

**Village of Gilberts
87 Galligan Road
Gilberts, IL
Committee of the Whole
Meeting Minutes
October 14, 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

Members present were Trustees Corbett, Mierisch, Zambetti, Farrell, Hacker and President Zirk. Others present were Administrator Keller, Assistant Administrator Beith, Finance Director Blocker, and Attorney Tappendorf.

Items for Discussion

Minutes from the October 7, 2014 Village Board Meeting

There were no comments. The minutes will be placed on the next consent agenda.

September 2014 Treasurer's Report

There were no comments. The treasurer's report will be placed on the next consent agenda.

Ordinance 20-14, an Ordinance approving a special use permit to allow a recycling business within the I-1 General Industrial zoning district located at 75 Koppie Drive

Administrator Keller informed the Board that it was discovered in June that Copenhaver Construction was recycling dirt and asphalt. Mr. Copenhaver was informed that he would need a special use permit to continue with that line of business, so he stopped the recycling and went through the special use permit process before the Plan Commission. Administrator Keller drafted an ordinance with the 13 conditions and finding of fact from the Plan Commission.

Attorney Tappendorf stated that while making decisions and discussing, the Board Members need to keep Mr. Copenhaver's two properties separate. They need to look at the proposed standards placed on the property at 75 Koppie Drive.

Trustee Corbett verified that the two other recycling companies in the Village don't do the type of proposed recycling.

Trustee Hacker stated his concern for the noise and dust. Conditions similar to those placed on Elgin Recycling would be put in place, including the need for a dust control plan. The recycling would be limited to weekdays (excluding holidays) from 7:00 am – 5:00 pm.

The challenge to apply the noise control ordinance was discussed. Mr. Ken Copenhaver stated he would not be using a crusher, which is louder; however, he would be using a pulverizer, which is a belt that chews up dirt and asphalt.

Trustee Zambetti stated his concern for the amount of truck traffic. Mr. Copenhaver stated that the trucks typically drive from Koppie Drive, to Tyrrell Rd, to Route 72. Since Koppie Drive is maintained by the Village, Trustee Zambetti is concerned for the wear and tear on the road. Trustee Zambetti then stated his concern of the oil content in the asphalt that will be recycled. Mr. Copenhaver informed the Board that the EPA comes to the job site to test the asphalt before it is brought back to his property.

Trustee Mierisch questioned the proximity to the nearby residence and streams. Administrator Keller informed her that there are no natural features that are considered protected nearby, and the business is located in an Industrial Park. Trustee Mierisch then stated her concern of soil contamination by the grindings. Mr. Copenhaver restated that the EPA tests the grindings to make sure they are not contaminated. He added that the asphalt is milled out on the construction site, brought in by truck, then grinded on-site an additional time by the pulverizer. Trustee Mierisch questioned how the Village is assured that the grindings are free of contamination. Administrator Keller stated that the IEPA regulates that. He added that it is recommended that the material is enclosed in a blocked area. Mr. Copenhaver restated that the material is tested on-site before it would be brought back to his property.

Trustee Farrell requested clarification on a few of the conditions that the approval would be subject to. She questioned numbers 9 (Operator shall maintain gravel areas for dust control when warranted.) and 10 (All vehicles and storage shall be kept behind sightless fencing.). Mr. Copenhaver stated that he has a water truck on-site which will be used to spray the materials for dust control. Administrator Keller stated that #10 is a reiteration of the Village Code. The Board would like to see further specifications added to both 9 and 10. Administrator Keller informed the Board that a dust control plan will have to be provided by Mr. Copenhaver; however, it hasn't been submitted yet.

Trustee Zambetti questioned condition #8 (Any increase in permanent exterior storage capacity will require additional detention according to local standards and ordinance.). A discussion ensued regarding pervious and impervious surface.

President Zirk stated additional conditions he would like placed on the approval of the ordinance. He would like it stated that tests on the material will be completed on-site. He would like to see per load checking, the requirement of a reclamation bond, which encourages clean up by the company. Otherwise the Village can do the cleaning if needed. President Zirk stated his concern for the increase in truck traffic and the noise associated with it. He added that the Village has been working hard to raise the bar on Industrial users. He is not happy with the cement block enclosure. President Zirk doesn't feel it will help attract potential businesses. He added that since Mr. Copenhaver began the process without a recycling permit, he is concerned that Mr. Copenhaver may continue to not follow Village Ordinances and Village Code.

President Zirk doesn't support the ordinance because of the negative impact it may have on the community.

Trustee Mierisch stated that she agrees with that statement because of the negative impact it may have on the undeveloped property nearby and surrounding 75 Koppie Drive.

Wastewater System Connection Fee Review

A discussion ensued between Trustee Hacker and President Zirk regarding the fee associated with the expansion of the wastewater treatment plant and the developer and tap-on fees.

Trustee Hacker stated his concern if a developer were not to approach the Village any time soon as well his concern for increasing rates. He would like to see that the residents are protected, so dramatic rate increases don't occur.

Administrator Keller posed the question of what the connection fee should be.

The Board continued to discuss capacity.

Administrator Keller proceeded to explain the environmental regulations.

The Board then went over the Tap-On Fee Schedule which was provided to them.

Trustee Corbett inquired if the fee began at \$5,800 and gradually increased, after 20 years it would be greater than \$13,000, which is accurate.

A discussion ensued regarding future development.

The Board is leaning toward a progressive rate schedule.

President Zirk stated his concern for a lack of money if a developer were to come in and prepay their connection fee. He thought it might be more beneficial to set a rate of \$13,000.

Water/Wastewater User Rates Review

The Board looked over Table 5, the Water and Sewer Rate Study for surrounding municipalities. From viewing this it is seen that some communities aren't collecting enough money. Trustee Mierisch questioned the discrepancy in Elburn's charges compared to the rate the Board received approximately a year ago.

Administrator Keller went over each of the 5 tables presenting different rates and increases. He added that there is a need to be concerned with the additional Barium costs.

No action was taken at this time.

Staff Reports

Administrator Keller informed the Board of the need to go into executive session.

Board of Trustee Reports

Trustee Hacker questioned the street light being out at Tyrrell and Higgins. The light bulb was recently changed; however, the work had been rescheduled numerous times by the contractor.

President's Report

None

Executive Session

A motion was made by Trustee Zambetti and seconded by Trustee Corbett to close a portion of the meeting to the public, effective immediately as permitted by 5ILCS 120/2 (c) (1) to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Village, and as permitted by 5 ILCS 120/2 (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 with no business to follow. Roll Call: Vote: 5-ayes: Trustees Corbett, Mierisch, Zambetti, Farrell, and Hacker. 0-nays. 0-abstained. Motion carried.

The Board members along with Administrator Keller, Assistant Administrator Beith, Finance Director Blocker, Attorney Tappendorf, and Administrative Clerk Danca went into Executive Session at 8:59 pm and returned to the public meeting at 9:18 pm. Roll Call: Trustees Corbett, Mierisch, Zambetti, Farrell, Hacker and President Zirk. Others Present: Administrator Keller, Assistant Administrator Beith, Finance Director Blocker, Attorney Tappendorf, and Administrative Clerk Danca.

Adjournment

A motion was made by Trustee Hacker and seconded by Trustee Zambetti to adjourn from the meeting at 9:19 pm. Roll Call: Voice Vote: all ayes: Trustees Corbett, Mierisch, Zambetti, Farrell, and Hacker. 0-nays. 0-abstained. Motion carried.

Respectfully Submitted,

Karen Danca