

**VILLAGE OF GILBERTS**  
**VILLAGE BOARD MEETING**  
July 1, 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 Stewart Diamond, Village Administrator Ray Keller, Village Administrative Intern Kyle Cratty, Village 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 Mengarelli and seconded by Trustee Erbeck to concur with President Wajda's appointment of William Linden as Chairman of the Zoning Board of Appeals. Term to expire on April 8, 1012.** Roll call. Vote: 6-ayes (Trustees Erbeck, Zambetti, Mierisch, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried. Mr. Linden was unable to attend tonight's meeting. Clerk Mueller will give the oath to Mr. Linden during office hours.

**A motion was made by Trustee Mueller and seconded by Trustee Mengarelli to concur with President Wajda's appointment of Beulah Swanson as a Member of the Zoning Board of Appeals. Term to expire on June 5, 2012.** Roll call. Vote: 6-ayes (Trustees Erbeck, Zambetti, Mierisch, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried. Clerk Mueller swore in Mrs. Swanson. The Board welcomed Mrs. Swanson.

**PUBLIC COMMENT AND DISCUSSION**

Mr. Stan Balabusko, 155 Tyler Creek, expressed his concern over the fact that the ordinance of the Village relating to improper use of garbage containers provides for a maximum fine of \$750.00. It was pointed out that the Village could ask for the imposition of a smaller fine. In fact Mr. Balabusko received one warning ticket for not putting his garbage containers inside his garage as required by ordinance. Mr. Balabusko felt the punishment should fit the crime and felt the fine was excessive. President Wajda directed Staff to further discuss Mr. Balabusko's concerns.

**EXECUTIVE SESSION TO ADDRESS PENDING LITIGATION.** – Attorney Diamond had no litigation to discuss at this time.

**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 17, 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 7/1/08 and presented to the Trustees prior to the meeting as follows: General Funds \$51,471.09, Developer Donations \$2,500.00; Permit Pass Thrus \$2,300.34 ; Performance Bonds and Escrows \$4,573.86; Water Fund \$3,415.30 and Payroll \$57,501.14.** Roll call: Vote: 6-ayes (Trustees Erbeck, Mierisch, Zambetti, Mengarelli, Garcia and Mueller), 0-nays, 0-abstained, 0-absent. Motion carried.

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

#### **A motion was made by Trustee Erbeck and seconded by Trustee Mueller to approve a one year maintenance bond for \$25,800.00 for Gilberts Town Center 2 B Valencia Way Lift Station.**

Discussion followed on missing documents. After further discussion the motion was amended contingency on the receipt of a bill of sale before the one year maintenance bond of \$25,800.00 is released to the developer. 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 Garcia and seconded by Trustee Zambetti to approve Resolution #08-09R Authorizing Borrowing from union Bank to purchase an Elgin Street Crosswind-J Plus 4 Wheel Regenerative Air Sweeper for \$53,000.00.**

Discussion followed among the Board. There were still concerns about maintenance cost of the sweeper, the life of a street sweeper, cost justification doing it manually and the cost saving by purchasing the street sweeper. Administrator Keller explained that a new one would cost \$157,000.00 and as explained at prior meetings there were variables that could not be answered. By purchasing the street sweeper it would be a work in progress before any costs could be determined. President Wajda had thought questions were answered at the last meeting. There being no further questions, President Wajda asked for a vote. Roll call: Vote: 2-ayes (Trustees Garcia and Mueller), 4-nays, (Trustees Erbeck, Zambetti, Mierisch and Mengarelli), 0-abstained, 0-absent. **Motion failed.**

#### **A motion was made by Trustee Erbeck and seconded by Trustee Mierisch to approve a request by Vidal Landscaping for a variance from Section 11.7.5 "Prohibited Parking" of the Village Code.**

Discussion followed. The Board expressed concern about the edges of the road being torn up and the roads being so narrow. Trustee Erbeck recommended a time period be enforced to be able to lift the variance if it was abused. Trustee Mueller expressed his concern about the condition of the streets deteriorating and the recently no parking ordinance that was adopted. Trustee Zambetti expressed his concern on improving Gilberts. There being no further questions, President Wajda asked for a vote. Roll call: Vote: 0-ayes, 6-nays, (Trustees Erbeck, Mierisch, Zambetti, Mengarelli, Mueller and Garcia) 0-abstained, 0-absent. **Motion failed.**

#### **A motion was made by Trustee Erbeck and seconded by Trustee Mierisch to approve the Treasurer's Report for May 31, 2008 for Filing.**

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 gave an update on the meeting with the business and property owners at the Economic Development Committee meeting relative to infrastructure. There was mixed comments from the business and property owners.

Village Engineer – Engineer Kanthack's status report was in the Board's packet and asked if there were any questions from the Board.

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

Village Treasurer – Finance Director Blocker received a draft preliminary audit and is reviewing it.

Village Clerk – Clerk Mueller had no report at this time. President Wajda inquired final number of the census which is 6,364.

Village Planner – Village Planner Duffy had no report at this time.

Police Chief – Chief Joswick gave a report about the fire on Jackson Street. The playground equipment was damaged and two juveniles were responsible for the \$30,000.00 damage to the playground equipment. Ryland Homes will replace the playground equipment and will be taking legal action. Chief Joswick discussed vandalism at Memorial Park.

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

Plan Commission Chairperson – Chairman Cullotta had no report at this time. Administrator Keller reported the Plan Commission had a meeting last Wednesday about Ryland–West. A submittal will be forthcoming.

### REPORT FROM TRUSTEES AND VILLAGE PRESIDENT

Trustee Mierisch reported that the CERT is moving ahead with their continuing education program. CERT is partnering with Judson College to combine classes.

Trustee Erbeck discussed purchasing a gas generator from the Village of Hampshire for \$15,000.00. The generator was to be used for lift station prior to the housing slowing down. Discussion followed on having a diesel vs. a gas generator. Discussion followed on generators for all of our lift stations and Schaumburg not using lift stations. Chief Joswick will forward information on the generator.

Trustee Erbeck reported the Police Department is discussing a “bike patrol” to save on fuel which is popular in other communities. The Board agreed with having a “bike patrol” in Gilberts.

Trustee Mueller reported that he received calls from residents and inquired about the status of satellite dishes. Memos have been sent out and residents were given three months to comply with ordinance.

### EXECUTIVE SESSION TO ADDRESS PENDING LITIGATION

**A motion was made by Trustee Erbeck and seconded by Trustee Zambetti to close a portion of meeting to the public, effective immediately with no 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 8:16 p.m. and returned to the public meeting at 8:37 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 Garcia and seconded by Trustee Mengarelli 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: 8:37 p.m.

Respectfully Submitted,  
Darlene Mueller, Village Clerk