

Village of Gilberts

Village Hall
87 Galligan Road, Gilberts, IL 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

Village Administrator Memorandum 57-14

TO: President Rick Zirk
Board of Trustees

FROM: Ray Keller, Village Administrator *PK*

DATE: August 7, 2014

RE: Village Board Committee of the Whole Meeting – August 12, 2014

The following summary discusses the agenda items for the Committee of the Whole meeting scheduled for August 12, 2014:

1. CALL TO ORDER

2. ROLL CALL / ESTABLISH QUORUM

3. ITEMS FOR DISCUSSION

A. Minutes from the August 5, 2014 Village Board Meeting

Please review the enclosed minutes from the Village Board meeting on August 5. Staff recommend approval. Unless directed otherwise, this item will be added to the Consent Agenda for the August 19 meeting.

B. July 2014 Treasurer's Report

Finance Director Marlene Blocker has prepared the Treasurer's report for July 2014, which is enclosed for your review. Please contact me or Finance Director Blocker prior to the meeting if you have any questions or need more detailed information. Staff recommend approval. Unless otherwise directed, this item will be added to the Consent Agenda for the August 19 meeting.

C. Facility Plan Update

Mr. Carl Fischer from Baxter & Woodman will provide a brief report on the final draft of the Facility Plan Amendment, which updates the 2005 wastewater treatment plan to account for new housing development trends and project costs, including obligations attached by the IEPA and the environmental advocacy groups (EAGs). The plan update describes approximately \$24.6 million in facility improvements and environmental enhancements to be constructed by the Village over the next 20 years. Due to the length of the document, the executive summary is provided with this report and the main document will be provided separately.

Public Works Facility
Finance & Building Departments
73 Industrial Drive, Gilberts, IL 60136
Ph. 847-428-4167 Fax: 847-551-3382

Police Department
86 Railroad St., Gilberts, IL 60136
Ph. 847-428-2954 Fax 847-428-4232

The Village Board will be asked to approve a resolution adopting the Facility Plan Update prior to its submittal to the IEPA. Unless directed otherwise, Staff will prepare a resolution and add it to the Consent Agenda for the August 19 meeting.

D. Ordinance 16-2014, an Ordinance approving a Special Use Permit to allow a permanent outdoor serving area for a restaurant/bar located within the C-1 General Commercial zoning district located at 38 E. Higgins

Mr. Thomas Trier has requested approval of a special use permit to allow a permanent outdoor seating area for “Pub 72,” the restaurant/bar located at 38 East Higgins Road, Gilberts, IL. Section 10-4-4, Paragraph B-6 requires the approval of a special use permit as a condition of operating a permanent outdoor seating area associated with a restaurant or bar.

Mr. Trier proposes to build a deck that would be raised approximately three feet from the ground elevation to match the floor of the existing building. The deck would extend 24 feet from the east side of the building, with a new door between the building and deck and a wooden railing restricting access through the building only. The deck would be used for seated service only and would not host parties or special events or be used as an enclosed beer garden. In recognition of the nearby residences, use of the outdoor seating area would be limited to 10:00 p.m., which matches the Village’s noise ordinance hours. Outdoor music, amplified sound live acts or other noise- or vibration-generating activity on the deck would also be prohibited. Smoking would also be prohibited to prevent the deck from becoming a de facto smoking area.

To accommodate the proposed deck, the special use permit would need to include a variance allowing a reduced front yard setback along Galligan Road to five feet and reducing the front yard setback along Higgins Road to match the existing south wall of the building. However, the deck would be placed to avoid the sight-distance triangle on the northwest corner of Higgins/Galligan Roads. The addition of an open fence around its perimeter and landscaping around the deck itself will further minimize the visual impact from the reduced setbacks.

The proposed deck would also need to include a waiver of the additional 10 parking stalls that would normally be required by the UDO to serve the expanded seating area. Additional parking cannot be provided onsite, so the requirement would need to be waived in the absence of alternative parking arrangements (e.g. parking permission from neighboring properties). Patrons will likely be dissuaded by the absence of convenient parking, thus applying a practical limit on the maximum number of patrons at the restaurant/bar regardless of the presence of the outdoor seating area.

At their July 23 meeting, the Plan Commission conducted the public hearing for the special use permit and recommended approval, subject to numerous conditions that address the appearance and use of the service area, including the setback and parking waivers. Staff prepared a draft ordinance approving the proposed outdoor area and the accompanying conditions and waivers. Unless directed otherwise, the draft ordinance for the special use permit would be added to the August 19 agenda for the Board’s final decision.

Though the special use permit would allow the outdoor seating area, the Liquor Code currently prohibits outdoor alcohol sales and consumption. Separate Board action would need to be taken to amend the Liquor Code to allow outdoor alcohol sales and consumption at Pub 72 or any other restaurant/bar. As explained in the following agenda item, Staff drafted a new add-on license that would govern outdoor service for restaurants/bars. The add-on license includes conditions on how the outdoor service area would be allowed to function, mirroring the conditions found in Pub 72's draft special use permit ordinance.

Staff recommend that any changes to the conditions to be included in the draft special use permit also be incorporated into the Liquor Code amendment ordinance. The amended Liquor Code and the Pub 72 special use permit, while not setting precedent, would serve as a template for addressing concerns that may arise should other restaurants/bars in Gilberts wish to add outdoor liquor service. The Village would ultimately have both its zoning powers and its Liquor Code as tools for regulation and enforcement of outdoor liquor service should the need arise.

E. Ordinance 17-2014, an Ordinance amending various provisions of Chapter 2 of Title 3 of the Village Code regarding Liquor Control

Staff drafted an ordinance amending the Liquor Code to address two issues:

1. Creating the "OS" ("Outdoor Service") license, an add-on license that could be obtained by a restaurant/bar that holds a valid Class A, B or F license. As noted above, the add-on license was drafted to respond to Pub 72's request for an outdoor liquor service, which is currently prohibited by Section 3-2-15 of the Liquor Code. If approved, the add-on license would allow outdoor alcohol service that would be available for an additional \$200.00 annual fee. Holders of the OS license would need to comply with the list of conditions that mirror the operational conditions that were drafted for the Pub 72 special use permit, including access control through the principal structure and no private parties, special events, beer gardens, noise, music, smoking or service after 10:00 p.m.

To establish the OS license, the description, terms and availability of the license would be amended into Section 3-2-7 of the Code. Section 3-2-15 "Outdoor Consumption" would be amended to reflect the possibility of outdoor service, while Section 2-4-19 in the Village's "Fee Schedule" would establish the \$200.00 annual fee.

Should the Board wish to amend the conditions drafted for the OS license, Staff advise also amending the conditions for the Pub 72 special use permit. The Pub 72 special use permit, in conjunction with the OS liquor license conditions, would establish a template for how outdoor liquor service should function at any restaurants/bars in Gilberts. The Village would also have both its zoning powers and its Liquor Code as tools for regulation and enforcement of outdoor liquor service should the need arise.

2. Reducing the fee for Class C “Special Events” licenses to \$100.00/day. Other than licenses issued for Community Days, the Village has not received any requests for special events liquor licenses. Staff received feedback that the \$200.00 or \$500.00 application fee, whichever may apply to a given event, may be a barrier to hosting special events in Gilberts. Noting that “reunions, weddings, anniversaries and showers” can already get a one-day license for \$100.00, Staff thought that amending the fee structure to allow any one-day event to get a license for \$100.00 would reduce a possible barrier to more events in Gilberts. The reduced fee would not result in a loss of revenue for the Village, but it may encourage better compliance with our Liquor Code and may stimulate additional events that would benefit local establishments and bring additional visitors to Gilberts.

Staff request the Board’s direction on whether to reduce the Class C “Special Events” license to \$100.00 day or to another amount. Staff would then amend the draft ordinance accordingly so that the Board may take action on it at the August 19 meeting.

F. Village Code Title 4 of Chapter 5-D “Sites Under Construction”

The Village Board had requested that Staff review how the Village’s “plants and weeds” regulations would apply to sites being developed. Presently, Section 4-5, Paragraph D of the Village Code states

Sites Under Construction: "Sites under construction" are lots on which a building permit has been issued for structures intended for residential, commercial, industrial or other permitted or special uses. Weeds, grasses, or plants may grow unabated on a site under construction for the following time periods: 1) from the date of issuance of a building permit until occupancy of the structure or 2) one hundred twenty (120) days after a building permit is issued, whichever is earlier.

However, if such plants present a noxious condition or pose a threat to public safety by blocking vision at intersections or similar conditions, the village corporate authorities or designee may order the trimming of plants to a height of eight inches (8") or less. Upon passage of the one hundred twenty (120) days, the property owner shall thereafter maintain all weeds, grasses or plants to a height of eight inches (8") or less in compliance with the requirements of this code. (Ord. 23-2011, 8-2-2011)

Staff inquired with several other communities about how they applied the plant/weed height restriction to construction sites. None of the other respondent communities apply a more stringent requirement to construction sites, though how they managed them (e.g. requiring quarterly mowing, allowing heights up to 12 inches until receiving a complaint from an adjacent property owner) varied somewhat. Should the Board wish to revise how to manage plants and weeds on construction sites, Staff will prepare an ordinance based on the Board’s guidance.

As the question was prompted by the appearance of the Prairie Business Park at Higgins/Tyrrell Roads, Staff will provide an update at the meeting on Interstate Partners’

efforts to clean up their site. Please contact Staff prior to the meeting if there any particular concerns about other development/construction sites in the Village to be discussed at the meeting.

4. STAFF REPORTS

Staff will provide updates on current activities at the meeting.

5. BOARD OF TRUSTEES REPORTS

6. PRESIDENT'S REPORT

7. EXECUTIVE SESSION

Please contact me if you any questions about executive session topics.

8. ADJOURNMENT

VILLAGE OF GILBERTS
Committee of the Whole
MEETING AGENDA
87 GALLIGAN ROAD,
GILBERTS, ILLINOIS 60136
August 12, 2014
AGENDA
7:00 P.M.

ORDER OF BUSINESS

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

2. ROLL CALL / ESTABLISH QUORUM

3. ITEMS FOR DISCUSSION

- A. Minutes from the August 5, 2014 Village Board Meeting
- B. July 2014 Treasurer's Report
- C. Facility Plan Update
- D. Ordinance 16-2014, an Ordinance approving a Special Use Permit to allow a permanent outdoor serving area for a restaurant/bar located within the C-1 General Commercial zoning district located at 38 E. Higgins
- E. Ordinance 17-2014, an Ordinance amending various provisions of Chapter 2 of Title 3 of the Village Code regarding Liquor Control
- F. Village Code Title 4 of Chapter 5-D "Sites Under Construction"

4. STAFF REPORTS

5. BOARD OF TRUSTEES REPORTS

6. PRESIDENT'S REPORT

7. EXECUTIVE SESSION

A portion of the meeting will be closed to the Public, effective immediately as Permitted by 5 ILCS 120/2(c) (1) to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Village, and 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 and as permitted by 5 ILCS 120/2(c) (21) to review and approve closed session minutes and as permitted by 5 ILCS 120/2 (c) 2 Collective negotiating matters.

8. ADJOURNMENT

"The Village of Gilberts complies with the Americans with Disabilities Act (ADA). For accessibility assistance, please contact the Village Clerk at the Village Hall, telephone number 847/428-2861."

**Village of Gilberts
87 Galligan Road
Gilberts, IL 60136
Village Board
Meeting Minutes
August 5, 2014**

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

Village Clerk Meadows called the roll. Roll Call: Members present: Trustees Corbett, Mierisch, Zambetti, Farrell, Hacker and President Zirk. 1-absent: Trustee LeClercq. Others present: Administrator Keller, Assistant Administrator Beith, Finance Director Blocker and Chief of Police Rossi. For members of the audience please see the attached sign-in sheet.

Employee Introduction

Chief Rossi introduced Daniel Gregory a newly sworn-in part-time police officer. He commented on Officer Gregory's accomplishments. Officer Gregory is a graduate of Streamwood High School at which time he enlisted in the Army Reserve to serve his country. Officer Gregory even as a child dreamed of someday becoming a police officer.

In 2013 Officer Gregory submitted his application to attend the Basic Law Enforcement Academy at Southwestern Illinois College. Southwestern Illinois College is a full time Illinois Police Academy which is accredited by the Illinois Training and Standards Board. After extensive testing and a background investigation Officer Gregory was one of four applicants accepted into the academy.

On April 4, 2014 Officer Gregory proudly graduated from the Police Academy and is a state certified law enforcement officer, while attending the academy Officer Gregory also obtained certifications in D.U.I. Detection, Field Sobriety Testing, Defensive Driving, Haz Mat, First Aid, AED, Taser, Radar Enforcement and LEADS. Currently Officer Gregory is in the field training under the supervision of Sgt. Block.

Officer Gregory thanked the Board Members for their time and expressed his extreme gratitude for being afforded the opportunity to serve the community. The Board Members extended a warm welcome to Officer Gregory.

Public Comment

President Zirk asked if anyone in the audience wished to address the Board. No one from the audience expressed an interest in providing any public comments.

Consent Agenda

- A. A Motion to approve Minutes from the July 15, 2014, Village Board Meeting**
- B. A Motion to approve Bills and Salaries dated August 5, 2014 as follows: General Fund \$349,335.28, Permit Pass Thrus \$1,582.50, Performance Bonds and Escrows \$1,909.25, Water Fund \$38,709.64 and Payroll \$68,286.17**

President Zirk asked if any of the Board Members wished to remove any items from the Consent Agenda. There was no response from any of the Board Members. **A Motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve the Consent Agenda items A-B as presented.** Roll call: Vote: 5-ayes: Trustees Corbett, Mierisch, Zambetti, Farrell and Hacker. 0-nays, 0-abstained. Motion carried.

Items for Approval

A Motion to approve Ordinance 15-2014, an Ordinance amending certain sections of the Village Code Title 4 "Health, Sanitation and Environment"

Administrator Keller reported approval of this ordinance would remove the Village's obligation to send uncut grass/weed abatement notices by certified mail. Trustee Mierisch noted that the previous attorney recommended the Village send the notices via certified mail as proof that the property owner had been sufficiently noticed prior to the Village abating the uncut weeds or grass. Administrator Keller reported that he had discussed the code amendment with Attorney Tappendorf and she advised that the return receipt does create a record that the notice had been mailed to the property owner. However, mailing uncut grass/weed abatement notices is not required by State Statute.

Trustee Mierisch questioned if the abatement notice was sent via U. S. Mail and the property owner disputed receipt would the clock for the notification period need to be reset. Administrator Keller reported that Attorney Tappendorf believes if there was ever litigation or a dispute with respect to an abatement notice being received by a property owner the judge would rule in favor of the Village. The Village Staff would have no reason to perjure themselves about mailing an abatement notice to a property owner.

A lengthy discussion ensued with the pros/cons of mailing abatement notices via certified mail. President Zirk commented that if the code amendment is found to be problematic the Board can rescind the amendment.

There being no further discussion on the code amendment, a Motion was made by Trustee Farrell and seconded by Trustee Zambetti to approve Ordinance 15-2014, an Ordinance amending certain sections of the Village Code Title 4 "Health, Sanitation and Environment". Roll call: Vote: 5-ayes: Trustees Mierisch, Zambetti, Farrell, Hacker and Corbett. 0-nays, 0-abstained. Motion carried.

Motion to approve Resolution 34-2014, a Resolution ratifying an agreement between the Village of Gilberts and Central Salt for the purchase of Road Salt.

Administrator Keller reported that on July 17th Central Management Services (CMS) stated that Gilberts was one of the 195 jurisdictions that did not receive a proposal for road salt through the annual state RFP process. Staff used the salt vendor contact information provided by CMS and directly solicited seven vendors who were known to be active in Illinois. Central Salt was the only respondent; one vendor declined to bid while five others did not return emails or phone calls. Administrator Keller reported that Central Salt's agreement is for 1,000 tons of road salt at a total amount of \$97,600.00 (\$97.60/ton).

Trustee Mierisch questioned if anyone had contacted the Illinois State Representatives to see if they were aware of the reasons why 195 jurisdictions had been omitted from the state contract. Both Administrator Keller and President Zirk had contacted Representative Tryon and Senator McConnaughay's offices. President Zirk reported that Representative Tryon was quick to respond.

Administrator Keller reported that CMS has offered to reopen the bid process. However, CMS would not guarantee that the process would yield a quote. In addition, the process would take about two months and by this time salt supplies are being delivered to the various jurisdictions.

A lengthy discussion ensued with respect to why 195 jurisdictions had been omitted from the State salt contract. Administrator Keller noted that he had spoken with many of the surrounding communities Public Works Directors who were also scrambling for road salt. Most have decided to acquire their own salt contract this year.

Trustee Hacker inquired if Morton Salt used a method to omit various jurisdictions from the salt contract or was it arbitrary. Administrator Keller discussed the fact that Morton Salt may have factored in quantities and trucking cost in deciding which communities to include in the contract. However no one is sure on how they determined which jurisdictions were included or omitted.

Trustee Mierisch noted that the cost of the salt per ton had almost doubled from last year and exceeded the budgeted amount by \$25,000.00. She questioned how staff proposed to make up the shortfall.

Administrator Keller replied that in November the Board Members along with staff will review the FY-2015 expenditures and revenues and make budget adjustments accordingly.

President Zirk recalled a similar situation in the 1990's in which some jurisdictions were omitted from the State contract. However, historically the State's salt contracts awarded by CMS have been supplied by the most reliable vendors at the most reasonable price per ton.

Trustee Farrell noted that the weathermen are once again predicting a harsh winter. She questioned if staff had increased the salt supply tonnage. Administrator Keller replied yes by 10%. In addition, the Village does have 150 tons left from last year's supply. Staff hopes they won't have to stretch the salt by adding sand. This process makes it difficult to clean the catch basins in the spring.

There being no further discussion on the motion, **a Motion was made by Trustee Corbett and seconded by Trustee Farrell to approve Resolution 34-2014, a Resolution ratifying an agreement between the Village of Gilberts and Central Salt for the purchase of Road Salt.** Roll call: Vote: 5-ayes: Trustees Zambetti, Farrell, Hacker, Corbett and Mierisch. 0-nays, 0-abstained. Motion carried.

Items for Discussion

Motion to approve Resolution 35-2014, a Resolution authorizing an agreement between the Village of Gilberts and Dixon Engineering & Inspection Services to provide engineering and coating inspection of Raymond Street Water Tower.

Administrator Keller reported that staff recommends approval of an agreement with Dixon Engineering to conduct the RFP process and supervise the repainting of the Raymond St. water tower for the amount of \$21,422.00. President Zirk noted that his preference is to have the bottom of the bowl and the stem painted a darker color to camouflage the build-up of mold. The Board Members agreed.

Intern Wright provided the Board Members with pictures of various letter painting options. The Board Members agreed in order to hold down cost to have the current block letters repainted along with the bottom of the bowl and stem. Staff will work with Dixon Engineering and move forward with the RFP process.

There being no further discussion on the motion, **a Motion was made by Trustee Hacker and seconded by Trustee Corbett to approve Resolution 35-2014, a Resolution authorizing an agreement between the Village of Gilberts and Dixon Engineering & Inspection Services to provide engineering and coating inspection of the Raymond Street Water Tower.** Roll call: Vote: 5-ayes: Trustees Farrell, Hacker, Corbett, Mierisch and Zambetti. 0-nays, 0-abstained. Motion carried.

Staff Reports

Assistant Administrator Beith provided the Board Members with an update on the "Spirit of 45" event scheduled for this coming Sunday. He reported that Mr. Jerry Christopherson will provide the opening remarks followed by the Posting of the Colors, the National Anthem, and the Pledge of Allegiance. President Zirk will read the Proclamation followed by two guest speakers U.S. Marine Colonel Larry Kailfesh and Illinois Senator Mike Noland. Musical entertainment will be provided by Legacy Girls, Andrew's Sisters Revue and the Ladies Must Swing Orchestra. At dusk the Movie Honor Flight will be shown.

Intern Wright reported that City of Elgin Intern Isabelle Bourgeois has invited the Village of Gilberts to join them in the first annual Pet Services Expo, which is tentatively scheduled to be held on October 11 in the Hemmens Centre in Elgin. There will be no cost to the Village and the Village can invite local vendors to participate for a nominal fee between \$50 and \$100.00. If the Board Members are in favor of the idea Intern Wright will continue to work on the event details with Intern Bourgeois. The Board Members were in favor of Intern Wright partnering with the City of Elgin's Intern in organizing the Pet Services Expo.

Village Clerk Meadows noted that the National Night Out and final Movie in the Park is scheduled for this Friday beginning at 6:00 p.m.

Board of Trustee Reports

Trustee Hacker noted that J.S. Riemer has begun installing the water main infrastructure at the corner of Route 72. However, there is still a lot of work to be done. Administrator Keller reported that Mr. Ebacher will be attending the August 19th Village Board meeting. At that time the Board Members can express their concerns with the condition of his construction site.

Trustee Hacker inquired if Developer Mertz still envisions having models built in the Conservancy by November of this year. Administrator Keller replied yes their target date is still November 2014.

Administrator Keller reported that Developer Mertz along with his attorneys is still working on resolving the performance bond issues. President Zirk reported that he had heard that Lexon's bond rating was downgraded from an "A" rating to a "B". He question if the Village Code had language restricting a Bond Holder from having a rating lower than an "A". Staff will research this matter and report back.

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Meeting Minutes
August 5, 2014
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Adjournment

There being no further public business to discuss, **a Motion was made by Trustee Zambetti and seconded by Trustee Corbett to adjourn from the public meeting at 7:52 p.m.** Roll call: Vote: 5-eyes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows

Fund Summary

	Balance as of 7/31/14	Restricted / Designated Funds	Unrestricted / Undesignated Funds
Unrestricted - General Fund			507,848.22
Restricted - Total		6,229,815.36	
Committed- Designated Reserves		724,880.45	
- 2.6 Months Expenses	724,880.45		
Committed - Road Improvement		851,337.29	
- FY-07 and Prior	707,838.00		
- FY-08 Transfer (School Road)	(120,000.00)		
- FY-08	76,235.76		
- FY-09	75,968.38		
- FY-09 Transfer (Additional Salt & Snow Removal)	(78,469.37)		
- FY-09/FY10 Hennessy Bridge Work	(350,000.00)		
- FY-10	79,129.42		
- FY-11 (Road Study)	(10,000.00)		
- FY-11	77,944.57		
- FY-12	12,861.90		
- FY-13	8,493.36		
- FY-14	16,525.72		
- FY-14 Hennessy Bridge Grant	350,000.00		
- FY-14 Extra MFT Funds	15,731.35		
- FY-14 Kreutzer Road Repair	(15,000.00)		
- FY-15	4,078.20		
Committed- Infrastructure Fund		365,494.15	
- FY-12 (Transfer -Garbage)	108,047.92		
- FY-13 (Transfer -Garbage)	133,104.58		
- FY-14 (Transfer -Garbage)	124,341.65		
Committed - Road Bond Repayment		231,720.00	
- FY-13 (1% Sales Tax)	159,422.43		
- FY-14 May Interest Payment	(27,062.50)		
- FY-14 (1% Sales Tax)	172,392.69		
- FY-14 December Principal & Interest Payment	(119,172.50)		
- FY-15 (1% Sales Tax)	46,139.88		
- FY-15 May Interest Payment	(25,312.50)		
Restricted - Road Improvement MFT		533,698.39	
- Balance - Illinois Funds	451,806.93		
- Balance - Union Bank Money Market	81,891.46		
Committed - Capital Improvement		174,852.74	
- FY-05	81,596.76		
- FY-06	45,000.00		
- FY-08 Transfer (Wing Mower)	(41,751.00)		
- FY-11 P/W Truck Sale	31,000.00		
- FY-12 (Transfer - Garbage)	34,623.00		
- FY-13 (Salvage Receipts)	547.80		
- FY-13 (Transfer -Garbage)	25,349.02		
- FY-14 (Salvage Receipts)	419.68		
- FY-14 (New Squad Purchase)	(28,500.00)		
- FY-14 (Transfer -Garbage)	26,567.48		
Committed - New Development Fees		750,853.61	
- FY-06 Municipal Impact Fee	261,250.00		
- FY-07 Municipal Impact Fee	382,250.00		
- FY-08 Municipal Impact Fee	286,000.00		
- FY-08/FY-09 Transfer (Salt Bin)	(185,701.50)		
- FY-09 Municipal Impact Fee	82,500.00		
- FY-07/08 Municipal Transistion Fee	8,000.00		
- FY-07/08 Municipal Police/SafetyTransistion Fee	2,000.00		
- FY-09 Transfers Out	(127,256.51)		
- FY-10 Reimburse PGAV TIF Study from TIF	18,788.40		
- FY-10 Town Center Park Parking Lot	(201,112.76)		
- FY-10 Municipal Impact Fee	104,500.00		
- FY-11 Municipal Impact Fee	151,250.00		
- FY-11 Transfers (Road Study)	(13,000.00)		
- FY-12 Municipal Impact Fee	146,750.00		
- FY-13 Municipal Impact Fee	76,400.00		
- FY-14 Transfer Out-Partial Electric	(3,329.08)		
- FY-14 Transfer out-Partial Signs	(10,552.34)		
- FY-14 Transfer Out-Partial Electric	(68,665.00)		
- FY-14 Municipal Impact Fee	59,200.00		
- FY-15 Municipal Impact Fee	5,648.19		
- FY-15 Town Center Park Expenses	(224,065.79)		

Committed - Tree Replacement/Beautification		11,581.32	
- FY-09 Recycling Revenue	2,500.00		
- FY-10 Recycling Rvenue	5,000.00		
- FY-10 Tree Replacements	(590.00)		
- FY-12 Recycling Revenue	10,026.40		
- FY-12 Tree Program	(727.50)		
- FY-13 Recycling Revenue	5,000.00		
- FY-14 Sidewalk Replacement	(660.00)		
- FY-14 Tree Program	(4,478.71)		
- FY-14 Recycling Revenue	2,500.00		
- FY-15 Tree Program	(6,988.87)		
- FY-15 Recycling Revenue	247.91		
Committed - EDUI Funds		23,817.02	
- FY-12 Balance	3,918.55		
- FY-13 Balance	13,710.91		
- FY-14 Balance	6,187.56		
Restricted - Drug Forfeiture		7,657.48	
- Balance	7,407.48		
Committed - Enterprise Fund (Water / Wastewater)		2,121,343.78	
- Balance	2,121,343.78		
Committed - Pass Thru/Escrows		432,579.13	
- Balance	432,579.13		
Total		6,229,815.36	507,848.22
			6,737,663.58

General Fund Revenue Receivable			102,820.18
- State Income Tax Payments Delayed	102,820.18		

Total Unrestricted Funds including Receivables			610,668.40
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Additional Information

Pass Thru - Balance of Escrow		432,579.13
- TIF #1	36,438.59	
- TIF #2	9,487.69	
- Performance Bonds / Escrows	287,368.89	
- Building Permit-Town Center	13,875.37	
- Impact Fees - Library	49,933.82	
- Impact Fees - School	17,476.58	
- Impact Fees - Fire District	1,598.19	
- Transistion Fees - Fire	2,000.00	
- Transistion Fees - Library	400.00	
- Transistion Fees - School	14,000.00	

SSA #20 Loan from Water Department		574,724.39
- FY-08 Advances	341,194.63	
- FY-09 Advances	233,529.76	

Total Due Water/Sewer Fund		574,724.39
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TREASURER'S STATEMENT AS OF JULY 31, 2014

	MONTH	YEAR TO DATE		YEAR TO DATE
Beginning Bank Balance:			<u>6,976,715.17</u>	<u>6,442,430.00</u>
Credits:				
General Fund:	<u>329,791.25</u>	<u>1,909,636.97</u>		
Water Fund:	<u>122,369.77</u>	<u>440,945.46</u>		
Motor Fuel Tax (MFT):	<u>13,394.86</u>	<u>71,564.28</u>		
Performance Bonds/Escrow:	<u>20,210.00</u>	<u>100,669.98</u>		
TIF #1	<u>15.59</u>	<u>4,522.58</u>		
TIF #2	<u>2.02</u>	<u>9,487.69</u>		
Drug Forfeiture:	<u>250.00</u>	<u>1,599.30</u>		
Total Credits All Funds:	<u>486,033.49</u>	<u>2,538,426.26</u>	<u>486,033.49</u>	<u>2,538,426.26</u>
Expenses:				
General Fund:	<u>340,935.38</u>	<u>1,509,436.59</u>		
Water Fund:	<u>381,369.48</u>	<u>699,417.72</u>		
Motor Fuel Tax (MFT):	<u>-</u>	<u>-</u>		
Performance Bond/Escrow:	<u>2,230.22</u>	<u>33,788.37</u>		
TIF #1	<u>550.00</u>	<u>550.00</u>		
TIF #2	<u>-</u>	<u>-</u>		
Drug Forfeiture:	<u>-</u>	<u>-</u>		
Total Debits All Funds:	<u>725,085.08</u>	<u>2,243,192.68</u>	<u>725,085.08</u>	<u>2,243,192.68</u>
Ending Bank Balance:				
General Fund:	<u>3,642,384.80</u>			
Water Fund:	<u>2,121,343.78</u>			
Motor Fuel Tax (MFT):	<u>533,698.39</u>			
Performance Bond/Escrow:	<u>386,652.85</u>			
TIF #1	<u>36,438.59</u>			
TIF #2	<u>9,487.69</u>			
Drug Forfeiture:	<u>7,657.48</u>			
Total Debits All Funds:	<u>6,737,663.58</u>		<u>6,737,663.58</u>	<u>6,737,663.58</u>

TREASURER'S SIGNATURE: *Meredith A. Blocker*

DATE: AUGUST 6, 2014

GENERAL FUND MONEY MARKET
01-00-105

Beginning Book Balance:	568,249.28	Previous YTD Credits:	1,579,845.72
Deposits (Total):	109,612.92	Current Credits:	171,810.92
Interest Income:		Current YTD Credits:	1,909,636.97
(01-00-341) Money Market:	218.67	Previous YTD Debits:	1,168,501.21
(01-00-341) Checking:	2.36	Current Debits:	16,818.00
(01-00-342) Performance Bond:	21.32	Current YTD Debits:	1,509,436.59
Miscellaneous Income:	58.00		
Transfer From Illinois Funds			
Voided Ck #19904			
Transfer of Garbage Revenue	48,067.06		
CD Interest			
Subtotal:	726,229.61	G/F MM Balance:	402,112.23
Checks Written (Total):	324,117.38	IL Funds Balance:	1,757,493.81
NSF Check		Barrington Bank CD's:	1,481,778.76
		G/F CKG Balance:	1,000.00
		Total balance:	3,642,384.80
Ending Check Book Balance:	402,112.23		
Deposits in Transit:			
Outstanding Checks:			
Balance per Bank Statement:	402,112.23		

Expenditures/Transfers:

Date:		For:	
	7/1/2014	Accounts Payable	63,603.77
	7/3/2014	Accounts Payable-Tree	450.00
	7/15/2014	Accounts Payable	72,391.30
	7/1/2014	Health Insurance	18,939.57
	7/3/2014	Payroll	45,985.40
	7/17/2014	Payroll	63,896.96
	7/31/2014	Payroll	56,873.80
	7/18/2014	Accounts Payable-Tree	634.68
	7/25/2014	Accounts Payable-Tree	1,316.90
	7/22/2014	Safety Deposit Box Rental	25.00
		Total:	324,117.38

Deposits:	171.50	Deposits:	25.00	Direct Deposits	
	181.00		3,292.38	T-Mobile	1,983.75
	2,809.96		156.00	Kane County	9,569.37
	15.00		50.00	Nicor	6,968.61
	117.00		29,026.86	Exelon	15,570.93
	204.00		4,725.14	AT&T	17,612.28
	50.00		520.00		
	408.00		97.00		
	50.00		5.00		
	50.00		500.00		
	106.00		606.00		
	50.00		2,316.00		
	5,674.64		6,268.50		
	5.00		212.00		
	45.00		171.00		
Total Deposits			57,907.98	Total Direct Deposits	51,704.94
Total Deposits/Direct Deposits:			109,612.92		

Village of Gilberts
 MONTH CLOSED: JULY, 2014

GENERAL FUND CHECKING ACCT
 01-00-103

Beginning Book Balance:	1,000.00
Deposits (Total):	139,771.65
Voided Checks:	
Check# Vendor Name:	
_____	_____
_____	_____
Total Voided Checks:	
Subtotal:	140,771.65
Checks Written (Total):	139,771.65
Voided Checks (Total):	
Ending Check Book Balance:	1,000.00
Deposits in Transit:	
Outstanding Checks:	2,064.68
Balance per Bank Statement:	3,064.68

Previous YTD Credits:	_____
Current Credits:	_____
Current YTD Credits:	_____
Previous YTD Debits:	_____
Current Debits:	_____
Current YTD Debits:	_____

Expenditures/Transfers:

Date:	For:	Amount:
7/1/2014	Accounts Payable	64,428.77
7/3/2014	Accounts Payable-Tree	450.00
7/15/2014	Accounts Payable-TIF	550.00
7/15/2014	Accounts Payable	72,391.30
7/18/2014	Accounts Payable-Tree	634.68
7/25/2014	Accounts Payable-Tree	1,316.90
	Total:	139,771.65

Outstanding Checks:

Check #:	Amount:	Check #:	Amount:
15048	50.00	_____	_____
16678	60.00	_____	_____
22312	45.00	_____	_____
22329	120.00	_____	_____
22533	31.85	_____	_____
22654	31.85	Total	
22691	409.08		2,064.68
22692	32.00		
22693	550.00		
22694	194.95		
22695	539.95		

Village of Gilberts
General Fund
Certificates of Deposit
July 31, 2014

Bank	CD#	Amount	Term	Maturity Date	Interest Rate
Barrington Bank	0940000423-1008	225,369.13	9 months	9/27/2014	.20 APY
Barrington Bank	0940000423-1002	225,915.65	9 months	12/27/2014	.20 APY
Barrington Bank	0940000423-1003	264,108.44	12 months	9/27/2014	.25 APY
Barrington Bank	0940000423-1004	265,737.90	18 months	9/27/2015	.30 APY
Barrington Bank	0940000423-1010	500,647.64	6 months	9/20/2014	.15 APY
Barrington Bank CD's		1,481,778.76			

Village of Gilberts
General Fund
Certificates of Deposit
July 31, 2014

Bank	CD#	Amount	Term	Maturity Date	Interest Rate
McHenry Savings Bank	1000040004	250,000.00	1 year	4/4/2015	.70APY
McHenry Savings Bank	1000040202	200,000.00	1 year	4/24/2015	.70APY

McHenry Savings Bank 450,000.00

Beginning Book Balance:	1,602,765.05	Previous YTD Credits:	_____
Deposits (Total):	171,527.34	Current Credits:	171,546.76
		Current YTD Credits:	_____
(01-00-347) IL First Funds:	18.10	Previous YTD Debits:	_____
(01-00-347) IL First Funds P/B:	1.32	Current Debits:	16,818.00
Xfer Bond Acct-Reimburse:	_____	Current YTD Debits:	_____
Subtotal:	1,774,311.81	CD Balance:	_____
Transfer to Union National		G/F MM Balance:	_____
Impact Fees to Agency Fund	16,818.00	G/F CKG Balance:	_____
		Total balance:	_____
Ending Check Book Balance:	1,757,493.81		
Deposits in Transit:	3.94		
Outstanding Checks:	_____		
Balance per Bank Statement:	1,757,489.87		

Expenditures/Transfers:

Date:	For:	Amount:
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
	Total:	_____

Deposits:	Direct Deposits:	Description:
103,972.11	_____	
55.88	_____	
21,727.95	_____	
20,802.99	_____	
15,152.58	_____	
9,815.83	_____	
_____	_____	
_____	_____	
Total Deposits/Direct Deposits:	171,527.34	

Beginning Book Balance:	466,010.60	Previous YTD Credits:	318,575.69
			2,521.79
Deposits (Total):	119,737.40	Current Credits:	119,847.98
Interest Income:		Current YTD Credits:	440,945.46
(20-00-341) Money Market:	105.70	Previous YTD Debits:	318,048.24
(20-00-341) Checking:	4.88	Current Debits:	381,369.48
Voided Check #203258		Current YTD Debits:	699,417.72
Miscellaneous Income:			
Subtotal:	585,858.58	Barrington Bank:	58,493.78
Checks Written (Total):	333,004.31	Barrington Bank CD's:	502,446.62
Returned Checks	298.11	Union Bank CD's:	1,200,604.96
Transfer for Garbage	48,067.06	H2O MM Balance:	204,489.10
Ending Check Book Balance:	204,489.10	H2O Illinois Funds	154,309.32
Deposits in Transit:		H2O CKG Balance:	1,000.00
Outstanding Checks:		Total balance:	2,121,343.78
Balance per Bank Statement:	204,489.10		

Expenditures/Transfers:

Date:	For:	Amount:
7/1/2014	Accounts Payable	283,585.46
7/15/2014	Accounts Payable	10,008.80
7/3/2014	Payroll-Water	11,558.79
7/17/2014	Payroll-Water	11,548.49
7/31/2014	Payroll-Water	11,620.32
7/1/2014	Health Insurance	4,682.45
	Total:	333,004.31

Deposits:

299.00	17,835.50		
325.00	289.00	Direct Deposits	
325.00	6,722.28		
300.00	8,877.66		
343.10	6,255.00		
228.00	154.00		
100.00	14,006.34		
230.00	597.00		
65.00	50.00		
394.75	203.00		
1,571.22	3,864.70		
4,267.06	24,737.33		
20.00	4,930.14		
370.00	295.40		
25.00	9,818.28		
	12,238.64		
Total Deposits:	119,737.40		

Beginning Book Balance:	1,000.00	Previous YTD Credits:	_____
Deposits (Total):	293,626.26	Current Credits:	_____
Voided Checks:		Current YTD Credits:	_____
Check# Vendor Name:	_____	Previous YTD Debits:	_____
	_____	Current Debits:	_____
	_____	Current YTD Debits:	_____
Total Voided Checks:	_____		
Subtotal:	294,626.26		
Checks Written (Total):	293,626.26		

Ending Check Book Balance:	1,000.00		
Deposits in Transit:	_____		
Outstanding Checks:	13.77		
Balance per Bank Statement:	1,013.77		

Expenditures/Transfers:

Date:	For:	
7/1/2014	Accounts Payable	283,617.46
7/15/2014	Accounts Payable	10,008.80
	Total:	293,626.26

Outstanding Checks:

Check #:	Amount:	Check #:	Amount:
202350	4.18	_____	_____
202365	1.19	_____	_____
204208	8.40	_____	_____
		TOTAL	13.77

Beginning Book Balance:	<u>58,491.30</u>	Previous YTD Credits:	<u> </u>
Deposits (Total):	<u> </u>	Current Credits:	<u>2.48</u>
Interest:		Current YTD Credits:	<u> </u>
Savings Acct:	<u>2.48</u>	Previous YTD Debits:	<u> </u>
		Current Debits:	<u> </u>
		Current YTD Debits:	<u> </u>
Subtotal:	<u>58,493.78</u>		
Checks Written (Total):	<u> </u>		
Voided Checks (Total):	<u> </u>		
Ending Check Book Balance:	<u>58,493.78</u>		
Deposits in Transit:	<u> </u>		
Outstanding Checks:	<u> </u>		
Balance per Bank Statement:	<u>58,493.78</u>		

Expenditures/Transfers:	Date:	For:	Amount:
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
		Total:	<u> </u>

Deposits:

Total Deposits:

**Village of Gilberts
Water Fund
Certificates of Deposit
July 31, 2014**

Bank	CD#	Amount	Term	Maturity Date	Interest Rate
Barrington Bank	0940000423-1009	100,407.23	9 months	9/27/2014	.20 APY
Barrington Bank	0940000423-1006	200,813.91	9 months	12/27/2014	.20 APY
Barrington Bank	0940000423-1007	201,225.48	12 months	9/27/2014	.25 APY
Barrington Bank CD's	502,446.62				

**Village of Gilberts
Water Fund
Certificates of Deposit
July 31, 2014**

Bank	CD#	Amount	Term	Maturity Date	Interest Rate
Union National Bank	4176509	391,315.36	12 months	10/12/2014	.56 APY
Union National Bank	4169371	258,179.58	9 months	10/15/2014	.53 APY
Union National Bank	4176517	374,349.47	12 months	10/23/2014	.56 APY
Union National Bank	4169389	176,760.55	12 months	5/21/2015	.56 APY
		1,200,604.96			

Union National CD's 1,200,604.96

0

Beginning Book Balance:	<u>151,883.89</u>	Previous YTD Credits:	<u> </u>
Deposits (Total):	<u>2,423.82</u>	Current Credits:	<u>2,425.43</u>
(20-00-347) Illinois Funds:	<u>1.61</u>	Current YTD Credits:	<u> </u>
		Previous YTD Debits:	<u> </u>
		Current Debits:	<u>-</u>
Total Voided Checks:	<u> </u>	Current YTD Debits:	<u> </u>
Subtotal:	<u>154,309.32</u>		
Checks Written (Total):	<u> </u>		
Returned Payments	<u> </u>		
Ending Check Book Balance:	<u>154,309.32</u>		
Deposits in Transit:	<u> </u>		
Outstanding Checks:	<u>-</u>		
Balance per Bank Statement:	<u>154,309.32</u>		

Expenditures/Transfers:	Date:	For:	
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
		Total:	<u>-</u>

Deposits:		
	150.00	<u>832.60</u>
	131.00	<u>235.00</u>
	53.32	<u> </u>
	153.50	<u> </u>
	61.00	<u> </u>
	280.00	<u> </u>
	20.00	<u> </u>
	349.40	<u> </u>
	158.00	<u> </u>
	<u> </u>	<u> </u>
Total Deposits:	<u>2,423.82</u>	

Beginning Book Balance:	81,891.46	Previous YTD Credits:	_____
Deposits (Total):	_____	Current Credits:	_____ -
Interest Income:	_____	Current YTD Credits:	_____
(30-00-341) Money Market:	_____	Previous YTD Debits:	_____
		Current Debits:	_____
Miscellaneous Income:	_____	Current YTD Debits:	_____
Subtotal:	81,891.46		
Checks Written (Total):	_____		
Returned Checks (Total):	_____		
	-		
Ending Check Book Balance:	81,891.46		
Deposits in Transit:	_____		
Outstanding Checks:	_____		
Balance per Bank Statement:	81,891.46		

Expenditures/Transfers:	Date:	For:	Amount:
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
		Total:	_____

Deposits:	

Total Deposits:	_____

Beginning Book Balance:	<u>438,412.07</u>	Previous YTD Credits:	<u>58,169.42</u>
			-
Deposits (Total):	<u>13,390.12</u>	Current Credits:	<u>13,394.86</u>
		Current YTD Credits:	<u>71,564.28</u>
Interest Income: (30-00-347) Money Market:	<u>4.74</u>	Previous YTD Debits:	<u>-</u>
		Current Debits:	<u>-</u>
Miscellaneous Income:	<u> </u>	Current YTD Debits:	<u>-</u>
Subtotal:	<u>451,806.93</u>	MFT MM Balance	<u>81,891.46</u>
Checks Written (Total):	<u> </u>	IL Funds Balance:	<u>451,806.93</u>
Returned Checks (Total):	<u> </u>	Total balance:	<u>533,698.39</u>
Ending Check Book Balance:	<u>451,806.93</u>		
Deposits in Transit:	<u> </u>		
Outstanding Checks:	<u>-</u>		
Balance per Bank Statement:	<u>451,806.93</u>		

Expenditures/Transfers:

Date:	For:	Amount:
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
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<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
	Total:	<u> </u>

Deposits:

<u> </u>
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<u> </u>

Total Deposits:

Beginning Book Balance:	<u>249,452.48</u>	Previous YTD Credits:	<u>80,459.98</u>
			<u>16,818.00</u>
Deposits (Total):	<u>3,392.00</u>	Current Credits:	<u>3,392.00</u>
Interest Income:		Current YTD Credits:	<u>100,669.98</u>
(31-00-341) Money Market:		Previous YTD Debits:	<u>31,558.15</u>
			<u>-</u>
Transfer from G/F		Current Debits:	<u>2,230.22</u>
Miscellaneous Income:		Current YTD Debits:	<u>33,788.37</u>
Subtotal:	<u>252,844.48</u>		
Checks Written (Total):	<u>2,172.22</u>	P/Bond Balance	<u>250,614.26</u>
Transfer to General Fund	<u>58.00</u>	IL Funds Balance:	<u>136,038.59</u>
Transfer to Water Fund			
		Total balance:	<u>386,652.85</u>
Ending Check Book Balance:	<u>250,614.26</u>		
Deposits in Transit:			
Outstanding Checks:	<u>2,265.00</u>		
Balance per Bank Statement:	<u>252,879.26</u>		

Expenditures/Transfers:

Date:	For:	Amount:
<u>7/1/2014</u>	Accounts Payable	<u>1,244.22</u>
<u>7/25/2014</u>	Bond Release	<u>406.00</u>
<u>7/17/2014</u>	Accounts Payable	<u>522.00</u>
	Total:	<u>2,172.22</u>

Deposits:

<u>58.00</u>	<u>58.00</u>
<u>58.00</u>	<u>58.00</u>
<u>58.00</u>	<u>58.00</u>
<u>116.00</u>	<u>58.00</u>
<u>174.00</u>	<u>58.00</u>
<u>232.00</u>	<u>58.00</u>
<u>58.00</u>	<u>116.00</u>
<u>116.00</u>	<u>2,000.00</u>
<u>58.00</u>	
	<u>3,392.00</u>

Outstanding Checks

<u>302544</u>	<u>135.00</u>
<u>302569</u>	<u>106.00</u>
<u>302755</u>	<u>117.00</u>
<u>303302</u>	<u>29.00</u>
<u>303324</u>	<u>58.00</u>
<u>303450</u>	<u>58.00</u>
<u>303494</u>	<u>950.00</u>
<u>303522</u>	<u>58.00</u>
<u>303525</u>	<u>58.00</u>
<u>303541</u>	<u>58.00</u>
<u>303542</u>	<u>58.00</u>
<u>303544</u>	<u>58.00</u>
<u>303561</u>	<u>58.00</u>
<u>303562</u>	<u>58.00</u>
<u>303563</u>	<u>58.00</u>
<u>303564</u>	<u>87.00</u>
<u>303565</u>	<u>29.00</u>
<u>303566</u>	<u>58.00</u>
<u>303567</u>	<u>58.00</u>
<u>303568</u>	<u>58.00</u>
<u>303569</u>	<u>58.00</u>
Total Outstanding Checks	<u>2,265.00</u>

Village of Gilberts
MONTH CLOSED: JULY, 2014

PERFORMANCE BOND
ILLINOIS FUNDS MONEY MARKET
31-00-104

Beginning Book Balance:	<u>119,220.59</u>	Previous YTD Credits:	<u>-</u>
Deposits (Total):	<u> </u>	Current Credits:	<u>16,818.00</u>
Interest Income:	<u> </u>	Current YTD Credits:	<u>16,818.00</u>
(31-00-341) Money Market:	<u> </u>	Previous YTD Debits:	<u> </u>
Transfer from G/F (Impact Fees)	<u>16,818.00</u>	Current Debits:	<u>-</u>
Miscellaneous Income:	<u> </u>	Current YTD Debits:	<u>-</u>
Subtotal:	<u>136,038.59</u>		
Checks Written (Total):	<u> </u>		
Transfer to General Fund	<u> </u>		
Ending Check Book Balance:	<u>136,038.59</u>		
Deposits in Transit:	<u> </u>		
Outstanding Checks:	<u>3.94</u>		
Balance per Bank Statement:	<u>136,042.53</u>		

Expenditures/Transfers:	Date:	For:	Amount:
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
		Total:	<u>-</u>

Deposits:	<u> </u>
	<u> </u>
	<u> </u>
	<u> </u>
	<u> </u>
	<u> </u>
	<u> </u>
	<u> </u>
	<u> </u>
Total Deposits:	<u>-</u>

Beginning Book Balance:	<u>36,973.00</u>	Previous YTD Credits:	<u>4,506.99</u>
Deposits (Total):	<u> </u>	Current Credits:	<u>15.59</u>
Interest Income:	<u>15.59</u>	Current YTD Credits:	<u>4,522.58</u>
(34-00-341) Money Market:	<u> </u>	Previous YTD Debits:	<u>-</u>
Miscellaneous Income:	<u> </u>	Current Debits:	<u>550.00</u>
Subtotal:	<u>36,988.59</u>	Current YTD Debits:	<u>550.00</u>
Checks Written (Total):	<u>550.00</u>		
Returned Checks (Total):	<u> </u>		
Ending Check Book Balance:	<u>36,438.59</u>		
Deposits in Transit:	<u> </u>		
Outstanding Checks:	<u>-</u>		
Balance per Bank Statement:	<u>36,438.59</u>		

Expenditures/Transfers:

Date:	For:	Amount:
<u>7/15/2014</u>	<u>Accounts Payable</u>	<u>550.00</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
	Total:	<u>550.00</u>

Deposits:

<u> </u>
<u> </u>
<u> </u>
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<u> </u>

Total Deposits: -

Beginning Book Balance:	9,485.67	Previous YTD Credits:	9,485.67
Deposits (Total):		Current Credits:	2.02
Interest Income:	2.02	Current YTD Credits:	9,487.69
(35-00-341) Money Market:		Previous YTD Debits:	-
Miscellaneous Income:		Current Debits:	-
Subtotal:	9,487.69	Current YTD Debits:	-
Checks Written (Total):			
Returned Checks (Total):			
Ending Check Book Balance:	9,487.69		
Deposits in Transit:			
Outstanding Checks:	-		
Balance per Bank Statement:	9,487.69		

Expenditures/Transfers:

Date:	For:	Amount:
	Accounts Payable	
	Total:	-

Deposits:

Total Deposits: _____ -

Beginning Book Balance:	<u>7,407.48</u>	Previous YTD Credits:	<u>1,349.30</u>
Deposits (Total):	<u>250.00</u>	Current Credits:	<u>250.00</u>
Interest Income: (40-00-341) Money Market:	<u> </u>	Current YTD Credits:	<u>1,599.30</u>
	<u> </u>	Previous YTD Debits:	<u>-</u>
	<u> </u>	Current Debits:	<u>-</u>
Miscellaneous Income:	<u> </u>	Current YTD Debits:	<u>-</u>
Subtotal:	<u>7,657.48</u>		
Checks Written (Total):	<u> </u>		
Returned Checks (Total):	<u> </u>		
	<u>-</u>		
Ending Check Book Balance:	<u>7,657.48</u>		
Deposits in Transit:	<u> </u>		
Outstanding Checks:	<u> </u>		
Balance per Bank Statement:	<u>7,657.48</u>		

Expenditures/Transfers:	Date:	For:	Amount:
	<u> </u>	<u>Accounts Payable</u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
		Total:	<u>-</u>

Deposits:	
<u> </u>	
<u> </u>	
<u> </u>	
<u> </u>	
<u> </u>	
<u> </u>	
<u> </u>	
<u> </u>	
<u> </u>	
Total Deposits/Direct Deposits:	<u> </u>

Beginning Book Balance:	<u> -</u>	Previous YTD Credits:	<u> </u>
Deposits (Total):	<u> 201,483.76</u>	Current Credits:	<u> </u>
Voided Checks:		Current YTD Credits:	<u> </u>
Check #: Vendor Name:	<u> </u>	Previous YTD Debits:	<u> </u>
	<u> </u>	Current Debits:	<u> </u>
		Current YTD Debits:	<u> </u>
 Subtotal:	 <u> 201,483.76</u>		
Checks Written (Total):	<u> 201,483.76</u>		
Voided Checks (Total):	<u> </u>		
Ending Check Book Balance:	<u> -</u>		
Deposits in Transit:	<u> </u>		
Outstanding Checks:	<u> 15,044.47</u>		
Balance per Bank Statement:	<u> 15,044.47</u>		

Expenditures/Transfers:			
	Date:	For:	
	<u> 7/3/2014</u>	<u>Payroll</u>	<u> 45,985.40</u>
	<u> 7/17/2014</u>	<u>Payroll</u>	<u> 63,896.96</u>
	<u> 7/3/2014</u>	<u>Payroll-Water</u>	<u> 11,558.79</u>
	<u> 7/17/2014</u>	<u>Payroll-Water</u>	<u> 11,548.49</u>
	<u> 7/31/2014</u>	<u>Payroll</u>	<u> 56,873.80</u>
	<u> 7/31/2014</u>	<u>Payroll-Water</u>	<u> 11,620.32</u>
		Total:	<u> 201,483.76</u>

Outstanding Checks:			
Check #:	Amount:	Check#:	Amount:
<u> 17568</u>	<u> 196.41</u>	<u> </u>	<u> </u>
<u> 17701</u>	<u> 173.37</u>	<u> </u>	<u> </u>
<u> 17718</u>	<u> 206.60</u>	<u> </u>	<u> </u>
<u> 17732</u>	<u> 108.28</u>	<u>Flex Benefits</u>	<u> 8,637.47</u>
<u> 17736</u>	<u> 2,017.35</u>	Total:	<u> 15,044.47</u>
<u> 17737</u>	<u> 249.82</u>		
<u> 17738</u>	<u> 206.60</u>		
<u> 17739</u>	<u> 318.51</u>		
<u> 17740</u>	<u> 958.26</u>		
<u> 17741</u>	<u> 435.59</u>		
<u> 17742</u>	<u> 598.38</u>		
<u> 17743</u>	<u> 21.84</u>		
<u> 17744</u>	<u> 21.84</u>		
<u> 17745</u>	<u> 21.84</u>		
<u> 17746</u>	<u> 23.09</u>		
<u> 17754</u>	<u> 184.62</u>		
<u> 17755</u>	<u> 341.60</u>		
<u> 17756</u>	<u> 323.00</u>		

ROAD IMPROVEMENT FUND BALANCE SHEET

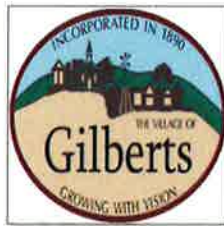
Date	Deposit	Received From	Balance
3/31/2012	\$ 100.00	March Overweight	\$ 471,408.66
4/30/2012	\$ 100.00	April Overweight	\$ 471,508.66
4/30/2012	\$ 108,047.92	Transfer for Waste Hauling	\$ 579,556.58
5/31/2012	\$ 559.16	May Road & Bridge	\$ 580,115.74
6/30/2012	\$ 2,874.38	June Road & Bridge	\$ 582,990.12
7/31/2012	\$ 50.00	July Overweight	\$ 583,040.12
7/31/2012	\$ 69.94	July Road & Bridge	\$ 583,110.06
8/31/2012	\$ 465.25	August Road & Bridge	\$ 583,575.31
8/31/2012	\$ 50.00	August Overweight	\$ 583,625.31
9/12/2012	\$ 1,867.88	September Road & Bridge	\$ 585,493.19
10/10/2012	\$ 883.33	October Road & Bridge	\$ 586,376.52
10/31/2012	\$ 180.00	October Overweight	\$ 586,556.52
11/30/2012	\$ 173.42	November Road & Bridge	\$ 586,729.94
11/30/2012	\$ 450.00	November Overweight	\$ 587,179.94
12/31/2012	\$ 50.00	December Overweight	\$ 587,229.94
1/31/2013	\$ 150.00	January Overweight	\$ 587,379.94
2/28/2013	\$ 150.00	February Overweight	\$ 587,529.94
3/31/2013	\$ 470.00	March Overweight	\$ 587,999.94
4/30/2013	\$ 50.00	April Overweight	\$ 588,049.94
4/30/2013	\$ 133,104.58	Transfer for Waste Hauling	\$ 721,154.52
5/31/2013	\$ 720.08	May Road & Bridge	\$ 721,874.60
5/31/2013	\$ 200.00	May Overweight	\$ 722,074.60
6/30/2013	\$ 1,800.00	June Overweight	\$ 723,874.60
6/30/2013	\$ 2,818.65	June Road & Bridge	\$ 726,693.25
7/31/2013	\$ 85.88	July Road & Bridge	\$ 726,779.13
7/31/2013	\$ 2,040.00	July Overweight	\$ 728,819.13
8/31/2013	\$ (15,000.00)	Kruetzer Road Repairs	\$ 713,819.13
8/31/2013	\$ 405.77	August Road & Bridge	\$ 714,224.90
8/31/2013	\$ 1,280.00	August Overweight	\$ 715,504.90
9/30/2013	\$ 2,688.06	September Road & Bridge	\$ 718,192.96
10/31/2013	\$ 177.41	October Road & Bridge	\$ 718,370.37
10/31/2013	\$ 2,250.00	October Overweight	\$ 720,620.37
11/30/2013	\$ 150.00	November Overweight	\$ 720,770.37
11/30/2013	\$ 99.87	November Road & Bridge	\$ 720,870.24
12/31/2013	\$ 100.00	December Overweight	\$ 720,970.24
1/31/2014	\$ 200.00	January Overweight	\$ 721,170.24
2/28/2014	\$ 100.00	February Overweight	\$ 721,270.24
3/31/2014	\$ 700.00	March Overweight	\$ 721,970.24
4/30/2014	\$ 710.00	April Overweight	\$ 722,680.24
4/30/2014	\$ 124,341.65	Transfer for Waste Hauling	\$ 847,021.89
5/31/2014	\$ 15,731.35	MFT Funds not used	\$ 862,753.24
5/31/2014	\$ 350,000.00	Hennessy Bridge Grant	\$ 1,212,753.24
5/31/2014	\$ 1,003.97	May Road & Bridge	\$ 1,213,757.21
5/31/2014	\$ 50.00	May Overweight	\$ 1,213,807.21
6/30/2014	\$ 150.00	June Overweight	\$ 1,213,957.21
6/30/2014	\$ 2,429.05	June Road & Bridge	\$ 1,216,386.26

ROAD IMPROVEMENT FUND BALANCE SHEET

Date	Deposit	Received From	Balance
7/23/2014	\$ 95.18	July Road & Bridge	\$ 1,216,481.44
7/31/2014	\$ 350.00	July Overweight	\$ 1,216,831.44

Village of Gilberts, Illinois

Water Reclamation Facility - Facility Plan Amendment



Prepared by:

BAXTER & WOODMAN
Consulting Engineers

www.baxterwoodman.com

July 2014

EXECUTIVE SUMMARY

PURPOSE

Revise the 2005 Plan to account for the new housing industry economics since the 2008 collapse:

1. Make cost of wastewater treatment more competitive with that of neighbor communities.
2. Comply with draft Memorandum of Understanding (MOU) with stakeholders. See Appendix B.

PROPOSED CONNECTION FEES

Unit	Per Unit (in 2016\$\$)	PE per Unit	Per PE (in 2016\$\$)
Single Family Home	\$13,000	3.2	\$4,063
Duplex/Townhome	\$10,400	2.0	\$5,200
Commercial, Industrial, and Institutional			\$4,600

RECOMMENDED PLAN

1. Expand WRF from 1.0 to 1.25 mgd.
2. Make necessary repairs, replacements, & upgrades at WRF and existing pump stations.
3. Wetlands: Continue to discharge WRF effluent to enhancement wetlands.
4. Irrigation: Begin to irrigate land.
5. Expand wetlands and irrigation in phases to keep pace with development.
6. Continue to dispose of biosolids in liquid form until it becomes cost effective to build dewatering facilities, currently projected to occur in 2036.

COST See Table 23-Table 27 and Appendix J for cost breakdown.

Phase 1 (2016)	\$10,455,000 (in 2016\$\$)
Phase 2 (2021)	\$ 38,000 (in 2021\$\$)
Phase 3 (2026)	\$ 109,000 (in 2026\$\$)
Phase 4 (2031)	\$ 335,000 (in 2031\$\$)
Phase 5 (2036)	\$13,704,000 (in 2036\$\$)

Inflation Rate: 4.35% per year, which was the average annual increase in the Engineering News Record Construction Cost Index for Chicago from December 1992 to August 2013.

FINANCING - PHASE 1

Loan: IEPA's Water Pollution Control Loan Program:

\$10,455,000 at 1.992% for 20 years → \$318,171 x 40 semi-annual payments = \$12,726,860

Loan Payment: The Village intends to pay back the WPCLP loan with a combination of:

1. Cash on hand	\$ 1,500,000
2. Developer upfront contributions	\$ 0
3. Connection Fees	\$ 9,268,517
4. User charges	\$ 1,958,343 Rate Increase 1.75%/year
TOTAL	\$12,726,860

FINANCING – PHASE 2-4

The Village expects that a combination of upfront developer contributions and connection fees will provide the funds for the Phase 2-4 improvements. An increase in sewer rates is not expected to fund Phases 2-4. The need for rate increases for Phases 2-4 will be determined at the time the improvements are constructed.

RATE OF DEVELOPMENT

The projected rate of development is shown in the table below. “Homes” means single family homes or the equivalent in duplexes, townhomes, or non-residential development.

Year	Projected Rate of Development
2014-2016	50 new homes per year (or the non-residential equivalent)
2017-2091	100 new homes per year (or the non-residential equivalent)
2092-2096	No growth, but 342 currently existing, but unsewered homes (68.4 per year) will be connected to the sanitary sewer system

NEED TO EXPAND TO 1.25 MGD

The existing WRF has a design and permitted capacity of 1.0 MGD. The projected influent flow in the 20th year (2036) is 0.99 MGD (see Figure 3). Therefore, the WRF has sufficient capacity to meet the 20-year need.

However, the Village has committed 1.20 MGD for developments (see Table 18). To meet this obligation, the Village must expand the WRF from 1.0 MGD to 1.25 MGD.

The WRF is configured in such a way that 0.25 MGD is the smallest increment by which it can logically be expanded.

SCHEDULE

The Village may change this schedule if the actual rate of development significantly differs from the projected rate.

Task	Date
Submit Facility Plan to IEPA and Environmental Advocacy Groups	July 2014
IEPA Completes Review & Approves Facility Planning Report	Nov. 2014
Begin Design of Phase 1 of Recommended Plan	Nov. 2014
Submit Plans, Specs, Construction Permit Application to IEPA	May 2015
IEPA issues Construction & NPDES Permit	Aug. 2015
Advertise for Bids for Phase 1 Improvements	Sept. 2015
Open Bids	Oct. 2015
Receive IEPA Loan Offer	Nov. 2015
Issue Notice of Award	Dec. 2015
Issue Notice to Proceed	Jan. 2016
Substantial Completion	Nov. 2016
Final Completion of Phase 1 Improvements	Dec. 2016

AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO ALLOW A PERMANENT OUTDOOR SERVING AREA FOR A RESTAURANT/BAR WITHIN THE C-1 GENERAL COMMERCIAL ZONING DISTRICT LOCATED AT 38 EAST HIGGINS ROAD

WHEREAS, Mr. Tom Trier has filed a petition with the Village Clerk of the Village of Gilberts, Illinois, for a special use permit and variations from setback and parking requirements to allow a permanent outdoor serving area for a restaurant/bar within the C-1 General Commercial zoning district on property located at 38 East Higgins Road, Gilberts, IL: and,

WHEREAS, the Gilberts Plan Commission held a public hearing and reviewed the request on July 23, 2014 and recommended approval of the special use permit with variations, subject to conditions, by a vote of 5-0 (2 absent), as detailed on the attached findings of fact and recommendations (Exhibit "A"); and,

WHEREAS, the Village Board has considered and adopts the findings of fact of the Plan Commission and further finds that the requested zoning relief meets the standards set forth in the UDO for granting such zoning relief, including without limitation that the applicant's requested relief from the otherwise required setback and parking regulations meets the practical difficulty or particular hardship variation standard of the UDO; now,

THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois as follows:

Section 1. The recitals set forth above are hereby incorporated into this Section 1.

Section 2. A special use permit to allow a permanent outdoor serving area for a restaurant/bar within the C-1 General Commercial zoning district on property located at 38 East Higgins Road is hereby approved, subject to the following conditions:

1. No part of the proposed deck/outdoor seating area may encroach into the sight-distance triangle extending 25 feet along both lot lines starting at the southeast corner of the property. The petitioner must provide an engineering site plan demonstrating that the proposed deck/outdoor seating area complies with the provisions of UDO Section 10-12-3, Paragraph B-3-f "Line of Sight Easements at Intersections."
2. The proposed deck shall match the material, color and appearance of the principal structure.
3. Access to the proposed deck shall be strictly controlled through the existing principal structure, which shall be altered to provide access/egress for the deck in accordance with all applicable building and life safety codes.

4. The perimeter of the deck shall be enclosed by a wooden fence that is at least 50% open and does not exceed three (3) feet in height, unless otherwise required to comply with applicable building or life safety codes. The fence shall match the material, color and appearance of the deck itself and the principal structure.
5. Landscaping shall be installed and maintained around the perimeter of the deck. The landscaping shall comply with the Village Code requirements for permitted species of trees and shrubs. Landscaping shall not obstruct the sight-distance triangle or otherwise impair traffic visibility or safety.
6. The deck shall be used for seated food and beverage service only; it shall not be used for private parties or special events, nor shall it function as an enclosed beer garden where only liquor is principally served.
7. Use of the outdoor seating area shall be limited to between 10 a.m. and 10 p.m. daily, subject to further restriction by any applicable Liquor Code requirements affecting the restaurant/bar's sale or consumption of alcohol.
8. No outdoor music, amplified sound, live performances or other noise- or vibration-generating activities shall be permitted within the outdoor seating area.
9. Smoking in the outdoor seating area is prohibited.
10. Any lighting of the outdoor seating area shall comply with the requirements set forth by UDO Section 10-9-5. Compliance with this section of the UDO shall be demonstrated by the submittal and approval of a photometrics plan prior to the issuance of any building permits for the lights.
11. The subject property and business continue to comply with all other terms set forth in the UDO.
12. Bollards shall be placed at the perimeter of the deck to protect it from errant traffic from Galligan Road.
13. If liquor is to be served and/or consumed within the outdoor serving area, the petitioner shall apply for and satisfy all requirements of a liquor license allowing outdoor service or consumption, as set forth by the Liquor Code of the Village of Gilberts.

Section 3. The following variations from the requirements otherwise set forth in the Unified Development Ordinance are hereby approved:

1. The front yard setback along the subject property's east lot line (Galligan Road frontage) is reduced from 15 feet, as required by Section 10-4-6, Paragraph A of the UDO, to five (5) feet. This setback reduction only applies to the deck/outdoor seating area proposed as an accessory structure/use attached to the principal structure.

2. The front yard setback along the subject property's south lot line (Higgins Road frontage) is reduced from 15 feet, as required by Section 10-4-6, Paragraph A of the UDO, to match the south wall of the existing principal structure. The proposed deck/outdoor seating area may not project into the front yard setback beyond the existing wall. This setback reduction only applies to the deck/outdoor seating area proposed as an accessory structure/use attached to the principal structure.
3. The parking space requirement applicable to the outdoor seating area, as set forth in UDO Section 10-9-1, Paragraph B-3, is hereby waived. This parking variation only applies to the deck/outdoor seating area proposed as an accessory structure/use attached to the principal structure. This parking variation does not apply to any change of use or expansion of the principal structure that would negate the subject property's legal nonconforming status.

Section 4. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 5. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Gilberts prior to the effective date of this ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after the passage, approval, and publication in pamphlet form.

PASSED BY THE BOARD OF TRUSTEES of the Village of Gilberts, Illinois at a regular meeting thereof held on the ____ day of _____, 2014.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee David LeClercq	_____	_____	_____	_____
Trustee Dan Corbett	_____	_____	_____	_____
Trustee Louis Hacker	_____	_____	_____	_____
Trustee Nancy Farrell	_____	_____	_____	_____
Trustee Patricia Mierisch	_____	_____	_____	_____
Trustee Guy Zambetti	_____	_____	_____	_____
President Rick Zirk	_____	_____	_____	_____

APPROVED this _____ day of _____, 2014

(SEAL)

Village President Rick Zirk

ATTEST: _____

Village Clerk, Debra Meadows

Published: _____

Exhibit "A"
Village of Gilberts

Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

VILLAGE OF GILBERTS
PLAN COMMISSION/ZONING BOARD OF APPEALS

FINDING OF FACT
AND
RECOMMENDATION

TO: Village President Rick Zirk and the Board of Trustees
FROM: Village of Gilberts Plan Commission/Zoning Board of Appeals
RE: Finding of Fact and Recommendation

APPLICANT: Mr. Thomas Trier
APPLICATION: Special Use Permit
LOCATION: 38 East Higgins Road

I. GENERAL INFORMATION

Complete information regarding the proposed amendment can be found in the staff report accompanying this application, VA48-14, which is hereby attached to and made a part of these Findings.

II. PROCEDURES

Pursuant to law, a public hearing was held by the Village of Gilberts Plan Commission regarding this matter on July 23, 2014. The hearing was advertised in the Courier News and appeared in an edition available to the public 15 to 30 days prior to the hearing. A quorum of the Commission was present at the hearing in which subject Application and documentation materials were reviewed and all persons who desired to testify were heard.

III. APPLICANT'S REQUEST

The Petitioner requested approval of a special use permit to allow a permanent outdoor seating area for the restaurant/bar located at 38 East Higgins Road, Gilberts, IL, as required by UDO Section 10-4-4, Paragraph B-6.

IV. PUBLIC SUPPORT AND/OR OBJECTIONS

Note: For a summary of all public input, please refer to the Plan Commission minutes from the public hearing on this item.

Finance & Building Departments
Public Works Facility - Utility Billing
73 Industrial Drive, Gilberts, Illinois 60136
Ph. 847-428-4167 Fax: 847-551-3382

Police Department
86 Railroad Street, Gilberts, Illinois 60136
Ph. 847-428-2954 Fax: 847-428-4232

V. CONCLUSIONS

Based upon careful review and consideration of the application, the public input received, and the criteria set forth in the Zoning Ordinance regarding this application, the Plan Commission/Zoning Board of Appeals of the Village of Gilberts draws the following conclusions:

1. The proposed use complies with the applicable district regulations.

Approval of the proposed special use permit would require waivers from the front yard and parking requirements applicable to properties within the C-1 General Commercial zoning district. To accommodate the proposed deck, the special use permit would need to include a variance allowing a reduced front yard setback along Galligan Road to five feet and reducing the front yard setback along Higgins Road to match the existing south wall of the building. Granting the setback variances would not substantively impact the appearance of the building, as the open deck area would not increase the building mass as would a completely enclosed addition. The addition of an open fence around its perimeter and landscaping around the deck itself will further minimize the visual impact from the reduced setbacks.

The special use permit would also need to include a variance from Section 10-9-1, Paragraph B-3 of the UDO, which would require the addition of 10 parking spaces to serve the expanded seating area created by the proposed deck. Additional parking cannot be provided onsite, so the requirement would need to be waived in the absence of alternative parking arrangements (e.g. parking permission from neighboring properties). Patrons will likely be dissuaded by the absence of convenient parking, thus applying a practical limit on the maximum number of patrons at the restaurant/bar regardless of the presence of the outdoor seating area.

2. The proposed use will not be detrimental to property values in the immediate area nor to the public welfare at large.

The proposed use will not be detrimental to property values in the immediate area nor to the public welfare at large as the requested deck area is an accessory to the long-standing use of the property as a restaurant/bar. The application of the proposed conditions would minimize any externalities that may potentially affect the adjacent residential property to the north, which is already screened by the existing wooden fence.

3. The use and accompanying physical attributes are such that the use will not dominate the immediate neighborhood.

The addition of the outdoor seating area will not result in uses or structures that would dominate the immediate neighborhood. The proposed deck would be noticeable given its location at a highly visible intersection (Higgins/Galligan Roads) and would be “something new” for a property and use that predates much of the Village. The application of the proposed conditions would minimize any externalities that may potentially affect the adjacent residential property to the north, which is already screened by the existing wooden fence.

4. Adequate utility services exist or will be provided.

The property is served by public utility services. The proposed use will not generate service demands requiring upgrades and/or connection to the public systems.

5. The use is consistent with good planning practice, will conform to the regulations of the district in which it is located, and is essential or desirable to preserve and promote the public health, safety and welfare of the citizens of Gilberts.

The proposed use is consistent with good planning practice as it will enhance the existing business without substantively changing the nature of the property or its use. The requested special use permit would require reductions in the front yard setbacks and a waiver from the UDO's parking space requirements. The special use permit also includes conditions that would minimize any potential impacts on the surrounding area, especially the nearby residential properties. The use is not essential to the preservation and promotion of public health and safety, though the proposed outdoor seating area adds a restaurant/bar environment not already present in the community.

VII. DETERMINATION AND RECOMMENDATION

NOW, THEREFORE, BE IT RESOLVED, that the Plan Commission/Zoning Board of Appeals of the Village of Gilberts does find and conclude, and recommends to the Village Board that this request by Mr. Thomas Trier for a special use permit to allow a permanent outdoor seating area for the restaurant/bar located at 38 East Higgins Road, Gilberts, IL as set forth by UDO Section 10-4-4, Paragraph B-6, be approved. This recommendation is subject to the following conditions:

1. The front yard setback along the subject property's east lot line (Galligan Road frontage) is reduced from 15 feet, as required by Section 10-4-6, Paragraph A of the UDO, to five (5) feet. This setback reduction only applies to the deck/outdoor seating area proposed as an accessory structure/use attached to the principal structure.
2. The front yard setback along the subject property's south lot line (Higgins Road frontage) is reduced from 15 feet, as required by Section 10-4-6, Paragraph A of the UDO, to match the south wall of the existing principal structure. The proposed deck/outdoor seating area may not project into the front yard setback beyond the existing wall. This setback reduction only applies to the deck/outdoor seating area proposed as an accessory structure/use attached to the principal structure.
3. No part of the proposed deck/outdoor seating area may encroach into the sight-distance triangle extending 25 feet along both lot lines starting at the southeast corner of the property. The petitioner must provide an engineering site plan demonstrating that the proposed deck/outdoor seating area complies with the provisions of UDO Section 10-12-3, Paragraph B-3-f "Line of Sight Easements at Intersections."
4. The proposed deck shall match the material, color and appearance of the principal structure.
5. Access to the proposed deck shall be strictly controlled through the existing principal structure, which shall be altered to provide access/egress for the deck in accordance with all applicable building and life safety codes.
6. The perimeter of the deck shall be enclosed by a wooden fence that is at least 50% open and does not exceed three (3) feet in height, unless otherwise required to comply with applicable building or life safety codes. The fence shall match the material, color and appearance of the deck itself and the principal structure.

7. Landscaping shall be installed and maintained around the perimeter of the deck. The landscaping shall comply with the Village Code requirements for permitted species of trees and shrubs. Landscaping shall not obstruct the sight-distance triangle or otherwise impair traffic visibility or safety.
8. The deck shall be used for seated food and beverage service only; it shall not be used for private parties or special events, nor shall it function as an enclosed beer garden where only liquor is principally served.
9. Use of the outdoor seating area shall be limited to between 10 a.m. and 10 p.m. daily, subject to further restriction by any applicable Liquor Code requirements affecting the restaurant/bar's sale or consumption of alcohol.
10. No outdoor music, amplified sound, live performances or other noise- or vibration-generating activities shall be permitted within the outdoor seating area.
11. The prohibition of smoking set forth by the Illinois Smoke Free Act shall apply to the outdoor seating area, which shall be treated as an extension of the restaurant/bar's public area.
12. Any lighting of the outdoor seating area shall comply with the requirements set forth by UDO Section 10-9-5. Compliance with this section of the UDO shall be demonstrated by the submittal and approval of a photometrics plan prior to the issuance of any building permits for the lights.
13. The parking space requirement applicable to the outdoor seating area, as set forth in UDO Section 10-9-1, Paragraph B-3, is hereby waived. This parking variation only applies to the deck/outdoor seating area proposed as an accessory structure/use attached to the principal structure. This parking variation does not apply to any change of use or expansion of the principal structure that would negate the subject property's legal nonconforming status.
14. The subject property and business continue to comply with all other terms set forth in the UDO.
15. Bollards shall be placed at the perimeter of the deck to protect it from errant traffic from Galligan Road.

Passed and Approved by the Plan Commission/Zoning Board of Appeals of the Village of Gilberts, Illinois, this 23rd day of July 2014, by a vote of 5 aye, 0 nay, 2 absent.

Randy Mills, Chair

Village of Gilberts

Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

VILLAGE OF GILBERTS STAFF REPORT July 17, 2014

TO: Village of Gilberts Plan Commission/Zoning Board of Appeals

RE: Special Use Permit – 38 East Higgins Road

I. GENERAL INFORMATION

- | | |
|------------------------------------|--|
| A. Purpose | To approve a special use permit to allow a permanent outdoor seating area for a restaurant/bar |
| B. Location | 38 East Higgins Road |
| C. Access | Higgins Road, Galligan Road |
| D. Size | 14,236 square feet (0.33 acre) |
| E. Existing Zoning | C-1 General Commercial |
| F. Existing Land Use | Restaurant/bar |
| G. Proposed Land Use | Addition of outdoor seating area |
| H. Surrounding Zoning and Land Use | North: R-3, single-family residential
South: I-1, industrial
East: C-1, commercial
West: C-1, single-family residential |
| I. Floodplain | Zone X (not in floodplain zones) |
| J. Comprehensive Plan Designation | Commercial |

II. APPLICANT'S REQUEST

Mr. Thomas Trier, petitioner, has requested approval of a special use permit to allow a permanent outdoor seating area for "Pub 72," the restaurant/bar located at 38 East Higgins Road, Gilberts, IL. Section 10-4-4, Paragraph B-6 requires the approval of a special use permit as a condition of operating a permanent outdoor seating area associated with a restaurant or bar.

III. CHARACTERISTICS OF SUBJECT PROPERTY AND SURROUNDING LAND USES AND ZONING CLASSIFICATIONS

The subject property is 14,236 square feet in size (0.33 acre) and is located at the northwest corner of Higgins Road (IL Route 72) and Galligan Road. The property is zoned C-1 General Commercial and is adjacent to single-family residential uses to the north and west. Cruisin', another restaurant/bar, is on the east side of Galligan Road and a mix of industrial uses is on the south side of Higgins Road. The property is not in a floodplain zone. Traffic can access the property from either Higgins or Galligan Roads. There is a six-foot high wooden fence along the north property line that provides separation from the adjacent residential use. The area in which the proposed outdoor seating area would be located is paved and currently used by employees on breaks.

IV. DISCUSSION

The property has been used as a restaurant/bar for many years, with Mr. Trier recently purchasing the business from property owner Mr. Brett Coleman. The petitioner proposes to add a permanent outdoor seating area on the east side of the building where patrons could be served food and liquor.

A. *Outdoor Seating Description*

The petitioner proposes to construct a deck that would be raised approximately three feet from ground elevation to match the floor of the existing building. A new door between the building and the deck would be installed in the vicinity of the existing window, with the exact placement to be specified when he applies for building permits. The deck would be enclosed with a three-foot high wood railing, which would control access through the building only. The perimeter fence would maintain an "open" seating environment, rather than a "beer garden" which typically has a tall sight-proof perimeter fence that hides activity within its confines. A wooden lattice would cover the three-foot area between the underside of the deck and the ground.

The proposed deck would extend 24 feet from the east side of the building, projecting into the 15-foot front yard setback along the Higgins Road and Galligan Road frontages that is required by the G-1 General Commercial zoning district. To accommodate the proposed deck, the special use permit would need to include a variance allowing a reduced front yard setback from both the Higgins and Galligan Road frontages. Reducing the Galligan Road setback from 15 feet to 5 feet would accommodate a deck while ensuring adequate separation between the serving area on the deck and the nearby sidewalk. The 5-foot separation would also provide adequate space to place landscaping around the perimeter of the deck. As the building is legal nonconforming ("grandfathered") because it predates the setback requirement, the front yard setback for the deck could be reduced to match the existing south wall of the building.

The proposed deck may extend up to 30 feet from the building at its longest point, so he may need to slightly modify the deck dimensions to comply with the modified front yard setbacks. However, in no instance should the deck be located within the sight-distance triangle, which extends a minimum of 25 feet along the east and south property lines from the southeast corner of the lot at the Higgins/Galligan intersection. The final location of the deck placement to ensure compliance with these setbacks and the sight-distance triangle will need to be demonstrated on an engineering site plan based on a current survey of the property.

The existing property's site coverage and storm water management would be considered legal nonconforming as they predate the Village's current requirements. The proposed deck would extend over an area that is already paved, so there would be no net increase in impervious surface that would require additional onsite storm water detention.

B. Outdoor Seating Operation

The petitioner has represented that the deck area would be for seated service only; it would not be used for parties, special events or as a beer garden. In recognition of the nearby residential area, the petitioner agreed to Staff's recommendations to limit operation of the outdoor seating area to 10:00 a.m. to 10:00 p.m. and to prohibit any outdoor music, amplified sound, live acts or other noise- or vibration-generating activity on the deck. Because the restaurant is subject to the Illinois Smoke Free Act, no smoking would be allowed within 15 feet of an entrance to the building. Applying the smoking prohibition to the entire deck's serving area would be consistent with the intent of the Act and would prevent the deck from becoming a de facto smoking area.

C. Lighting

The petitioner has stated that the area may be lighted, either immediately or at a later date. Any lighting would need to comply with Section 10-9-5 of the UDO, which requires that all lights be shaded and angled downward to eliminate glare and that the light spillage be no more than 2 foot candles. To ensure that any lighting would impact neither the residential area to the north nor traffic along Galligan Road, the petitioner will be required to provide a photometrics plan demonstrating compliance prior to receiving a building permit for the lights.

D. Parking

The site presently provides 17 parking spaces for customers and employees. The existing restaurant/bar area would be considered to be legal nonconforming, as the business predates the UDO's current parking requirement of 18 spaces per 1,000 square feet of net floor area. However, the proposed deck would add an additional 528 square feet of floor area to the business, which would correspond to a required additional 10 parking spaces. As shown on the provided aerial photograph, there is no way the additional parking can be provided on the subject property.

In order to accommodate the proposed outdoor seating area, the special use permit would need to include a variation from the parking requirement found in Section 10-9-1, Paragraph B-3 of the UDO. Without additional spaces, the site's parking spaces may become the practical limiting factor for the maximum number of customers present at the restaurant/bar. The property owner and the petitioner are encouraged to explore alternatives for providing additional parking capacity, such as securing permission(s) from neighboring properties or providing alternate transportation options (e.g. taxis, transit).

E. Outdoor Liquor Sales and Consumption

The special use permit is required to allow the “use” of the deck for outdoor service of both food and liquor. The special permit would not control the sale of liquor directly, but allowing the outdoor seating area would expand the area in which liquor could potentially be served. Pub 72 is operated with a Class A liquor license (on premises consumption and package liquor sales allowed), which presently does not allow outdoor consumption under the Village’s Liquor Code.

Parallel to the special use permit petition, Staff will provide the Village Board a draft ordinance creating an add-on liquor license that would allow a Class A holder to secure permission for outdoor sales and consumption. The conditions of the proposed add-on liquor license would mirror the conditions recommended for inclusion in the special use permit, which could include the prohibition of music, limitations on the hours of use, controlled access and supervision of liquor service within the deck area, etc. If both the special use permit and the proposed add-on license are approved, the Village would have the authority to ensure compliance with the proposed conditions through both its zoning powers and its liquor code.

V. STANDARDS OF SPECIAL USE

1. The proposed use complies with the applicable district regulations.

Approval of the proposed special use permit would require waivers from the front yard and parking requirements applicable to properties within the C-1 General Commercial zoning district. To accommodate the proposed deck, the special use permit would need to include a variance allowing a reduced front yard setback along Galligan Road to five feet and reducing the front yard setback along Higgins Road to match the existing south wall of the building. Granting the setback variances would not substantively impact the appearance of the building, as the open deck area would not increase the building mass as would a completely enclosed addition. The addition of an open fence around its perimeter and landscaping around the deck itself will further minimize the visual impact from the reduced setbacks.

The special use permit would also need to include a variance from Section 10-9-1, Paragraph B-3 of the UDO, which would require the addition of 10 parking spaces to serve the expanded seating area created by the proposed deck. Additional parking cannot be provided onsite, so the requirement would need to be waived in the absence of alternative parking arrangements (e.g. parking permission from neighboring properties). Patrons will likely be dissuaded by the absence of convenient parking, thus applying a practical limit on the maximum number of patrons at the restaurant/bar regardless of the presence of the outdoor seating area.

2. The proposed use will not be detrimental to property values in the immediate area nor to the public welfare at large.

The proposed use will not be detrimental to property values in the immediate area nor to the public welfare at large as the requested deck area is an accessory to the long-standing use of the property as a restaurant/bar. The application of the proposed conditions would minimize any externalities that may potentially affect the adjacent residential property to the north, which is already screened by the existing wooden fence.

3. The use and accompanying physical attributes are such that the use will not dominate the immediate neighborhood.

The addition of the outdoor seating area will not result in uses or structures that would dominate the immediate neighborhood. The proposed deck would be noticeable given its location at a highly visible intersection (Higgins/Galligan Roads) and would be “something new” for a property and use that predates much of the Village. The application of the proposed conditions would minimize any externalities that may potentially affect the adjacent residential property to the north, which is already screened by the existing wooden fence.

4. Adequate utility services exist or will be provided.

The property is served by public utility services. The proposed use will not generate service demands requiring upgrades and/or connection to the public systems.

5. The use is consistent with good planning practice, will conform to the regulations of the district in which it is located, and is essential or desirable to preserve and promote the public health, safety and welfare of the citizens of Gilberts.

The proposed use is consistent with good planning practice as it will enhance the existing business without substantively changing the nature of the property or its use. The requested special use permit would require reductions in the front yard setbacks and a waiver from the UDO’s parking space requirements. The special use permit also includes conditions that would minimize any potential impacts on the surrounding area, especially the nearby residential properties. The use is not essential to the preservation and promotion of public health and safety, though the proposed outdoor seating area adds a restaurant/bar environment not already present in the community.

VI. CITIZEN INPUT

To date, the Village has not received any comments regarding the proposed special use permit.

VII. CONCLUSIONS AND RECOMMENDATIONS

Mr. Thomas Trier has petitioned for the approval of a special use permit to allow a permanent outdoor seating area for the restaurant/bar located at 38 East Higgins Road, as required by the UDO. The petitioner proposes to construct an enclosed deck with controlled access from the existing building to provide an area for outdoor food and liquor consumption. The outdoor seating area would be an expansion of a long-standing restaurant/bar business and would provide a new environment to enjoy the business’ offerings.

The proposed deck would not result in a physical structure that would be out of scale with the existing building or generate significant externalities for the surrounding neighborhood, especially the adjacent residential uses. To accommodate the deck, the front yard setbacks would need to be reduced and the parking requirement for expanded seating area would need to be waived. The Village would also need to enact changes to its Liquor Code to allow outdoor liquor sales and consumption within the proposed deck area. However, the application of the recommended conditions of approval would minimize any potential impacts associated with the proposed deck area and/or the outdoor sale and consumption of food and liquor. Through both its

Liquor Code and its zoning powers, the Village would have enforcement tools at its disposal to address any problems that may arise from future operation of the outdoor seating area.

Staff recommend approval of the special use permit to allow an outdoor seating area for the restaurant/bar located within the C-1 General Commercial zoning district on the property at 38 E. Higgins Road. This recommendation is conditional upon the following requirements and variations:

1. The front yard setback along the subject property's east lot line (Galligan Road frontage) is reduced from 15 feet, as required by Section 10-4-6, Paragraph A of the UDO, to five (5) feet. This setback reduction only applies to the deck/outdoor seating area proposed as an accessory structure/use attached to the principal structure.
2. The front yard setback along the subject property's south lot line (Higgins Road frontage) is reduced from 15 feet, as required by Section 10-4-6, Paragraph A of the UDO, to match the south wall of the existing principal structure. The proposed deck/outdoor seating area may not project into the front yard setback beyond the existing wall. This setback reduction only applies to the deck/outdoor seating area proposed as an accessory structure/use attached to the principal structure.
3. No part of the proposed deck/outdoor seating area may encroach into the sight-distance triangle extending 25 feet along both lot lines starting at the southeast corner of the property. The petitioner must provide an engineering site plan demonstrating that the proposed deck/outdoor seating area complies with the provisions of UDO Section 10-12-3, Paragraph B-3-f titled "Line of Sight Easements at Intersections."
4. The proposed deck shall match the material, color and appearance of the principal structure.
5. Access to the proposed deck shall be strictly controlled through the existing principal structure, which shall be altered to provide access/egress for the deck in accordance with all applicable building and life safety codes.
6. The perimeter of the deck shall be enclosed by a wooden fence that is at least 50% open and does not exceed three (3) feet in height, unless otherwise required to comply with applicable building or life safety codes. The fence shall match the material, color and appearance of the deck itself and the principal structure.
7. Landscaping shall be installed and maintained around the perimeter of the deck. The landscaping shall comply with the Village Code requirements for permitted species of trees and shrubs. Landscaping shall not obstruct the sight-distance triangle or otherwise impair traffic visibility or safety.
8. The deck shall be used for seated food and beverage service only; it shall not be used for private parties or special events, nor shall it function as an enclosed beer garden where only liquor is principally served.

9. Use of the outdoor seating area shall be limited to between 10 a.m. and 10 p.m. daily, subject to further restriction by any applicable Liquor Code requirements affecting the restaurant/bar's sale or consumption of alcohol.
10. No outdoor music, amplified sound, live performances or other noise- or vibration-generating activities shall be permitted within the outdoor seating area.
11. The prohibition of smoking set forth by the Illinois Smoke Free Act shall apply to the outdoor seating area, which shall be treated as an extension of the restaurant/bar's public area.
12. Any lighting of the outdoor seating area shall comply with the requirements set forth by UDO Section 10-9-5. Compliance with this section of the UDO shall be demonstrated by the submittal and approval of a photometric plan prior the issuance of any building permits for the lights.
13. The parking space requirement applicable to the outdoor seating area, as set forth in UDO Section 10-9-1, Paragraph B-3, is hereby waived. This parking variation only applies to the deck/outdoor seating area proposed as an accessory structure/use attached to the principal structure. This parking variation does not apply to any change of use or expansion of the principal structure that would negate the subject property's legal nonconforming status.
14. The subject property and business continue to comply with all other terms set forth in the UDO.

Respectfully Submitted,

BY: Ray Keller, ICMA-CM, AICP
Village Administrator



38 East Higgins Road (IL Route 72)
Gilberts, IL



Source: KaneGIS

79 West
20th

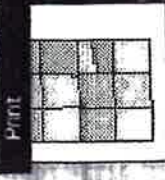


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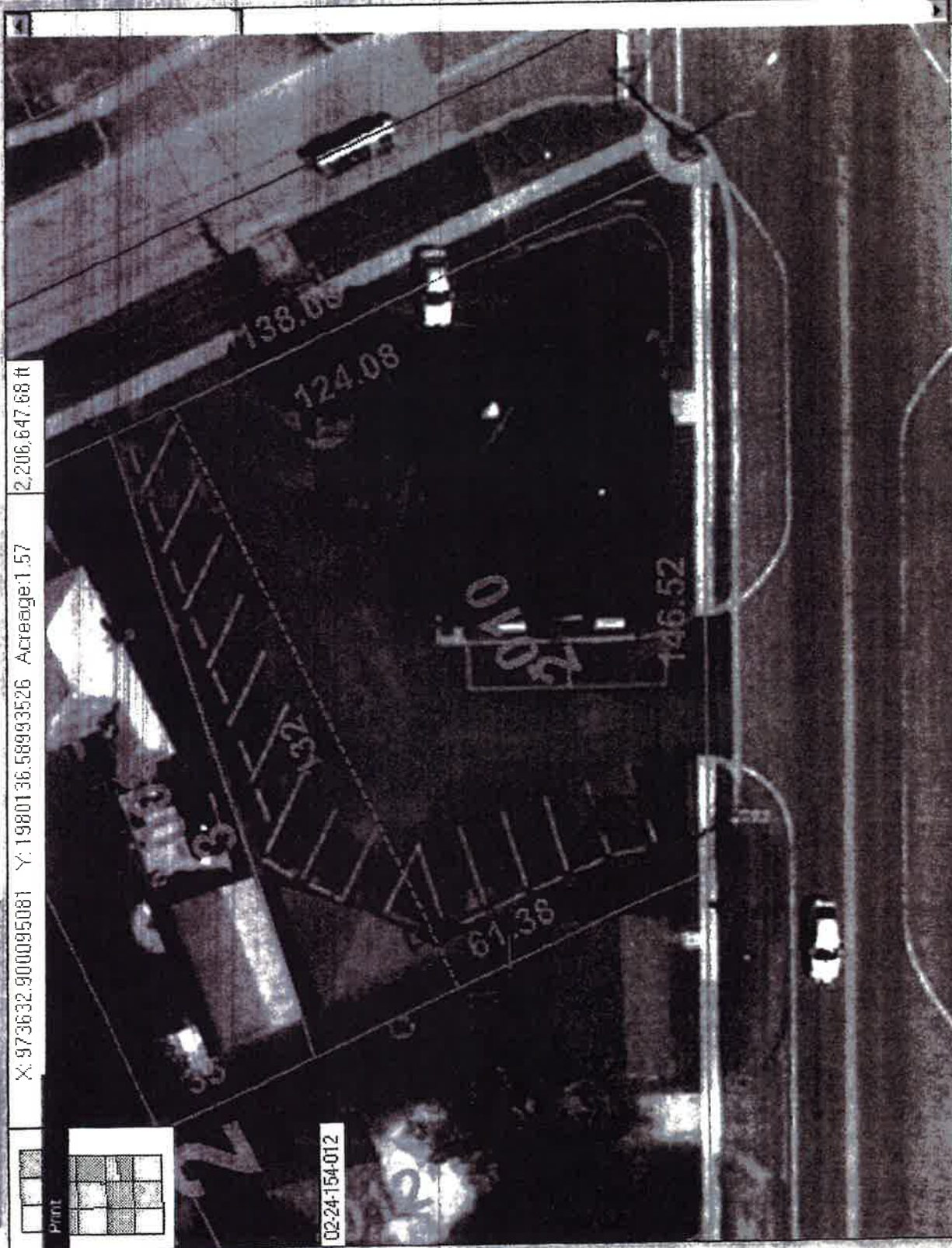
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02-24-154-012



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Creeks/Water

FoxRiver

WaterShed

FEIndex

Floodway

CrossSections

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Bedrock Lith

Bedrock Topo

Hydric Soils

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ParcelExt

Parallels

AddressPoints

AddressGrid

Aerials

Exit

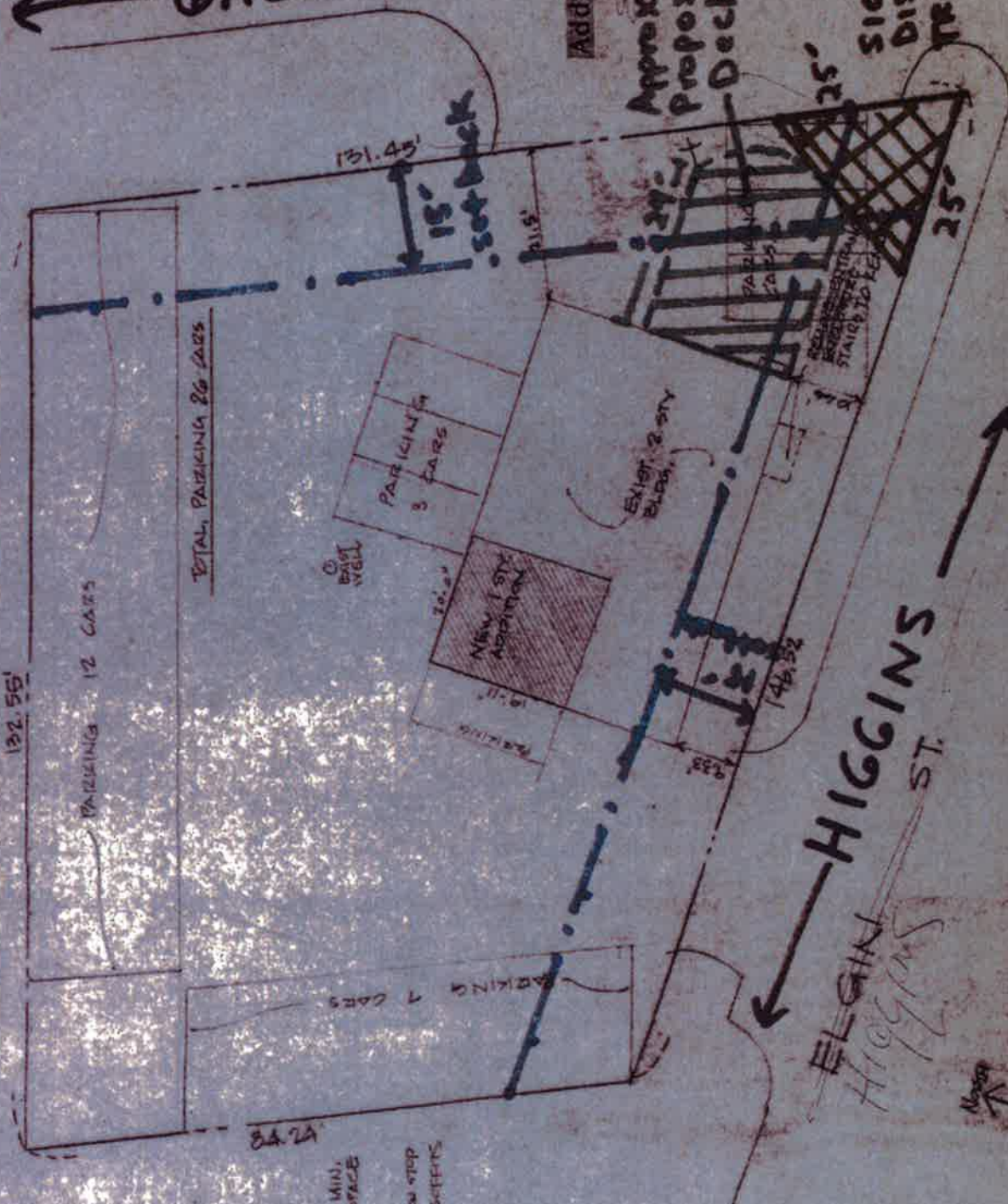
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32/16/17
11/16/17

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GALLIGAN ST.
←

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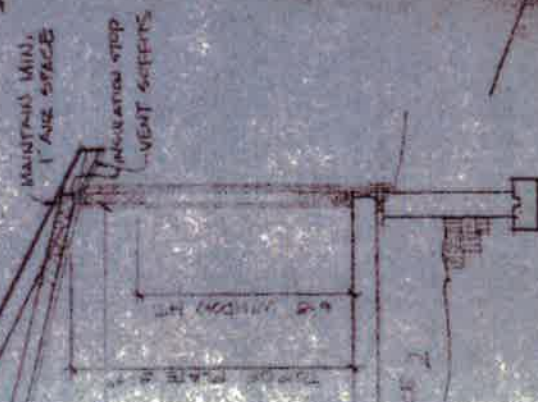
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HIGGINS ST.
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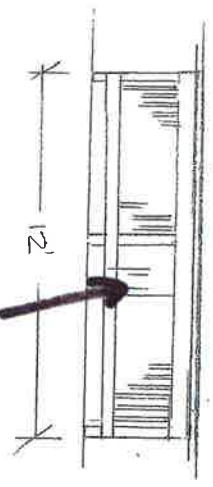
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SCALE 1/4" = 1'-0"

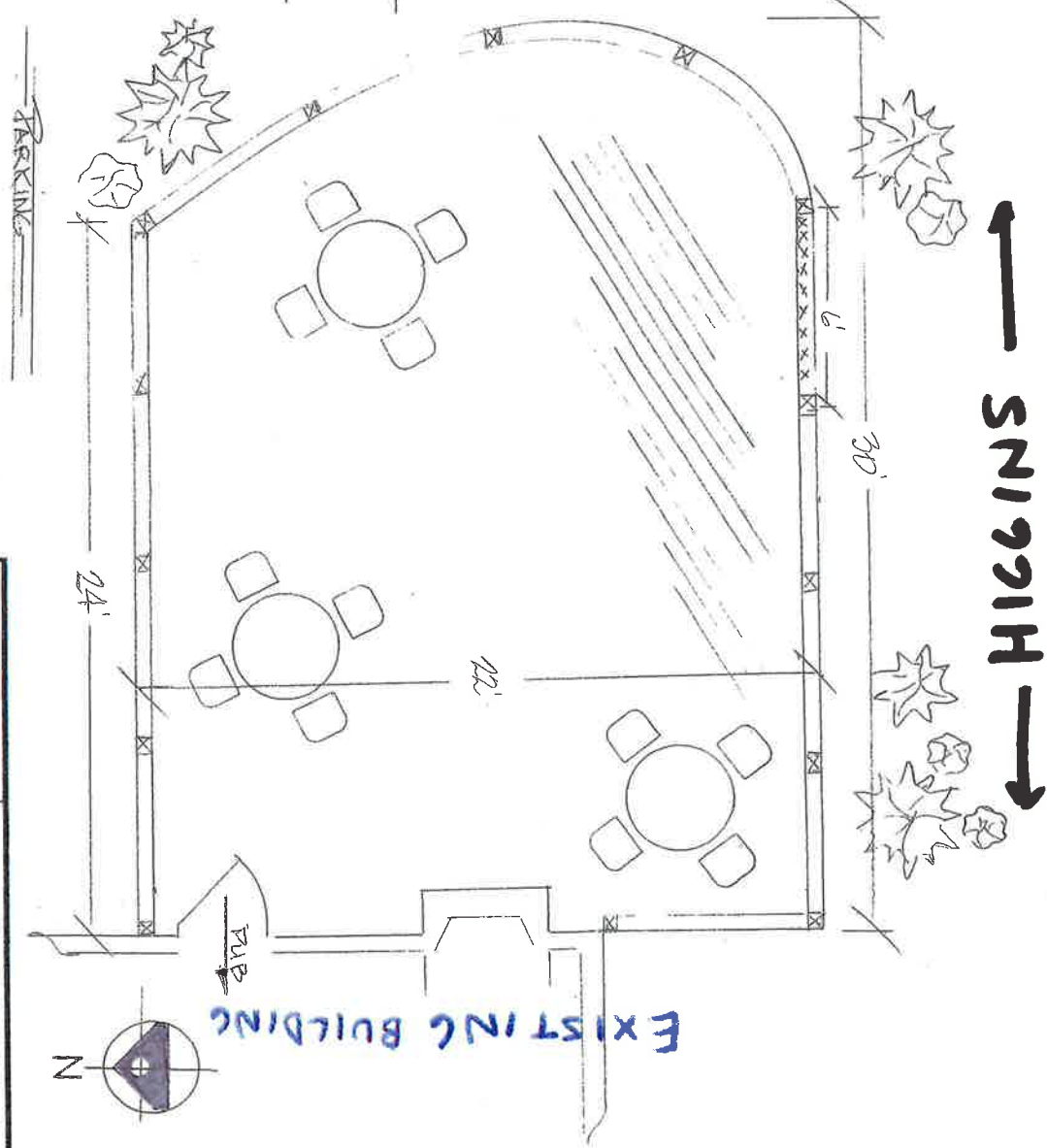


1/4" = 1'-0"

GALLIGAN →



MATERIALS
 MEMPHIAN'S TREATED LUMBER
 2" X 10" BEAMS
 2X6 DECKING
 4X4 POSTS
 2X2 SANGLES
 2X6 TOP RAIL & BALUS
 SPICER



← **SMITH** →

THIS DRAWING HAS BEEN PREPARED BY
 AND IS THE PROPERTY OF:

DESIGNER: *[Signature]*
 DATE: 1-11-74
 DRAWN BY: GILBERTS, II
 SCALE: 1/4" = 1'-0"
 NUMBER: 1

idi
 JOHN DALBIS INTERIORS, LTD.
 3220 ST. MICHEL LANE
 ST. CHARLES, IL 60175

**AN ORDINANCE AMENDING
VARIOUS PROVISIONS OF CHAPTER 2 OF TITLE 3 OF THE VILLAGE
CODE REGARDING LIQUOR CONTROL**

WHEREAS, the Village is authorized by the Illinois Liquor Control Act, 235 ILCS 5/1 *et seq.* to license and regulate the sale of alcoholic beverages in the Village; and

WHEREAS, the Village has established local liquor license regulations in Chapter 2 of Title 3 of the Gilberts Village Code; and

WHEREAS, the Village has determined it to be in the best interests of the Village and its residents to consider amendments to the Gilberts Village Code to create a new liquor license classification, among other amendments, as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Village Board of the Village of Gilberts, Kane County, Illinois pursuant to its non-home rule powers, as follows:

Section 1: The recitals set forth above are incorporated into Section 1 as if set forth herein.

Section 2: That Section 3-2-7 “Classification of Licenses” of Chapter 3-2 “Liquor Control” of the Gilberts Village Code shall be amended to add a new Subsection G, titled “Class OS”, which new Subsection 3-2-7G shall read as follows:

G. Class OS: A class OS license shall entitle a valid holder of a Class A, Class B or Class F license to sell alcoholic liquor at retail for consumption on the premises outside the principal structure, subject to the following conditions:

- 1. The OS license shall be considered an add-on license to a valid Class A, B or F license. The term and validity of the OS license shall be coterminous with the prerequisite Class A, B or F license and shall be subject to all other terms of the prerequisite license except as specified in this section.**
- 2. Outdoor alcohol consumption may only occur within a secured area, with access to the serving area strictly controlled through the principal structure for which a valid Class A, B or F license has been issued.**
- 3. The outdoor seating area shall be enclosed by a wooden or wrought iron (or similarly-appearing) fence that is at least 50% open and does not exceed three (3) feet in height, unless otherwise required to comply with applicable building or life safety codes. The fence shall match the**

color and appearance of the principal structure.

4. The outdoor seating area shall be used for seated food and beverage service only; it shall not be used for private parties or special events, not shall it function as an enclosed beer garden where only liquor is principally served.
5. Use of the outdoor seating area shall be limited to between 10 a.m. and 10 p.m. daily, subject to further restriction by any applicable requirements associated with the prerequisite Class A, B or F license or liquor licenses in general.
6. Access to and service within the outdoor serving area shall be under the control of BASSET trained representatives and/or employees of the licensee.
7. Use of the outdoor seating area shall comply with the noise ordinance (chapter 6 of title 4 of this code) and section 3-2-16A of this code. No outdoor music, amplified sound, live performances or other noise- or vibration-generating activities shall be permitted within or directed at the outdoor seating area.
8. No smoking shall be permitted in the outdoor seating area, which shall be treated as an extension of the restaurant/bar's public serving area.
9. Any lighting and landscaping of the outdoor seating area shall comply with the Village's Unified Development Ordinance unless otherwise expressly provided in a PUD, special use, variance or other zoning approval ordinance.
10. The licensed establishment must comply with all other terms set forth in any zoning approval ordinance, this code, the Village's Unified Development Ordinance and state statutes and regulations.

Section 3: That Section 3-2-9 "Number of Licenses" of Chapter 3-2 "Liquor Control" of the Gilberts Village Code shall be amended by adding the following underlined text and deleting the following stricken text:

- A. The liquor commissioner shall be authorized to issue the following number of licenses to be outstanding at any one time:

Class Of License	Number Of Licenses
------------------	--------------------

A	4
B	1
C	1
D	2
D1	2
E	1
F	1
<u>OS</u>	<u>4</u>

Section 4: That Section 3-2-15 “Outdoor Consumption” of Chapter 3-2 “Liquor Control” of the Gilberts Village Code shall be amended as follows:

3-2-15: OUTDOOR CONSUMPTION:

It shall be unlawful for any person to consume any alcoholic liquor outside any licensed premises unless such premises has been specifically licensed for outdoor operation **either through the issuance of an add-on class OS license for class A, B or F licensed establishments or as specially permitted by the liquor commissioner for class C or E licensed establishments in accordance with section 3-2-7 of this code and this section 3-2-15.** The liquor commissioner may permit outdoor consumption on the premises of a class E license if consumption is within an area secured by a permanent board on board fence around a deck, patio or other improved surface, located not less than five hundred feet (500') from a property with residential zoning, as measured from the outside boundary of the serving area to the adjoining property line, with access to and service within the outdoor serving area under the control of BASSET trained representatives and/or employees of the licensee. The liquor commissioner retains the authority to apply limitations, conditions or additional requirements upon the holder of the class E license as appropriate to the circumstances of the environment in which outdoor consumption may occur. (Ord. 08-16, 6-19-2008; amd. 2010 Code)

Section 5: That Section 2-4-19 “Liquor Licenses” of Chapter 2-4 “Fee Schedule” of the Gilberts Village Code shall be amended by adding the following underlined text:

A. Fees Established; Waivers:

1. The fees for liquor licenses shall be as follows:

Class Of License	Fee
Class A	\$1,800 .00
Class B	\$1,200 .00
Class C:	
<u>Community Days/Multi-Day</u> Festivals	\$500.00 <u>\$400.00</u>
Special events: Reunions, weddings, anniversaries and baby and wedding showers; <u>car shows; misc. one-day events</u>	\$100 .00 <u>Per day</u>
Sporting events	\$200.00
Other events	To be determined by the village board
Class D	\$1,200 .00
Class D1, in addition to the class D liquor license fee	\$100 .00
Class E	\$1,500 .00
Class F	\$1,200.00
<u>Class OS, in addition to the fee for the prerequisite Class A, B or F liquor license</u>	<u>\$200 .00</u>

Section 6: That each section, paragraph, sentence, clause and provision of this ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this ordinance, nor any part thereof, other than that part affected by such decision.

Section 7: That except as to the amendments heretofore mentioned, all Sections of the Gilberts Village Code shall remain in full force and effect.

Section 8: Upon its passage and approval according to law, this Ordinance shall, by authority of the Board of Trustees be published in pamphlet form. On the tenth day after the date of publication, this Ordinance shall be in full force and effect

PASSED BY THE BOARD OF TRUSTEES of the Village of Gilberts, Illinois at a regular meeting thereof held on the ____ day of _____, 2014.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee David LeClercq	_____	_____	_____	_____
Trustee Dan Corbett	_____	_____	_____	_____
Trustee Louis Hacker	_____	_____	_____	_____
Trustee Nancy Farrell	_____	_____	_____	_____
Trustee Patricia Mierisch	_____	_____	_____	_____
Trustee Guy Zambetti	_____	_____	_____	_____
President Rick Zirk	_____	_____	_____	_____

APPROVED this _____ day of _____, 2014

(SEAL)

Village President Rick Zirk

ATTEST:

Village Clerk, Debra Meadows

Published: _____

Liquor License Establishments/Class

Class A-Number Issued- 4

1. D.R.D. Bar & Eatery Inc.-DBA-Cruisin Rt. 72-Class "A"-Fee-\$1,800.00
2. Drift-Inn-Tap , Ltd.-Class "A"-Fee \$1,800.00
3. L.B. Liquors Inc.-Class "A" Fee-\$1,800.00
4. Pub 72 Inc.-Class "A"-Fee \$1,800.00

Class B-Number Issued-1

1. Better Shots-Class "B"-Fee \$1,200.00

Class C-"Special Events-Fees

1. Festivals-\$500.00
2. Reunions, weddings, Anniversaries, Showers-\$100.00
3. Sporting events-\$200.00
4. Other events-TBA-Village Board

Class D-Number Issued-2

1. Gilberts Mobile Mart-\$1,200.00
2. Tailgate/Gilberts Beverage Inc.-\$1,200.00

Class E-Number Issued-1

1. Fraternal Order of Eagles-\$1,500.00

Class F-Number Issued-1

1. Hacienda de los Perez Mexican Grill-\$1,200.00

- C. Improved Sites: "Improved sites" are defined as platted lots served by streets, electrical, water, sewer and/or other utility system, but for which a building permit has not been issued.

To promote stabilization and revegetation for erosion control and water conservation, any grass or plants, other than trees, bushes, flowers, rain gardens, or ornamental plants on an improved site shall be mowed to a height of less than eight inches (8") not less than the following times of each calendar year: first mowing after March 1 and on or before June 1; second mowing after June 1 and on or before September 1; and third mowing after September 1 and on or before November 15.

- D. Sites Under Construction: "Sites under construction" are lots on which a building permit has been issued for structures intended for residential, commercial, industrial or other permitted or special uses. Weeds, grasses, or plants may grow unabated on a site under construction for the following time periods: 1) from the date of issuance of a building permit until occupancy of the structure or 2) one hundred twenty (120) days after a building permit is issued, whichever is earlier. However, if such plants present a noxious condition or pose a threat to public safety by blocking vision at intersections or similar conditions, the village corporate authorities or designee may order the trimming of plants to a height of eight inches (8") or less. Upon passage of the one hundred twenty (120) days, the property owner shall thereafter maintain all weeds, grasses or plants to a height of eight inches (8") or less in compliance with the requirements of this code. (Ord. 23-2011, 8-2-2011)



This section has been affected by a recently passed ordinance, 15-2014 - ABATEMENT PROCEDURE. [Go to new ordinance.](#)

4-5-3: ABATEMENT PROCEDURE:

If an owner or possessor of real estate in the village fails to cut grasses or weeds to comply with the regulations set forth by this code, the village corporate authorities or designee may, upon seven (7) days' written notice to such owner or possessor, sent by certified mail, return receipt requested, cut the same. Such grasses or weeds exceeding the height regulations set forth in this code may be cut immediately by the village corporate authorities or their designee if the grasses or weeds are on vacant land. (Ord. 23-2011, 8-2-2011)

4-5-4: LIEN PROVISIONS:

If weeds and grasses are cut by, or at the direction of, the village or its designee, a notice of lien of the cost and expense thereof incurred by the village shall be recorded in accordance

with state law. The lien may be enforced pursuant to state law. The village shall have authority to utilize all available lien powers under state statute, including procedures for recording and enforcing priority liens. (2006 Code § 3.2.5; amd. 2010 Code)

4-5-5: PENALTY:

In addition to being liable for any expense incurred by the village in correcting a violation, the owner(s) and possessor(s) of any real estate in violation of this chapter shall be jointly and severally liable for the cost and penalties provided in title 1, chapter 4 of this code. (2006 Code § 3.2.6)

Chapter 5

PLANTS AND WEEDS

4-5-1: WEEDS DEFINED:

The term "weeds", as used in this chapter, shall include, but not be limited to, the following: ragweed, giant and common; Canada thistle, all of its varieties; perennial sow thistle; European bind weed; hoary cress; leafy spurge; Russian knapweed; burdock; cocklebur; jimson; blue vervain; common milkweed; wild carrot; poison ivy; wild mustard; rough pigweed; lamb's quarters; wild lettuce; curled dock; smart weeds, all varieties; poison hemlock; wild hemp; oxeye daisy; goldenrod; yellow hemlock; buckhorn; or other weeds of a like kind or family. (2006 Code § 3.2.1)

4-5-2: HEIGHT LIMIT:

It shall be unlawful for anyone to permit any weeds, grass or plants, other than trees, bushes, vegetable gardens, rain gardens, flowers or ornamental plants to grow to a height exceeding eight inches (8") anywhere in the village, except as provided in the following subsections A through D of this section. Any such plants exceeding such height other than those expressly permitted below shall be declared a nuisance.

- A. Farming: Farmed crops shall be exempt from the grass, weed and plant height regulation of this code on lots or tracts of land where there has been an established history of cultivation of the land for a period not less than one year. A property that was farmed in the previous calendar year, but is not farmed in the current year, shall be mowed to a height of less than eight inches (8") not less than the following times of each calendar year: first mowing after March 1 and on or before June 1; second mowing after June 1 and on or before September 1; and third mowing after September 1 and on or before November 15.
- B. Natural Sites: "Natural sites" are defined as wetlands and similarly protected properties that are regulated by the U.S. army corps of engineers, the Illinois environmental protection agency or other public regulatory body. Natural sites shall be exempt from the grass, weed and plant height regulation of this code.