

Village of Gilberts  
Village Board  
Meeting Minutes  
November 03, 2009  
7:00 p.m.

APPROVED MINUTES

**ORDER OF BUSINESS**

**Call to Order/Pledge of Allegiance**

President Zirk called the meeting to order at 7:00 p.m. President Zirk led those present in the Pledge of Allegiance.

**Roll Call/Establish Quorum**

President Zirk asked Acting Village Clerk Meadows to call the roll. Roll call: Members present: Trustees Erbeck, Clark, Mierisch, Zambetti, Farrell, Garcia and President Zirk. Others present: Administrator Keller, Finance Director Blocker, Interim Police Chief Weiss, Attorney Tappendorf and Village Clerk Meadows. For members of the public see the attached list.

**Swearing in Ceremony**

A motion was made by Trustee Clark and seconded by Trustee Garcia to concur with President Zirk's recommendation to appoint Debra Meadows as Village Clerk.

Roll call: Vote: 6-ayes (Trustees Clark, Mierisch, Zambetti, Farrell, Garcia and Erbeck) 0-nays, 0-abstained. Motion carried.

**Public Comment and Discussion**

President Zirk asked if anyone in the audience wished to speak.

Mr. Rick Carlson who resides at 232 Tollview Terrace addressed the Board. Mr. Carlson would like for the Board Members to consider amending the Village Code to allow hunting in the Village limits on a parcel of 20 acres or more. Mr. Carlson reported that the Village of Lakemoor recently adopted an Ordinance allowing hunting within their Village limits. The Board Members stated that they did have a copy of Lakemoor's Ordinance 09-18. President Zirk asked Mr. Carlson if Lakemoor's Ordinance was recently passed. Mr. Carlson stated yes in September of this year.

President Zirk directed staff to place this matter on the next Agenda under "Items for Discussion". Trustee Garcia asked Mr. Carlson if he would be in willing to attend the next meeting to answer questions. Mr. Carlson agreed.

Trustee Erbeck asked Mr. Carlson if he had a time line. Mr. Carlson would like the amendment passed as soon as possible.

Ms. Kay Kummerow, who resides at 180 Tyler Creek, stated that she is a neighbor of the Carlson. In addition, her brother is a hunter and she respects responsible hunters. Ms. Kummerow went on to share with the Board Members a story about her first hunting season in her home in Gilberts.

She reported that she was on her kitchen floor calling the police because there were irresponsible hunters just outside her door with their guns. Ms. Kummerow stated that it terrifies her to think that irresponsible hunters would also have access to this hunting code amendment. Ms. Kummerow asked the Board to please consider this matter carefully.

#### **Consent Agenda**

**A motion was made by Trustee Erbeck and seconded by Trustee Zambetti to approve the Consent Agenda as follows:**

- A. A motion to approve the Committee of the Whole Meeting Minutes 09/22/09**
- B. A motion to approve the Village Board Meeting Minutes 10/06/09**
- C. A motion to approve the Village Board Special Meeting Minutes 10/13/09**
- D. A motion to approve the Committee of the Whole Meeting Minutes 10/13/09**
- E. A motion to approve the Village Board Meeting Minutes 10/20/09**
- F. A motion to approve Treasurer's Report for September 2009**
- G. A motion to approve Ordinance 09-14, An Ordinance amending the Village Code Section 2.1 "Meeting Date, Time & Place"**

President Zirk asked if there were any comments about motion. There being no further discussion President Zirk asked Village Clerk Meadows to call the roll. Roll call: Vote: 6-ayes: (Trustees Mierisch, Zambetti, Farrell, Garcia, Erbeck and Clark). 0-nays, 0-abstained. Motion carried.

#### **Approval of Bills and Salaries dated 11/03/09**

**A motion was made by Trustee Erbeck and seconded by Trustee Clark to approve the Bills and Salaries as follows: General Fund \$141,424.42, DUI/Drug Dev. Donations, TIF #1 \$2,446.39, Permit Pass Thrus \$326,424.29, Performance Bonds and Escrows \$7,686.00, Water Fund \$110,565.85, Payroll \$105,256.67.**

President Zirk asked if anyone had any comments about the motion.

Trustee Garcia inquired about the \$21,960.50 paid out of the water fund to the IML. Finance Director Blocker reported that the invoice was for the property insurance renewal of the water and wastewater plants.

Trustee Garcia inquired about the column titled DUI/Drug Dev. Donations TIF #1. Finance Blocker reported that this was several different expenses. She just placed them under one column due to the fact the spreadsheet did not have enough columns to list them separately.

Trustee Garcia asked what service Richard Spinker/Scuff'N'Buff supplies. Finance Director Blocker stated that is who cleans the Village Hall and the Police Department.

Trustee Garcia inquired about the payment made to TruGreen. Finance Director Blocker reported that was for the final payment for the maintenance of the sports fields.

There being no further discussion President Zirk asked Village Clerk Meadows to call the roll. Roll Call: Vote: (Trustees Zambetti, Farrell, Garcia, Erbeck, Clark and Mierisch). 0-nays, 0-abstained. Motion carried.

**Ordinance/Motions/Resolutions/Agreements for Approval**

- A. A motion to approve Resolution 09-16R, A Resolution Supporting the Efforts of the Northern Illinois Special Recreation Association (NISRA) in the Village of Gilberts.**

**A. motion was made by Trustee Zambetti and seconded by Trustee Garcia to approve Resolution 09-16R.**

Administrator Keller reported the Village Attorney had softened the Resolution language to allow for budget constraints.

There being no further discussion President Zirk asked Village Clerk Meadows to call the roll. Roll call: Vote: 6-ayes: (Trustees Farrell, Garcia, Erbeck, Clark, Mierisch and Zambetti). 0-nays, 0-abstained. Motion carried.

- B. A motion to approve Ordinance 09-13, An Ordinance Amending the Village Code Section 2.5 "Standing Committees"**

President Zirk asked if the Board wish to discuss this matter. Trustee Mierisch expressed concerns with respect to the Ordinance amendment. She was under the impression that in January the Board was going to reinstate the EDC and the Parks Committees. Administrator Keller reported that this was only a housekeeping issue and the Board could still reinstate any of the Committees.

There was some discussion with respect to the type of committees that could be created.

There being no further discussion President Zirk asked Village Clerk Meadows to call the roll. Roll call: Vote: 5-ayes: (Trustee Garcia, Erbeck, Clark, Zambetti and Farrell).  
1-nay: Trustee Mierisch. 0-abstained. Motion carried.

**C. A motion to approve an agreement for professional services between the Village of Gilberts and PeckHam Guyton Albers & Viets Inc.**

President Zirk asked if there was any discussion about the motion.

Trustee Clark asked if the PGAV based their cost on the amount of acreage included in the TIF District. Administrator Keller replied no, the cost is based on the scope of work.

Administrator Keller reported that PGAV had provided the Board Members with the schedule for adopting the TIF Redevelopment Plan & Project.

There being no further discussion President Zirk asked Village Clerk Meadows to call the roll. Roll call: Vote: 6-ayes: (Trustees Erbeck, Clark, Mierisch, Zambetti, Farrell and Garcia). 0-nays, 0-abstained. Motion carried.

**D. A motion to authorize the Village President to sign an employment agreement with the Village Administrator**

**A motion was made by Trustee Garcia and seconded by Trustee Clark to close a portion of the meeting with business to follow effective immediately as permitted by 5 ILCS 120/2 (c ) (1) to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees to the Village of Gilberts.**

Roll call: Vote: 6-ayes: (Trustees Clark, Mierisch, Zambetti, Farrell, Garcia and Erbeck).  
0-nays, 0-abstained. Motion carried. The Board went into Executive Session at 7:20 p.m. and returned to the public meeting at 7:40 p.m.

**Reconvene the Public Meeting at 7:40 p.m.**

President Zirk asked Village Clerk Meadows to call the roll. Roll call: Members Present: Trustees Erbeck, Clark, Mierisch, Zambetti, Farrell, Garcia and President Zirk.

**A motion was made by Trustee Erbeck and seconded by Trustee Garcia to authorize the Village President to sign an employment agreement with the Village Administrator.**

There being no further discussion President Zirk asked Village Clerk Meadows to call the roll. Roll call: Vote: 6-ayes: (Trustees Mierisch, Zambetti, Farrell, Garcia, Erbeck and Clark). 0-nays, 0-abstained. Motion carried.

**Staff Reports**

Administrator Keller reported that he recently attended a Kane County Grant program and he will be drafting a list of project ideas that would be eligible for the Board to review.

**Trustee Reports**

Trustee Garcia expressed some concerns with the use of electronic communication devices. He expressed a preference for the Board Members to discuss matters face to face.

Some Board Members noted that the Committee of the Whole Meetings is the proper forum to discuss agenda items. In addition, some Board Members recommended that if a Trustee has a question for staff they should contact them prior to the meeting.

Trustee Erbeck stated that he does not have an issue with Trustee Garcia bringing up any item for discussion. He noted that it is Trustee Garcia's right and responsibility. Trustee Erbeck went on to say that he would appreciate if Trustee Garcia would bring a matter up so that it did not sound so controversial. Trustee Garcia sincerely apologized. He stated that he has a lot of things going on and he once again apologized. Trustee Erbeck said that he appreciated the apology.

Trustee Erbeck asked Attorney Tappendorf if she had any update on the matter discussed at the last meeting. Attorney Tappendorf stated that if any Trustee had a concern on a voting matter she recommended that a Trustee contact her so she could discuss this matter with the Trustees individually.

**There being no further business to discuss a motion was made by Trustee Garcia and seconded by Trustee Zambetti to adjourn the Committee of the Whole Meeting.**

President Zirk asked for a roll call by voice vote. 6-ayes: (Trustees Erbeck, Clark, Mierisch, Zambetti, Farrell and Garcia). 0-nays, 0-abstained. Motion carried. Adjournment time 8:02 p.m.

Respectfully submitted,  
Debra Meadows

