

**VILLAGE OF GILBERTS**  
**VILLAGE BOARD MEETING**  
June 17, 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, Bond Counsel Greg Hummel, Village Administrator Ray Keller, 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).

**A motion was made by Trustee Erbeck and seconded by Trustee Garcia to amend the agenda to discuss Agenda item 8a.** 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 Garcia and seconded by Trustee Mengarelli to approve Ordinance #08-14, An Ordinance Amending the Village of Gilberts Code to add a new Section 2.17 Establishing a Board of Police Commissioners.** Roll call. Vote: 6-ayes (Trustees Erbeck, Zambetti, Mierisch, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried.

Trustee Garcia expressed his concern about not seeing any resumes on the appointed members. President Wajda had directed Clerk Mueller to send an email to invite the Trustees to review the applications. Clerk Mueller stated that she believed she had sent one to the Trustees but would check to see if she did or not.

**APPOINTMENT**

**A motion was made by Trustee Garcia and seconded by Trustee Zambetti to concur with President Wajda's appointment of Randall Mills as an Ex-Officio Member of the Plan Commission. Term to expire on 5/31/10.** Roll call. Vote: 6-ayes (Trustees Erbeck, Zambetti, Mierisch, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried. The Board welcomed Mr. Mills to the Plan Commission.

**A motion was made by Trustee Zambetti and seconded by Trustee Mierisch to concur with President Wajda's appointment of Christopher Asher as a Member of Police Commissioner. Term to expire on 4/30/09.** 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 Mueller and seconded by Trustee Zambetti to concur with President Wajda's appointment of E. Dean Stiegemeier as a Member of the Police Commission. Term to expire on April 30, 2010.** 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 Mueller and seconded by Trustee Garcia to concur with President Wajda's appointment of Bill Lindoerfer as a Member of the Police Commission. Term to expire on April 30, 2011.** 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**

Cathy Skoulikaris, Gilberts Village Wide Garage Sale – Ms. Skoulikaris, 308 Gregory M. Sears, gave an overview of Gilberts Annual Village Wide Garage Sale and stated that the event went very well. Clerk Mueller distributed a copy of Mrs. Skoulikanis' packet given to residents to the Board. The Board

## VILLAGE BOARD MEETING

June 17, 2008

Page 2

complimented Mrs. Skoulikanis on the clean-up, organization and the sign-up sheet. Mrs. Skoulikanis is looking forward to next year's event.

### Rick Zirk, Representing Merryman Excavation

Mr. Rick Zirk, 99 Glenbrook Circle, approached the Board to clear up any misunderstandings that he has heard after speaking to Board Members about the money owed to Merryman Excavation. Mr. Zirk proceeded to explain about the Village's commitment to pay and referred to documents that the Board received. Mr. Zirk encouraged the Board to follow their commitment to pay Merryman Contractors for their services.

Attorney Greg Hummel, Bell Boyd and Lloyd Law firm, introduced himself as the Village Bond Counsel and stated Mr. Zirk's comments were well made. Attorney Hummel explained the Village has not put this matter aside but have tried to get the funds from the SSA to release a payment to Merryman. The bankruptcy court handling the Neumann bankruptcy denied payment for Merryman's claim and will not release the funds because of other contractors that have filed lawsuits with Neumann Home and the Village that have not been paid.

President Wajda asked if there was anyone in the audience that was attending the meeting on the satellite matter. Resident Carry Roy, 471 Telluride Drive, approached the Board inquiring about a violation letter from the Village on her satellite dish located above her garage door. Ms. Roy has lived at her townhouse for four years and needed an explanation on why at this point in time she had to remove her satellite dish. Staff will forward Ms. Roy's phone number to contact Chief Building Inspector Swedberg to discuss this matter with her.

### **EXECUTIVE SESSION TO ADDRESS PENDING LITIGATION.**

**A motion was made by Trustee Mueller and seconded by Trustee Erbeck that a portion of the meeting to be closed to the public, effective immediately with business to follow as permitted by 5 ILCS 120/2 (c) (11) to discuss litigation against, affecting the Village which has been filed and is pending an as permitted by 5 ILCS 120/2(c) (1) to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Village.** Roll call. Vote: 6-ayes (Trustees Erbeck, Zambetti, Mierisch, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried. The Board went into Executive Session at 8:05 p.m. and returned to the public meeting at 8:47 p.m.

**A motion was made by Trustee Mueller and seconded by Trustee Erbeck to reconvene to the public meeting.** Roll call. Vote: 6-ayes (Trustees Erbeck, Zambetti, Mierisch, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried.

President Wajda asked Clerk Mueller for a roll call. Clerk Mueller called the roll with all trustees returning to the public meeting.

### **APPROVAL OF MINUTES:**

**A motion was made by Trustee Erbeck and seconded by Trustee Zambetti to approve the Village Board Work Session minutes of June 3, 2008.** Roll call: Vote: 6-ayes (Trustees Erbeck, Mierisch, Zambetti, 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 Mengarelli to approve the amended payment of bills as pursuant to the list dated 6/17/08 and presented to the Trustees prior to the meeting as follows: General Funds \$81,502.51, Developer Donations \$-0-; Permit Pass Thrus \$6,510.00; Performance Bonds and Escrows \$8,016.29; Water Fund \$51,096.43 and Payroll \$52,825.98.** Roll call: Vote: 6-ayes (Trustees Erbeck, Mierisch, Zambetti, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried.

### **ORDINANCES/RESOLUTIONS/PROCLAMATIONS/MOTIONS TO BE CONSIDERED**

## VILLAGE BOARD MEETING

June 17, 2008

Page 3

**A motion was made by Trustee Mengarelli and seconded by Trustee Erbeck to approve Ordinance #08-15, An Ordinance Amending and Restating Section 15-Liquor and Section 14-Village Fee**

**Schedule of the Village of Gilberts Code.** Discussion followed. Administrator Keller explained the proposed ordinance would create a new Class "C" Special Events liquor license. An individual, organization or unit of government would allow the sale/or consumption of alcohol for smaller events such as weddings, reunions and also larger events such as festivals. The proposed ordinance also amends Section 14 to replace the current \$400.00 fee by a schedule fee of \$500.00 for festivals, \$100.00 for family events and \$200.00 for sporting events. After a Board Discussion, **a motion was made by Trustee Mengarelli and seconded by Trustee Erbeck to amend the ordinance to include "unless otherwise waived by the Liquor Commissioner" on Page 1 fourth paragraph after the last sentence.** Roll call: Vote: 6-ayes Roll call: (Trustees Erbeck, Mierisch, Zambetti, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried. **A motion was made by Trustee Zambetti and seconded by Trustee Mengarelli to approved Ordinance #08-15 as modified.** 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 Erbeck to approve Ordinance #08-16, an Ordinance Amending and Restating Section 15-Liquor of the Village of Gilberts Code.** Discussion followed. Administrator Keller explained approval of this Ordinance would allow outdoor consumption of alcohol by a Holder of Class E "Private Club", provided that permanent improvements, including fencing to enclose the serving area, are installed. After further discussion, President Wajda requested a roll call. 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 Zambetti and seconded by Trustee Mierisch to approve Ordinance #08-17, approving a Special use Permit for a Recycling Center on property zoned I-1 industrial located at 46 East end Drive.** Discussion followed. A question and answer session followed between the Village Board and petitioners Bob Conroy, owner of Elgin Recycling and Dan Brown, Brown Commercial Group. Concern centered on the aesthetics and maintenance of the building and traffic generated from a recycling business. After further discussion, President Wajda requested a roll call. Roll call: Vote: 5-ayes (Trustees Erbeck, Mierisch, Zambetti, Mengarelli, and Mueller), 1-nay, (Trustee Garcia) 0-abstained, 0-absent. Motion carried.

**A motion was made by Trustee Erbeck and seconded by Trustee Mierisch to approve the Plat of Easement for Utilities for Boulder Ridge.** Administrator Keller explained that the easement is required for utilities along the north side of Industrial Drive, along the south side of their 30-acre undeveloped "Boulder Ridge" property. 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 Mierisch to approve Village of Gilberts Job Classification Plan and Job Descriptions.** Administrator Keller reiterated about how Village Administrative Intern Kyle Cratty and he created the Plan Classification Plan by points based on knowledge and came up with a low-range, mid-range and high-range scales. A comprehensive study was made comparing other municipalities' pay scales. Concerns centered on on the determination of the present positions and percentage increases. Administrator Keller explained that he understood the Board's concerns, however; an evaluation is done for each employee by their respective supervisor and a raise is then determined based on job evaluations and other criteria. After further discussion, President Wajda requested a roll call. Roll call: Vote: 4-ayes (Trustees Mierisch, Mengarelli, Garcia and Mueller), 2-nays, (Trustees Erbeck and Zambetti),0-abstained, 0-absent. Motion carried.

**A motion was made by Trustee Erbeck and seconded by Trustee Mierisch to amend Village Administrator's contract dated October 3, 2006.** Administrator Keller explained by amending the Village Administrator's contract it would coincide with the Village President's term. The amendment also deletes a reference to an actual salary amount in the contract and is replaced by the Village's job classification scale. Roll call: Vote: 6-ayes (Trustees Erbeck, Mierisch, Zambetti, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried.

## VILLAGE BOARD MEETING

June 17, 2008

Page 4

**A motion was made by Trustee Mierisch and seconded by Trustee Mengarelli to authorize the purchase of a 2008 Ford Ranger from Spring Hill Ford for an amount not to exceed \$17,700.00 for the replacement of a Building Department vehicle.** Administrator Keller explained the Building Department's present car is a 1994 GMC ¾ ton pick up truck with numerous problems. Staff solicited four quotations from comparable vehicles with the low bid for a 2008 Ford Ranger quoted at \$17,679.00 by Spring Hill Ford. After further discussion, President Wajda requested a roll call. 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's main report will be in Executive Session. Administrator Keller discussed a meeting with the Dundee Park District regarding a 60-acre parcel on the south side of Binnie Road (Bartel Farm). Dundee Park District would like the Village to take an active role in the 60-acre parcel with their park district. No action was taken at this time.

Administrator Keller reported about the meeting with Lynn Monte and Staff relative to Strategic Planning. Seven categories were selected from the input from the meeting on May 13<sup>th</sup>. The next meeting will be with the Design Team in July which will then be sent back to the Board for their review and input. A meeting will be scheduled in September for an open house after Labor Day.

Village Engineer – Engineer Kanthack submitted a status report. Engineer Kanthack submitted two work orders for the Board's consideration. Discussion followed on the work orders. The Zwick property will be discussed at the next work session and Binnie Road work order will be discussed at the next Public Works meeting.

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

Village Treasurer – Finance Director Blocker informed the Board that she is working with the auditor and so far the audit is going very well.

Village Clerk – Clerk Mueller had no report at this time. President Wajda inquired about the lower number projected in the Special Census. Clerk Mueller stated there was change made in the 2004 Census and is in contact with the Census Bureau about this new population figure.

Village Planner – Village Planner Duffy had no report at this time. A Plan Commission meeting is scheduled for June 25<sup>th</sup> to discuss Ryland West.

Police Chief – Chief Joswick had no report at this time.

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

Plan Commission Chairperson – Chairman Cullotta had no report at this time.

### **REPORT FROM TRUSTEES AND VILLAGE PRESIDENT**

Trustee Erbeck reported at the Public Safety Meeting Chief Joswick provided the Committee with information regarding possible options for ID cards for Village officials and employees. Trustee Erbeck stated they were tamper proof and the Committee has not decided on whether to have a hologram printed on the cards.

Trustee Mengarelli briefly discussed Ryland West which will be further discussed at the Plan Commission. Trustee Mengarelli recommended a master list be created for deficiencies in the Subdivision Code and Zoning Code. Administrator Keller advised the Board that this item is presently being addressed.

Trustee Mueller stated he has addressed his concerns with Administrator Keller.

## VILLAGE BOARD MEETING

June 17, 2008

Page 5

Trustee Garcia reported at the Public Works meeting about the recently approved expenditure for the Scrubber. Inadvertently, there was an overhead cost of approximately \$2,600 over and above the approved \$17,300. A new quote needs to be submitted and Administrator Keller was authorized to approve the expenditure.

Trustee Garcia informed the Board that the Arborist found ash bore disease on trees in Timber Trails having Ash. The Arborist recommended a gel that can be applied to the trees to prevent ash bore disease. A quote will be forwarded to the Committee for their review and consideration.

Trustee Garcia discussed continuing issues with Illinois American Water Service regarding late water bills and customer service concerns.

Trustee Garcia expressed his concern about the lack of maintenance on the ball fields that the YMCA committed to take care of. Discussion followed on the soil condition making it hard to maintain. Discussion followed on why at one time the Village had soccer goals and we have none at this time. Trustee Zambetti explained it was because of a goal being broken.

Trustee Garcia informed the Board that he has reconsidered purchasing the street sweeper. After receiving a memo from Public Works Field Supervisor Rob Burke justifying the purchase, Trustee Garcia would like the Board to reconsider and approve the purchase. After a discussion, a vote of hands was taken. All approved except for Trustees Mierisch and Zambetti. The Board requested that information on maintenance be submitted and the operation of the equipment. President Wajda directed Clerk Mueller to put this item on next week work session agenda.

### **EXECUTIVE SESSION TO ADDRESS PENDING LITIGATION**

**A motion was made by Trustee Erbeck and seconded by Trustee Mengarelli to close a portion of meeting to the public, effective immediately with business to follow as permitted by 5 ILCS 120/2 (c) (11) to discuss litigation against, affecting the Village which has been filed and is pending.** Roll call: Vote 6-ayes (Trustees Erbeck, Zambetti, Mierisch, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried. The Board went into Executive Session at 10:46 p.m. and returned to the public meeting at 10:58 p.m.

**A motion was made by Trustee Garcia and seconded by Trustee Erbeck to reconvene to the public meeting.** Roll call. Vote: 6-ayes (Trustees Erbeck, Zambetti, Mierisch, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried.

President Wajda asked Clerk Mueller for a roll call. Clerk Mueller called the roll with all trustees returning to the public meeting.

### **ADJOURNMENT:**

They're being no further business; **a motion was made by Trustee Mengarelli and seconded by Trustee Erbeck 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: 10:58 p.m.

Respectfully Submitted,  
Darlene Mueller, Village Clerk