

VILLAGE OF GILBERTS

VILLAGE BOARD MEETING

September 2, 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: Trustee Erbeck, Zambetti, Mierisch, Mueller, Garcia and President Wajda. Trustee Mengarelli was absent. Others present: Village Administrator Ray Keller, Village Attorney Julie Tappendorf, Intern Kyle Cratty, Village Engineer Ed Kanthack, Police Chief Mike Joswick, Finance Director Marlene Blocker, Auditor Lou Karrison and Deputy Clerk Meadows. (See the attached list for members of the public).

PUBLIC COMMENT AND DISCUSSION

President Wajda asked if anyone from the audience would like to address the Board at this time. Resident Harold Mierisch, who resides at 698 Tipperary Street, stated he would like to address the Board Members. Mr. Mierisch requested the following be included in the minutes:

“I am asking the current village code, specifically section 10.4 NOISE ABATEMENT & CONTROL be reviewed and appended to clarify noise disruption.

For the past month, there has been activity near my home, which has been quit disruptive. I called the police department on two occasions, but have been told, by Chief Joswick, that the current code, section 10.4.2.4, “Is too vague and nothing can be done”. This code was also reviewed by the Village Administrator Ray Keller, and also by the Village Attorney, who also felt it was too vague.

| Since there seems little that can be done at this point, I’m requesting that the board append the code to be more specific and protect the rights of village residents”. Please note, my understanding is that this will continue for another month and a half (until the middle of October).

I’m asking that the following be added to the current noise code-

New sub item to 10.4.2.4

Athletic Field usage, other than Official Village of Gilberts designated parks/athletic fields:

1. Not within 500 feet of a residence
2. No more than two (2) days of activity per week, total of all activities

3. No more than two (2) hours per day
4. Activities no earlier than 9am, and no later than dusk
5. No lights to be allowed
6. No concession stands
7. No whistles, air horns, or similar noise making devices

As a further consideration, I would like each village official to stop and think of what it would be like to have to leave your home, lock up your pet, and not be able to enjoy your back yard because of constant noise every evening for 2 ½ months.

A copy of this objection is being given to the village clerk for inclusion of this meeting's minutes, not as an attachment but to be included in the minutes for the official record".

Thank you,

Harold Mierisch
698 Tipperary Street
Gilberts, IL

EXECUTIVE SESSION TO ADDRESS PENDING LITIGATION

Administrator Keller stated he 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 Minutes of August 19, 2008. Roll call: Vote 5-ayes (Trustee Zambetti, Mierisch, Mueller, Garcia and Erbeck). 0-nays, 0-abstained. Motion carried.

APPROVAL OF BILLS AND SALARIES

A motion was made by Trustee Mueller and seconded by Trustee Garcia to approve the amended payment of bills as pursuant to the list dated 09/02/08 and presented to the Trustees prior to the meeting as follows: General Funds \$98,957.39, Developer Donations \$1,000.00, Permit Pass \$5,023.83, Performance Bonds and Escrows \$6,887.29 Water Fund \$12,875.21 and Payroll \$57,780.37 for the Grand Total of \$182,524.09. Discussion followed. Roll call: Vote 5-ayes (Trustee Mierisch, Mueller, Garcia, Erbeck and Zambetti). 0-nays, 0-abstained. Motion carried.

ORDINANCES/RESOLUTIONS/PROCLATIONS/MOTION TO BE CONSIDERED

A motion was made by Trustee Erbeck and seconded by Trustee Mierisch to approve the Annual Financial Report for Fiscal Year 2008, ending by April 30, 2008. President Wajda asked Mr. Karrison about the GASB pronouncement in the management letter. President Wajda asked Mr. Karrison if he anticipated additional changes next year. Mr. Karrison responded “yes” they are always making changes. Roll call: Vote: 5-ayes (Trustee Mueller, Garcia, Erbeck, Zambetti and Mierisch). 0-nays, 0-abstained. Motion carried.

A motion was made by Trustee Mueller and seconded by Trustee Erbeck to approve Ordinance #08-21, and Ordinance Amending Section 5 of the Village Code to establish Building and Registry Regulations. Administrator Keller reported that the FLO Committee reviewed the Ordinance at their July 22nd meeting and recommended approval. One minor typo on page 10 second line (“but limited to) the word “not” needs to be inserted.

There was some discussion on how this could affect the Neumann Homes property. Attorney Tappendorf stated the Neumann Home property is treated differently due to the court stay.

There was a lengthy discussion with respect to what triggers a property being identified as vacant. In summary, the Ordinance includes various mechanisms that allows for the Chief Building Inspector or his designee to identify, register, and inspect vacant property. Roll call: Vote: 5-ayes (Trustee Garcia, Erbeck, Zambetti, Mierisch, and Mueller). 0-nays, 0- abstained. Motion carried.

A motion was made by Trustee Erbeck and seconded by Trustee Mueller to approve a proposal by Sandman’s Paving & Sealcoating Inc. to repair East End Drive for an amount not to exceed \$11,523.00. Administrator Keller reported he had received verbal approval from the Board to proceed with the repairs to East End Drive. The work was completed last week. This motion is to ratify the payment to Sandman Paving. Roll call: Vote: 5-ayes (Trustee Erbeck, Zambetti, Mierisch, Mueller and Garcia). 0-nays, 0-abstained. Motion carried.

A motion was made by Trustee Erbeck and seconded by Trustee Mierisch to approve an Electronic Meeting Participation Policy. Administrator Keller stated that the policy is under Board consideration because without an adopted policy State Statute does not allow Board Members to participate in meetings remotely.

Trustee Erbeck explained that technology has changed and the Board Members should consider adopting this policy.

Trustee Erbeck expressed concerns about what happens if there is a pandemic or a situation that would prohibit a Board Member from attending a meeting and voting on important issue. Attorney Tappendorf stated State Statute does allow Board Members to participate electronically if there is a natural disaster.

There was a lengthy discussion with respect to the potential of the policy being abused. The Board Members concurred that the current Board has integrity; however, the policy would remain in full force long after the current Board was in office.

In addition, the majority of the Board Members expressed their concerns with the Village's lack of the proper equipment, which would allow for clear and concise electronic communication.

President Wajda asked Attorney Tappendorf if the motion was made to reconsider the ordinance and that vote failed would the Board be able to bring the policy back for consideration. Attorney Tappendorf stated yes, annexation agreement or similar approval where if the motion failed, the developer if interested, would need to start the whole process over. This is a policy and may be reconsidered later.

Roll call: Vote: (Trustee Zambetti, Mierisch, Mueller, Garcia and Erbeck), 4-nays, 1-ayes, 0 abstained. Motion Failed.

REPORTS FROM CONSULTANTS, OFFICERS, BOARD, COMMISSIONS

Village Administrator- Administrator Keller had no report at this time.

Village Engineer-Engineer Kanthack stated his report was included in the Board packets.

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

Village Treasurer-Finance Director Blocker had no report at this time.

Village Clerk- Deputy Clerk Meadows had no report at this time.

Police Chief-Chief Joswick reported that recently there has been an increase in car burglaries. The Police Officers on the third shift will be disturbing informational flyers on cars that are found on the streets. Village Staff will also be placing the information on the Village's web site and in the next newsletter.

Plan Commission Chairperson-Chairman Cullotta was not in attendance and had no report at this time.

Police Commission Chairperson- Police Commissioner Stiegemeier was not in attendance and had no report at this time. However, Chief Joswick will be sending the Police Commissioners and email.

REPORT FROM TRUSTEES AND VILLAGE PRESIDENT

Trustee Mueller had nothing to report at this time.

Trustee Garcia reported that the Public Works Committee is continuing to work on Water Works staffing and the qualifications and certifications that will be needed to bring this service in house.

Trustee Garcia reported Public Works Field Supervisor Burke has received a second quote for the security lighting at Memorial Park, which was half of the cost of the first proposal. There was some discussion with respects to ensuring the lighting would not adversely affect any of the homes bordering the park.

Trustee Zambetti reported that the Parks Committee discussed the annual bonfire event. Parks Committee Member Alana Woodbury has offered once again to organize the event. Administrator Keller stated that the YMCA has offered to help with the event. The date of the event is still under discussion.

Trustee Zambetti reported that the Parks Committee Members along with the YMCA have had trouble in maintaining the ballfield located in Memorial Park. A staff member of the YMCA's has drafted a proposal to correctly reconstruct the ballfield. The Parks Committee is recommending approval of the proposal. The total dollar amount is not to exceed \$10,900.00. This matter will be placed on the next Village Board Agenda. There was some discussion with respect to how the Village will fund the renovations. Administrator Keller stated that Park Impact Fees would be used. Administrator Keller stated this would serve as a good test case. In addition, the field improvements might promote interest in sponsorships.

Trustee Zambetti reported that the Parks Committee discussed the proposed Gilberts Town Center soccer fields and parking lot. The Committee has received a proposal for a gravel parking lot. Administrator Keller will review the proposal and explore pricing options.

Trustee Mueller stated that the public should be informed that the Gilberts Town Center Park was planned as an active park. This information should be included in a Village Newsletter. The Parks Committee might want to discuss creating signage to inform the public that the park is not a passive park.

Trustee Erbeck had nothing to report at this time.

President Wajda directed staff to include an article in the next newsletter commending the two Gilberts' Guardsman that were recently deployed to Iraq.

EXECUTIVE SESSION TO ADDRESS PENDING LITIGATION

A motion was made by Trustee Garcia and seconded by Trustee Erbeck to close a portion of the 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 or that is probable or imminent.

Roll call: Vote 5-ayes (Trustees Erbeck, Zambetti, Mierisch, Mueller and Garcia). 0-nays, 0-abstained. Motion carried. The Board recessed and went into Executive Session at 8:30 p.m. and returned to the public meeting at 8:35 p.m.

ADJOURNMENT:

There being no further business to discuss A motion was made by Trustee Zambetti and seconded by Trustee Mueller to adjourn the meeting. Roll call: Vote 5-ayes (Trustees Zambetti, Erbeck, Mierisch, Mueller and Garcia). Motion carried. Adjournment time 8:37 p.m.

Respectfully submitted,

Debra Meadows, Deputy Clerk