



**MINUTES FOR VILLAGE OF GILBERTS
BOARD OF TRUSTEES MEETING
Village Hall: 87 Galligan Road, Gilberts, IL 60136
Meeting Minutes
July 10, 2018**

1. 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.

2. ROLL CALL / ESTABLISH QUORUM

Village Clerk Courtney Nicholas called the roll. Roll call: Members present: Trustees Kojzarek, Corbett, Allen, Zambetti, Farrell, Hacker, and President Zirk. Others present: Interim Village Administrator Anne Marie Gaura, Village Attorney Julie Tappendorf, Finance Director Taunya Fischer, Chief Building Inspector and Public Works Coordinator John Swedberg.

3. PUBLIC COMMENT

Steve Maren, a resident of Gilberts, stated that a plumber has come out to his home and asked why he doesn't have another meter for his landscaping water sprinkler system. President Zirk stated that this is something that the Village has done for industrial properties, but for residential properties, this is left to the homeowner to have done. Public Works Coordinator Swedberg advised that he would be willing to work with this resident on assisting him in this process.

4. APPOINTMENTS

- A. President Zirk's appointment of Brian Bourdeau as Village Administrator and to approve an Employment Agreement for a term of July 11, 2018 through April 30, 2021. (Swearing In).

A Motion was made by Trustee Corbett and seconded by Trustee Allen to concur with President Zirk's appointment of Brian Bourdeau as Village Administrator. Roll call vote: Trustees Corbett, Allen, Zambetti, Farrell, Hacker, Kojzarek voted Aye. 0-nays, 0-abstained. Motion carried.

5. CONSENT AGENDA

- A. A Motion to approve Minutes from the June 26th, 2018 Village Board Meeting
- B. A Motion to approve Bills & Payroll dated July 6, 2018.

President Zirk asked if any of the Board Members wished to remove any item listed on the Consent Agenda for separate consideration. The Board Members offered no comments.

A Motion was made by Trustee Kojzarek and seconded by Trustee Corbett to Approve the Consent Agenda Items A-B as presented. Roll call vote: Trustees Allen, Zambetti, Farrell, Hacker, Kojzarek, Corbett voted Aye. 0-nays, 0-abstained. Motion carried.

6. ITEMS FOR APPROVAL

- A. Ordinance 11-2018 Amending Ordinance No. 09-19 Regarding the Designation of Freedom of Information Act (FOIA) Officers. – Interim Village Administrator advised that this amendment is removing the specific name of the previous Village Clerk as well as adding the Deputy Clerk as an approved FOIA officer.

A Motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve Ordinance 11-2018 Amending Ordinance No. 09-19 Regarding the Designation of Freedom of Information Act (FOIA) Officers. Roll call vote: Trustees Zambetti, Farrell, Hacker, Kojzarek, Corbett, Allen voted Aye. 0-nays, 0-abstained. Motion carried.

7. ITEMS FOR DISCUSSION

- A. Small Cell Wireless Ordinance – Village Attorney Tappendorf advised that the General Assembly passed a Small Cell Wireless act several months ago that restricts how municipalities can permit, regulate and restrict the small wireless facilities. This law gave municipalities until August 1st to adopt regulations to charge the facilities and require them to go through a permit process if the pole is Village owned. Village Attorney Tappendorf also advised that the model of this ordinance that was drafted for the Village of Gilberts is very similar to other municipalities. President Zirk stated that this item will be placed on the Consent Agenda to be considered for approval at the next Village Board Meeting.
- B. Smoking in Village Parks – Village Attorney Tappendorf advised that the Village does have the authority to restrict smoking in Village owned parks. She also stated that if the Board wants to prohibit smoking, the Village would need to amend the Village Code. Trustee Zambetti expressed his concern for going forward with this ordinance due to the uncertainty of how exactly the Village will enforce it and to what degree the Village should restrict smoking. Trustee Kojzarek and Trustee Farrell stated that they were curious on how other communities have handled non-smoking ordinances and would like to have that information prior to the Village making a decision. Interim Village Administrative Gaura advised that the staff should have this data ready for a meeting in August to present to the Board. Meg Fischer, a Village of Gilberts resident, addressed the Board and stated that there are many park districts and municipalities that have already enacted non-smoking ordinances in parks. Fischer also said that it would be helpful to refer to a no-smoking sign in a Village park if need be. President Zirk advised that the Board will hear the data that the Village staff will collect in a Board meeting in August and discuss this further at that time.

Farm Animals and Horse Options – At the last Village Board meeting, Public Works Coordinator Swedberg reported on an issue relating to the keeping of horses on property in the Village. Currently, the UDO allows the keeping of farm animals and private stables as permitted uses in the A-1 Agriculture District. However, section 5-2-3B of the Village Code prohibits the keeping of livestock, including horses, on any property in the Village. The Village Board asked that staff conduct a survey of properties zoned in the A-1 district. The Board also asked Village Attorney Tappendorf for a summary of its options in amending the Village Code or UDO as appropriate to bring these ordinances into consistency with one another. Village Attorney Tappendorf presented the three options which were Ban Farm Animals and Horses Throughout the Village, Allow Farm Animals and Horses in the A-1 District, and Allow Farm Animals and Horses in the A-1 District With Lot Acreage Requirements. Public Works Coordinator Swedberg advised that Jesus Alvarado is a property owner in who had recently requested permission to have horses on their farm. The Alvarado's have an A-1 property that is 5.45 acres. Trustee Zambetti suggested that we provide Jesus Alvarado with a Special Use permission to allow for the keeping of their horses. Village Attorney Tappendorf advised that that would entail amending the Village code to remove the prohibition and then move the two uses to the Permitted section to the Special Use section. Tappendorf also advised that this will require a Zoning Meeting with the Plan Commission and to advise the property owner to submit an application for Special Use. Maria Ramos, one of the owners of the Alvarado property, inquired about the Village Code relating to Animals at Large and was provided clarification by Village Attorney Tappendorf. Maria Ramos and Jesus Alvarado were concerned on the length of time this process would take because they had planned on building a structure for the horses in August. Trustee Zambetti advised that there is no reason why the property owners can't bring their structure proposal to the Village's building department for a permit and start building it once approved.

8. OTHER BUSINESS

There were no items to discuss at this time.

9. STAFF REPORTS

- A. Interim Village Administrator Gaura reported that she is currently working on the transition of Brian Bourdeau learning his role as the Village Administrator.
- B. Village Attorney Tappendorf provided an update on Special Service Area bonds and that there will a conference call meeting next week. Another update was that she had spoken to Robinson Engineering regarding the roadway on Industrial Drive project and there will be more information presented in the first meeting in August. Tappendorf also stated that she was in contact with DR Horton's lawyer regarding the duplex project. DR Horton had submitted elevations that previous Village Administrator, George Sakas, did not approve of because the plans did not conform to the annexation agreement. Attorney Tappendorf advised the DR Hortorn lawyer that their options are to change the plans to comply, apply for amendments or appeal the decision.

C. Public Works Coordinator Swedberg reported that public works has cleaned out Hennessy Bridge from tree debris.

10. STAFF REPORTS

The trustees had no report.

11. PRESIDENT'S REPORTS

President Zirk reported that the Village has put more pressure on the AirBnB in town. The AirBnB had said that they were going to discontinue use but have now increased use. Public Works Coordinator Swedberg had advised the owners of this property that they have until the 8th to stop renting out the home and they have not stopped. Public Works Coordinator Swedberg has contacted the Village's prosecutor in regards to issuing the property owners a citation.

12. EXECUTIVE SESSION*

An executive session did not take place.

13. ADJOURNMENT

There being no further public business to discuss, **a Motion was made by Trustee Allen and seconded by Trustee Farrell to adjourn from the public meeting at 8:26 p.m.** Voice vote carried unanimously.

Respectfully submitted,

Courtney Nicholas

Courtney Nicholas
Village Clerk