

**Village of Gilberts
Committee of the Whole
Meeting Minutes
December 8, 2009**

APPROVED MINUTES

ORDER OF BUSINESS

Call to Order / Pledge of Allegiance

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

Roll Call / Establish Quorum

President Zirk asked Village Clerk Meadows to call the roll. Roll call: Members present: Trustees Clark, Mierisch, Zambetti, Farrell and President Zirk. 2-absent: (Trustees Erbeck and Garcia). Others present: Administrator Keller, Attorney Tappendorf, Engineer Harmon, Engineer Stefan, Engineer Fisher and Village Clerk Meadows.

Presentations

Illinois American Water

Representatives from Illinois American Water were not in attendance. However, they will be placed on the next Village Board Agenda.

Energy Task Force-Progress Update

Mr. Bartel (Energy Task Force Chairman) provided the Board Members with an update from the Energy Task Force's kick-off meeting. Mr. Bartel reported that five residents and two Trustees attended the kick-off meeting. Mr. Bartel reported that two other residents are interested in participating however they were unable to attend the first meeting.

Mr. Bartel stated the task force would like to conduct an energy audit which would include site visits of the Village facilities including the water and waste water plants. President Zirk directed Mr. Bartel to coordinate the energy audit with Administrator Keller.

Trustee Garcia arrived at 7:04 p.m.

Baxter & Woodman-Water/Wastewater Systems Overview

Engineer Stefan discussed the purpose of the presentation. He went on to say that the purpose of the presentation was to educate the Board Members on the current situation of the capacity of Water and Waste Water Plants. In addition, it will provide the Board Members with a 20 year forecast and expansion options. Mr. Stefan turned the presentation over to Engineer Fisher.

Engineer Fisher began the power point presentation by asking the question of "Why Now?" Engineer Fisher listed the reasons as follows:

- Essential Precursor to the Comprehensive Plan
- A change in the situation due to the Pingree Grove Settlement
- Proposed Tyler Creek Subdivision

However, Engineer Fisher recommends the Board place the proposed Tyler Creek Properties Development aside for a moment.

Engineer Fisher reviewed the current situation relative to the capacity of the Wastewater Treatment Plant and the existing population

Engineer Fisher reported on the current and committed capacity of the Wastewater Treatment Plant. However, he would like for the Village Attorney to review the various agreements to confirm that the committed numbers are correct.

Trustee Erbeck arrived at 7:20 p.m.

Engineer Fisher provided the Board Members with a population forecast for a 20 year planning period and its relationship to the future Wastewater capacity.

Engineer Fisher discussed the impact that Tyler Creek development would have on the wastewater facility.

Engineer Fisher offered the Board Members options as noted below:

1. The Board Members could choose to do nothing. However, the IEPA may place the Village on a "Critical Review" if the WRF flow was to hit 0.80 mgd. Or halt new development by placing the Village on a "Restricted Status". Engineer Fisher stated that the status restriction would probably only occur if the treatment plant began experiencing problems that would require boil orders or other red flag situations.
2. The Board Members could choose to reconsider the previous projections or consider selling unused capacity.
3. The Board Member could choose to expand the Wastewater Treatment Plant to 1.25 mgd at an estimated cost of 12 million dollars. However, the plant would require another expansion before 2025 and this would not be as efficient.
4. The Board Members could choose to expand the Wastewater Treatment Plant to 1.5 mgd at an estimated cost of \$16 million dollars which is more efficient than the expansion of 1.25 mgd.

Engineer Fisher reported that the Board was fortunate to already have the NPDES permit.

He reminded the Board Members that the previous Board had agreed to accept Anti-Deg Recommendation which includes constructing a wetland area for discharge and a reclaimed water distribution system.

Engineer Harmon provided the Board Members with an overview on the current situation of the Potable Water. Engineer Harmon noted that the population growth is slower than anticipated in the 2005 Master Water Plan. However, overall the 2009 20 year forecast is similar to the 2005 report.

Engineer Harmon offered the Board Members options as noted below:

1. The Board Members could choose to do nothing. However, as development occurs, IEPA may place the Village on "Restricted Status" or a "Development Halt".
2. The Board Members could choose to check the meters to confirm accuracy.
3. The Board Members could choose to construct WTP #2 at an estimated cost of \$7.7 million dollars. Engineer Harmon went on to say that this option has already been designed for the Conservancy and would produce a firm capacity of 1.5 mgd which would net in a total capacity of 3.0 mgd. A third well could be added in the future to increase the firm capacity to 3.0 mgd.
4. The Board Members could choose to construct a modified version of WTP #2 at an estimated cost of 5.9 million dollars. This could produce a total capacity of 1.5 mgd.

Engineer Harmon provided the Board with various funding options:

1. Developer contributions
2. IEPA WPCLP (Wastewater Loan Program)
3. IEPA PWSLP (Public Water Supply Loan Program)
4. Issuance of Bonds
5. Separate Domestic Water rate for irrigation
6. Initiate new rate for irrigation

Engineer asked the Board Members if they had any questions at this time.

Trustee Erbeck expressed his concern with respect to the lack of commercial growth due in part to the absence of water and sewer. He asked Ryan Trottier (Par Development) if the reason CVS Pharmacy did not locate on the Par Commercial piece was due to the lack of water and sewer service. Mr. Trottier stated no. The reason was due to the proximity of one of their other stores.

There was some discussion about possible funding mechanisms. Administrator Keller discussed the possibility of using the IEPA Low Interest Loans which could be paid back over the course of the next twenty years.

Trustee Clark asked if staff could provide him with a worksheet tracking how the Neumann Home Recapture fees were spent. In addition, he would like for the Board to draft a Master Plan.

Trustee Zambetti expressed concern with the Village taking on any type of debt service. He thought that this action would place an undo burden on taxpayers.

There was some discussion with respect to promoting water conservation.

Trustee Garcia expressed concerns with expanding the Water and Wastewater facilities and then the additional mgd are not needed.

The Board Members discussed re-shuffling the current water and wastewater allocations. Possibly selling some of the Conservancy allocations until that property is purchased.

President Zirk recommended staff check with other surrounding communities to see if they would be interested in selling their water and what the cost for this service would be. In addition would the Village have any other obligations?

President Zirk noted that this is not a crisis situation. The Village has time and need not rush to a decision.

Trustee Erbeck disagreed due to the fact that there is a potential for growth in the near future. Trustee Erbeck asked what would be the time frame for the construction of the Water and Wastewater facilities. Engineer Fisher stated two or three years.

The Board Members discussed the proposed Tyler Creek Development and the demand that the development would place on the water and wastewater plants.

Trustee Mierisch expressed concerns with Mr. Luczynski not providing the answers to her questions and concerns.

Administrator Keller will be reviewing the proposed Tyler Creek Annexation Agreement and drafting a worksheet which will highlight questions and concerns. The worksheet will be distributed a few weeks prior to the January 8th Worksession.

Minutes to be Considered

President Zirk asked if anyone had any comments on the Committee of the Whole Meeting Minutes dated 11/10/09. There were no comments. The minutes will be placed on the next Village Board Consent Agenda.

President Zirk asked if anyone had any comments on the Special Village Board Meeting Minutes dated 11/10/09. There were no comments. The minutes will be placed on the next Village Board Consent Agenda.

President Zirk asked if anyone had any comments on the Village Board Meeting Minutes dated 11/17/09. There were no comments. The minutes will be placed on the next Village Board Consent Agenda.

Items for Discussion

Adopt a Freedom of Information Policy which includes appointing a Freedom of Information Officer (s) to comply with the newly amended Freedom of Information Act

Attorney Tappendorf reported that she had previously provided the Board with information on the new FOIA Law and provided staff with training and information with respect to the changes of the Freedom of Information Act. Attorney Tappendorf reported that staff has recommended the Village Clerk be appointed as the Freedom of Information Officer.

There being no further discussion, this matter will be placed on the next Village Board Consent Agenda.

Ordinances/Motions/Resolutions/Proclamations for Consideration

Consideration of Ordinance 09-16, and Ordinance Levying Taxes for Fiscal Year Beginning May 1, 2010 and ending April 30, 2011

Administrator Keller reported that the draft Ordinance will set the property tax levy for the Village to be collected in 2010.

The Ordinance sets the total maximum levy at \$889,679, of which \$232,366 is levied for general corporate uses and \$566,313 for special taxes including police protection, liability insurance, audit expenses, and the police pension.

There being no further discussion. This matter will be placed on the next Village Board Consent Agenda.

Consideration of Ordinance 09-17, an Abatement Ordinance for SSA #9 for Fiscal Year Beginning with May 1, 2010 and ending April 30, 2011

Administrator Keller reported that the draft Ordinance sets a net levy of \$1,384,976.42 to be collected in CY 2010 for Special Service Area #9 bonds, which were issued for the Timber Trails Development (i.e. Big Timber Project”).

There being no further discussion. This matter will be placed on the next Village Board Consent Agenda.

Consideration of Ordinance 09-18, an Abatement Ordinance for SSA #15 for Fiscal Year Beginning with May 1, 2010, ending April 30, 2011

Administrator Keller reported that the draft Ordinance sets a net levy of \$750,219.98 to be collected in CY 2010 for Special Service Area #15 bonds, which were issued for the Gilberts Town Center Development.

There being no further discussion. This matter will be placed on the next Village Board Consent Agenda.

Administrator Keller reported that the Village will not need to pass an Ordinance for SSA #19 due to the fact that we are levying the full amount and there is no abatement.

Staff Reports

Administrator Keller reported that Finance Director Blocker’s report notes that the Village has received its final real estate tax payment, with a total collection of \$820,779.21 (\$824,881.61 levied). The police pension fund received \$81,051.40, a difference of \$6,805.60 from the levy requested. In past years, the Village Board approved using the General Fund to cover the shortfall for the police pension fund. Staff request Board’s direction on whether to do so this year.

There was some discussion with respect to which assumptions the staff uses.

Board of Trustee Reports

Trustee Clark would like to review the worksheet that depicts the Neumann Homes Recapture account.

Trustee Erbeck requested a brief executive session.

President's Report

President Zirk reported that the Village has issued only 12 building permits which are 95% less than in 2002.

President Zirk reported that Foster Premier has 10-12 unpaid water bills in the Timber Trails Subdivision. Staff is working to resolve the situation.

Executive Session

A motion was made by Trustee Garcia and seconded by Trustee Erbeck to close a portion of the meeting with no 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. Roll call: vote: Vote: 6-ayes (Trustees Clark, Mierisch, Zambetti, Farrell, Garcia and Erbeck. 0-nays, 0-abstained. Motion carried. The Board recessed and went into Executive Session at 9:50 p.m. and returned to the public meeting at 10:00 p.m.

Reconvene the Public Meeting at 10:00 p.m.

Roll Call: Trustees Erbeck, Clark, Mierisch, Zambetti, Farrell, Garcia and President Zirk

There being no further business to discuss **a motion was made by Trustee Garcia and seconded by Trustee Mierisch to adjourn the Committee of the Whole Meeting.** Roll call: Voice Vote: 6-ayes, 0-nays, 0-abstained. Motion carried. Adjournment time 10:02 p.m.

Respectfully submitted,

Debra Meadows

SIGN IN SHEET
(Please Print)

UBM
12/8/09

| Name | Address | Telephone # |
|-----------------------|--|-------------------|
| Ben Bartel | 38 Briarwood Dr | 847-421-6120 |
| Jill Corbett | 81 Augusta | 847-214-8167 |
| W. Amussen | Kalhoon | 847-308-8121 |
| RYAN TROTIER | 1141 E. MAIN, #100 EAST DUNDEE, ILL 60118 | 847-428-1000 x230 |
| Lou Hacker | 545 Running Deer Ln. Gilberts, IL 60131 | 847-551-3360 |
| Georgi V. Kanaji | 94 Kailwood St | 847 511-5475 |