

**Village of Gilberts  
87 Galligan Road  
Gilberts, IL 60136  
Village Board  
Meeting Minutes  
December 5, 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**

Clerk Meadows called the roll. Roll call: Members present: Trustees Kojzarek, Corbett, Allen, Zambetti, Farrell, Hacker and President Zirk. Others present: Administrator Sakas, Assistant Administrator Beith and Finance Director Erickson. For members of the audience please see the attached copy of the sign-in sheet.

**Public Hearing**

**Tax Levy Ordinance for the Fiscal Year beginning May 1, 2018 and ending April 30, 2019**

President Zirk stated that he would entertain a motion to open the public hearing regarding the Corporate Tax Levy for Fiscal Year beginning May 1, 2018 and ending April 30, 2019. A Motion was made by Trustee Corbett and seconded by Trustee Allen to open the tax levy public hearing at 7:01 p.m. Roll call: Vote: 6-ayes: Trustees Kojzarek, Corbett, Allen, Zambetti, Farrell and Hacker. 0-nays, 0-abstained. Motion carried.

President Zirk asked if anyone in attendance had any questions or comments with respect to the proposed tax levy. There were no comments or questions offered by anyone in attendance. President Zirk reported that hearing no comments from anyone in the audience he would entertain a motion to close the tax levy public hearing. A Motion was made by Trustee Corbett and seconded by Trustee Hacker to close the tax levy public hearing at 7:03 p.m. Roll call: Vote: 6-ayes: Trustees Corbett, Allen, Zambetti, Farrell, Hacker and Kojzarek. 0-nays, 0-abstained. Motion carried.

**Public Comment**

President Zirk asked if anyone in attendance wished to address the Board Members with any comments or questions other than discussing matters regarding the acceptance of Gilberts Town Center Unit 2A. Those in attendance offered no questions or comments.

Resident Jackie Rod approached the dais. She reported that her family purchased a home in Gilberts Town Center in 2012.

Ms. Rod commented on the fact that she was speaking tonight on behalf of the HOA Resident Transition Committee. Ms. Rod thanked the Board Members for their continued support with ensuring the Gilberts Town Center Units 2A and 2B build-out by CalAtlantic is completed in a consistent and acceptable manner and meets the Village Code requirements. Ms. Rod introduced Mr. Targowski who is also part of the HOA Resident Transition Committee and will be providing the Village Board with a power point presentation outlining the committee's punch list concerns.

Mr. Targowski proceeded to begin the power point presentation with photographs of exposed utility wiring, open utility boxes along with utility posts in disarray. Mr. Targowski expressed concerns with the exposed wires and the open utility boxes; in his opinion the condition of the utility infrastructure is aesthetically unacceptable and a safety issue. President Zirk asked Mr. Targowski to email the Staff copies of the pictures, and they can speak to AT&T about their concerns.

Mr. Targowski continued on with the power point presentation. He commented on the 20-24 newly created guest parking spaces. He noted that there are missing concrete curbs and broken or particle curbs installed incorrectly. Trustee Zambetti noted that there should be a Village approved plan for the newly created guest parking spaces which the Village could enforce and have CalAtlantic complete the parking spaces as required by the approved plan. President Zirk noted that the Village Engineer would want to ensure that the area in question will drain properly and the parking spaces are pitched accordingly to avoid any stormwater run-off concerns.

Mr. Targowski discussed the Transition Committee's concern with the inconsistencies of the mailboxes. He reported that some portions of Unit 2A have rural mailboxes and some of the areas have the stacked locked mail boxes. In addition, some of the mailboxes are rusty and need to be painted. President Zirk noted that the inconsistencies with the mailboxes would need to be addressed with the Post Master. He noted that the Post Master changed their mailbox code requirements hence the inconsistencies with the mailboxes. Trustee Zambetti noted that some of the HOA Resident Transition Committee's concerns fall out of the Village's jurisdiction and authority. Ms. Rod noted that her concern with the current mailboxes is that the future cost and responsibility will fall back on to the HOA after CalAtlantic receives acceptance. In fact, she reported that she has heard rumors that CalAtlantic is in the process of being acquired by Lennar Homes. Trustee Zambetti suggested the transition committee discuss this matter with the post master.

Mr. Targowski discussed the Transition Committee's concern with damaged sidewalks. He noted that concrete work completed a few weeks ago was poorly done and now cracked. In addition, older walkways and steps are cracked and/or deteriorating. President Zirk noted that there are two issues; the Village can address the public sidewalks condition. However, the Village would have no authority with respect to private property construction issues. Trustee Zambetti commented on the fact that the private property concerns in his opinion should be handled as you would for any home warranty issue.

President Zirk suggested the transition committee ask the CalAtlantic HOA for the amortization schedule and their capital reserve study. A lengthy discussion ensued.

Mr. Targowski discussed utility created sinkholes, exposed insulation on concrete foundations, soil erosion and landscaping concerns. President Zirk noted that any landscape issues were an easy issue to address due to the fact that the Village has an approved landscape plan. The landscape plantings and grading are required to meet the approved landscape plan. Staff will review the landscape plan and note any deficiencies.

There was some discussion on chipped street signs which Administrator Sakas is certain this item is already on the Village's punch list along with the final lift requirement.

The Resident Transition Committee thanked the Board Members for their support and their time.

President Zirk asked if anyone else in attendance had any questions or comments they wished to share with the Village Board Members. There were no comments offered by anyone in attendance.

#### **CONSENT AGENDA**

- A. A Motion to approve Minutes from the November 21, 2017 Village Board Meeting**
- B. A Motion to approve Bills & Payroll dated December 5, 2017 as follows: General Fund \$53,863.42, Water System \$565.38, and Performance Bonds \$16,493.16**
- C. A Motion to approve Ordinance 22-2017, an Ordinance Levying Taxes for Fiscal Year beginning May 1, 2018 and ending April 30, 2019**
- D. A Motion to approve Ordinance 23-2017, an Ordinance Abating Taxes heretofore Levied to Pay Interest and Principal for \$27,250,000 Village of Gilberts, Kane County, Illinois Special Service Area Number Nine Special Tax Refunding Bonds, Series 2015 (Big Timber Project)**
- E. A Motion to approve Ordinance 24-2017, an Ordinance Abating Taxes heretofore Levied to Pay Interest and Principal for \$11,720,000 Village of Gilberts, Kane County, Illinois Special Service Area Number Fifteen Special Tax Refunding Bonds, Series 2014**
- F. A Motion to approve Ordinance 25-2017, an Ordinance Abating Taxes heretofore Levied to Pay Interest and Principal for \$9,750,000 Village of Gilberts, Kane County, Illinois Special Service Area Number Twenty-Four Special Tax Bonds, Series 2014 (The Conservancy Project)**
- G. A Motion to approve Ordinance 26-2017, an Ordinance Abating the Tax heretofore Levied for the Year 2017 to Pay Debt Service on Certain Bonds of the Village of Gilberts, Kane County, Illinois**
- H. A Motion to approve Resolution 41-2017 a Resolution approving the Executive Session Meeting Minutes**
- I. A Motion to approve the 2018 Village of Gilberts Meeting Calendar**

President Zirk asked if any of the Board Members would like to remove any items from the consent agenda for separate consideration. The Board Members offered no comments.

**A Motion was made by Trustee Farrell and seconded by Trustee Kojzarek to approve the consent agenda items A-I as presented.** Roll call: Vote: 6-ayes: Trustees: Allen, Zambetti, Farrell, Hacker, Kojzarek and Corbett. 0-nays, 0-abstained. Motion carried.

#### **Items for Approval**

**A Motion to approve Resolution 42-2017, a Resolution for Maintenance of Streets and Highways by the Village of Gilberts, County of Kane, Illinois Under the Illinois Highway Code**

Administrator Sakas reported that the resolution under consideration is the annual action which allows the Village to allocate MFT funds for snow plowing and roadway maintenance. Finance Director Erickson reported that the road salt dollar amount is lower than in past years due to the fact the region experienced a mild winter last year and the Village's salt supply is currently significant. There being no further discussion on the motion, **a Motion was made by Trustee Corbett and seconded by Trustee Zambetti to approve Resolution 42-2017, a Resolution for Maintenance of Streets and Highways by the Village of Gilberts, County of Kane, Illinois Under the Illinois Highway Code.** Roll call: Vote: 6-ayes: Trustees Zambetti, Farrell, Hacker, Kojzarek, Corbett and Allen. 0-nays, 0-abstained. Motion carried.

**A Motion to approve Resolution 43-2017, a Resolution approving a renewal proposal by Arthur J. Gallagher Risk Management Services Inc. for property, liability, workmen's compensation and risk management insurance coverage**

Administrator Sakas report that Staff has received the annual risk management proposal from Arthur J. Gallagher & Co. for the calendar year 2018 insurance. Gallagher solicits bids on behalf of the Village and presents them for the Board Members and Staff's review. Administrator Sakas noted that the current provider BRIT had the second lowest bid of \$104,098.00 which reflects a 5% savings on our current policy. The lowest bidder was Trident which would save the Village \$89.00 a year. However, Staff recommends renewing the current policy with BRIT as Staff has been satisfied with their services.

Administrator Sakas asked the Board Members if they were in favor of opting in on the terrorist coverage rider. He noted that the Board was not in favor of opting in on the terrorist coverage rider last year. The Board Members concurred to opt out of the terrorist coverage. There being no further discussion on the motion, **a Motion was made by Trustee Corbett and seconded by Trustee Allen to approve Resolution 43-2017, a Resolution approving a renewal proposal by Arthur J. Gallagher Risk Management Service Inc. for property, liability, workmen's compensation and risk management insurance coverage.** Roll call: Vote: 6-ayes: Trustees: Farrell, Hacker, Kojzarek, Corbett, Allen and Zambetti. 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 Plan Commission is scheduled to conduct a public hearing Wednesday, December 6<sup>th</sup> regarding the Pulte Homes petition for the Resubdivision of 32 duplex lots into 60 single family lots located in Gilberts Town Center Unit 2B.

In addition, the Plan Commission is scheduled to meet on January 10<sup>th</sup> to consider a special use petition to allow for bee keeping within a residential zoning district along with miscellaneous UDO corrections or changes including permitting tattoo parlors.

President Zirk commented on the fact that prior to Administrator Sakas's employment with the Village the Board Members had several lengthy discussions during the process of drafting the UDO with respect to allowing tattoo parlors. President Zirk reported the UDO is silent on permitting tattoo parlors within the Village limits due to the fact at that time the Board Members were not in favor allowing these types of establishments within the Village limits. Trustee Farrell also recalled the discussion with respect to prohibiting tattoo parlors. Administrator Sakas cited a court ruling which prohibited local governments from not allowing a time and a place for every legal use. Administrator Sakas noted that the use can be limited to various zoning district and have restrictions on location.

Trustee Zambetti stated he was not in favor of allowing tattoo parlors within the Village limits. Trustee Allen expressed her opinion that by not allowing tattoo parlors the Village was discriminating against what types of businesses would be allowed within the Village limits. Some of the Trustees engaged in a lively debate. Trustee Hacker was also in favor of prohibiting tattoo parlors. President Zirk directed Staff to review the UDO use tables and ensure that language is added clarifying the uses. Administrator Sakas will discuss this matter with Attorney Tappendorf.

Administrator Sakas reported that the Dunkin Donuts grand opening is scheduled for December 9<sup>th</sup>. Trustee Farrell and Trustee Hacker will try to attend the grand opening event.

Assistant Administrator Beith reported that Pirtano will begin the fiber conduit construction and splicing sometime next week.

### **Trustees' Reports**

Trustee Zambetti commented on the fact that some residents have reported that WOW representatives are soliciting after permitted hours. Staff will contact WOW and reiterate the solicitation hours that are permitted per Village Code.

Trustee Farrell asked how the Staff is currently notified when and where there are streetlight outages. Administrator Sakas replied that Staff is notified by the residents usually with a phone call. Trustee Farrell directed Staff to place information on the Village's Facebook page and website informing residents on the ways in which they can report streetlight outages and missing or deteriorating street signs.

**President's Report**

President Zirk asked Staff to provide the Board Members with the holiday meeting schedule. Administrator Sakas reported that tentatively Staff recommends cancelling the January 2<sup>nd</sup> Village Board meeting and holding a Special Village Board meeting on January 9<sup>th</sup> along with a Special Village Board meeting on January 23<sup>rd</sup>. The Board Members offered no comments.

**Executive Session**

President Zirk asked the Board Members along with Staff if they had any matters they wished to discuss in executive session. Neither the Board Members nor Staff offered any comments.

**Adjournment**

There being no further public business to discuss, a Motion was made by Trustee Corbett and seconded by Trustee Hacker to adjourn from the public meeting at 8:10 p.m. Roll call: Vote: 6-ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows