

**Village of Gilberts
87 Galligan Road
Gilberts, IL 60136
Village Board
Meeting Minutes
May 20, 2014**

Call to Order / Pledge of Allegiance

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

Roll call / Establish Quorum

Village Clerk Meadows called the roll. Roll call: Members present: Trustees Corbett, Farrell, Hacker and President Zirk.

Public Comment

President Zirk asked if anyone in the audience wished to address the Board Members. There were no comments from those in attendance.

Consent Agenda

- A. A Motion to approve Minutes from the May 6, 2014, Village Board Meeting
- B. A Motion to approve Minutes from the May 13, 2014, Committee of the Whole Meeting
- C. A Motion to approve April 2014 Treasurer's Report
- D. A Motion to approve Bills & Salaries dated May 20, 2014 as follows: General Fund \$569,489.34, Permit Pass Thrus \$74.33, Performance Bonds and Escrows \$18,012.50, Water Fund \$74,578.97, and Payroll \$134,279.75
- E. A Motion to approve Resolution 26-2014, a Resolution authorizing a service agreement between the Village of Gilberts and WebQA Inc. for CRM and 311 Services
- F. A Motion to approve Resolution 27-2014, a Resolution authorizing a purchase agreement between the Village of Gilberts and Currie Motors, Frankfort, Illinois for one 2015 Ford Police Interceptor Sedan and one 2015 Ford Utility Police Interceptor in an amount not to exceed \$50,067.00
- G. A Motion to acknowledge and file the Annual Police Pension Report

President Zirk inquired if there was any consent agenda item the Board Members would like to have removed. There was no response from the Board Members.

A Motion was made by Trustee Farrell and seconded by Trustee Corbett to approve the consent agenda items A-G as presented. Roll call: Vote: 4-ayes: Trustees Corbett, Farrell, Hacker and President Zirk. 0-nays, 0-abstained. Motion carried.

Items for approval

Ordinance 10-2014, an Ordinance Establishing the Village of Gilberts Special Service Area Number Twenty-Four

President Zirk noted that items 5A -5C are all related to the approval of Special Service Area Number Twenty Four. Trustee Zambetti arrived at 7:05 p.m.

Bond Counsel Bilas provided the Board Members with a global overview on the adoption of the Ordinances required in the restructuring of the Special Service Area #19 bonds. She reported that Ordinance 10-2014 provides for a reduced principal amount of the Bonds which may be issued in exchange for the outstanding SSA #19 Bonds and therefore reduces the levy amount. The proposed Establishing Ordinance also reflects the extended maturity of the SSA #24 Bonds and provides for the levy of special taxes through 2033.

Bond Counsel Bilas continued by commenting on, Ordinance 11-2014, an Ordinance providing for the issuance of Special Service Area Tax Bonds. She reported that the Ordinance authorizes the issuance of \$9,750,000 in Bonds for the principal amount for SSA Number Twenty-Four in exchange for the outstanding \$15,000,000 principal amount of the defaulted SSA Number Nineteen Bonds.

Bond Counsel Bilas noted that the Bond Ordinances approves the forms of certain documents including an Amended and Restated Trust Indenture which amends the Indenture pursuant to which the SSA Number Nineteen were issued. In addition, the Bond Ordinance contains a form of a consulting agreement with David Taussig & Associates who will serve as a Consultant to the Village and administer the billing and collection of the SSA special taxes directly on behalf of the Village without going through Kane County. The final document included in the Bond Ordinance is a form of a continuing disclosure agreement to be entered into between the Village of Gilberts and Gilberts Development LLC to effect compliance with the Rule 15c2-12 adopted by the Securities Exchange Commission.

Bond Council Bilas reported that there will be no cash delivered in connection with the exchange of SSA Twenty Four Bonds for the SSA Number Nineteen Bonds. After approval of the Bond Ordinances and the Bonds are issued the Village Board will need to repeal Ordinances establishing SSA Number Nineteen and Twenty and the lien on the property associated with those SSA Bonds.

There being no further discussion on the proposed Bond Ordinances, **a Motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve Ordinance 10-2014, an Ordinance Establishing the Village of Gilberts Special Service Area Number Twenty-Four.** Roll call: Vote: 4-ayes: Trustees Zambetti, Farrell, Hacker and Corbett. 0-nays, 0-abstained. Motion carried.

A Motion to approve Ordinance 11-2014, an Ordinance providing for the issuance of not to exceed \$9,750,000 Village of Gilberts, Kane County, Illinois Special Service Area Number Twenty-Four Special Tax Bond, Series 2014 (The Conservancy Project) and providing for the Levy of a Direct Annual Tax on Taxable Property in such Special Service Area for the payment of Principal and Interest on such Bonds.

There being no further discussion on the motion, a **Motion was made by Trustee Farrell and seconded by Trustee Corbett to approve Ordinance 11-2014, an Ordinance providing for the issuance of not to exceed \$9,750,000 Village of Gilberts, Kane County, Illinois Special Service Area Number Twenty-Four Special Tax Bond, Series 2014 (The Conservancy Project) and providing for the Levy of a Direct Annual Tax on Taxable Property in such Special Service Area for the payment of Principal and Interest on such Bonds.** Roll call: Vote: 4-ayes: Trustees Farrell, Hacker, Corbett and Zambetti. 0-nays, 0-abstained. Motion carried.

A Motion to approve Resolution 28-2014, a Resolution authorizing a professional service agreement between the Village of Gilberts and David Taussig & Associates, Inc. to provide consulting services for the issuance of Bonds for Special Service Area Number Twenty-Four.

There being no further discussion on the motion, a **Motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve Resolution 28-2014, a Resolution authorizing a professional service agreement between the Village of Gilberts and David Taussig & Associates, Inc. to provide consulting services for the issuance of Bonds for Special Service Area Number Twenty-Four.** Roll call: Vote: 4-ayes: Trustees Corbett, Zambetti, Farrell and Hacker. 0-nays, 0-abstained. Motion carried. Developer Mertz thanked the Board Members for their efforts assisting Gilberts Development LLC in the refinancing of SSA 19 Bonds.

Items for Discussion

There were no items listed under "Items for Discussion".

President Zirk presented Mr. George Kannigan the Village's Stormwater Consultant with a long awaited check for the sale of detention credits to the Illinois Tollway Authority. Consultant Kannigan thanked the Board Members.

Staff Reports

Administrator Keller commented on a recent request from Gilberts Glen's residents asking if the Village could restore their entrance sign. He noted that in the past the Board had agreed to maintain the entrance signage. However, Administrator Keller was looking for Board direction on what was the level of expectation for maintaining entrance signage. He reported that Public Works could perform the roof repairs. However, they would be unable to rewrite the slogan "A little bit of Heather". The Board Members discussed replacing the entrance signage for the subdivisions that don't have active HOAs. Staff will research the cost of replacing the subdivision's entrance signage. Trustee Zambetti suggested phasing in the replacement of the subdivisions' entrance signage.

Administrator Keller discussed the 50/50 Tree Replacement Program. He noted that in past years few residents have utilized the program. However, this year the Tree Replacement Programs funds have been depleted. Administrator Keller reported that there is \$18,700 allocated in the 50/50 Sidewalk Program which could be moved to the Tree Replacement Program. The Board Members approved reallocating the sidewalk replacement funds to support the Tree Replacement Program.

Administrator Keller commented on the Electric Aggregation bidding process. He reported that currently the alternative electric suppliers are no longer offering lower rates. Their rates are mirroring ComEd rates. The Board Members suggested Staff draft language for the next newsletter and the Village's facebook page informing residents of the current alternative electric suppliers rates compared to ComEd's rates.

Assistant Administrator Beith reported on the status of the NOAH Weather Radios. He stated that he can purchase them in lots of 5 for \$25.90 each. Trustee Corbett thanked Assistant Administrator Beith for providing the information.

Assistant Administrator Beith reported on the status of the Ride in Kane program. He discussed the fact that PACE is four months behind in their invoicing so the Village was unaware that some of the participants were abusing the program and scheduling more than one round trip ride per week as allowed in the agreement. The over usage has exceed the Village's budget for that program. AID will no longer allow Village residents to access the program. Assistant Administrator Beith will be attending the next Ride in Kane meeting to voice the Village's concerns with the delayed invoices and other concerns with the program.

Administrator Keller reported that Ryland Homes has pulled their last single family home permit. A lengthy discussion ensued with respect to the Village's acceptance of the Gilberts Town Center's public infrastructure improvements and the maintenance of the vacant lots.

Board of Trustee Reports

Trustee Hacker inquired on the outcome of a recent incident at the Intra Soccer facility involving fifty people and two referees. He questioned if alcohol was involved and if the Village had issued a citation and applied the penalties. Administrator Keller reported that no citation had been issued. The incident occurred when the players disputed a call by the referees. There was no evidence to suggest alcohol was involved.

The Board Members questioned why there was no on-site security as Mr. Schcolnik had promised in the past.

The Board Members directed staff to begin documenting each time an incident at the soccer facility occurs. In addition, the Board Members directed staff to draft a letter to the County documenting the Village's concern with respect to the recent incident at the soccer facility, in which The Village of Gilberts, Kane County, and the City of Elgin's Police Departments were called.

The Board Members discussed the magic number with respect to the frequency of these types of occurrences in which they would strongly recommend The Kane County Board consider rescinding Intra Soccer LLC's liquor license. There was no final decision made on the number of occurrences in which the Village Board Members would address the situation with Kane County Board Members.

President's Report

President Zirk reminded the Board Members that this weekend is the Community Days Festival and the committee is looking for volunteers. He stated if there wasn't any pressing matters he would suggested the Board Members cancel the regularly scheduled meeting on Tuesday, June 3rd. The Board Members concurred with President Zirk's recommendation.

Executive Session

A Motion was made by Trustee Zambetti and seconded by Trustee Farrell to enter in to Executive Session as permitted by 5 ILCS 102/2 (c) (11) to discuss litigation against, affecting, or on behalf of the Village which has been filed and is pending in a court or administrative tribunal of which is imminent. Roll call: Vote: 4-ayes: Trustees Zambetti, Farrell, Hacker and Corbett.

The Board Members along with Administrator Keller, Attorney Tappendorf, Assistant Administrator Beith and Village Clerk Meadows entered into Executive Session at 7:51 p.m. and returned to the public meeting at 7:57.

Reconvene/ Roll Call

A Motion was made by Trustee Zambetti and seconded by Trustee Farrell to reconvene to the public meeting at 7:58 p.m. Roll Call: Vote: 4-ayes: Trustees Farrell, Hacker, Corbett, and Zambetti. 0-nays, 0-abstained. Motion carried.

Adjournment

There being no further business to discuss, a **Motion was made by Trustee Corbett and seconded by Trustee Hacker to adjourn from the public meeting at 7:59 p.m.** Roll call: Vote: 4-ayes by unanimous voice vote. 0-nay, 0-abstained. Motion carried.

Respectfully submitted, Debra Meadows

