



**MINUTES FOR VILLAGE OF GILBERTS  
BOARD OF TRUSTEES MEETING  
Village Hall: 87 Galligan Road, Gilberts, IL 60136  
Meeting Minutes  
Tuesday, December 15, 2020**

**1. CALL TO ORDER / PLEDGE OF ALLEGIANCE**

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

**2. ROLL CALL / ESTABLISH QUORUM**

Village Clerk Courtney Baker called the roll. Roll call: Members present: Trustees Kojzarek, Allen, Corbett, Zambetti, Farrell, Hacker and President Zirk. Others present: Village Administrator Brian Bourdeau, Finance Director Taunya Fischer, and Village Attorney Julie Tappendorf.

**3. PUBLIC COMMENT**

There were no public comments at this time.

**4. CONSENT AGENDA**

- A. A Motion to approve Minutes from the December 8, 2020 Special Village Board Meeting
- B. A Motion to approve Bills & Payroll dated December 15, 2020
- C. A Motion to approve the November 2020 Treasurer's Report
- D. A Motion to approve Ordinance 16-2020, an Ordinance Abating Taxes Heretofore Levied to Pay Interest and Principal for \$9,750,000 Village of Gilberts, Kane County, Illinois Special Service Area Number Twenty-Four Special Tax Bonds, Series 2014 (The Conservancy Project)
- E. A Motion to approve Ordinance 17-2020, an Ordinance Abating Special Taxes Heretofore Levied to Pay Interest and Principal for Village of Gilberts, Kane County, Illinois Special Service Area Number Twenty-Five Special Tax Bonds (The Conservancy Project), Series 2018A and Series 2018B

President Zirk asked if any of the board members had any consent agenda items they wished to remove for separate consideration. After hearing none, asked for a motion to approve.

**A Motion was made by Trustee Kojzarek and seconded by Trustee Corbett to Approve Consent Agenda Items 4A-E as presented.** Roll call vote: Trustees Corbett, Allen, Zambetti, Farrell, Hacker, and Kojzarek voted Aye. 0-nays, 0-abstained. Motion carried.

**5. ITEMS FOR APPROVAL**

A. An Ordinance Approving a Variance from the Gilberts Unified Development Ordinance – Administrator Bourdeau advised the Board that the Plan Commission held a Public Hearing regarding a request for a variance from the Village’s UDO with regard to a rear yard setback for purposes of constructing an above-ground pool on his property. The property, located at 182 Park Court, is located in the R-3 Residential zoning district. Within the R-3 Residential zoning district, the minimum rear yard setback is 40 feet for residential served by septic and 30 feet for residential served by sewer. The Applicant’s residence is serviced with a septic field, requiring a minimum 40-foot rear yard setback. The Applicant’s placement of the pool would be at 17 feet from the rear yard lot line. The Plan Commission moved to recommend to the Village Board that the variance be granted due to the unique nature of the property and location of the septic field which would prohibit installation of the pool in a location suitable to the required setbacks. The motion passed unanimously to provide a positive recommendation that the variance be granted.

**A Motion was made by Trustee Allen and seconded by Trustee Corbett to Approve Ordinance 19-2020, an Ordinance Approving a Variance from the Gilberts Unified Development Ordinance.** Roll call vote: Trustees Allen, Zambetti, Farrell, Hacker, Kojzarek, and Corbett voted Aye. 0-nays, 0-abstained. Motion carried.

B. An Ordinance Approving the Final Plat of Subdivision and Final PUD Plans for Phase 2A-2 of the Conservancy Development – Administrator Bourdeau advised the Board that dedication of the park land to the Village that is identified on the plat for NH2B-1 must meet the requirements of the Annexation Agreement and Village’s subdivision regulations for parkland dedications.

**A Motion was made by Trustee Hacker and seconded by Trustee Kojzarek to Approve Ordinance 20-2020, an Ordinance Approving the Final Plat of Subdivision and Final PUD Plans for Phase 2A-2 of the Conservancy Development** Roll call vote: Trustees Zambetti, Farrell, Hacker, Kojzarek, Corbett, and Allen voted Aye. 0-nays, 0-abstained. Motion carried.

C. An Ordinance Approving the Final Plat of Subdivision and Final PUD Plans for Phase 2B-1 of the Conservancy Development –

**A Motion was made by Trustee Allen and seconded by Trustee Kojzarek to Approve Ordinance 20-2020, an Ordinance Approving the Final Plat of Subdivision and Final PUD Plans for Phase 2B-1 of the Conservancy Development** Roll call vote: Trustees Farrell, Hacker, Kojzarek, Corbett, Allen, and Farrell voted Aye. 0-nays, 0-abstained. Motion carried.

## 6. ITEMS FOR DISCUSSION

A. Presentation and Discussion Regarding the Plan Commission Recommendation on a Special Use Application for 15N288 Tyrrell Road – Administrator Bourdeau advised the Board that applicants filed an application for a Special Use Permit for the breeding, keeping, and grazing of livestock, poultry, and other farm animals on their 5.45 acre property located at 15N288 Tyrrell Road. The UDO allows the keeping of livestock in the A-1 District, but only on parcels of 5 acres or more and only as a special use. The Plan Commission opened a public hearing on the application at the November 12, 2020 Plan Commission meeting. After receiving public testimony and hearing from the Applicant, the Plan Commission elected to continue the public hearing to December 9, 2020 to allow the applicant to address issues that were raised during the meeting. The public hearing continued on December 9, 2020 at which time, after receiving additional testimony from the

applicant and members of the public, the Plan Commission closed the public hearing and proceeded to deliberate on the application. Following discussion, the Plan Commission proceeded to vote on a recommendation to grant the Special Use Permit. The vote on the recommendation was 2 yes – 3 nay. Therefore, the recommendation of the Plan Commission is to not recommend approval of the Special Use Permit. Several concerns raised by the public in attendance of the meetings were noise, odor, and lack of fencing.

Attorney Tappendorf explained the options for the Board. The first option would be for the Village Board to concur with the Plan Commission's negative recommendation and direct staff to prepare the necessary resolution denying the Applicant's special use application. The second option would be to approve the special use permit application, the Village Board could direct staff to prepare an Ordinance incorporating appropriate conditions and granting the SUP which would require a super-majority vote. Another option would be for the Board to remand the matter back to the Plan Commission for further consideration if there are additional items that the Village Board believes need to be examined. Finally, the Board could modify and approve the SUP with a super-majority vote.

The applicants approached the Board and engaged in conversation regarding their request and it's background. The Board then discussed the concerns that were raised by the Plan Commission and possible modification that could be made to the SUP. The Board provided direction to Staff to bring back an ordinance that approved the SUP with the original conditions that were stated at the Plan Commission meeting.

- B. Discussion Regarding Wage and Compensation Analysis – The Board discussed several scenario options for compensation adjustments presented by Staff. President Zirk asked Staff to bring back a final recommendation at the next Board meeting.

## **7. STAFF REPORTS**

### Administrator Bourdeau

- Well 4 pump was pulled today.
- Confirmed with Troy's team they were clear to begin the installation of public improvements in NH2B-1 on the condition that if the final EOPC came in higher than the bond provided by Troy, a supplemental or revised bond would be required. NH2B-1 is the only neighborhood at this time Troy may install public improvements at this time.

## **8. TRUSTEE REPORTS**

### Trustee Allen

- Two vendors who previously wanted to roll over their fees for Community Days are now asking for refunds instead.

### Trustee Farrell

- Presented an old copy of the Gilberts Gazette newsletter.

## **9. PRESIDENT'S REPORT**

There was no President's report at this time.

**A. EXECUTIVE SESSION\***

An executive session did not take place.

**11. ADJOURNMENT**

There being no further public business to discuss, a **Motion was made by Trustee Allen and seconded by Trustee Farrell to adjourn from the public meeting at 8:47 p.m.** Voice vote carried unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Courtney Baker". The signature is fluid and cursive, with the first name being more prominent.

Courtney Baker  
Village Clerk

## Brian Bourdeau

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**From:** Fraternal Order of Eagles Watch City Aerie <foe1047@gmail.com>  
**Sent:** Tuesday, December 15, 2020 6:41 PM  
**To:** Brian Bourdeau  
**Cc:** Courtney Baker  
**Subject:** Jesus Alvarado  
**Attachments:** jesus alvarado special use application.docx

Dec 15, 2020

Hi Brian,

I talked to Jesus Alvarado today, regarding the village board meeting tonight to discuss his situation regarding his special use application.

I am not sure if anyone at the Eagles Club can make it to the meeting to show our support, as we have our general meeting tonight. But I told him I would write a letter on his behalf.

Please find the letter attached.  
Best Regards,

Debra Lombardo  
Secretary  
Fraternal Order of Eagles

Dear Brian,

I talked to Jesus Alvarado today, regarding the village board meeting tonight to discuss his situation regarding his special use application.

I am not sure if anyone at the Eagles Club can make it to the meeting to show our support, as we have our general meeting tonight. But I told him I would write a letter on his behalf.

To all concerned,

I am writing on behalf of The Fraternal Order of Eagles. We support Jesus Alvarado, in his request for the special use application for his property. He has expressed his thoughts to us, and reached out personally to us, to ask if we have had issues or been bothered by his animals. The answer is no.

He has been a great neighbor to us. In fact, we have had no issues or complaints ever with Mr. Alvarado. It is nice to see some of his animals, looking out from our backyard. Especially the turkeys! It's quite a treat. They are NOT a bother or nuisance to our club in anyway. In fact..we barely even know they are there. I have also heard from some members in the past, that they have seen the animals when we have had events at the club, and they had good things to say about them.

Regards,

Debra Lombardo  
Secretary  
Fraternal Order of Eagles

