

**Village of Gilberts
Committee of the Whole
June 09, 2009
7:00 p.m.**

Call to Order/Pledge of Allegiance

President Zirk called the meeting to order at 7:01 p.m. President Zirk led those present in the pledge of allegiance.

Roll Call/Establish Quorum

Members present: Trustees Erbeck, Clark, Mierisch, Zambetti, Farrell, Garcia and President Zirk. Others present: Village Administrator Keller, Attorney Tappendorf, Engineer Kanthack, Chief Building Inspector Swedberg, Administrative Intern Cratty, Finance Director Blocker and Acting Village Clerk Meadows. (See attached list for members of the public present). President Zirk declared a quorum.

Minutes to Be Considered

President Zirk asked if any of the Trustees had comments on the Board Minutes dated 05/12/09, 05/19/09 and 05/26/09. There were no comments and the minutes will be placed on the next Village Board Consent Agenda for approval.

Treasurer's Report for May 2009 to be Considered

President Zirk asked if any of the Trustees had comments on the Treasurer's report for the month of May. There were no comments and this matter will be placed on the next Village Board Consent Agenda for approval.

Enforcement and Compliance of Indian Trails CCR's

Administrator Keller reported that the neighborhood's representative have requested the Village provide them with an outline of the proposed overlaying zoning district and the impacts on the homeowners. Also they would like the Village to provide them with talking points that they can share with the residents.

Administrator Keller recommended the Village include the intent of adopting an overlaying zoning district and definitions along with language clarification.

There was some discussion with respect to how difficult it is for the staff to enforce violations that are not clearly defined in the CCR's.

There was some discussion with only enforcing permit based violations. However, not all CCR violations are permit based.

Trustee Zambetti stated that the Village has been enforcing the Indian Trails for over twelve years. He questioned the fairness of the change in philosophy. The Board noted that the overlay zoning district will not amend or change the CCR's just clarify what the Village will enforce.

Trustee Mierisch noted that even when residents comply with the CCR's and construct the improved surfaces to house boats, trailer, etc. the neighborhoods can still appear cluttered.

Trustee Garcia stated his concerns with the amount of staff time it will take to clarify and define the CCR's

President Zirk reminded the Board that the staff would not begin the process until Indian Trails representative have a petition signed by 75% of their residents requesting the Village to move forward with adopting an Overlaying Zoning District.

The Board directed Administrator Keller to move forward with the drafting of the talking points and the information of the overlaying zoning district for the Indian Trails representative.

Codification-Review Title 8

Engineer Kanthack led the review of the Title 8 of the draft Village Code. The Board reviewed the worksheet and directed their questions to Engineer Kanthack.

There was some discussion with respect to the old Village Code having incorrect references to other sections. Engineer Kanthack had noted the correct section to be referenced.

With respect to section 8-3A located on page 3 Attorney Tappendorf recommended a boarder scope be used in noting the proper authorities. In her opinion the authorities that should be noted is both the EPA and the IEPA. The Board Members were in agreement.

There was a lengthy discussion on the water connection requirements. This matter will be addressed after the Village receives the code in an electronic format.

The Board discussed the section referencing meter size. Attorney Tappendorf stated in her opinion this section should be omitted and placed in the Subdivision Code.

Section 8-5-15 on page 16 references the Village President. The Board agreed that the language throughout title 8 should reference the "superintendent" as defined in this section.

License Agreement for Village Property Adjacent to 534 Towne Street

The license agreement will be revised to include the properties legal description and place on the next Village Board Agenda for Board consideration.

Revised Village Board Meeting Schedule

There was some discussion with respect to meeting only twice a month. The Board had considered having the Committee of the Whole Meeting beginning at 6:30 pm and ending at 7:30 pm directly followed by a Village Board meeting on the 2nd and 4th Tuesday in the month of July. The majority of the Board stated there were too many unresolved issues to only meet twice a month.

The Board Members recommended that the Village Web Site reflect the new meeting format and the yearly calendar be removed until the Board adopts a permanent meeting schedule. The Board Members will adopt a yearly calendar for 2010 at the first meeting in December.

There was a lengthy discussion with respect to the Board Members being allowed to participate in the meeting electronically. This matter has been discussed in the past, however the policy was voted down. Staff was directed to supply the Board Members with copies of the draft Ordinance and Policy that was provided in the past and copies of the past minutes when this matter was discussed.

Prevailing Wage Ordinance 09-08

The Village is required by State Statute to pass the Prevailing Wage Ordinance annually and file certified copies with both the Secretary of State's Office and the Illinois Department of Labor's Index Department before July 15th. In addition after passage and filing the Village must publish in the local newspaper a notice of the Ordinance's passage.

An Ordinance to Amend Village Code Section 2.16 (Plan Commission Terms)

Administrator Keller stated that this ordinance was drafted to clean-up the overlap in the Plan Commission's terms.

Staff Reports

Trustee Mierisch asked Administrator Keller to provide the Board Members with an updated on the Com Ed Transmission Lines and the ICC's ruling. Administrator Keller stated that Com Ed is in the process of acquiring easements along the preferred route which was the route that the Village supported. However, from his understating the Kreutzer Road group is continuing with their objection to the ICC ruling.

Finance Blocker reported that the auditors will be at the Village next week.

Acting Village Clerk Meadows had included a memo in the Board Packets.

Board of Trustee Reports

Trustee Garcia reported that he had a meeting with John Luczynski to discuss briefly the project that was submitted earlier.

Trustee Farrell stated she had also meet with John Luczynski.

Trustee Farrell had some ideas on how to improve the Village's web site. She will be out of town however, when she returns she would like to discuss her ideas with Village Hall staff members.

A motion was made by Trustee Clark and seconded by Trustee Erbeck to close a portion of the meeting to the public, effective immediately with no business to follow as permitted by 5 ILCS 120/2 (c) (11) to discuss litigation against, affecting the Village which as been filed and is pending or is probable or imminent and by 5 ILCS 120/2 (c) appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Village. Vote: Roll call: 6-ayes: (Trustee Erbeck, Clark, Mierisch, Zambetti, Farrell, Garcia) Motion carried. The Board recessed and went into Executive Session at 8:30 p.m. and returned to the public meeting at 9:50 p.m.

There being no further business to discuss, **a motion was made by Trustee Erbeck and seconded by Trustee Clark to adjourn the meeting.** Vote: Unanimous voice vote. Adjournment time 9:51 p.m.

Respectfully submitted,

Debra Meadows

