

VILLAGE OF GILBERTS
VILLAGE BOARD MEETING
October 7, 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: Trustees Erbeck, Mierisch, Zambetti, Mueller, Garcia and President Wajda. Absent: Trustee Mengarelli. Others Present: Village Attorney Julie Tappendorf, 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).

PUBLIC COMMENT AND DISCUSSION –

Students Logan Peter, 4W568 Homestead, Elgin and Lauren Buric, 19N202 W. Woodview, Elgin, introduced themselves as student that were required to attend a council meeting for school. The Board welcomed Peter and Lauren.

Resident Rick Zirk inquired if Bell Boyd and Lloyd was our bond counsel for Special Service Area #19 or the bond holder's. President Wajda confirmed that Bell Boyd and Lloyd was our bond counsel for Special Service Area #19. Mr. Zirk inquired if Bell Boyd and Lloyd was responsible to the Bond holders or the Village of Gilberts. President Wajda responded by stating that Bell Boyd & Lloyd is working for the Village.

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

APPROVAL OF MINUTES:

A motion was made by Trustee Erbeck and seconded by Trustee Garcia to approve the Village Board minutes of September 2, 2008, Village Board Work Session Minutes of September 9, 2008 and September 23, 2008. (September 16th Board meeting was canceled). Trustee Erbeck corrected the Minutes of September 2nd on page 4, 5th paragraph. Trustee Erbeck's vote is an "aye" and not a "nay". Roll call: Vote: 5-ayes (Trustees Erbeck, Mierisch, Zambetti, Garcia and Mueller), 0-nays, 0-abstained, 1-absent (Trustee Mengarelli). 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 10/7/08 and presented to the Trustees prior to the meeting as follows: General Funds \$159,760.10, Developer Donations \$-0- Permit Pass Thrus \$1,712.50, Performance Bonds and Escrows \$19,531.65; Water Fund \$93,194.52; and Payroll \$172,566.93. Discussion followed. Roll call: Vote: 5-ayes (Trustees Erbeck, Mierisch, Zambetti, Garcia and Mueller), 0-nays, 0-abstained, 1-absent (Trustee Mengarelli). Motion carried.

ORDINANCES/RESOLUTIONS/PROCLAMATIONS/MOTIONS TO BE CONSIDERED

A motion was made by Trustee Mierisch and seconded by Trustee Zambetti to approve the August 2008 Treasurer's Report for filing. Roll call: Vote: 5-ayes (Trustees Erbeck, Mierisch, Zambetti, Garcia and Mueller), 0-nays, 0-abstained, 1-absent (Trustee Mengarelli). Motion carried.

A motion was made by Trustee Zambetti and seconded by Trustee Erbeck to approve the September 2008 Treasurer's Report for filing. Roll call: Vote: 5-ayes (Trustees Erbeck, Mierisch, Zambetti, Garcia and Mueller), 0-nays, 0-abstained, 1-absent (Trustee Mengarelli). Motion carried.

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A motion was made by Trustee Zambetti and seconded by Trustee Mierisch to approve a reduction in value for Bond No. 6492561 for Boulder Industrial Park. Administrator Keller explained a request was made from Par Development to reduce their subdivision bond for the Boulder Industrial Park, located on the south side of Higgins Road, between the Union Pacific Railroad tracks and Industrial Drive. The bond would be reduced to a 10% one-year warranty at the value for the work completed. The total cost of the project is valued at \$452,738. Mass grading and storm sewer work has been completed and approved by Baxter and Woodman. The bond has been reduced to \$65,858.00. The bond would still cover 100% of the "miscellaneous" items that have not been completed. Trustee Mueller inquired and was confirmed the grade was solid after the rain. Roll call: Vote: 5-ayes (Trustees Erbeck, Mierisch, Zambetti, Garcia and Mueller), 0-nays, 0-abstained, 1-absent (Trustee Mengarelli). Motion carried.

Trustee Garcia questioned who was responsible if the Village approved the reduction and eventually gave back all the bond money and then a year from now the area gets damaged and it needs to be repaired. Attorney Tappendorf stated that if it is an improvement that is dedicated to the Village, then it would be the Village's responsibility once the bond is released and the improvement has been accepted by the Village.

President Wajda expressed his concern about the shoulder portion of the road on Route 72 due to trucks driving over it. Engineer Kanthack is aware of this situation and has contacted I.D.O.T. (Illinois Department of Transportation) on this matter. I.D.O.T. would be responsible for any repairs.

A motion was made by Trustee Erbeck and seconded by Trustee Mueller to approve a work order by Baxter & Woodman for Public Works Operations Assistance and Water/Wastewater Operation Transition Assistance for an amount not to exceed \$36,050. Administrator Keller explained with Baxter and Woodman's assistance, they would be able to assist the Public Works Staff on developing and preparing a transition plan to take over the water and sewer operation in 2011, as well providing the Public Works department with some over the shoulder assistance. Trustee Garcia had reservation on the cost of this undertaking but still was in favor before and still is and felt this step will lead the Village in the right direction. Roll call: Vote: 5-ayes (Trustees Erbeck, Mierisch, Zambetti, Garcia and Mueller), 0-nays, 0-abstained, 1-absent (Trustee Mengarelli). Motion carried.

A motion was made by Trustee Mierisch and seconded by Trustee Zambetti to approve Ordinance #08-22, An Ordinance Amending the Village Code Section 2.9, Elected and Appointed Officer Compensation to increase the compensation schedule for elected officials. Administrator Keller explained pursuant to State Statute, the Village is required to approve any changes to the compensation for elected officials not less than 180 days prior to the next consolidated election in April. A lengthy discussion followed among the Board Members on their consideration of changing Board wages to be closer to other municipalities. Roll call: Vote: 3-ayes (Trustees Erbeck, Zambetti, and Garcia), 2-nays, (Trustees Mueller and Mierisch) 0-abstained, 1-absent (Trustee Mengarelli). Attorney Tappendorf advised President Wajda that he has the right to vote but did not have to. President Wajda voted "nay". Motion failed. President Wajda, Trustee Mierisch and Trustee Mueller stated that their votes were based on the current state of the economy.

The Board directed Finance Director Blocker to calculate Board Compensation to date and what it would cost using the new figures previously discussed among the Board member.

REPORTS FROM CONSULTANTS, OFFICERS, BOARDS, COMMISSIONS

Village Administrator – Administrator Keller submitted his staff report. Administrator Keller stated the Parks Committee supported rehabilitating the baseball diamond at Memorial Park. The cost would be \$10,900.00. The expense would be taken out of the General Fund and Parks Project budget. Discussion followed on the Village's liability and hiring YMCA employee Kyle Neubauer. Kyle would lead the project as a seasonal part-time employee. Discussion followed on hiring a YMCA employee verses contracting it out. The Board directed Administrator Keller to obtain another proposal. Administrator Keller advised the

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Board by delaying the project, inclement weather could hold up the project. This matter will be put on hold until the next regular Board meeting.

Village Engineer – Engineer Kanthack' submitted his status report and had no further report to give to the Board at this time.

Village Attorney – Attorney Tappendorf reported that she will be a speaker at a conference on "foreclosures" and invited the Board to attend. There will also be discussion about land banking and obtaining records without paying a firm.

Trustee Mierisch inquired about the status of the flooding situation. Administrator Keller discussed his draft memo further into the meeting.

Village Treasurer – Finance Director Blocker informed the Board that she had attended an I.D.O.T. meeting on a high growth program and the Village will be receiving a 13th payment for \$5,500.00.

Village Clerk – Clerk Mueller submitted her report in a memo and asked if there were any questions. President Wajda discussed details relative to minutes. Attorney Tappendorf advised the Board that she will be discussing this topic at our next work session meeting.

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

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

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

Police Commission Chairperson – Police Commissioner Stiegemeier had no report at this time.

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

REPORT FROM TRUSTEES AND VILLAGE PRESIDENT

Administrator Keller reviewed the draft memo relative to Indian Trails' flooding. Administrator Keller asked the Board to contact him prior to Friday if there were concerns; otherwise, the memo will be mailed out Friday. Electronic copies will be provided for residents.

Trustee Mierisch inquired about the status of the health club plan for all employees. Administrator Keller informed the Board that Clerk Mueller had given him information on this matter and he will look further into it.

Trustee Zambetti reported at the Parks Committee a recommendation was made from the committee to establish a "Task Force" to discuss the goals of the Strategic Plan and come up with ideas and recommendations. After a discussion among the Trustees, the Task Force was accepted as a benefit for the Committee. Trustee Zambetti is expecting to have this Task Force started in a few weeks.

Trustee Mierisch report she will be attending two meetings, one meeting is being held by Regional CERTS Coordinators from different municipalities and she will bring back a report to the Board. The second meeting was held in Elgin relative to utilizing CERT member as a rehab team to give their support in emergency situations, i.e, blood pressure test, food, coffee, etc.

President Wajda informed the Board two Special Event applications have been approved: Piece-Of-Cake (Wounded Warriors Organization) helping soldiers and their families when they return home on October 25th and the Eagles Club having the "Grizzlies' Football" game on October 11th.

Trustee Mueller inquired about two soldiers that are residents in Gilberts to be deployed. President Wajda attended a Mobilization Ceremony where two soldiers were Gilberts' residents. Trustee Mueller and

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President Wajda recommended that their photos be put in the newsletter to recognize them for serving their country. Clerk Mueller has a contact number and will call the family.

EXECUTIVE SESSION TO ADDRESS PENDING LITIGATION

A motion was made by Trustee Erbeck and seconded by Trustee Mueller to close a portion of the meeting to be closed 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, Mierisch, Zambetti, Garcia and Mueller), 0-nays, 0-abstained, 1-absent (Trustee Mengarelli). Motion carried. The Board recessed and went into Executive Session at 8:56 p.m. and returned to the public meeting at 9:39 p.m.

A motion was made by Trustee Erbeck and seconded by Trustee Zambetti to reconvene to the public meeting. Roll call: Vote 5-ayes (Trustees Garcia, Erbeck, Mierisch, Mueller, and Zambetti), 0-nays, 0-abstained, 1-absent (Trustee Mengarelli). Motion carried.

President Wajda asked for a roll call from Clerk Mueller. Clerk Mueller called the roll with all Board Members present at the public meeting.

ADJOURNMENT:

There being no further business; **a motion was made by Trustee Mueller and seconded by Trustee Mueller to adjourn the meeting.** Roll call: Vote: 5-ayes (Trustees Erbeck, Mierisch, Zambetti, Garcia and Mueller), 0-nays, 0-abstained, 1-absent (Trustee Mengarelli). Motion carried. Adjournment time: 9:40 p.m.

Respectfully Submitted,

Darlene Mueller, Village Clerk