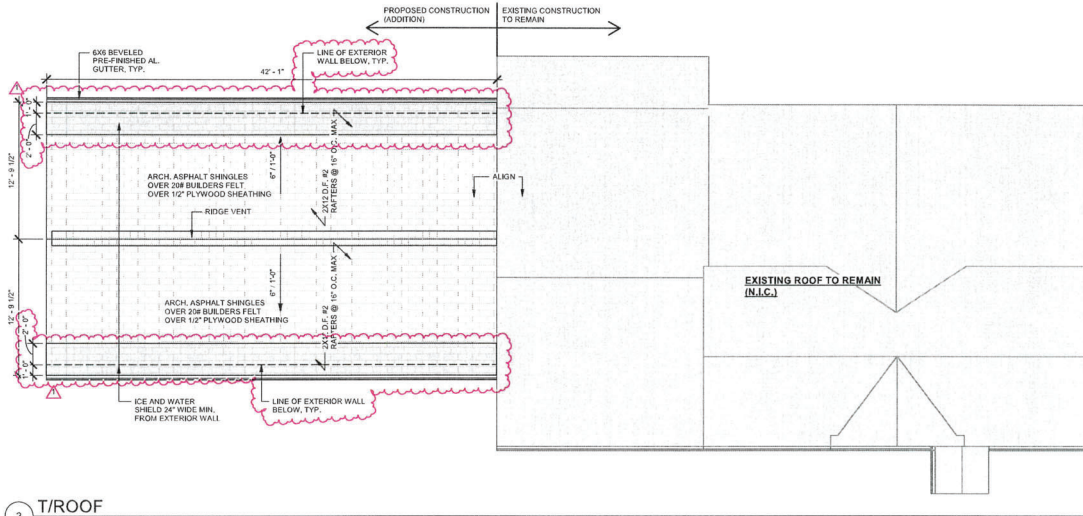
SHEET TITLE:
PROPOSED PARKING & FIRE TRUCK PATH DIAGRAM

SCALE: 1" = 10'-0"
DATE: 04/03/23

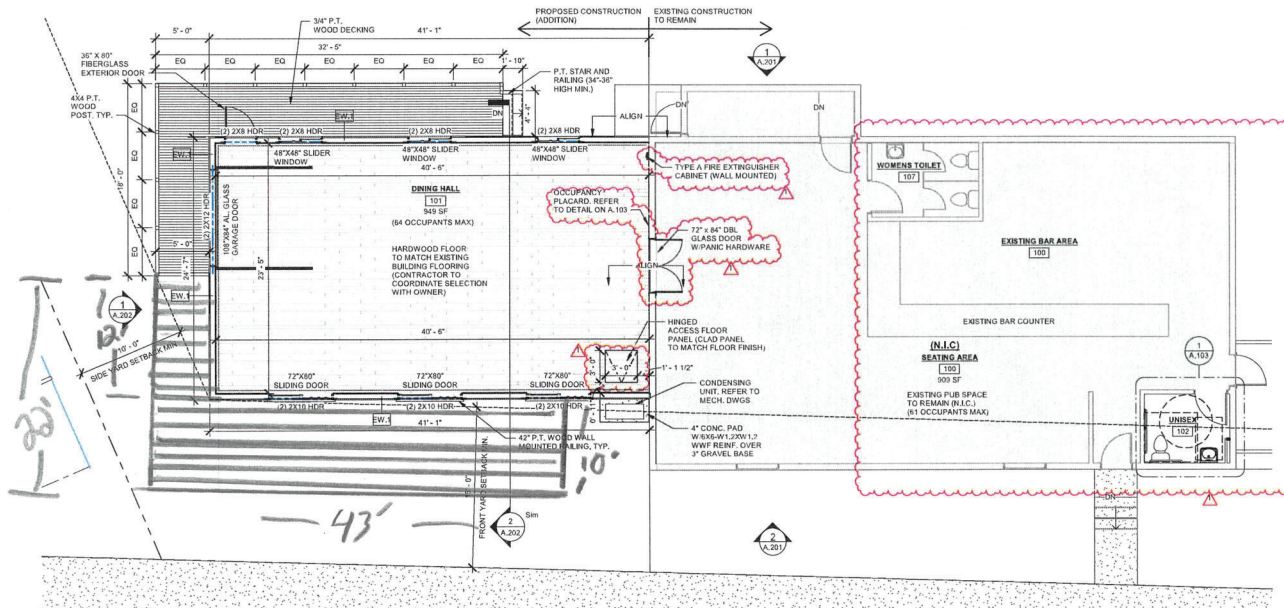
G.004



EW.1 EXT WOOD VERTICAL SIDING
SCALE: 3/4" = 1'-0"



2 T/ROOF
SCALE: 3/16" = 1'-0"



1 PROPOSED 1ST FLOOR PLAN
SCALE: 3/16" = 1'-0"

WALL LEGEND

	EXISTING WALL (TO REMAIN)
	DEMOLISHED WALL
	NEW WALL (REFER TO SHEET A108 FOR PARTITION TYPES).

- GENERAL NOTES:**
- CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS PRIOR TO EXECUTING ANY WORK. ANY DEVIATIONS FROM THOSE SHOWN ON THE DRAWINGS SHALL IMMEDIATELY NOTIFY THE OWNER AND ARCHITECT.
 - ALL EXTERIOR WALLS SHALL BE 2X8 WITH R-30 FIREGLASS INSULATION WITHIN THE CAVITY, U.N.O.
 - ALL WOOD SHALL BE DOUGLAS FIR LARCH #2 U.N.O.
 - CONTRACTOR SHALL COORDINATE WITH THE OWNER FOR ALL FINISHES PRIOR TO ORDERING.
 - ALL DOORS WITH THE EXCEPTION OF ALL GLASS CHD SHALL BE JELD-WEN OR AN APPROVED EQ. ALL SLIDING DOORS AND WINDOWS TO HAVE INSECT SCREEN U.N.O.
 - ROOF SHALL BE A CLASS A ROOF ASSEMBLY.
 - ALL INTERIOR FINISHES SHALL BE CLASS A.
 - EGRESS DOORS SHALL HAVE PANIC HARDWARE.

CITY APPROVAL STAMP:

PUB 72 FIRST FLOOR ADDITION
FIRST FLOOR ADDITION TO EXISTING PUB AND GRILL

THOMAS R. TRIER
32 E. HIGGINS RD
GILBERTS, IL 60136

No.	Description	Date
A	ISSUED FOR PERMIT	04/03/23
1	PERMIT REV 1	04/17/23

DESIGN FROM:

LUCID
ENGINEERING SERVICES GROUP, LLC
DESIGN FIRM NO. 184-006884-0006
PROFESSIONAL ENGINEER
65 FARMERS ROAD • SCHAUMBURG, ILLINOIS 60196
(630) 935-8185 | @lucidesigns@gmail.com

STAMP:

DATED: 04/17/23
LICENSE NO. 081-008522
LICENSE EXPIRES: 11/30/24

SHEET TITLE:
PROPOSED 1ST FLOOR AND ROOF PLANS

SCALE:	As Indicated
DATE:	04/03/23

A.102

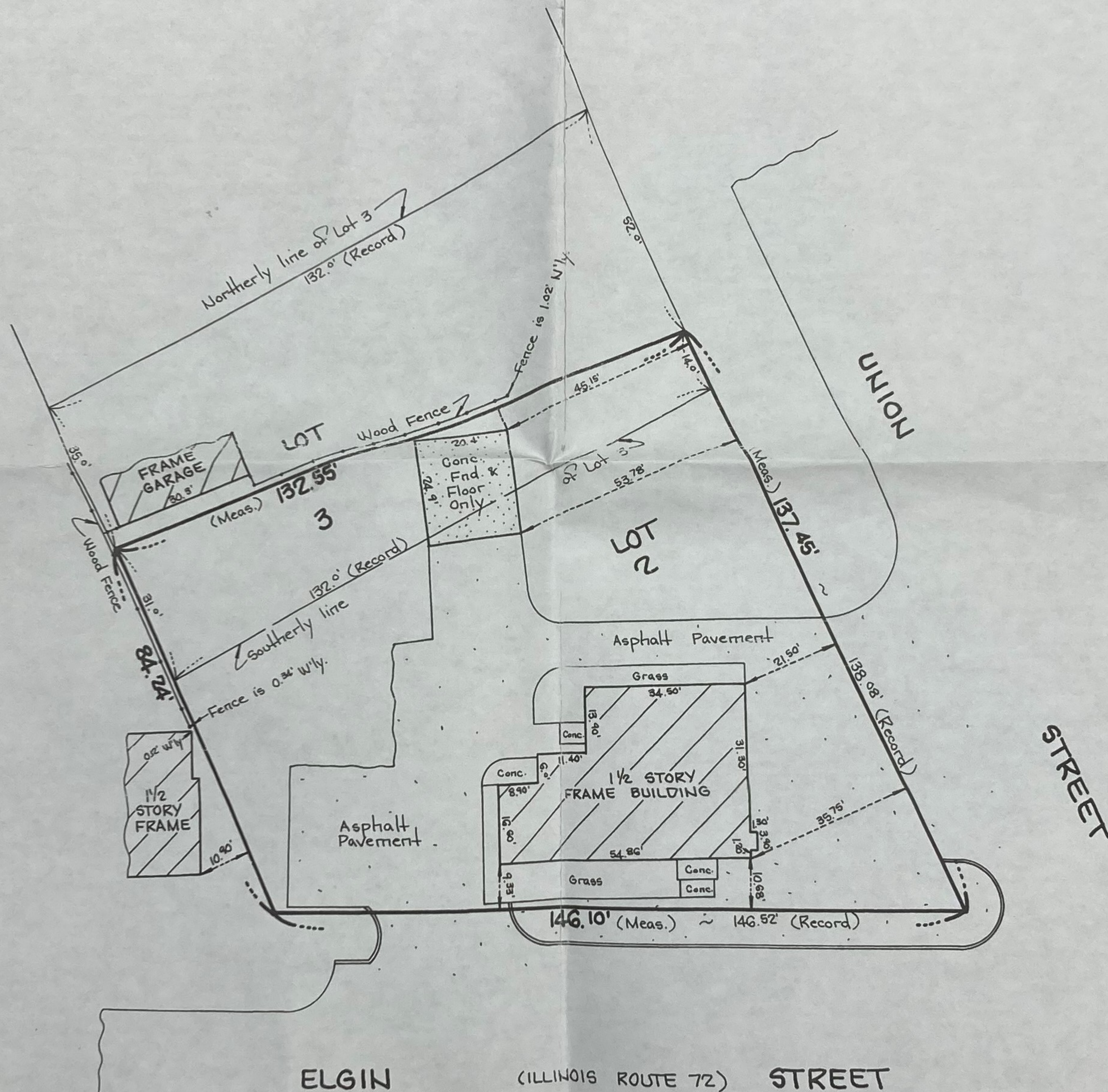


PLAT OF SURVEY

JOHN D. REBIK & Associates
Land and Construction Surveys
35 W 388 Miller Road
Dundee, Illinois 60118 (312) 428-3456



Lot 2 (except that part conveyed to People of the State of Illinois by Document 446977 recorded on January 3, 1950 in Book 1111, page 1) and that part of Lot 3 described as follows: Beginning at a point on the Easterly line of said Lot 3, 52.0 feet southerly of the Northeastly corner thereof; thence Westerly to a point in the Westerly line of said Lot, 35.0 feet southerly of the Northwestly corner thereof; thence southerly along said Westerly line, 31.0 feet to the Southwestly corner thereof; thence Easterly along the southerly line of said Lot, 132.0 feet to the Southeastly corner thereof; thence Northerly along the Easterly line of said Lot, 14.0 feet to the point of beginning, all in Block 2 of RUTLANDVILLE, in the Village of Gilberts, being in the West 1/2 of the North-west 1/4 of Section 24, Township 42 North, Range 7 East of the Third Principal Meridian, Kane County, Illinois.



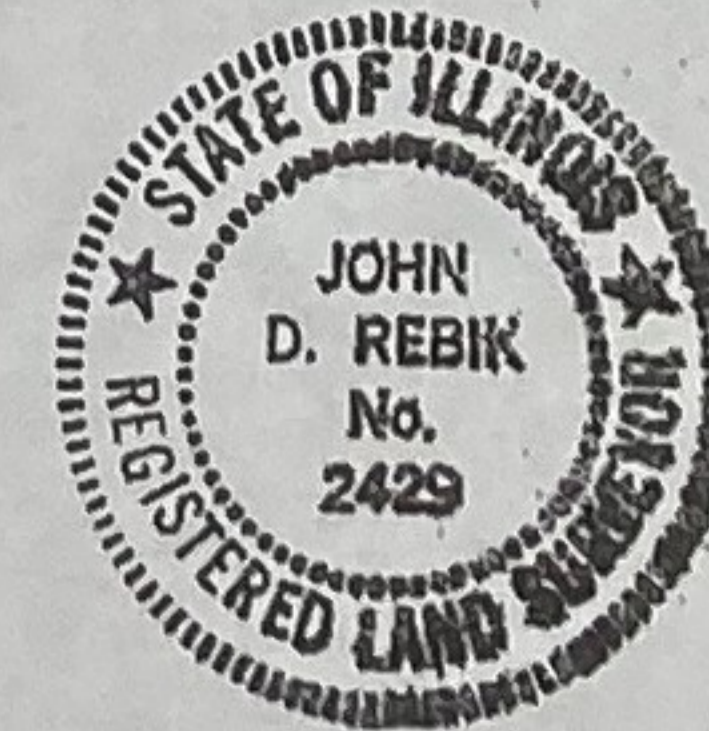
Scale: 1 inch equals 20 feet.
Distances are marked in feet and decimal parts thereof.

Ordered by: **ARIANO, ANDERSON, BAZOS**
Checked by: T.L.M. Surveyed by: J.D.R.

Building lines, if any, shown hereon are building lines shown on the recorded subdivision plat. Consult local authorities for building lines established by local ordinances.

Please check Legal Description with Deed; also compare all points before building and report ANY DISCREPANCY IMMEDIATELY.

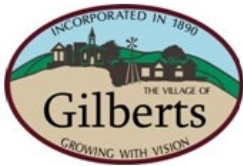
Order No. **88-2052**



STATE OF ILLINOIS } S.S.
COUNTY OF KANE }

JOHN D. REBIK & Associates, do hereby certify that a survey has been made under its direction by a Registered Illinois Land Surveyor, of the property described hereon and that the plat hereon drawn is a correct representation of said survey.
Dundee, Illinois, dated this 4th day of August, A.D. 1988

John D. Rebiik
John D. Rebiik
Illinois Registered Land Surveyor No. 2429



Village of Gilberts

Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

TO: President Zambetti & Board of Trustees
FROM: Mitchell Anderson, Management Analyst
CC: Brian Bourdeau, Village Administrator
DATE: May 21, 2024 Village Board Meeting
RE: Items 5.B and 5.C: Amending the Village Code Regarding Fees for the Use of Park and Recreation Facilities and Establishing Said Fees

BACKGROUND:

On 7 May, the Board approved Resolution 18-2024, which adopted the Village of Gilberts Comprehensive Parks Policy. Notably, fee amounts were absent from the policy. This was due to staff seeking to adopt a long-term fee resolution to house all Village fees.

ANALYSIS:

At the 16 April Board Meeting, staff provided a memo and draft comprehensive parks policy, which included the fees for all rentals. These were taken out of the final policy approved at the 7 May meeting, but the fees proposed here are the same fees taken from the 16 April draft policy.

For rental rates (regular field rentals, court rentals, and pavilions), staff researched nearby park districts and municipalities for rates and structures. After staff conducted calculations and analyses, we felt it appropriate to attempt to increase all fees to get them near the median of these areas. Each of the regular rental rates roughly meets that criteria.

For the tournament rate, staff took the lowest rate for regular rentals, and extrapolated it out to the most time that one may reasonably expect to use the field for a weekend. Then, in order to entice those needing fields for tournaments to specifically apply for a tournament reservation, we slightly lowered that extrapolated fee to a round number - \$500.

For block permits, staff felt it necessary to consider the need to collect fees from usage of the fields, while also not making it prohibitively expensive for local teams to use the fields. For administrative ease, we did not think it prudent to base this fee on any hourly rate, nor any category of user, but did feel it necessary to give a set range for which these permits may be granted. The range is roughly based around how many hours the common applicants for these block permits use the fields. As staff was unable to find any real basis for block permit fees (most towns allowed large-scale use of the fields only on an hourly-rate basis), staff simply doubled the tournament fee to \$1,000. Staff felt this fee would allow the Village to recoup reasonable fees, while also not being prohibitive to those organizations that normally use these fields.

The attached Ordinance establishes in the Village's code the ability to charge fees for the use of park and recreation facilities. The Resolution which follows the Ordinance, establishes the fees themselves. This fee resolution will start only with the parks fees that were given in the draft policy

at the 16 April meeting. From there, staff will begin gradually moving the fees currently found in the municipal code into the fee resolution.

Having an annual fee resolution allows for more efficient administration of fee modifications as the Board sees fit. Currently, anytime a fee modification is desired, an ordinance must be crafted, specifically altering the text of various portions of the code as needed per the individual circumstances. For a comprehensive fee resolution, multiple modifications can be made all together, if need be, and without any major amendments other than the fee itself.

CONCLUSION/RECOMMENDATION:

Staff recommends approving this ordinance to modernize the Village's Park fees compared to similar, nearby communities.

VILLAGE OF GILBERTS

ORDINANCE 12-2024

AN ORDINANCE AMENDING CHAPTER 4 OF TITLE 2
OF THE VILLAGE CODE REGARDING FEES FOR THE USE OF PARK AND
RECREATION FACILITIES

WHEREAS, the Village of Gilberts (“Village”) is an Illinois municipality organized and operating in accordance with the Illinois Constitution of 1970 and the Illinois Municipal Code (65 ILCS 5/1-1-1, *et seq.*) (“Code”); and

WHEREAS, the Village owns, operates, and maintains public parks and recreation areas within its corporate boundaries; and

WHEREAS, the Village is authorized to adopt regulations on the use of Village-owned property, including the public parks and recreation areas within the Village, and to establish, revise, and maintain fees and charges for the use of park and recreation facilities and services; and

WHEREAS, the Village Board finds and determines that it is necessary, and in the best interests of the health, safety, and welfare of the Village and its residents to amend the Village Code to incorporate fees for the use of certain park and recreation facilities and services, as provided in this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, as follows:

Section 1. **Recitals.** The foregoing recitals are incorporated as though fully set forth in this Section 1.

Section 2. **Amendment to Title 2, Chapter 4 of the Village Code.** Title 2, Chapter 4 of the Village of Gilberts Code of Ordinances, entitled “Fee Schedule,” is hereby amended by adding a new Section 2-4-36, entitled “Parks and recreation fees” as follows (additions in **bold and underline**; deletions in **~~bold and strikethrough~~**):

“2-4-36. – Parks and recreation fees.

Fees for the usage of the Village’s public parks, recreation areas, and associated facilities and services shall be set by the village board of trustees from time to time by resolution.”

Section 3. **Repealer.** All ordinances, resolutions, or parts of ordinances or resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 4. **Saving Clause.** If any section, paragraph, clause, or provision of this Ordinance shall be held invalid or unenforceable by a court of competent jurisdiction, the invalidity or

unenforceability thereof shall not affect the validity of the remaining provisions of this Ordinance, and the application thereof, which are hereby declared to be severable to the greatest extent permitted by law.

Section 5. Effective Date. This Ordinance shall be in full force and effect upon its passage, and publication required by law.

PASSED BY A VOTE OF THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this 21st day of May, 2024.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	_____	_____	_____	_____
Trustee Robert Chapman	_____	_____	_____	_____
Trustee Robert Vanni	_____	_____	_____	_____
Trustee Brandon Coats	_____	_____	_____	_____
Trustee Justin Redfield	_____	_____	_____	_____
Trustee Frank Marino	_____	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____

APPROVED THIS 21ST DAY OF MAY, 2024.

Guy Zambetti, Village President

(SEAL)

ATTEST: _____
Lynda Lange, Village Clerk

VILLAGE OF GILBERTS

RESOLUTION 21-2024

A RESOLUTION ESTABLISHING FEES FOR THE USAGE OF PUBLIC PARKS, RECREATION AREAS, AND ASSOCIATED FACILITIES AND SERVICES

WHEREAS, the Village of Gilberts (“Village”) is an Illinois municipality organized and operating in accordance with the Illinois Constitution of 1970 and the Illinois Municipal Code (65 ILCS 5/1-1-1, *et seq.*) (“Code”); and

WHEREAS, the Village owns, operates, and maintains public parks and recreation areas within its corporate boundaries; and

WHEREAS, the Village is authorized to adopt regulations on the use of Village-owned property, including the public parks and recreation areas within the Village, and to establish, revise, and maintain fees and charges for the use of park and recreation facilities and services; and

WHEREAS, on May 21, 2024, the Village Board approved Ordinance No. _____, creating a new Section 2-4-36 of the Village of Gilberts Code of Ordinances, providing that the fees for the usage of public parks, recreation areas, and associated facilities and services shall be as set by the Village Board from time to time by resolution; and

WHEREAS, the Village Board finds and determines that it is necessary, and in the best interests of the health, safety, and welfare of the Village and its residents to impose fees for the usage of public parks, recreation areas, and associated facilities and services as provided in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILALGE OF GILBERTS, IN KANE COUNTY, ILLINOIS, as follows:

Section 1. **Recitals and Exhibits.** The foregoing recitals are incorporated herein as the findings of the Village Board, and, together with this Resolution’s exhibit, are hereby incorporated into and made a part of this resolution.

Section 2. **Fees.** The fees for the usage of the Village’s public parks, recreation areas, and associated facilities and services is hereby established as set forth in Exhibit A, attached and incorporated into this Resolution.

Section 3. **Repeal.** All ordinances, resolutions, or parts thereof in conflict with this Resolution are repealed to the extent of any such conflict.

Section 4. **Severability.** Any section or provision of this Resolution that is found to be void or invalid shall not affect the remaining sections or provisions of this Resolution, which are hereby deemed severable and shall remain in full force and effect.

Section 5. Effective Date. This Resolution shall be in full force and effect from and after its approval in the manner provided for by law.

PASSED BY THE BOARD OF TRUSTEES this 21st day of May, 2024, as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	_____	_____	_____	_____
Trustee Robert Chapman	_____	_____	_____	_____
Trustee Robert Vanni	_____	_____	_____	_____
Trustee Brandon Coats	_____	_____	_____	_____
Trustee Justin Redfield	_____	_____	_____	_____
Trustee Frank Marino	_____	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____

APPROVED THIS 21ST DAY OF MAY, 2024.

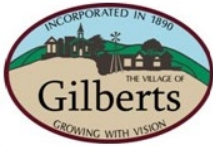
Guy Zambetti, Village President

(SEAL)
ATTEST: _____
Village Clerk

EXHIBIT A

Fee Schedule

VILLAGE CODE SECTION	DESCRIPTION	FEE
Parks and Recreation Fees Village Code Section 2-4-36		
	ATHLETIC FIELDS	
	Regular Rentals	
	Non-Competitive Organization	\$30/hour
	Resident	\$40/hour
	Non-Resident	\$50/hour
	Other Organization	\$60/hour
	Tournaments	
	Reservation Fee	\$500/weekend
	Deposit	\$100
	Block Permits	
	All Organizations	\$1,000
	ATHLETIC COURTS	
	Residents	\$20/hour
	Non-Residents	\$25/hour
	PAVILIONS	
	Charitable 501(c)(3) Organizations	\$75/half day; \$150/full day
	Residents	\$100/half day; \$200/full day
	Non-Residents	\$125/half day; \$250/full day



Village of Gilberts

Village Hall: 87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

TO: Village President and Board of Trustees
FROM: Brian Bourdeau, Village Administrator
Taunya Fischer, Finance Director
DATE: May 21, 2024 Village Board Meeting
RE: Item 5.D: Budget Amendment to the Fiscal Year 12-31-2024 Budget.

BACKGROUND:

The purpose of this amendment is to account for the building purchase of 185 Industrial Drive, property tax increase for TIF 2 and to amend the salary line items to coincide with the board's approval of the salary range updates.

FY 12-31-2024 Budget Amendment #1				
Description	Account #	Old Amount	New Amount	Reason
Planned Use of Fund Reserves	01-00-3211	-	3,275,000.00	Purchase Building
Capital Equipment	01-03-5480	12,000.00	3,287,000.00	Purchase Building
Property Tax	35-00-3010	943,000.00	1,275,230.00	Kane Co valuation higher
TIF Note Principal	35-00-5081	645,000.00	844,803.00	Kane Co valuation higher
Wages	01-01-5030	474,542.00	516,542.00	Equity Adjustments
Wages	20-10-5030	195,184.00	209,184.00	Equity Adjustments

As this is the only Planned Use of Fund Reserves, this line began the year with -0- in it. It will now have \$3,275,000. The Capital Equipment line originally had \$12,000. With the building purchase of \$3,275,000 this line will be increased to the total of \$3,287,000.

According to Kane County, the EAV of TIF 2, Higgins Road, has increased substantially and as such, two of the accounts within that fund need to be amended. Property Tax 35-00-3010 will be increased from \$943,000 to \$1,275,230 and TIF Note Principal 35-00-5081 will be increased from \$645,000 to \$844,803.

As discussed at the May 7th meeting, about \$56,000 would need to be added to the wage line items in the current budget to coincide with the salary structure changes. The wage line items affected are: General Fund wages 01-01-5030 will be increased by \$42,000 and Water Fund wages 20-10-5030 will be increased by \$14,000. Once approved, these funds will be spread amongst the affected departments within each fund and placed in the proper line item, which will be done by staff.

VILLAGE OF GILBERTS

ORDINANCE 13-2024

AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024

WHEREAS, the Village of Gilberts, an Illinois municipal corporation (the “Village”), situated in Kane County, Illinois, as contemplated under ILCS section 65 of the Illinois State Statues, and the passage of this Ordinance constitutes and exercise of the Village powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, the Village of Gilberts acting by and through its President and Board of Trustees has previously approved the Budget Ordinance for the Fiscal Year Ending December 31, 2024 as a part of Ordinance 28-2023; and

WHEREAS, it is necessary and appropriate to delete, add to, or otherwise change certain line items in said Budget Ordinance as provided in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Gilberts, Kane County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals are incorporated as though fully set forth in this Section 1.

Section 2. Amendments to the Budget Ordinance. The Fiscal Year Ending December 31, 2024 Budget is amended as follows:

Description	Account #		New Budget
Planned Use of Fund Reserves	01-00-3211	is amended to	3,275,000.00
Capital Equipment	01-03-5480	is amended to	3,287,000.00
Property Tax	35-00-3010	is amended to	1,275,230.00
TIF Note Principal	35-00-5081	is amended to	844,803.00
Wages - General	01-01-5030	is amended to	516,542.00
Wages - Water	20-10-5030	is amended to	209,184.00

Section 3. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity of unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section 4. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section 5. Publication. This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

PASSED BY ROLL CALL VOTE OF THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this 21st day of May, 2024.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	_____	_____	_____	_____
Trustee Robert Chapman	_____	_____	_____	_____
Trustee Brandon Coats	_____	_____	_____	_____
Trustee Frank Marino	_____	_____	_____	_____
Trustee Justin Redfield	_____	_____	_____	_____
Trustee Robert Vanni	_____	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____

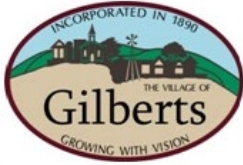
APPROVED THIS 21st DAY OF MAY, 2024

(SEAL)

Village President Guy Zambetti

ATTEST: _____
Lynda Lange, Village Clerk

Published: _____



Village of Gilberts

Village Hall

87 Galligan Road, Gilberts, Illinois 60136

Ph. 847-428-2861 Fax: 847-428-2955

www.villageofgilberts.com

TO: President Zambetti & Board of Trustees

FROM: Brian Bourdeau, Village Administrator
Todd Block, Chief of Police

DATE: May 21, 2024 Village Board Meeting

RE: Items 5.E: Establishment of the Position of Deputy Chief of Police

BACKGROUND/ANALYSIS:

To meet the current supervisory and administrative needs of the Police Department, staff is making the recommendation to establish the position of Deputy Chief of Police. As discussed with the Board at the May 7, 2024 Village Board meeting, this will allow the Police Chief to have one supervisor on each night shift rotation as well as a supervisor available during the day for day shift rotations.

RECOMMENDATION:

Attached is the Ordinance to establish the position, which would be an appointment by the Chief of Police. Staff recommends approval of the attached Ordinance.

VILLAGE OF GILBERTS

ORDINANCE 14-2024

**AN ORDINANCE AMENDING CHAPTER 8 OF TITLE 1
OF THE VILLAGE CODE TO ESTABLISH THE APPOINTED POSITION OF
DEPUTY CHIEF OF POLICE**

WHEREAS, the Village of Gilberts (“Village”) is an Illinois municipality organized and operating in accordance with the Illinois Constitution of 1970 and the Illinois Municipal Code (65 ILCS 5/1-1-1, *et seq.*) (“Code”); and

WHEREAS, Section 5(B) of Chapter 8, entitled “Board of Police Commissioners,” of Title 1, entitled “Administration,” of the Village of Gilberts Code of Ordinances requires the Board of Police Commissioners to appoint all officers of the police department except the chief of police; and

WHEREAS, Section 10-2.1-4 of the Illinois Municipal Code allows the Village Board of Trustees to establish the position of deputy chief of police, to be appointed by the chief of police, as an exempt rank immediately below that of the chief; and

WHEREAS, on June 18, 2019, the Village Board approved Ordinance 06-2019, establishing the position of deputy chief of police; and

WHEREAS, on June 15, 2021, the Village Board approved Ordinance 11-2021, eliminating the position of deputy chief of police, after determining there was no longer a need for the position; and

WHEREAS, the Village Board now finds and determines that it is necessary, and in the best interests of the health, safety, and welfare of the Village and its residents that the position of deputy chief of police be re-established to provide support and assistance to the chief of police, thereby improving the efficient and effective operation and administration of the Village’s police department.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, as follows:

Section 1. **Recitals.** The foregoing recitals are incorporated as though fully set forth in this Section 1.

Section 2. **Amendment to Section 1-8-5 of the Village Code.** Paragraph B, entitled “Appoint Personnel,” of Section 1-8-5, entitled “Powers and duties,” of Chapter 8, entitled “Board of Police Commissioners,” of Title 1, entitled “Administration,” is hereby amended as follows (additions in **bold and underline**; deletions in **~~bold and strikethrough~~**):

“1-8-5. – Powers and duties

A. *Generally.* The board of police commissioners shall have such powers and duties as may be prescribed by division 2.1 of article 10 of the Illinois Municipal Code, including the authority to adopt rules and regulations to govern appointments and removals in accordance with division 2.1.

B. *Appoint Personnel.* The board of police commissioner shall appoint all officers of the police department, except (i) the chief of police, who shall be appointed by the village president, with the consent of the village board, **and (ii) the deputy chief of police, who shall be appointed by the chief of police.**”

Section 3. Repealer. All ordinances, resolutions, or parts of ordinances or resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 4. Saving Clause. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability thereof shall not affect the validity of the remaining provisions of this Ordinance, and the application thereof, which are hereby declared to be severable to the greatest extent permitted by law.

Section 5. Effective Date. This Ordinance shall be in full force and effect upon its passage, and publication required by law.

PASSED BY A VOTE OF THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this 21st day of May, 2024.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	_____	_____	_____	_____
Trustee Robert Chapman	_____	_____	_____	_____
Trustee Robert Vanni	_____	_____	_____	_____
Trustee Brandon Coats	_____	_____	_____	_____
Trustee Justin Redfield	_____	_____	_____	_____
Trustee Frank Marino	_____	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____

APPROVED THIS 21ST DAY OF MAY, 2024.

Guy Zambetti, Village President

(SEAL)

ATTEST:

Lynda Lange, Village Clerk