

Village of Gilberts  
87 Galligan Road  
Gilberts, IL 60136  
Village Board  
Meeting Minutes  
February 3, 2015

**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 Mierisch, Zambetti, Farrell and President Zirk. 3-absent: Trustees Corbett, LeClercq and Hacker. Others present: Administrator Keller, Assistant Administrator Beith, Chief of Police Rossi and Village Clerk Meadows. For members of the audience please see the attached copy of the sign-in sheet.

**Public Comment**

President Zirk asked if anyone in the audience wished to address the Board Members. There were no comments offered by any member of the audience.

**Consent Agenda**

- A. A Motion to approve Minutes from the January 20, 2015 Village Board Meeting
- B. A Motion to approve Bills & Salaries dated February 3, 2015 as follows: General Fund \$50,921.91, Performance Bonds and Escrows \$5,241.71, Water Fund \$27,550.06 and Payroll \$73,206.86

President Zirk asked if any of the Board Members wished to remove any item listed on the Consent Agenda. The Board Members provided no comments. **A motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve the Consent Agenda items A-B as presented.** Roll call: Vote: 4-eyes: Trustees Mierisch, Zambetti, Farrell and President Zirk. 0-nays, 0-abstained. Motion carried.

**Items for Approval**

**A Motion to approve Ordinance 04-2015, an Ordinance amending the Village of Gilberts Code Chapter 3-8 "Auctions and Auctioneers" and Chapter 2-4 "Fee Schedule".**

Administrator Keller reported that at the last Board Meeting, Mr. Dave Gerber of the X Factor Auctions & Appraisals requested that the Village consider reducing or waiving the \$500.00 per auction permit fee. Administrator Keller noted that Staff had researched the history of the establishing Ordinance and it appears the original fee was set at \$200.00. However, during the Village Code codification process the fee was raised to \$500.00 per auction.

Administrator Keller reported that Mr. Gerber had provided a survey of what other neighboring communities charge for auctions and business licenses. Staff has reviewed the survey and the other supporting documents. Staff recommends approval of Ordinance 04-2014 which reduces the fee to \$200.00 annually and creates an annual license which allows unlimited number of auction events in a calendar year. In addition, the Ordinance contains a provision which requires the auctioneer to notify the Village ten days prior to any auction. The notification provision allows for the Police Department to be informed if there is expected to be an increase in traffic or security is needed due to the value of the merchandised being auctioned.

President Zirk asked if there were any questions on the motion. There were no questions offered by any of the Board Members. **A Motion was made by Trustee Farrell and seconded by Trustee Zambetti to approve Ordinance 04-2015, an Ordinance amending the Village of Gilberts Code Chapter 3-8 "Auctions and Auctioneers" and Chapter 2-4 "Fee Schedule"**. Roll call: Vote: 4-ayes: Trustees Zambetti, Farrell, Mierisch and President Zirk. 0-nays, 0-abstained. Motion carried.

#### **Items for Discussion**

##### **Intra Soccer agreement**

Administrator Keller reported at the last Board Meeting the Board Members requested additional information on the Village's procedure in responding to a "fight in progress" at the Intra Soccer facility. Chief Rossi was in attendance to discuss this matter further.

Chief Rossi commented on the fact that the Gilberts Police Department has a Mutual Aid agreement with the Kane County Sheriff's Department. He discussed the criteria Kane Com uses to determine if an incident meets an IREACH Dispatch call or if the call is to be dispatched to the agency with jurisdiction only. The Gilberts Police Department responds to Intra-Soccer for an IREACH Dispatch or when assistance is requested by a deputy who is on scene. An incident at Intra-Soccer, 99% of the time a Gilberts Officer will be first on the scene, based on the location alone.

Chief Rossi reported that the protocol for responding to a "Fight in Progress" requires officers to arrive on the scene with lights and sirens. By doing so the majority of the time the combatants cease and disburse from the scene.

Chief Rossi continued on to discuss three recent Kane Com dispatch calls that required Gilberts Police Department assistance at the Intra-Soccer Facility. He noted that the first dispatch call was a "Fight in Progress". This incident was initiated by a disputed referee call. The Police Officers arrived on the scene and safely escorted the referee off the premises.

Chief Rossi commented on the second incident that required assistance from the Gilberts Police Department. This incident involved two young men fighting over a girl. In both of these incidents alcohol did not appear to be a factor.

Chief Rossi discussed the third incident which Gilberts Officers were dispatched to respond to a "Fight in Progress". Kane Com Dispatch reported that they received a call from someone reporting there was a fight in progress involving 5-6 intoxicated people at the north end of Intra-Soccer parking lot. Upon the Officers arrival the alleged intoxicated people involved in the alleged disturbance had left the scene.

The Officers evaluated the scene and noted their observations. Then the Officers submitted their reports to Chief Rossi. Chief Rossi reviewed their reports and determined that this was an alcohol related incident based on the call to Kane County Dispatch, the Officers' observations and the CAD report. Chief Rossi noted that Kane Com Dispatchers are very well trained and gather as much information from the caller as possible.

Trustee Mierisch expressed concern with Mr. Schcolnik's comments at a recent Board Member meeting. She noted that he stated, his facility attracts a large number of patrons and there is bound to be fights. She disagrees with that comment and his expectation of patrons and their tolerated behavior. In her opinion management should be responsible for the crowd and ensure they are conducting themselves in a reasonable manner. Trustee Farrell agreed, she also thought Mr. Schcolnik was not taking responsibility for actions of his patrons and staff.

Chief Rossi commented on the fact that on several occasions when officers arrived at Intra-Soccer facility they observed several beer cans and bottles scattered about and Intra-Soccer Staff immediately began cleaning-up the scatter beer cans and bottles.

President Zirk commented on the fact that in his opinion Kane County is not taking responsibility for a situation which they created and now is a burden for the Village's Police Department and the adjacent Village residents. He expressed concern with Intra-Soccer facility hosting outside events in the spring and summer months. President Zirk believed if the behavior continued during these warmer weather months, the events pose a real hardship for the properties in the surrounding village neighborhoods. President Zirk recommended that the Village draft a letter to Kane County outlining the recent incidents and reminding them that they are the responsible jurisdiction.

There was some discussion on not responding to the IREACH calls that take place at the Intra-Soccer facility and forcing the Sheriff's department to respond. Trustee Mierisch was not in favor of the Police Department disregarding the IREACH calls with respect to Intra-Soccer facility. Trustee Farrell also strongly agreed that the law enforcement agencies need to continue to cover and assist each other as needed. Chief Rossi agreed.

President Zirk commented on a previous Village liquor establishment who on several occasions violated the Village's Liquor Code. In those situations the Village took responsibility to ensure patrons safety and held the appropriate Liquor Commission Hearings. After proper deliberations the liquor establishment's owner had been found in violation of the Village Liquor Code and a fine was assessed.

President Zirk reiterated the fact that in his opinion the Village needs to draft a letter to Kane County informing them of the Village's concerns with the operations at the Intra-Soccer facility. The Board Members agreed.

#### **Fiber Optics Project**

Assistant Administrator Beith commented on the two hand-outs he had provided the Board Members with respect to the fiber optics project. He noted that the hand-out containing the map depicts the routes of the fiber installation phases. Assistant Administrator Beith reported that Phase 1 and 2 will be funded by Developer Troy Mertz and phase 3 would be funded by a tax levy if the April 7<sup>th</sup> referendum passes.

Assistant Administrator Beith reported that Phase 1 of the fiber network is the backbone of the infrastructure improvements and phase 2 was the connection to all the municipal facilities. Phase 3 of the fiber network would include connecting every residential, commercial and industrial properties located within the Village limits if the April referendum passes. Administrator Keller noted that staff is in the process of working on the technical details with Mr. Mertz.

Administrator Keller commented on the April 7<sup>th</sup> referendum question. He noted if the referendum were to pass the Village Board could issue bonds in the amount not to exceed 5 million dollars at an interest rate not to exceed 5%. However as Mr. Vail, Vice President of Bernardi Securities (municipal bond specialist) reported at a previous board meeting that the current bond interest rates are on average 3 to 4%. If the referendum passes and the Village issues bonds at the current interest rate each property owner in the Village would have a property tax increase of \$150-\$180 over twenty years in exchange for a fiber network by the fall of 2016.

A lengthy discussion ensued on ownership of the network and potential service providers.

There was some discussion on the residential fiber hardware. President Zirk suggested reducing the scope of work. If the scope of work was reduced and didn't include the individual, residential or commercial hardware installation this would reduce the bond amount and lower the residents and businesses tax obligations. President Zirk thought reducing the scope of work may make the referendum more palatable.

President Zirk commented on Mr. Mertz's business model. He noted that Mr. Mertz's main focus is to provide fiber to the Conservancy development. A lengthy discussion ensued with respect to the Mr. Mertz investment in the fiber network and the impact the fiber network would have on the velocity in which the Conservancy homes would sell.

There was some discussion on the maintenance of the fiber network. The Board Members questioned who would be responsible for maintaining and repairing the fiber network. Assistant Administrator Beith replied that the service providers would pay a maintenance fee and there would be a single maintenance provider responsible for maintaining and repairing the network.

The Board Members along with Staff discussed potential service providers or the lack thereof.

There was some discussion on the economic development benefits the fiber network would provide and the benefits of creating an increase in competition and competitive pricing.

President Zirk recommends that the referendum's educational message should not over promise fiber network services. Staff will be working on boiling down the educational message and will bring the message back to the Board Members for their input and approval prior to releasing the message to the public. Once approved Staff will place the referendum's educational message on Facebook, the Village website and in the newsletter.

#### **Staff Reports**

Administrator Keller reported that Staff will be drafting a revised Public Works Staffing Plan for Board consideration.

Chief Rossi provided the Board Members with a copy of the Gilberts Police Department's 2014 Annual Report. The Board Members complimented Chief Rossi on the quality of his report.

### **Board of Trustees Reports**

Trustee Farrell discussed the upcoming Community Days Festival. She noted that the Community Days Committee has moved the off-site parking to Town Center Park. In addition, the committee was in the process of planning the Village's 125<sup>th</sup> Birthday Party to coincide with Community Days. The Committee in the near future will be putting together budget numbers for the birthday celebration.

### **President's Report**

President Zirk reported that Dan Heldson resigned from the Police Pension Board. He cited due to work related issues he did not have the time to meet the mandated training requirements.

President Zirk informed Staff that John Deer will be relocating their operations.

President Zirk commented on Senate Bill 1. He noted that this bill is an amended version of SB16 considering redistribution of School District funds.

President Zirk inquired if any of the Trustees were interested in discussing Professional Service fees. Trustee Mierisch cautioned the Board Members with respect to moving forward with this matter. She noted that the Village has several ongoing matters. Trustee Farrell also thought it was best to wait on moving forward with this matter.

### **Adjournment**

There being no further public business to discuss, **a Motion was made by Trustee Zambetti and seconded by Trustee Farrell to adjourn from the public meeting at 9:10 p.m.** Roll call: Vote: 4-ayes: by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows