

APPROVED MINUTES

VILLAGE OF GILBERTS VILLAGE BOARD MEETING

June 16, 2009

7:00 p.m.

ORIGINAL

CALLED TO ORDER:

Village President Zirk called the meeting to order at 7:02 p.m. President Zirk led those present in the Pledge of Allegiance.

ROLL CALL/ESTABLISH QUORUM:

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

President Zirk sadly announced that Trustee Clark would not be in attendance due to the fact that his mother had passed away on Sunday, June 13th. Acting Clerk Meadows had provided the Board with the information regarding the visitation.

PUBLIC COMMENT

Resident Sue Sloan of 448 Sleeping Bear Trail addressed the Board. Ms. Sloan stated that she has expressed concerns in the past with respect to the flooding of her backyard. Ms. Sloan stated she has taken pictures and the pictures depict an apparent loss of her backyard. President Zirk asked Ms. Sloan if she could email copies of the pictures to his attention and Ms. Sloan agreed.

Ms. Sloan asked the Village to hire a civil engineer to determine what is the problem and how can the problem be corrected. She realizes the Village has investigated the concern in the past however there has yet to be a solution.

President Zirk stated that he had meeting scheduled on Friday with Engineer Stefan, Engineer Kanthack and Trustee Clark however due to the circumstances stated earlier the meeting has been cancelled.

In Addition, Engineer Kannigan, a resident of the Village, had provided President Zirk with his opinion on what could be causing the increase of the water table levels. Engineer Kannigan believes that a field tile located within the Riemer property might be causing part of the problem.

Trustee Mierisch remembered a conversation with respect to a new development in the City of Elgin that might have increased the rate and volume of the water and could have directly affected the residents of Sleeping Bear Trail.

Trustee Erbeck stated he could attest to the unusually high water levels and the rate in which the water flows along the Sleeping Bear Trail.

Trustee Garcia stated that he believed Engineer Kanthack had in the past provided the Board with a case study cost. He asked Engineer Kanthack if he would provide the Board with a copy of that work order.

A motion was made by Trustee Erbeck and seconded by Trustee Zambetti to approve by one omnibus vote, the following Consent Agenda items:

- a) Motion to approve the Committee of the Whole Meeting Minutes of 05/12/09
- b) Motion to approve the Village Board Meeting Minutes of 05/19/09
- c) Motion to approve the Committee of the Whole Meeting Minutes of 05/26/09
- d) Motion to approve the Treasurer's Report for May 2009
- e) Motion to approve the License Agreement for the Village Property Adjacent to 534 Towne Street
- f) Motion to approve Ordinance 09-09 an Ordinance to Amend Village Code Section 2.16 (Plan Commission Terms)

Roll call: Vote: 5-ayes (Trustees Mierisch, Zambetti, Farrell, Garcia and Erbeck) 0-nays, 0-abstained. Motion carried.

APPROVAL OF BILLS AND SALARIES

A motion was made by Trustee Erbeck and seconded by Trustee Zambetti to approve the Bills and Salaries dated June 16, 2009 as follows General Fund \$77,779.06, Permit Pass Thurs \$5,270.00 Performance bonds and Escrows \$ 2,587.00 Water Fund \$28,300.11and Payroll \$64,382.42 for a grand total of \$178,318.59.

Trustee Garcia questioned the B& F invoice for plumbing inspections. Finance Director Blocker informed Trustee Garcia that this invoice is a pass thru.

Trustee Zambetti questioned the Lamberti Concrete invoice. Staff informed the Board that this invoice was for curb cuts on Briarwood and Meadows that should have been made by the developer. The curb cuts were depicted on the original plans however for whatever reason they were missed. Roll call: Vote: 5-ayes (Trustees Zambetti, Farrell, Garcia, Erbeck and Mierisch). 0-nays, 0- abstained. Motion carried.

For the record there was no action taken on items 7-11.

A motion was made by Trustee Zambetti and seconded by Trustee Garcia to amend the Agenda and move Executive Session item number 6 to item number 19 at the end of the Agenda. Roll call: Vote: 5-ayes: (Trustees Erbeck, Mierisch, Zambetti, Farrell and Garcia) 0-nays, 0-abstained. Motion carried.

REVISED VILLAGE BOARD MEETING SCHEDULE-OPTIONS A OR B

A motion was made by Trustee Erbeck and seconded by Trustee Zambetti to approve the Village Board Meeting Schedule and consider options A or B.

There was some discussion with respect to the benefits of both of the meeting schedules. Option A proposes that the Board meet twice a month on the 2nd and 4th Tuesday. The Committee of the Whole Meeting would begin at 6:30 p.m. and end at 7:30 p.m. The Village Board Meeting would immediately follow and last until Village Business is completed. Option B proposes the Board meets every Tuesday, with the First and the Third Tuesday's of the month the Board would conduct the Village Board Meetings and the 2nd and the 4th Tuesday of each month the Board would conduct the Committee of the Whole Meetings. If there is a 5th Tuesday in the month the Board Members has the option of conducting a Worksession.

Trustee Erbeck stated one of the benefits of option A is that allows staff more preparation time.

President Zirk stated that the transitional matters that the Board was worried about will not be happening in July.

Trustee Farrell stated that she thought that option A is a good idea. However, there is a lot of old business to cover and that at this time it is not a good idea. In the future she believes the Board can get to the point of conducting two meetings a month.

There was a lengthy discussion with respect to the pros and cons of both schedules.

Trustee Garcia stated his concern with respect to the time limit of the Committee of the Whole Meeting. Option A schedule list the Committee of the Whole Meeting beginning at 6:30 p.m. and ending at 7:30 p.m.

Trustee Erbeck stated any unfinished business could be carried over to the Village Board Meeting. Attorney Tappendorf concurred that any unfinished business could be carried over to the Village Board Meeting.

Trustee Erbeck noted that when the Board Members held Committee Meetings they were scheduled for one hour and the Committee Members were able to address the Agenda

items. Some of the committees were extended to two hours to meet the needs of that committee.

Trustee Mierisch stated she does not mind trying the new schedule. However, the Board did away with the committees and moved to the new meeting schedule and she is concerned with the residents' perception and or confusion.

Trustee Zambetti agreed to try the new meeting schedule. Trustee Zambetti stated it appears that it would streamline the process.

A motion was made by Trustee Erbeck and seconded by Trustee Garcia to approve option A Meeting Schedule. Roll call: Vote: 3-ayes (Trustees Mierisch, Zambetti and Erbeck). 2- nays, 0-abstained. Motion carried.

APPROVAL OF SCHROEDER ASPHALT SERVICES, INC. CHANGE ORDER FOR THE COMMUNITY PARK IMPROVEMENTS IN THE AMOUNT OF \$37,550.00

A motion was made by Trustee Farrell and seconded by Trustee Zambetti to approve Schroeder Asphalt Services, Inc. Change Order for the Community Park Improvements in the Amount of \$37,550.00.

Trustee Garcia questioned Chief Building Inspector Swedberg on the reason for the \$37,550.00 change order. Chief Building Inspector Swedberg reviewed the scope of work conducted by Schroeder.

There was some discussion with how to avoid this type of concern in the future.

The Board discussed if the charges were fair. Trustee Zambetti stated there were three questionable line items.

There was some discussion with respect to the bid process.

President Zirk questioned the cost charged to relocate a tree and the cost for moving 450 yards of dirt.

Trustee Erbeck noted that there was a clause in the contract that the work needed to be complete by a certain date or penalties would be applied. The contractor did not complete the project on time however the Board agreed to waive the penalties. Trustee Erbeck directed staff to estimate the total amount of penalties that would have been accumulated and maybe this could be used a negotiation tool.

The Board directed staff to request copies of Schroeder's certified payroll.

A motion was Trustee Farrell and seconded by Trustee Zambetti to table the motion to approve Schroeder Asphalt Services, Inc. Change Order for the Community Park Improvement in the amount of \$37,550.00. Roll call: Vote: 5-ayes- (Trustees Erbeck, Mierisch, Zambetti, Farrell and Garcia). 0-nays, 0-abstained. Motion carried.

A motion was made by Trustee Garcia and seconded by Trustee Zambetti to approve the Prevailing Wage Ordinance 09-08.

Trustee Garcia asked what if any is the penalties to the Village if they did not adopt the 2009 Prevailing Wage Ordinance. Attorney Tappendorf stated there is a not penalty however, the Prevailing Wage Rate would still apply.

Roll call: Vote: 4-ayes: (Trustees Mierisch, Zambetti, Farrell and Erbeck) 0-nays, 1-abstained (Trustee Garcia). Motion carried.

Staff Reports

Engineer Kanthack reported that the 2009 traffic count study had been delayed due to equipment malfunction. However, the report should be completed before the end of the week.

Trustee Garcia noted that the Corporate Authorities are entitled to make a motion even if they are not in favor of the motion. The motion is the tool used to bring the matter before the Board Members for discussion.

Trustee Farrell reported that she had attended the IML Conference for Newly Elected Official. Trustee Farrell stated the conference was interesting. In the near future she will be sharing information.

Trustee Mierisch reported that the Citizen Corp Council Emergency Group and the Fire Department will be providing the Board with a presentation on June 23rd.

Trustee Mierisch reported that she had recently attended a Human Behavior and Fire Seminar and she was provided with handouts on emergency preparedness for people with functional needs and also a video tape on fire safety at home. Trustee Mierisch is requesting the Village have a file drawer made available for housing these types of materials and also for the Citizen Corp Council Meeting Minutes. In addition, Trustee Mierisch requested that staff place an article on the web site informing residents the materials are available.

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Trustee Mierisch stated she still has not heard anything with respect to the grant application that was submitted. Trustee Mierisch is hopeful she will hear something by the end of June.

President Zirk discussed in length the need for the scheduling of park space between the YMCA, Grizzlies Football and the Renegades Soccer Club.

Administrator Keller will meet with all three entities to work out a schedule.

There was some discussion with respect to the need for the Village to purchase soccer nets which could be left up for the residents use.

There was some discussion with respect to the status of the Frisbee Golf Course.

A motion was made by Trustee Erbeck and seconded by Trustee Mierisch 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, effecting the Village which has been filed and is pending or that is probable or imminent.

Roll call: Vote 5-ayes: (Trustees Zambetti, Farrell, Garcia, Erbeck and Mierisch). 0-nays, 0-abstained. Motion carried. The Board recessed and went into Executive Session at 8:34 p.m. and returned to the public meeting at 9:14 p.m.

There being no further business to discuss, **a motion was made by Trustee Garcia and seconded by Trustee Erbeck to adjourn the meeting.** Roll call: Vote: 5-ayes (Trustee Erbeck, Mierisch, Zambetti, Farrell and Garcia). 0-nays, 0-abstained. Motion carried. Adjournment time: 9:15 p.m.

Respectfully submitted,

Debra Meadows
Acting Village Clerk

SIGN IN SHEET
(Please Print)

VBM

06/16/09

Name Address Telephone #

Debra Swanson ZBA

Alissa Pool 51 Railroad

Amy Rood 51 Railroad

Kelli Hurley 61 Augusta

Sue Welch 81 Augusta

Sue Sloan 448 Sleeping Bear Trail

Kyle Cratty UOB

Melissa Blocker VOB

Mike Joswick EPD

Wanda Stettin 429 Jean

Stephanie Stellick 429 Jean

John Swedberg VOB