

**Village of Gilberts
87 Galligan Road
Gilberts, IL 60136
Committee of the Whole
Meeting Minutes
January 15, 2013**

APPROVED MINUTES

Call to Order/Pledge of Allegiance

President Zirk called the meeting to order at 7:00 p.m. He proceeded to lead those present in the Pledge of Allegiance.

Roll Call/Establish Quorum

Clerk Meadows called the roll. Roll call: Members present: Trustees Corbett, Clark, Mierisch, Zambetti, Farrell, Hacker and President Zirk. Others present: Administrator Keller, Attorney Tappendorf, Assistant to the Village Administrator Beith, Finance Director Blocker and Village Clerk Meadows. For members of the audience please see the attached list.

Presentations

Soccer Facility at Tyrrell Road/Mason Road

Administrator Keller introduced the new soccer facility operator Mr. Andy Schcolnik along with his attorney, Mr. Peter Bazos. Administrator Keller reported that Mr. Schcolnik assumed control of the facility in September 2012 and has been working with Kane County to improve the facilities' operations and structure. The property is on the Elgin-side of the Gilberts-Elgin boundary agreement, but is not yet contiguous to Elgin's corporate limits, so Mr. Schcolnik and Mr. Bazos are working with Kane County to secure a liquor license for the facility.

Attorney Bazos reported that they have met with the Village, Kane County and Rutland Dundee Fire Department Staff. They are aware of the past problematic history of the facility under the previous operator. However, Attorney Bazos assured the Board Members that Mr. Schcolnik is a reputable Chicago Businessman. He noted that since Mr. Schcolnik has been operating the facility there have been no incidents requiring police intervention. Attorney Bazos noted that they were surprised to learn that they were on the wrong side of Gilberts planning boundaries.

Attorney Bazos discussed his client's current operations. He reported that the facility offers soccer and Lacrosse programs to children, adults and women leagues. Mr. Schcolnik currently has a 1 year lease with a 1 year extension and/or a purchase option. In order to make the facility financially sustainable Mr. Schcolnik would like to offer food, beer and wine. They are petitioning Kane County for a liquor license to provide for the sale of beer and wine.

Attorney Bazos reported that they are not requesting a rezoning of the property. They are requesting the County keep the zoning the same (B-2) with an underlying PUD zoning to allow for the sale of beer and wine. Attorney Bazos reported that the facility will provide for on-site security.

Mr. Schcolnik asked if the Board Members had any questions or if they would like for him to elaborate on the facility's operations. Trustee Mierisch suggested Mr. Schcolnik might want to consider hosting a community open house. Mr. Schcolnik thought that was an excellent suggestion. He inquired as to the best advertising method would be.

Trustee Zambetti asked if his operations provided the sport programming or did leagues rent the fields. Mr. Schcolnik replied that various leagues rented the fields. Trustee Zambetti inquired if Mr. Schcolnik had considered contacting the YMCA. Mr. Schcolnik replied that the YMCA had been in contact with him. However, at that time the YMCA had informed him that they were unfunded and had just lost their manager.

Mr. Schcolnik discussed his future plans for the facility. He hopes that the facility could provide the community with a year round sporting complex along with dining options.

A lengthy discussion ensued with respect to the past history of the facility. President Zirk expressed concern with the proposed B-2 zoning with the underlying PUD being tied to the property. Attorney Tappendorf recommended working with Mr. Schcolnik and his attorney to draft language which would provide Kane County with the authority to review the Special Use and make the use "subject to their approval". Mr. Schcolnik and Attorney Bazos welcomed the idea of working with the Village Staff. Mr. Schcolnik stated that he would like to have Kane County consider their petition as soon as possible. Village Staff will meet with Mr. Schcolnik and Mr. Bazos sometime next week to draft the language.

Trustee Corbett asked if the soccer facility had a website. Mr. Schcolnik provided Trustee Corbett with their web address.

Trustee Hacker inquired what the average age of the league participants was. Mr. Schcolnik reported ages range from young children to older adults.

President Zirk suggested Mr. Schcolnik contact the YMCA to see if they would be interested in utilizing the facility and offering additional program to the Village residents. Mr. Schcolnik agreed to do so.

Health Insurance Overview

Mr. Gregg Aleman from Gallagher Benefit Services, Inc. provided the Board Members with an overview of the Village's performance in the Intergovernmental Personnel Benefit Cooperative (IPBC), the insurance pool that funds the Village's employee health insurance program.

Mr. Aleman discussed the impact the federal healthcare reform legislation will have on the Village.

Mr. Aleman reported that he anticipates a slight rate increase in the amount of 5%. Administrator Keller reported that staff will include the increase in the FY-2014 budget. Mr. Aleman reported that if the Board wants to consider any changes to the coverage to offset the rate increase they will have plenty of time to do so prior to the renewal deadline. The Board Members thanked Mr. Aleman for his time.

Items for Discussion

Minutes for the January 8, 2013 Village Board Meeting

President Zirk asked if there were any comments on the Village Board Meeting Minutes from the January 8th meeting. There were no comments; the minutes will be placed on the next consent agenda.

December 2012 Treasurer's Report

President Zirk asked if there were any comments on the December 2012 Treasurer's Report. There were no comments; the December 2012 Treasurer's Report will be placed on the next consent agenda.

Proclamation 01-2013, a Proclamation declaring February 8th as Eagle Scout Day

President Zirk reported that the Chairman of the Three Fires Eagle Scout Council Dinner Committee, Mr. Jerry Bevignani has asked communities in which Three Fires Council serves to draft a Proclamation declaring February 8th as Eagle Scout Day. Proclamation 01-2013, a Proclamation declaring February 8th as Eagle Scout Day will be placed on the next consent agenda.

Ordinance 01-2013, an Ordinance Extending the Expiration Date of the Cable Television Franchise Agreement Authorizing the Operation of the Cable Television System

Administrator Keller discussed the proposed extension to the Mediacom agreement. The extension would provide the Village and Mediacom additional time to prepare an updated franchise agreement. The expired agreement does not interrupt cable services or franchise revenue fees, but an extension provides safeguards should a problem arise before a new agreement is adopted.

Attorney Tappendorf noted that extending the agreement was more of a record keeping issue.

There was some discussion with respect to the expired Nicor agreement. Assistant to the Village Administrator Beith is currently working on amending the Nicor agreement. Ordinance 01-2013 extending the Mediacom Agreement will be placed on the next consent agenda.

Ordinance 02-2013, an Ordinance rezoning the Prairie Corporate Park property to I-1 "Industrial"

Administrator Keller commented on Ordinance 02-2013 which provides for the rezoning of the Prairie Corporate Park to I-1 "Industrial". He reported that as a rule the PUD Ordinance along with the development agreement would be considered at the same time. However, the PUD Ordinance and development agreement are very complex and are not completed at this time. In order to comply with the TIF requirements the rezoning of the corporate park needs to be passed prior to approval of the TIF District.

President Zirk expressed concern that the Ordinance is silent with respect to the PUD inclusion of commercial zoning. He suggested adding an exhibit that depicted the PUD zoning including the commercial portion. Attorney Tappendorf will amend the Ordinance to include language identifying the commercial zoning. This matter will be placed on the next consent agenda as amended.

Ordinance 03-2013, an Ordinance approving the 2013 amendment to the Village of Gilberts' Tax Increment Financing Central Redevelopment Project Area

Administrator Keller reported that the draft ordinance removes property from the Central Redevelopment Project Area (the TIF district established in 2008) so that the area can be included in the proposed Higgins Road Industrial Park Conservation Area TIF. The areas being moved are Lot 49 and the pond parcels, where stormwater credits are needed to support the Prairie Corporate Park Development. Approval of this Ordinance ensures lot 49 and the pond parcels will be eligible for TIF reimbursement.

The Board Members had no comments. This matter will be placed on the next consent agenda.

Ordinance 04-2013, an Ordinance approving the Tax Increment Redevelopment Plan and Project for the Higgins Road Industrial Park Conversation Area

Administrator Keller reported that the next three Ordinances establish the new TIF district of Prairie Corporate Park. The ordinances approve the redevelopment plan and project, identifies the boundaries of the new TIF district, and provides for the financing. The Ordinances will need to be adopted at the January 22nd Village Board Meeting in accordance with the schedule required by state statutes.

There was some discussion with respect to the development agreement. Attorney Tappendorf noted that Interstate Partners had two different attorneys working on the agreement and at the end of the day there are now two agreements that need to be blended. In addition, the developer recently requested a TIF note. This request will need to be included into the agreement.

There being no further comments, this matter will be placed on the next consent agenda.

Ordinance 05-2013, an Ordinance designating the Higgins Road Industrial Park Conservation Area

As previously discussed this ordinance establishes the boundaries of the new TIF District. This ordinance will be placed on the next consent agenda.

Ordinance 06-2013, an Ordinance Adopting Tax Increment Financing for the Higgins Road Industrial Park Conservation Area

This ordinance invokes the authority granted by state statute to allow the Village to engage in tax increment financing. This ordinance will be placed on the next consent agenda.

Resolution 01-2013, A Resolution for Maintenance of Streets and Highways by the Village of Gilberts, County of Kane, Illinois Under the Illinois Highway Code

Administrator Keller reported that this resolution is an annual routine housekeeping matter. The resolution provides for the authorization needed to use Motor Fuel Tax (MFT) funds for the Village's road maintenance expenses. This year's resolution includes two elements: \$84,464.00 for operational expenses and \$84,611.00 for road program bond debt payment.

President Zirk voiced his concerns with the use of MFT Funds to supplement labor cost. Administrator Keller understood his concerns. However, at this time in order to maintain a balance budget and retain sufficient labor force levels the MFT funds are needed to supplement labor cost. President Zirk acknowledged the financial implications. However, moving forward he would prefer to use a portion of the MFT funds on capital improvement projects.

Administrator Keller reported that over the next five years he believe the Village will have the financial flexibility to use more MFT dollars to fund capital improvement projects.

Staff Reports

Administrator Keller reported that if the Board Members had any sections in the newly drafted UDO they would like to discuss please email him the information. The sections the Board Members wish to discuss in detail will be placed on the February and March agendas. President Zirk stated he would like to more closely examine the section dealing with "Home Occupation".

Administrator Keller reported that the Board also may want to examine the proposed changes to the A-1 "Agricultural" zoning district and the Old Town zoning district overlay.

Assistant to the Village Administrator Beith provided the Board Members on an update with respect to i3 America and the status of Fibercity Gilberts.

President's Report

President Zirk reported that staff had distrusted Administrator Keller's consolidated 2012 performance evaluation. He asked if the Board Members wanted him to discuss the evaluation with Administrator Keller or would they prefer to review the evaluation with Administrator Keller as a group. The Board Members concurred to review the evaluation with Administrator Keller as a group.

President Zirk reported that Ryland's Chief Officer, John Carroll has been unable to contact the new owners of the Opus property to discuss concerns with the berm.

President Zirk reported that Plan Commission Chairman, Doug Hagen will be stepping down upon expiration of his term. He has served on the Plan Commission for ten years. Chairman Hagen suggested that the Board Members may want to consider reducing the number of commissioners to seven. The reduction would provide for the same number of ZBA and Plan Commission Members. Attorney Tappendorf agreed with the recommendation.

President Zirk reported that he as Liquor Commissioner will be conducting a Liquor License Violation Hearing on February 5th in the official chambers at 6:00 p.m.

Executive Session

A motion was made by Trustee Clark and seconded by Trustee Zambetti to close a portion of the meeting to the Public, effective immediately as Permitted by 5 ILCS 120/2 (c) (11) to discuss litigation against, affecting, or on behalf of the Village which has been filed and is pending in a court or administrative tribunal of which is imminent with no business to follow. Roll call: Vote: 6-eyes: Trustees Corbett, Clark, Mierisch, Zambetti, Farrell and Hacker. 0-nays, 0-abstained. Motion carried.

The Board Members along with Administrator Keller, Attorney Tappendorf and Village Clerk Meadows went into Executive Session at 8:31 p.m. and returned to the public meeting at 8:46 p.m. Roll call: Members present: Trustees Corbett, Clark, Mierisch, Zambetti, Farrell, Hacker and President Zirk. Others present: Administrator Keller, Attorney Tappendorf and Village Clerk Meadows.

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Adjournment

There being no further business to discuss, a motion was made Trustee Clark and seconded by Trustee Zambetti to adjourn from the public meeting at 8:47 p.m. Roll call: Vote: 6-ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows

