

Village of Gilberts  
Village Board  
Meeting Minutes  
March 16, 2010

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 Village Clerk Meadows to call the roll. Roll call: Members present: Trustees Erbeck, Clark, Mierisch, Zambetti, Farrell and President Zirk. 1-absent: Trustee Garcia. Others present: Chief Building Inspector Swedberg, Finance Director Blocker, Chief of Police Williams and Village Clerk Meadows. For members of the audience please see the attached list.

**Public Comment and Discussion**

President Zirk asked if anyone in attendance wished to address the Board Members.

Resident Dan Baird who resides at 571 Running Deer Lane approached the Board. He expressed concerns with the Board's consideration of Ordinance 03-2010, an Ordinance amending Section 15.3 "Prohibiting Hours of Sale". Mr. Baird expressed concern with amending the current Village Code to allow for the liquor establishments to serve or sell liquor beginning at 6:00 a.m. on Sundays.

Mr. Baird went on to say that he understood the intent of amending the code to allow liquor establishments to serve bunches and be open in time for the beginning of football games. However, he felt that 6:00 a.m. was too early.

President Zirk reported that staff recommended 6:00 a.m. to remain consistent with the other weekday hours of operation.

Trustee Zambetti agreed with Mr. Baird.

This matter will be discussed in length under agenda item number six.

**Consent Agenda**

President Zirk asked if any of the Board Members wished to remove any items from the Consent Agenda. Trustee Mierisch and Trustee Farrell agreed that they would like to remove item E (A motion to approve Resolution 04-2010R, A Resolution authorizing the purchase of water billing software and equipment from Harris).

**A motion was made by Trustee Erbeck and seconded by Trustee Clark to approve the Consent Agenda excluding item E as follows:**

- A. A Motion to approve the Committee of the Whole Meeting Minutes dated 02/23/2010
- B. A Motion to approve the Village Board Meeting Minutes dated 03/02/2010
- C. A Motion to approve Ordinance 04-2010, An Ordinance Authorizing the Disposal of Personal Property Owned by the Village of Gilberts
- D. A Motion to approve Resolution 03-2010, A Resolution Authorizing the implementation of the Parking and Vehicle Sticker Mediation Process
- F. A Motion to approve Resolution 05-2010, A Resolution Authorizing the purchase agreement between the Village of Gilberts and Northern Water Works Supply for water billing equipment
- G. A Motion to approve Resolution 06-2010R, A Resolution Authorizing a Service agreement between the Village of Gilberts and Third Millennium Associates Inc. for water billing and mailing services.
- H. A Motion to approve the Treasurer's Report for February 2010.

President Zirk asked Village Clerk Meadows to call the roll. Roll call: Vote: 5-ayes: (Trustees Clark, Mierisch, Zambetti, Farrell and Erbeck. 0-nays, 0-abstained. Motion carried.

**Item E-A motion to approve Resolution 04-2010R, a Resolution authorizing the purchase of water billing software and equipment from Harris**

Trustee Mierisch stated the reason she wanted the item pulled from the consent agenda was due to the fact the agreement's language had changed since it was last reviewed at the Committee of the Whole Meeting. Trustee Farrell agreed and went on to say that she had not had an opportunity to review the changes.

Trustee Mierisch provided an overview of the changes. Finance Director Blocker reported that changes were recommendations from Attorney Tappendorf and Harris was agreeable. After Trustee Mierisch completed reviewing the changes Trustee Farrell felt comfortable with the changes.

**A motion was made by Trustee Clark and seconded by Trustee Zambetti to approve Resolution 04-2010R, A Resolution authorizing the purchase of water billing software and equipment from Harris.** Roll call: Vote: 5-ayes: (Trustees Mierisch, Zambetti, Farrell, Erbeck and Clark). 0-nays, 0-abstained. Motion carried.

**Bills and Salaries**

**A motion was made by Trustee Erbeck and seconded by Trustee Clark to approve the Bills and Salaries dated March 16, 2010 as follows: General Fund \$47,068.96, Permit Pass Thrus \$2,050.00, Performance Bonds and Escrows \$708.00, Water Fund \$66,931.12 and Payroll \$49,157.09.**

President Zirk asked if any of the Board Members had any comments on the Bills and Salaries dated March 16, 2010. There were no comments. Roll call: Vote: 5-eyes: (Trustees: Zambetti, Farrell, Erbeck, Clark and Mierisch). 0-nays, 0-abstained. Motion carried.

**Ordinances/Motions/Resolutions/Agreements for Approval**

**A motion to approve Ordinance 03-2010, an Ordinance amending Section 15.3 “Prohibiting Hours of Sale”**

**A motion was made by Trustee Clark and seconded by Trustee Erbeck to approve Ordinance 03-2010, an Ordinance amending Section 15.3 “Prohibiting Hours of Sale”.**

President Zirk asked if there were comments on the motion.

Trustee Zambetti agreed with resident Baird. He thought maybe 8:00 a.m. would be more appropriate. There was some discussion about changing all the weekday operating hours to 8:00 a.m.

President Zirk reported that the Board could approve Ordinance 03-2010 and then come back and amend the balance of the operating hours.

President Zirk went on to report that this matter had come before the Board after a conversation generated by Chief Williams, Administrator Keller and the Fraternal Order of Eagles. The change was requested by the Eagles Club to allow them to have Sunday brunches. President Zirk stated from his understanding their request was not originally to start at 6:00 am. Staff had recommended keeping the language consistent with the other weekday hours of operations. President Zirk stated that he did not believe any of the liquor establishment would be disappointed if the amended time of hours of operations was later than 6:00 a.m. Trustee Zambetti agreed.

Trustee Mierisch reported that she had requested to staff provide the Board with copies of surrounding communities prohibiting hours of sale. However, she had not received any information. Village Clerk Meadows reported that staff had research other communities and the majority of them opened at 10:00 a.m. on Sundays.

Trustee Mierisch stated that currently she trust all the liquor establishment owners. However, when making decision as important as this the Board must look to the future and not knowing who in the future might owner a liquor establishment she believes amending the Ordinance to 6:00 a.m. would be a mistake.

Trustee Farrell expressed concerns with the 6:00 a.m. time. She suggested the Board consider amending all the prohibition hours to a consistent time.

Trustee Mierisch reported that she had spoke to Village Clerk Meadows earlier in the week and asked if all the liquor establishments (which includes Drift Inn and Better Shots) had been informed about the Board's decision to consider changing the hours of operations. Village Clerk Meadows stated at that time the Village Staff had not contacted Drift Inn or Better Shots.

Trustee Erbeck expressed concerns with the effect of changing all the weekday prohibiting hours of sale. Trustee Erbeck went on to say that he was okay with changing the time on Sunday to 8:00 a.m. However, he was uncertain if the Board should consider changing the other weekday hours.

**A motion was made by Trustee Erbeck and seconded by Trustee Clark to rescind the original motion.**

President Zirk asked staff to research surrounding communities prohibiting hours of operations and provide the Board with the information along with the Village's current code. This matter will be discussed at the next Committee of the Whole Meeting.

**A Motion was made by Trustee Farrell and seconded by Trustee Erbeck to amend and approve Ordinance 03-2010, An Ordinance Amending Section 15.3 "Prohibiting Hours of Sale" Section 15.3.1.4 "On Sundays between the hours of 9:00 a.m. and 1:00 a.m. the following Monday".** Roll call: Vote: 5-ayes: (Trustees Farrell, Erbeck, Clark, Mierisch and Zambetti. 0-nays, 0-abstained. Motion carried.

#### **Staff Reports**

Chief Building Inspector Swedberg reported that Timber Glen will be conducting a controlled burn the week of March 24<sup>th</sup>. President Zirk recommended that staff create a written controlled burn operating procedure.

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Trustee Clark expressed concern with the latest K&L Gate invoices. A lengthy discussion ensued.

Trustee Clark discussed in length his concerns about the deteriorating roadways. Trustee Clark suggested that the Board implement and budget for a road program. The Board Members discussed the budget constraints. Trustee Mierisch stated she was not comfortable making any budget cuts that would jeopardize the resident's safety.

**There being no further business to discuss, a Motion was made by Trustee Erbeck and seconded by Trustee Zambetti to adjourn the public meeting.** Vote: 5-ayes: Unanimous voice vote. Motion carried. Adjournment time: 8:00 p.m.

Respectfully submitted,

Debra Meadows

# SIGN IN SHEET

(Please Print)

V B M

3/16/2010

Name	Address	Telephone #
Jill Corbett	81 Augusta	847-214-8167
Ten Warda		224-628-1351
Don Rain	571 Running Deer	847-844-1584
Linda Baird	571 Running Deer	847-844-1584
Dyssa Reed	57 Railroad St	630-450-3642
Liz Wampler	Blott Rd L.I.T.H	
Don Amunson	Keebler St	847-836-8121