

**Village of Gilberts  
Village Board of Trustee  
Meeting Minutes  
May 18, 2010**

APPROVED MINUTES

**Call to Order / Pledge of Allegiance**

President Zirk called the meeting to order at 7:01 p.m. He proceeded to lead 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 Erbeck, Clark, Mierisch, Zambetti, Farrell and President Zirk. Others present: Administrator Keller, Chief of Police Williams, Finance Director Blocker, Chief Building Inspector Swedberg and Village Clerk Meadows. For members of the audience please see the attached list.

**Recognition**

President Zirk recognized Mr. Garcia for his public service as a Village Trustee from 2003-2005 and 2007-2010. President Zirk presented Mr. Garcia with a plaque expressing the Village's appreciation. Mr. Garcia stated that he has been honored to serve the community. He stated he had enjoyed working with staff and the Board Members. He went on to say that he is proud of what the Board has accomplished in the last two years.

**Appointments/Reappointments**

President Zirk stated that he would like to entertain a motion to appoint Mr. Pete Cullotta to fill the Village Board vacancy.

**A motion was made by Trustee Clark and seconded by Trustee Erbeck to concur with the Village President's recommendation to appoint Mr. Pete Cullotta to the Village Board of Trustees.** Roll call: Vote: 5-ayes: Trustees Clark, Mierisch, Zambetti, Farrell and Erbeck. 0-nays, 0-abstained. Motion carried.

Village Clerk Meadows administered the Oath of Office to Trustee Cullotta.

President Zirk stated that he would like to entertain a motion to appoint and reappoint the Plan Commissioners listed under items 4B-4F.

**A motion was made by Trustee Erbeck and seconded by Trustee Zambetti to concur with President Zirk's recommendation to appoint or reappoint the following Plan Commissioners:**

- A. Appointment of Doug Hagen as Chairman to the Plan Commission (with the balance of term expiring May 31, 2011)
- B. Appointment of Louis Hacker to the Plan Commission (with the balance of the term expiring May 31, 2011)
- C. Reappointment of Robert Borgardt
- D. Reappointment of Patrick Fatigato
- E. Reappointment of Valerie del Vecchio
- F. Reappointment of Randall Mills

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

**A motion was made by Trustee Clark and seconded by Trustee Erbeck to concur with President Zirk's recommendation to reappoint Marlene Blocker as the Village Budget Officer.** Roll call: Vote: 6-ayes: Trustees Zambetti, Farrell, Cullotta, Erbeck, Clark and Mierisch. 0-nays, 0-abstained. Motion carried.

**Public Comment and Discussion**

President Zirk asked if any member from the audience wished to comment at this time. There were no comments from the audience.

**Consent Agenda**

**A motion was made by Trustee Clark and seconded by Trustee Erbeck to approve the consent agenda as follows:**

- A. A Motion to approve Minutes from the April 27, 2010 Special Meeting of the Village Board
- B. A Motion to approve Minutes from the May 4, 2010 Village Board Meeting
- C. A Motion to approve the Treasurer's Report for April 2010

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

**Items for Approval**

**Motion to approve Ordinance 07-2010, An Ordinance amending Ordinance 04-16, a special use permit for the Fraternal Order of Eagles' facility at 325 Raymond Drive.**

**A motion was made by Trustee Erbeck and seconded by Trustee Zambetti to approve Ordinance 07-2010, an Ordinance amending Ordinance 04-16, a special use permit for the Fraternal Order of Eagles' facility at 325 Raymond Drive.**

President Zirk asked if there was any discussion on the motion. Trustee Zambetti reported he does not want the new Eagles Board to be under the impression that the Village Board is okay with the special use agreement. He stated that he is not pleased with the hours for the use of the athletic field. Trustee Zambetti noted that there have been many different versions. However, he recalls one version that the hours were Monday – Friday noon to dusk (or no later than 8:00 p.m.) and Saturday-Sunday noon-5:00p.m.

There was some discussion with respect to tabling this matter.

Trustee Erbeck reported that he had an issue with tabling the motion. He went on to say that the Boards change all the time. In addition, this matter has been discussed for months. In his opinion the Board has memorialized the agreement.

President Zirk reported that he was concerned that in the future the Eagles new Board would say that they were unaware of what the old Board had agreed to. President Zirk reported that when the Eagles Board changes it effects the entire organization. Trustee Erbeck stated that he understands. However, HOA Boards change and the Village still manages to work with them. Trustee Zambetti agreed with Trustee Erbeck that the matter is getting drawn out. However, he does understand President Zirk's point. Trustee Erbeck stated that again this matter will take a lot of staff time and Board discussion. Trustee Erbeck stated for the record this matter has been discussed for months. Trustee Cullotta agreed with President Zirk. He went on to say if the new board disagreed with the amended Special Use Ordinance the Board would be discussing amending the amended Special Use Ordinance. Trustee Zambetti noted that they also would be required to pay all the fees. Administrator Keller reminded the Board that if they were to take action on this matter and it passed the Ordinance would become law and the old special use requirements would go away.

**Trustee Zambetti rescinded his second motion and Trustee Erbeck withdrew his first motion.**

**A Motion was made by Trustee Clark and seconded by Trustee Zambetti to table item 7A. A motion to approve Ordinance 07-2010, An Ordinance amending Ordinance 04-16, a special use permit for the Fraternal Order of Eagles' facility at 325 Raymond Drive until June 1, 2010.**

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

**Motion to approve Ordinance 12-2010, An Ordinance amending Ordinance 10-2011 the Budget Ordinance for Fiscal Year Ending April 30, 2011 to authorize the relocation of the mechanics' bay to 73 Industrial Drive.**

President Zirk reminded the Board Members that the next three agenda items will require five votes for passage due to the fact all three items are amending the FY-2011 Budget.

**A Motion was made by Trustee Clark and seconded by Trustee Zambetti to approve Ordinance 12-2010, An Ordinance amending Ordinance 10-2011 the Budget Ordinance for Fiscal Year Ending April 30, 2011 to authorize the relocation of the mechanics' bay to 73 Industrial Drive.**

President Zirk asked if there was any discussion on the motion. Trustee Clark stated that he does support the projects listed on the agenda as 7B, 7C, and 7D. He just does not support where the money is coming from.

President Zirk reported that this matter was discussed in length at the last meeting. He agrees with Trustee Clark. He reported all three proposed projects are good projects. However, the concern is how the projects are proposed to be funded.

Trustee Erbeck stated that the use of impact fees is not defined and that is the issue.

Trustee Clark stated that it is an appropriate use of impact fees. The question is "does the Board chooses to do so."

Trustee Erbeck stated for the record that agenda item 7B, deals with the safety of an employee. The current environment is unsafe. The facility is dilapidated and there are no restroom facilities.

Trustee Zambetti reported that after last meeting's discussion he was comfortable with all three projects. However, he expressed concerns with using the impact fees to fund these projects.

Administrator Keller discussed various ways that the projects would be allocated in the General Fund.

Trustee Clark described what he would like to see happen during the budget process. He went on to say that he would like for staff to prioritize a wish list, and if revenues are higher than anticipated the wish list projects could be funded. However, if revenues are lower than anticipated staff would have a list of items that they would cut. Trustee Clark went on to report that in his opinion the items under discussion are General Fund items. He noted that it is not that the projects are not needed or wanted. They just need to be funded through the General Fund.

President Zirk stated that in his opinion items 7C and 7D are one time expenditures and an expansion to facilities and item 7B is an operational expense.

Trustee Farrell expressed concerns with spending General Funds unless the General Funds are available. However, item 7B is dealing with an employee's safety and needs to be addressed. She recommends considering item 7B and tabling item 7C and 7D. Trustee Erbeck recommends reallocating the General Fund budget to include the three proposed projects.

President Zirk recommended cutting a line item from the budget to pay for item 7B.

Trustee Erbeck noted that when the Hennessey Bridge required emergency repairs the Board managed to find money to complete the repairs. However, the State of Illinois did promise to reimburse the Village for the repairs. Although to date the Village has not been reimbursed. He stated that item 7B (relocation of the mechanic's bay) is a safety issue and needs to get done.

Trustee Zambetti expressed concerns with the Village always reacting to some type of an emergency. He noted that the squad cars have been sitting outside for many years. He recommends waiting on all three proposed projects.

Trustee Clark does not believe the proposed projects are emergencies. He believes that staff was trying to balance the budget and had to omit the three projects to do so. In addition, he believes staff was hoping to use impact fees to fund the projects.

There was some discussion on if the proposed projects had been prioritized by staff.

President Zirk noted that there are many projects that need to be completed. However, he believed that staff had identified the projects because they are eligible to be funded by impact fees.

Trustee Mierisch expressed concerns with spending money at the beginning of the fiscal year. However, she is concerned about the employee's safety. In addition, the other two proposed projects would increase the life expectancy of vehicles and equipment. Trustee Mierisch reported that she is in favor of using impact fees to fund the proposed projects.

Trustee Cullotta reported that in principal he does not agree with using municipal impact fees for these types of projects. However, he is concerned with the employee's safety.

There being no further discussion. President Zirk asked Village Clerk Meadows to call the roll: Roll call: Vote: 5-ayes: Trustees Mierisch, Farrell, Cullotta, Erbeck and President Zirk. 2-nays: Trustee Clark and Trustee Zambetti. 0-abstained. Motion carried.

**Motion to approve Ordinance 13-2010, An Ordinance amending Ordinance 10-2011 the Budget Ordinance for the Fiscal Year ending April 30, 2011 to authorize the construction of a cold storage facility to be located at 73 Industrial Drive.**

**A Motion was made by Trustee Clark and seconded by Trustee Erbeck to approve Ordinance 13-2010, an Ordinance amending Ordinance 10-2011 the Budget Ordinance for the Fiscal Year ending April 30, 2011 to authorize the construction of a cold storage facility to be located at 73 Industrial Drive.**

President Zirk asked if there was any discussion on the motion. There being no further discussion. President Zirk asked Village Clerk Meadows to call the roll: Roll call: Vote: 4-nays: Trustee Clark, Zambetti, Cullotta, and Erbeck. 2-ayes: Trustee Mierisch and Trustee Farrell. 0-abstained. Motion failed.

**Motion to approve Ordinance 14-2010, An Ordinance amending Ordinance 10-2011 the Budget Ordinance for the Fiscal Year ending April 30, 2011 to authorize the construction of a carport located at 86 Railroad Street.**

**A motion was made by Trustee Clark and seconded by Trustee Zambetti to approve Ordinance 14-2010, an Ordinance amending Ordinance 10-2011 the Budget Ordinance for the Fiscal Year ending April 30, 2011 to authorize the construction of a carport located at 86 Railroad Street.**

President Zirk asked if there was any discussion on the motion. Trustee Erbeck asked if the motion does not pass if the projects are still eligible to be allocated in the General Fund and brought back for consideration. The Board replied yes.

There being no further discussion. President Zirk asked Village Clerk Meadows to call the roll. Roll call: Vote: 5-nays: Trustees Zambetti, Farrell, Cullotta, Erbeck and Clark. 1-aye: Trustee Mierisch. 0-abstained. Motion failed.

**Motion to authorize the purchase of wastewater laboratory equipment for an amount not to exceed \$13, 758.00**

**A Motion was made by Trustee Erbeck and seconded by Trustee Clark to approve the purchase of wastewater laboratory equipment for an amount not to exceed \$13,758.00.**

President Zirk asked if there was any discussion on the motion. There being no discussion. President Zirk asked Village Clerk Meadows to call the roll. Roll call: Vote: 5-ayes: Trustees Zambetti, Farrell, Cullotta, Erbeck and Clark. 1-nay: Trustee Mierisch. 0-abstained. Motion carried.

**Motion to approve Bills and Salaries dated May 18, 2010**

**A Motion was made by Trustee Erbeck and seconded by Trustee Clark to approve the Bills and Salaries dated May 18, 2010 as follows: General Fund \$35,820.36, Permit Pass Thrus \$1,025.00, Performance Bonds and Escrows \$1,525.00, Water Fund \$65,543.93 and Payroll \$45,685.66.**

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

### **Items for Discussion**

#### **Summer meeting schedule**

Administrator Keller reported that the summer Agenda schedule appears to be fairly light. He recommends meeting three times a month and continuing with the current agenda format.

There was some discussion on how to handle the Park and EDC Committee Meetings. The Board agreed to hold a separate EDC Committee Meeting and discuss park issues during a Village Board Work session.

### **Staff Reports**

Administrator Keller reported that he had asked Mr. Kannigan to provide the Board Members with an update on his progress with various Village drainage issues. Mr. Kannigan proceeded to update the Board on his progress.

Trustee Mierisch left the meeting at 8:28 p.m.

Finance Director Blocker provided the Board with the status of the annual audit.

Chief Building Inspector Swedberg reported that the sports box at the park had been stolen and he has installed a new one.

### **Board of Trustee Reports**

Trustee Erbeck asked for a brief executive session to discuss personnel issues and land acquisitions.

Trustee Clark asked if there was any reason why Jackson Street was still one-way. He went on to provide the Board with a brief history of why it was originally designated as a one-way street. However, the past reasons no longer affect traffic flow. Staff will research this matter.

### **Executive Session**

**A motion was made by Trustee Erbeck and seconded by Trustee Clark to close a portion of the meeting to the public, effective immediately with no business to follow as permitted by 5ILCS 120/2 (c) (5) acquisition of a certain property and as permitted by 120/2(c) (1) to discuss the appointment, employment, compensation, discipline, performance, of dismissal of specific employees of the Village.** Roll call: Vote: 6-ayes: Trustees Erbeck, Clark, Mierisch, Zambetti, Farrell and Cullotta. 0-nays, 0-abstained. Motion carried.

The Board Members along with Administrator Keller, Chief of Police Williams and Village Clerk Meadows went into Executive Session at 8:42 p.m. and returned to the public meeting at 9:20 p.m.

### **Adjournment**

There being no further business to discuss, **a motion was made by Trustee Erbeck and seconded by Trustee Clark to adjourn from the public meeting.** Roll call: Vote: 6-ayes by unanimous voice vote. Adjournment time: 9:21p.m.

Respectfully submitted,  
Debra Meadows



