

VILLAGE OF GILBERTS
VILLAGE BOARD MEETING
May 20, 2008
7:30 p.m.

CALLED TO ORDER:

Village President Wajda called the meeting to order at 7:30 p.m. President Wajda led those present in the Pledge of Allegiance.

ROLL CALL/ESTABLISH QUORUM:

Members present: President Tom Wajda, Trustees Erbeck, Mierisch, Zambetti, Mueller, Garcia and Mengarelli. Others Present: Village Attorney Julie Tappendorf, Village Administrative Intern Kyle Cratty, Engineer Ed Kanthack, Police Chief Mike Joswick, Finance Director Marlene Blocker and Village Clerk Darlene Mueller. President Wajda declared a quorum present. (See attached list for members of the public).

APPOINTMENT

A motion was made by Trustee Mueller and seconded by Trustee Erbeck to concur with President Wajda's reappointment of Mel Jersky as a member of the Police Pension Board. Term to expire on May 1, 2010. Roll call. Vote: 6-ayes (Trustees Erbeck, Zambetti, Mierisch, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried

PUBLIC COMMENT AND DISCUSSION – There was no discussion from the public audience.

EXECUTIVE SESSION TO ADDRESS PENDING LITIGATION. – Attorney Tappendorf stated there was no need for an executive session at this time.

APPROVAL OF MINUTES:

A motion was made by Trustee Erbeck and seconded by Trustee Mueller to approve the Village Board minutes of May 5, 2008 with the following corrections: (Trustee Erbeck was absent at the May 6th meeting.) Trustee Mengarelli seconded the motion on approval of minutes and Trustee Erbeck's name to be removed on motions made by the Board. Roll call. Vote: 6-ayes (Trustees Erbeck, Zambetti, Mierisch, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried

A motion was made by Trustee Erbeck and seconded by Trustee Mierisch to approve the Special Board Meeting minutes of May 3, 2008. Roll call. Vote: 6-ayes (Trustees Erbeck, Zambetti, Mierisch, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried

APPROVAL OF BILLS AND SALARIES:

A motion was made by Trustee Mueller and seconded by Trustee Erbeck to approve the amended payment of bills as pursuant to the list dated 5/20/08 and presented to the Trustees prior to the meeting as follows: General Funds \$98,896.66, Developer Donations \$1,810.00; Permit Pass Thrus \$12,909.22; Performance Bonds and Escrows \$2,196.00; Water Fund \$37,859.63 and Payroll \$47,583.56. Roll call: Vote: 6-ayes Roll call: (Trustees Erbeck, Mierisch, Zambetti, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried.

ORDINANCES/RESOLUTIONS/PROCLAMATIONS/MOTIONS TO BE CONSIDERED

A motion was made by Trustee Erbeck and seconded by Trustee Garcia to approve Ordinance #08-11, An Ordinance Amending Section 2.16 of the Village of Gilberts Code-Plan Commission. President Wajda explained that this ordinance was needed to put the order of terms in the proper order. Roll call: Vote: 6-ayes, (Trustees Erbeck, Mierisch, Zambetti, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried.

A motion was made by Trustee Mengarelli and seconded by Trustee Garcia to approve Ordinance #08-12, amending the Village Zoning Code to Rescind Ordinance #90-39 "Addition to Zoning Code Regulation of Adult Uses" and add Article 3.7 "Adult Oriented Uses". A discussion followed on the map showing restricted areas for adult uses. Trustee Mengarelli was adamant about having the tollway as a restricted area. After further discussion, the original motion was rescinded and **a motion was made**

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by Trustee Erbeck and seconded by Trustee Mueller to table this matter. It was the consensus of the Board to review the revised map before approving the ordinance. Roll call: Vote: 5-ayes (Trustees Erbeck, Zambetti, Mierisch, Mueller and Garcia), 1-nay (Trustee Mengarelli), 0-abstained. Motion carried. *(The map will be revised by Administrative Intern Cratty and if Board approves the ordinance, the map will be attached to the ordinance.)*

A motion was made by Trustee Garcia and seconded by Trustee Erbeck to approve a Water Plant Scrubber from Siemens Water Technologies not to exceed \$17,300.00. Trustee Garcia explained that this was an annual maintenance for the control board and probe was needed to update the equipment. Roll call: Vote: 6-ayes (Trustees Erbeck, Mierisch, Zambetti, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried.

A motion was made by Trustee Erbeck and seconded by Trustee Zambetti to Amend Engineer Service Agreement Amendment No 2, East Industrial Park and Industrial Drive Water System Improvements from \$71,950.00 as stated in Amendment No. 1 to \$94,950.00. A lengthy discussion followed among the Board members on if this action was needed tonight. A meeting was held on May 12th at the Economic Development Committee and Staff presented cost estimates of \$1.8 million and \$600,000 to extend water and sewers. Trustee Mengarelli expressed his concern about not receiving feedback from business owners on sewer. Trustee Erbeck felt that water and sewer should be done at the same time to save costs. Engineer Kanthack and the Board discussed the scope of the project and Engineer Kanthack informed the Board that this matter could be tabled until the next meeting with the Economic Development Committee. The schedule would be delayed but would not be critical. The Board tabled to allow time for more property owners feedback to make a decision. The original motion was rescinded and **a motion was made by Trustee Garcia and seconded by Trustee Mengarelli to table this matter.** Roll call: Vote: 4-ayes (Trustees Mierisch, Mengarelli, Mueller, and Garcia), 2-nays (Trustees Erbeck and Zambetti), 0-abstained. Motion carried.

A motion was made by Trustee Garcia and seconded by Trustee Zambetti to authorize the purchase of an Elgin Crosswind Street Sweeper for an amount not to exceed \$53,000.00. Trustee Garcia expressed his concern about this item being on the agenda and that it was not discussed at the Public Works Committee. Trustee Garcia also felt that since Public Works was understaffed and they did not have the ability to repair this equipment. It was the consensus of the Board that they appreciated Staff being proactive on this matter but felt it was not needed at this time due to aforementioned. Roll call: Vote: 0-ayes, 6-nays, (Trustees Erbeck, Mierisch, Zambetti, Mengarelli, Garcia and Mueller), 0-abstained, 0-absent. **Motion failed.**

A motion was made by Trustee Garcia and seconded by Trustee Zambetti to authorize the purchase of a 2009 International dump truck with fixtures for an amount not to exceed \$130,759.00. Trustee Garcia again expressed his concern about this not going before the Public Works Committee before going before the Board and Staff not justifying the purchase at the Public Works meeting. The truck was in the budget; however, the Board felt that the purchase should have gone before the committee for any further discussion. Roll call: Vote: 0-ayes; 6-nays (Trustees Erbeck, Mierisch, Zambetti, Mengarelli, Garcia and Mueller), 0-abstained, 0-absent. **Motion failed.**

A motion was made by Trustee Erbeck and seconded by Trustee Zambetti to approve the FY 2008 Annual Police Pension Fund Report. Roll call: Vote: 6-ayes (Trustees Erbeck, Mierisch, Zambetti, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried.

REPORTS FROM CONSULTANTS, OFFICERS, BOARDS, COMMISSIONS

Village Administrator – Administrator Keller was absence from the meeting. Administrative Intern Cratty advised the Board, the TIF Increment Financing Redevelopment Plan & Project is on file with the Village Clerk. A public hearing will be required for the TIF Redevelopment Plan and Project. Any changes to the plan need to be submitted as soon as possible.

Village Engineer - Engineer Kanthack informed the Board a walk through by I.D.O.T. is scheduled this month for Tyrrell and Route 72. Engineer Kanthack advised the Board that the EPA permit for the two wells have been extended. Discussion followed on the railroad crossing and the train whistle. Due to the high cost, the Village is unable to reduce the train whistle noise.

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Village Attorney – Attorney Tappendorf had no report at this time.

Village Treasurer – Finance Director Blocker reported she met with the auditors last Wednesday on a preliminary audit which went well. Finance Director Blocker attended a MFT Accounting and Auditing meeting sponsored by Baxter and Woodman.

Village Clerk - Clerk Mueller reported to date the Village has sold approximately 1,500 vehicle stickers. Clerk Mueller reported that she still had not received any information from the State on our final count from our special census.

Village Planner – No report was submitted at this time.

Police Chief – Chief Joswick reported that Officer Levand is now full time and is going through a two week transition with the State.

Chief Building Inspector - Chief Building Inspector Swedberg had no report at this time.

Plan Commission Chairperson – No report was submitted at this time.

REPORT FROM TRUSTEES AND VILLAGE PRESIDENT

Trustee Mengarelli discussed a past policy of Trustees speaking to Village professionals. Trustee Mierisch concurred with Trustee Mengarelli. It was agreed in the past that Trustees would go through the Village Administrator to cut down on attorney fees. Trustee Garcia felt that a trustee should be able to talk to Village professionals. President Wajda did not have problem with it along as it was not too excessive.

Trustee Garcia reiterated his concern about items not going before the proper committee even if the item was budgeted; to make sure all trustees' concerns were covered.

Trustee Garcia questioned why the Layne Western pump for \$90,000.00 was never put on the agenda for approval. This item was sent to Public Works Committee prior to putting it on the agenda for the Board's consideration.

Trustee Garcia informed the Board a proposal will be forthcoming from IAWS for water testing at Tyler Creek.

Trustee Mierisch inquired about Kane County Fit for Kids and childhood obesity and a meeting was held on May 9th which Gilberts was not in attendance. Trustee Mierisch is questioning Staff's involvement on this issue. A follow-up meeting is scheduled for early June.

Trustee Erbeck discussed the identification cards for the Police and Village personnel. Quotes are being sought from a company call CardSmart System, Inc. and from the fire department's vendor.

President Wajda discussed minutes taken by note takers that are not involved with the day- to- day village activities needs to be confirmed before taking any action on items in the minutes.

President Wajda discussed the Nominees for Distinguished Service Presentation. Gilberts Elementary and the PTO won high honors by District 300 under the "team" category. Illinois Chapter of the National School Public Relations Association (INSPPRA). Mary Fioretti was recognized under "community members" advocating for literacy, fair funding of Illinois public school as well as one of the people promoting Gilberts Elementary School. Mary was also won the Ambassador Award.

EXECUTIVE SESSION – There was no need for executive session at this time.

ADJOURNMENT:

They're being no further business; **a motion was made by Trustee Erbeck and seconded by Trustee Zambetti to adjourn the meeting.** Roll call: Vote 6-ayes (Trustees Erbeck, Zambetti, Mierisch, Mengarelli, Mueller, and Garcia), 0-nays, 0-abstained, 0-absent. Motion carried. Adjournment time: 9:01 p.m.

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Respectfully Submitted,
Darlene Mueller, Village Clerk