



**Village of Gilberts
87 Galligan Road
Gilberts, IL 60136
Village Board
Meeting Minutes
January 17, 2017**

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 Kojzarek, Corbett, LeClercq, Zambetti, Farrell and President Zirk. Others present: Administrator Sakas, Assistant Administrator Beith, Chief Building Inspector Swedberg, Finance Director Blocker and Chief of Police Rossi. For members of the audience please see the attached sign-in sheet.

Public Comment

President Zirk asked if anyone in the audience had any questions or comments they wished to share with the Village Board at this time. Those in attendance offered no questions or comments. The Board Members moved on to the consent agenda.

Consent Agenda

- A. A Motion to approve the Minutes from the December 20, 2016 Village Board Meeting**
- B. A Motion to approve the Minutes from the January 10, 2017 Committee of the Whole Meeting**
- C. A Motion to approve December 2016 Treasurer's Report**
- D. A Motion to ratify Bills dated January 03, 2017 as follows: General Fund \$93,380.00, Water Fund \$56,595.15, Performance Bonds \$41,085.14**
- E. A Motion to approve Bills & Payroll dated January 17, 2017 as follows: General Fund \$31,061.78, Water Fund \$26,754.58, Performance Bonds \$1,106.00 and Payroll \$157,661.84**
- F. A Motion to approve Resolution 01-2017, a Resolution adopting a policy allowing Zoning Fee Reimbursement for Units of Government and Non-Profits**

President Zirk asked the Board Members if there were any items listed on the consent agenda they wished to remove for separate consideration.

The Board Members offered no comments. **A Motion was made by Trustee Zambetti and seconded by Trustee LeClercq to approve the consent agenda items A-F as presented.** Roll call: Vote: 5-ayes: Trustees Kojzarek, Corbett, LeClercq, Zambetti and Farrell. 0-nays, 0-abstained. Motion carried.

Items for Approval

A Motion to approve Ordinance 01-2017, an Ordinance approving a Special Use Permit to allow for a School Building Expansion at Gilberts Elementary School, 729 Paperbark Lane

Administrator Sakas reported that the Plan Commission/Zoning Board of Appeals, after proper notice, conducted a public hearing at 7:00 p.m. on January 10, 2017 to consider the expansion of the Gilberts Elementary School site. The approval of the special use would permit D300 to construct a 4,700 square-foot addition onto the existing building. The expansion would be on the west side of the existing building and provide for eight additional classrooms and increasing the existing school facility by 25%.

President Zirk commented on the fact that he is grateful to see that the new administration is investing in the expansion of the Gilberts Elementary School.

President Zirk asked if the Board Members had any comments on the motion. The Board Members offered no comments. **A Motion was made by Trustee LeClercq and seconded by Trustee Kojzarek to approve Ordinance 01-2017, an Ordinance approving a Special Use Permit to allow for a School Building Expansion at Gilberts Elementary School, 729 Paperbark Lane.** Roll call: Vote: 5: ayes: Trustees Corbett, LeClercq, Zambetti, Farrell and Kojzarek. 0-nays, 0-abstained. Motion carried.

A Motion to approve Ordinance 02-2017, an Ordinance approving the Site Plan for construction of Dunkin Donuts located at 315 East Higgins

Administrator Sakas commented on the Dunkin Donuts Site Plan approval process. He noted that on April 16, 2013, the Village Board of Trustees adopted Ordinance No. 13-2013, which approved a Planned Unit Development (PUD) for the Prairie Business Park. The ordinance allows for restaurants, including restaurants with drive through service.

Arihantanam Corp. has acquired the property within the Prairie Business Park at the southwest corner of IL Route 72 and Prairie Parkway commonly known as 315 E. Higgins Road. They have applied for site plan approval to construct a Dunkin Donuts restaurant, including offering drive through service. The Plan Commission held a meeting on January 11th to review the site plan. The Plan Commission recommended three revisions to the site plan.

The revisions recommended by the Plan Commission were to widen the driveway entrance to 33 feet and lengthen the drive-through escape lane to the south. In addition, the Plan Commission recommended minor modifications to the landscape plan. The quorum of the commissioners present voted unanimously to recommend approval of the site plan to the Village Board.

Dunkin Donuts Principal Architect, Vaishali Katyarmal provided the Board Members with an overview of the site plan, landscape plan and renderings of the exterior building elevations. Architect Katyarmal discussed the revisions that were made after the Plan Commission meeting.

There was some discussion on the Dunkin Donuts blade sign. Administrator Sakas noted that the proposed projection sign on the front of the Dunkin Donuts exceeds the permitted 16". However in his opinion the UDO permitted projection sign is a requirement which regulates traditional downtown commercial areas in which you have sidewalks and foot traffic. The Dunkin Donuts site is located off of Route 72 and is not located in an area with high foot traffic. In addition, the Dunkin Donuts sign is a marketing tool used on all Dunkin Donuts. The Board Members were in favor of allowing the proposed projection sign.

President Zirk commented on the lack of detail on the site plans, landscape plans, and exterior elevations. He expressed his frustration with an amended landscape plan being submitted two minutes prior to the Board considering the Dunkin Donut Site Plan. A lengthy discussion ensued with respect to the details that should have been depicted on the plans.

President Zirk questioned the materials that would be used on the parapets. He noted that all the mechanical equipment on the roof must be shielded whether by the parapets or other shielding material so as not to be visible from the ground level.

Trustee Zambetti noted that he was not in favor of a mechanical equipment access latter being located outside the building. He would prefer to see the roof access being located within the interior building with a roof hatch.

President Zirk recommended that the dumpster enclosure doors be solid/opaque to minimize blowing trash and masonry side walls to match the building in color and texture.

President Zirk directed the Dunkin Donuts Development Team to include detail on the site plan depicting the outdoor seating area and the fencing which surrounds the outdoor seating area.

Trustee Farrell questioned the access points from Route 72, Prairie Parkway and Trillium Drive. Administrator Sakas commented on the Plan Commission's recommendation to widen the entrance driveway to 33 feet, and lengthen the drive-through escape lane to the south. This additional surface space will allow for additional cars waiting in the queue. Administrator Sakas believed the additional surface space would be adequate to support a least 11 cars waiting for services. Anila Shah (owner of the proposed Dunkin Donuts) commented on that fact that there will be two service windows to shorten wait times.

President Zirk inquired if three sides of the building's façade will be constructed with ledge stone and cement block with the back of the building material being cement painted in a similar opaque color. He noted that he wanted to ensure the constructed materials used were aesthetically acceptable as this structure will be very visible from Route 72 and set the tone for the future commercial development on Route 72.

President Zirk questioned the materials and placement of the scuppers and downspouts. He noted that this equipment should also be depicted on the site plan and match the building in color and texture.

President Zirk asked about the placement of the monument signs. Staff reported that they have not received the full sign package. However, the monument signs and directional signs will need to comply with the UDO.

President Zirk questioned the height of the parapets. He wanted Dunkin Donut's Development Team's assurance that the parapets would be built at a height which will screen the mechanical equipment from the line of site. Architect Katyarmal replied that Dunkin Donuts requires all parapets be built to a height that screens all mechanical equipment from the line of site.

President Zirk questioned the location of the gas/electrical meters. He noted that their locations should also be depicted on the map and the meters also be screened from the line of sight.

President Zirk directed the Dunkin Donuts Development Team to include the stormwater detention facility on the landscape plans.

President Zirk discussed the parking stall set-backs. He noted that in his opinion the proposed parking stall set-backs are appropriate. However, the parking stall set-backs depicted on the plan is a deviation from Prairie Business Park's CCRs and the Village would require a letter from the Buildings-Owners Association approving the parking stall set-backs deviation.

Architect Katyarmal reported that Mr. Ebacher has reviewed the plans. However, she will have her team draft an approval letter for the Buildings-Owners Association to sign and then provide a copy of the fully executed letter to the Village Board. President Zirk noted that typically the Association's approval letter is submitted prior the site plan being brought before the Village Board for approval.

President Zirk commented on the new landscape plan which was presented to the Board Members 2 minutes prior to the start of the meeting. He noted the previous landscape plan had placed trees in the ditch and also in IDOT's Right-of-Way. He was unsure they would be able to obtain an easement from IDOT.

President Zirk noted that he is uncomfortable making a recommendation on a site plan that has so many outstanding issues. Trustee Farrell asked Administrator Sakas when the Board was scheduled to meet next. Administrator Sakas reported that the Board has a tentative special meeting scheduled for January 31st to consider the Conservancy's PUD and Annexation Agreement amendments. Architect Katyarmal reported that they are on a very tight construction schedule. President Zirk asked the Board Members if they were in favor of approving the site plan with conditions. The Board Members replied yes they were in favor of approving the site plan with several conditions as follows:

1. Parapet back material must be painted or finished with a color matching façade walls.
2. Mechanical equipment on the roof must be shielded whether by the parapets or other shielding material so as not to be visible from ground level.
3. Wall signage as presented is approved. Ground signage will be limited to the front monument sign and directional signs per the Unified Development Ordinance.
4. The development must adhere to the Building-Owners' Association covenants and restrictions as verified by a letter from the organization prior to the building permit being issued.
5. Utility meters will be limited to the rear (south) wall or the southern-most portion of the east wall and shielded from view.
6. Roof Access will be from the interior via a roof hatch.
7. Scuppers and downspouts are to be similar metals as other building exterior finishes and matching in color.
8. Seating area fencing and the trash dumpster enclosures will be per submitted specifications with the dumpster enclosure doors to be solid/opaque so to minimize blowing trash and masonry side walls to match the building in color and texture.
9. Parking setbacks are approved per the January 17, 2017 site plan.
10. Petitioner will submit all engineering, stormwater, architectural, mechanical etc. plans as required by the Village's standard commercial permitting process.

A Motion was made by Trustee LeClercq and seconded by Trustee Corbett to approve Ordinance 02-2017, an Ordinance approving the Site Plan for construction of a Dunkin Donuts located at 315 East Higgins Road with conditions. Roll call: Vote: 5-ayes: Trustees LeClercq, Zambetti, Farrell, Kojzarek and Corbett. 0-nays, 0-abstained. Motion carried.

A Motion to approve Ordinance 03-2017, an Ordinance authorizing execution of a loan agreement with Union National Bank for the purpose of refinancing the existing loan for Village Owned property located at 73 Industrial Drive.

Administrator Sakas reported that approval of this Ordinance authorizes the Village to extend the 73 Industrial Drive loan of an additional 5-year term. He noted that the remaining full amortization period is 229 months or 19 years and one month concluding on January 20, 2036.

President Zirk noted that the other option would be to take the loan out to referendum and see if the Village could receive a lower interest rate on bonds. Finance Director Blocker noted that Union National Bank had been consistent with maintaining lower than market interest rates.

There being no further discussion on the motion, **a Motion was made by Trustee Zambetti and seconded by Trustee LeClercq to approve Ordinance 03-2017, an Ordinance authorizing execution of a loan agreement with Union National Bank for the purpose of refinancing the existing loan for Village Owned property located at 73 Industrial Drive.** Roll call: Vote: 5-ayes: Trustees Zambetti, Farrell, Kojzarek, Corbett and LeClercq. 0-nays,0-abstained. Motion carried.

A Motion to approve Resolution 02-2017, a Resolution authorizing a Franchise Agreement between the Village of Gilberts and Comcast of Northern Illinois, Inc.

President Zirk commented on the fact that the residents now have several cable/fiber providers to choose from which increases competition and in theory should provide the consumer with lower rate options.

There being no further discussion on the motion, **a Motion was made by Trustee LeClercq and seconded by Trustee Farrell to approve Resolution 02-2017, a Resolution authorizing a Franchise Agreement between the Village of Gilberts and Comcast of Northern Illinois, Inc.** Roll call: Vote: 5-ayes: Trustees Farrell, Kojzarek, Corbett, LeClercq and Zambetti. 0-nays, 0-abstained. Motion carried.

A Motion to approve Resolution 03-2017, a Resolution authorizing the participation in the Northern Illinois Municipal Electric Collaborative (NIMEC) to approve a contract with the lowest cost electricity provider for a period up to 36 months

President Zirk noted that this resolution is not a resolution approving residential electric aggregation. This resolution is approving the lowest cost electric provider for the municipal water and wastewater treatment plants.

There being no further discussion on the motion, **a Motion was made by Trustee Farrell and seconded by Trustee Kojzarek to approve Resolution 03-2017, a Resolution authorizing the participation in the Northern Illinois Municipal electric Collaborative (NIMEC) to approve a contract with the lowest cost electricity provider for a period up to 36 months.** Roll call: Vote: 5-eyes: Trustees Kojzarek, Corbett, LeClercq, Zambetti and Farrell. 0-nays, 0-abstained. Motion carried.

Items for Discussion

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

Staff Reports

Administrator Sakas reported that the Public Works Department is in the process of patching potholes.

Administrator Sakas reported that the Board Members and Officials will soon be receiving the electronic Economic Interest Statement which is required to be filed with Kane County by February 28, 2017.

Administrator Sakas reported that Staff will begin the Finance Director interviewing process next week. Staff has received a total of eight resumes five of the candidates are highly qualified. Trustee Farrell inquired if any of the five candidates had municipal experience. Administrator Sakas noted that four of the five have municipal experience. There was some discussion on the Board's preference in the interview process. The Board Members will email Administrator Sakas their comments with respect to their preferences on the interview process.

Administrator Sakas reported the vacancy on the Plan Commission has been posted on the Village's facebook page and the website. To date Staff has received no applications for the Plan Commission vacancy.

Assistant Administrator Beith reported that IDOT had recently contact him to inform the Village of their intentions to rebuild the railroad crossing located on Route 72. They informed him that this may require the closure of a portion for Rt. 72 for 14 days. Closure of this portion of Route 72 poses a public safety concern. Assistant Administrator Beith reported that Staff, Police and Fire personnel will be meeting with IDOT in the near future.

Assistant Administrator Beith commented on the fact that during the conversation with the IDOT representative he asked if they would consider allowing the Village to stub in water/sewer connections. The IDOT representative was receptive to the idea. President Zirk noted that asking the question to stub water/sewer was a great idea. Assistant Administrator Beith noted that IDOT had pushed the project back until fall of 2017.

Chief Building Inspector Swedberg reported that due to the recent freeze/thaw events the public roadways are experiencing an increase in potholes. Public Works will be patching potholes on Village Street.

Chief Building Inspector Swedberg commented on the recent rain event. He reported that Public Works along with Phoenix & Associates had removed debris from the catch basins and storm drains. The Village's storm drains continued to function properly during the rain event.

Finance Director Blocker reported that she is working on drafting this year's budget adjustments.

President Zirk noted that next year's budget should include compensation dollars to allow for the new Finance Director's transition.

Trustees' Reports

The Trustees offered no reports.

President's Report

President Zirk offered no reports at this time.

Executive Session

Administrator Sakas respectfully requested a brief executive session to discuss personnel as permitted by 5 ILCS 120/2 (c) (1) with no business to follow. **A Motion was made by Trustee Farrell and seconded by Trustee Corbett to enter into executive session at 8:09 p.m. to discuss personnel with no business to follow.** Roll call: Vote: 5-ayes: Trustees Kojzarek, Corbett, LeClercq, Zambetti and Farrell. 0-nays, 0-abstained. Motion carried.

The Board Members along with Administrator Sakas, Assistant Administrator Beith, Finance Director Blocker, Chief Building Inspector Swedberg, Chief of Police Rossi and Village Clerk Meadows entered into executive session at 8:11 p.m. and returned to the public meeting at 8:18 p.m.

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Reconvene/Roll Call

A Motion was made by Trustee Kojzarek and seconded by Trustee Corbett to reconvene the public meeting at 8:19 p.m. Roll call: Vote: 5-ayes: Trustees Kojzarek, Corbett, LeClercq, Zambetti and Farrell. 0-nays, 0-abstained. Motion carried. Others present: Administrator Sakas, Assistant Administrator Beith, Chief Building Inspector Swedberg, Finance Director Blocker and Chief of Police Rossi.

Adjournment

There being no further public business to discuss, **a Motion was made by Trustee Corbett and seconded by Trustee Farrell to adjourn from the public meeting at 8:20 p.m.** Roll call: Vote: 5-ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows