

**Village of Gilberts
87 Galligan Road
Gilberts, IL. 60136
Village Board
Meeting Minutes
February 24, 2015**

Call to Order/Pledge of Allegiance

President Zirk called the meeting to order at 7:01 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, Mierisch, Zambetti, Farrell and President Zirk. 2-absent: Trustees LeClercq and Hacker. Others present: Administrator Keller, Attorney Tappendorf, Finance Director Blocker, Assistant Administrator Beith and Village Clerk Meadows. For members of the audience please see the attached copy of the sign-in sheet.

Public Comment

President Zirk acknowledged the presence of Illinois State Representative Steve Anderson. He welcomed him to the meeting and asked if he would like to address the Board and those in attendance. Representative Anderson thanked the Board Members for the warm welcome and continued on to introduce himself.

Representative Anderson noted that he is a newly elected Illinois State Representative for the 65th District. He represents a small portion of the Village of Gilberts. However, Representative Anderson promised to assist the community as a whole.

Representative Anderson discussed his previous experience as a municipal attorney for 25 years. In addition, he served as general counsel for Metro West Council of Government. He reported that the reason he was attending the meeting was to open a dialog with the Board Members and the community.

Representative Anderson commented on Governor Rauner's recently proposed budget which included reducing the local share of state income tax by 50%. He stated that he recently had a conversation with the Governor advocating against reducing the local government share of the LGDF revenue.

He reported that he had expressed to the Governor how important local government services are to the communities they serve and the devastating impact this action would cause. Many communities have no other source of revenue other than the LGDF funds. Representative Anderson noted that he will continue to aggressively work on behalf of local government as the budget discussions continue.

Representative Anderson reported that his office is located in Geneva and is now open. In addition, he plans on having a mobile office and would like to bring the mobile office periodically to Gilberts. In closing Representative Anderson thanked the Board Members for their time and noted that he looks forward to serving the Village of Gilberts.

President Zirk asked if anyone in the audience wished to address the Board Members. There was no response from anyone in the audience.

Consent Agenda

- A. A Motion to approve Minutes from the February 3, 2015 Village Board Meeting**
- B. A Motion to approve Minutes from the February 10, 2015 Special Village Board Meeting**
- C. A Motion to approve January 2015 Treasurer's Report**
- D. A Motion to approve Bills & Salaries dated February 24, 2015 as follows: General Fund \$93,818.03, Permit Pass Thrus \$1,159.50, Performance Bonds and Escrows \$8,839.75, Water Fund \$24,590.90 and Payroll \$124,346.99**
- E. A Motion to approve Resolution 07-2015, a Resolution authorizing a Professional Service agreement between the Village of Gilberts and Current Technologies to provide IT services**
- F. A Motion to approve Resolution 08-2015, a Resolution for participation in State of Illinois Federal Surplus Property Program**
- G. A Motion to approve Resolution 09-2015, a Resolution authorizing a purchase agreement between the Village of Gilberts and Currie Motors for one Ford Utility Police Interceptor**
- H. A Motion to approve Resolution 10-2015, a Resolution authorizing a purchase agreement between the Village of Gilberts and Bob Ridings Fleet Sales for one F350 Public Works Truck**

President Zirk inquired if there was any items listed on the consent agenda any of the Board Members wished to remove. There were no comments provided by any of the Board Members. **A motion by Trustee Zambetti and seconded by Trustee Farrell to approve the consent agenda items A-H as presented.** Roll call: Vote: 4-ayes: Trustees Corbett, Mierisch, Zambetti, and Farrell. 0-nays, 0-abstained. Motion carried.

Items for Approval

A Motion to approve Resolution 11-2015, a Resolution ratifying an Electric Service Agreement between the Village of Gilberts and Dynegy Services

Administrator Keller reported that this resolution ratifies a contract with Dynegy Energy Services for electricity for the Village's water/wastewater plants and streetlights. As established by Resolution 02-2012, which authorized the Village Administrator the authority to solicit bids for electricity through the Northern Illinois Municipal Electric Collaborative (NIMEC). Administrator Keller noted that Resolution 02-2012 was executed due to the time-sensitive bid proposals that expire after a 24-hour review period.

Administrator Keller discussed the bidding process. He reported that each municipality received one and two year proposals from three bidders. Dynegy was the lowest bidder at 5.21 cents/kilowatt hour for a two-year term or 5.34 cents/kilowatt hour for a one year term. The two-year rate constitutes a 26% increase over the expiring three year contract. Administrator Keller informed the Board Members that the 26% rate increase will have an impact on the enterprise fund.

There being no further discussion on Resolution 11-2015, **a Motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve Resolution 11-2015, a Resolution ratifying an Electric Service Agreement between the Village of Gilberts and Dynegy Energy Services.** Roll call: Vote: 4-ayes: Trustees Mierisch, Zambetti, Farrell and Corbett. 0-nays, 0-abstained. Motion carried.

Items for Discussion

Resolution 12-2015, a Resolution waiving collection of the Hill-Newby Recapture Agreement and authorizing the nonresidential water connection program

Administrator Keller recalled a recent meeting in which the Board Members discussed incentives to encourage nonresidential properties to connect to the Village's water system by waiving repayment of a recapture agreement and allowing installment payments on tap-on fees.

Administrator Keller provided the Board Member with a historical overview of the recapture agreement. He noted that in 2011 the Village paid \$148,454.00 in principal and interest to buy out a 2007 recapture agreement that paid for extending a water main to the industrial park on the south side of Higgins Road. The recapture agreement required 36 properties to pay \$3,258 for their share on the infrastructure improvements and each of the other three properties that were immediately adjacent to the water main pays \$10,385.00.

Administrator Keller went on to discuss the establishment of the Central TIF district in 2008. The intent of the creation of the TIF district was to assist in paying for water, sewer and road improvements in the industrial park area, waiving the recapture fees would be consistent with the intent of the TIF District.

Administrator Keller explained the funds used to purchase the recapture agreement. He noted that the Village used \$48,454.00 from the water enterprise fund to supplement the \$100,000.00 TIF funds that were available at that time. Administrator Keller suggested the Board Members may want to consider using future TIF revenue to repay the \$48,454.00 to the water fund.

Administrator Keller questioned if the Board Members wanted to consider waiving the recapture fees and providing for installment payments for the tap-on fees case by case or did they want to implement the nonresidential water connection program Village Wide. Trustee Zambetti expressed concern with implementing the program for new development. In his opinion he thought this program was to assist existing property owners on private wells to connect to the Village water system.

President Zirk was in favor of narrowing the scope. He thought the program should be used as incentive to eliminate the use of private wells and have additional users on the Village water system. In addition, there may be other incentives the Village could offer to new development other than offering this program up-front. The Board Members concurred with President Zirk's recommendation to offer this program to the existing business owners currently on private wells.

President Zirk commented on the intent of the connection incentive program was to encourage properties located in the Central TIF area currently using private wells to connect to the Village's water system. President Zirk recommended adding a sunset provision to the program thus encouraging eligible property owners to connect sooner rather than later. The Board Members agreed. There was some discussion on the duration of the sunset provision. Attorney Tappendorf noted that the Board would have the authority to extend the program. The Board Members agree on drafting an Ordinance establishing a two-year incentive program. This Ordinance will be placed on the next consent agenda.

Staffing Plan Update

Administrator Keller reported that over the past twelve months, the Village lost three water/wastewater line operators to other municipalities that offered significantly higher wages for comparable duties and qualifications. All three employees had approximately two years of experience and had entry-level water or wastewater certifications.

Administrator Keller discussed the three proposed water/wastewater job classifications. He reported that Utilities Technician I is an entry-level technical position. Work performed under this classification is performed under the supervision of the Utilities Superintendent.

Administrator Keller commented on the job classification for Utilities Technician II. He noted that this classification is an advanced technical position with work performed under the supervision of the Utilities Superintendent.

Administrator Keller commented on the final job classification for Utilities Technician III. He reported that this position is a highly advanced technical position and includes situational supervisory responsibilities.

President Zirk inquired if these positions were similar to other municipalities' job classifications. Administrator Keller replied there were similar, however each municipality has different water and wastewater facilities and operational needs.

President Zirk inquired if the staffing structure was similar to the police department with respect to placement based on departmental need. Administrator Keller replied yes. There would have to be positions available before a Tech would be promoted. President Zirk recommended Staff make this policy very clear so no employee is disappointed if they acquire all the applicable certifications and then there are no positions opened at that time so they are not promoted. Administrator Keller agreed this policy will be made very clear. There was no further discussion, the job classifications will be placed on the next consent agenda.

Staff Reports

Administrator Keller reported that this morning he along with Assistant Administrator Beith attended the Metro West Council annual legislative breakfast. There were ten State Representatives and State Senators in attendance. The discussions mainly focused on Governor Rauner's threat of reducing the local governments' share of the LGDF revenues.

Assistant Administrator Beith commented on the Citizen Advisory Group meeting. The Citizen Advisory Group consisted of residents and business owners which had expressed interest in fiber optic services. The focus of the meeting was to receive feedback on the referendum question with respect to a Village wide fiber optic network. The consensus of the group was that the message to the voters would be better received if the Village could provide information on who was going to be the content provider and the cost breakdown of their packages. The Board Members agreed. They suggest Staff obtain the estimated cost of the content provider's services. Assistant Administrator Beith reported that he does have the cost of the internet services. However, when you add data and other services the projected cost is difficult to estimate. At the next scheduled Board meeting Staff will provide the Board Members with the draft Referendum educational message.

Board of Trustees Reports

Trustee Corbett commented on the recent fire which destroyed the Forming Concepts' facility. He questioned the amount of water used to contain the fire relative to the total Village water usage. Finance Director Blocker reported that the water used to battle the fire was equal to one warm day of the total Village water usage.

Trustee Mierisch directed Staff to place information on the Village's website announcing free programs offered by ECC that help small businesses succeed.

Administrator Keller reported that there is a business owner interested in opening a brew pub in town. The Board Members express an interest in this type of business in town. Staff will draft language amending the Village Code to allow for this type of business.

Trustee Farrell inquired on the methodology Staff will be using in drafting the FY-2016 budget with the threat of possibly losing half of the LDGF revenue in July. Administrator Keller reported that Staff will draft the budget in the same manner they have in the past and if needed draft budget amendments at a later date.

President's Report

President Zirk acknowledged and congratulated Finance Director Blocker for achieving the GFOA award for outstanding achievement in popular annual financial reporting.

President Zirk commented on the current building permit fees. He questioned why the Village still requires homeowner to submit a bond for their building projects. President Zirk didn't believe most communities require a bond. In addition, President Zirk noted that many communities provide residents with the option to apply for a building permit electronically. Administrator Keller stated that he was aware of software applications that allow residents to apply online. Administrator Keller reported he will have Staff research the current building permit fee schedule and software application that allow submitting building permit applications electronically. This matter will be discussed in detail at an upcoming Village Board Meeting.

Executive Session

Attorney Tappendorf requested the Board Members consider entering into Executive Session to discuss current litigation.

A Motion was made by Trustee Zambetti and seconded by Trustee Corbett to close a portion of the public meeting with business to follow 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-eyes: Trustees Zambetti, Farrell, Corbett and Mierisch. 0-nays, 0-abstained. Motion carried.

The Board Members along with Administrator Keller, Attorney Tappendorf, Assistant Administrator Beith, Finance Director Blocker and Village Clerk Meadows entered into Executive Session at 8:06 p.m. and returned to the public meeting at 8:47 p.m.

Reconvene/Roll Call

A Motion was made by Trustee Farrell and seconded by Trustee Corbett to reconvene the public meeting at 8:48 p.m. Roll call: Trustees Corbett, Mierisch, Zambetti, Farrell and President Zirk. Others present: Administrator Keller, Attorney Tappendorf, Assistant Administrator Beith, Finance Director Blocker and Village Clerk Meadows.

Items for Approval

A Motion to approve a settlement of the Gilberts v. Copenhaver litigation in accordance with the terms discussed in executive session and directs the Village Attorney to present a consent order to the circuit court for approval.

A Motion was made by Trustee Corbett and seconded by Trustee Zambetti to approve a settlement of the Gilberts v. Copenhaver litigation in accordance with the terms discussed in executive session and directed the Village Attorney to present a consent order to the circuit court for approval. Roll call: Vote: 4-eyes: Trustees Farrell, Corbett, Mierisch and Zambetti. 0-nays, 0-abstained. Motion carried.

Adjournment

There being no further public business to discuss, **a Motion was made by Trustee Corbett and seconded by Trustee Zambetti to adjourn from the public meeting at 8:50 p.m.** Roll call: Vote: 4-eyes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows