


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 18-13

TO: President Rick Zirk
Board of Trustees

FROM: Ray Keller, Village Administrator 

DATE: March 14, 2013

RE: Village Board Committee of the Whole Meeting – March 19, 2013

The following summary discusses the agenda items for the Committee of the Whole meeting scheduled for March 19, 2013:

1. CALL TO ORDER

2. ROLL CALL / ESTABLISH QUORUM

3. ITEMS FOR DISCUSSION

A. Minutes from the March 12, 2013 Village Board Meeting

Please review the enclosed minutes from the Village Board meeting on March 12. Staff recommend approval. Unless directed otherwise, this item will be added to the Consent Agenda for the March 26 meeting.

B. February 2013 Treasurer's Report

Finance Director Marlene Blocker has prepared the Treasurer's report for February 2013, 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 March 26 meeting.

C. Ordinance 08-2013, an Ordinance amending Village Code Section 9-2-2-1 Building Code

The draft ordinance has been amended to shorten the terms of valid building permits for new construction to twelve months and all other building permits to six months.

Staff retained the language for a possible extension to accommodate larger projects that may require additional time, which would be granted by the Chief Building Inspector on a case by case basis. Please contact me or Chief Building Inspector John Swedberg with any questions. Staff recommend approval. Unless otherwise directed, this item will be added to the Consent Agenda for the March 26 meeting.

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

D. Resolution 07-2013, A Resolution authorizing the approval of the CY-2013 Recreation Programming Agreement with a Tri-Cities Team

This is the second year that a Tri-Cities team has requested the draft agreement for youth baseball practices at Memorial Park. The Tri-Cities Cowboys would use the baseball field from the end of March through the end of April. Their use of the field does not conflict with the YMCA's programs or other space reservations. As with other programming agreements, the Tri-Cities team is responsible for maintaining the field while they are using it. Staff recommend approval. Unless otherwise directed, this item will be added to the Consent Agenda for the March 26 meeting.

E. Resolution 08-2013, A Resolution authorizing a work order with Everest Excavating Inc. for Industrial Drive repair project

As discussed at the March 12 meeting, the surface and base of Industrial Drive near the entrance to the Public Works building has failed, creating a dangerous driving hazard. Staff received two proposals to excavate the patch area (13 feet wide by 50 feet long, 24 inches deep), fill it with 18 inches of road gravel and six inches of CA-6, and then pave with three inches of asphalt when the plants open later this spring. Everest Excavating provided the lowest quote of \$17,600 and they are available to start as quickly as March 20.

Because this is an emergency situation, Staff request the Board's direction to proceed with the project. Staff would then submit the resolution and work order for the Board's ratification at the March 26 board meeting. The project would be funded through the General Fund and included in the draft FY 2013 year-end adjustments that Staff will review at the March 26 meeting.

F. Amendment to Resolution 06-2012, Resolution authorizing a work order with Baxter & Woodman for design and construction engineering for barium/radium pre-treatment system improvements

Baxter & Woodman has requested an amendment to the work order for engineering for the barium/radium pre-treatment system improvements. The project calls for the design and construction of a barium and radium removal system for the water treatment plant. This improvement will be needed due to new regulations enacted by the Illinois Emergency Management Agency. The design phase has been delayed due to the IEPA review process, but the project remains on schedule for construction later this year. The IEPA has indicated that the construction project is eligible for a low-interest loan, which will require some additional documentation. Baxter & Woodman's amendment would add the design costs for a new dehumidification and heating system, which is needed to complete the project and additional time for the additional IEPA paperwork.

The overall increase is \$6,000, with \$3,900 added to the design phase and \$2,100 added to the construction engineering phase. A representative from Baxter & Woodman will be at the meeting to answer any questions about the project and its completion schedule. If acceptable to the Board, Staff will prepare the work order amendment for approval at the March 26 meeting.

G. Facility Plan Amendment Work Order

Over the past four years, the engineers from Baxter & Woodman have been working with the IEPA and several environmental advocacy groups (EAGs) to renegotiate the

conditions attached to the next expansion of the Village's wastewater treatment plant. When the Village was authorized to expand the wastewater plan in 2005, the IEPA attached conditions to the next plant expansion that would require significant environmental upgrades. As the area's economic conditions have changed considerably since 2005, the Village has sought to phase in the improvements over time instead of overburdening the next plant expansion and making the resulting connection fees uncompetitive for the current housing market.

IEPA has indicated that phasing in the environmental improvements over time would be acceptable, but the Village would need to formally amend its wastewater treatment plant Facility Plan and its Anti-Degradation Assessment to reflect the changes. These changes would also allow the Village to pursue a low-interest loan to finance the improvements when the Village is ready to expand the treatment plant.

Baxter & Woodman has assembled a work order that would make the necessary amendments to the Facility Plan, the Anti-Degradation report and the NPDES permit. The project would also update the Master Plan based on revised growth projections, which in turn could be incorporated into an update to the Comprehensive Plan. Baxter & Woodman's scope of services also includes the public hearing and additional meetings needed to review and approve the project. The project scope is structured to not exceed \$39,504. Staff will request the Board's direction on whether to include some or all of this project cost in the FY 14 water/wastewater fund budget. A representative from Baxter & Woodman will also be at the meeting to provide a more detailed update and to answer any questions about the project.

H. UDO Review

Over the past year, Staff and the Plan Commission have worked on a comprehensive rewrite of the Village's zoning and development regulations into a new Unified Development Ordinance (UDO). As required by statute, the Plan Commission conducted a public hearing on the UDO on December 5, 2012 and unanimously recommended approval. The Board subsequently identified topics that warranted further discussion before preparing the UDO for approval. The topics that Board members identified for discussion include:

1. Elimination of the Agricultural (A-1) zoning district

Currently, the Village has 14 zoning districts, including the Agricultural district that permits uses like farming, greenhouses, nurseries and kennels. While many of these uses are benign, questions have arisen over time about the potential for incompatible farming uses to appear in residential or other sensitive areas. Staff had previously recommended eliminating the A-1 zoning district, with existing agricultural uses allowed as legal nonconforming ("grandfathered") and new agricultural uses approved by special use permit. However, there may be a need to retain the A-1 zoning district as an option for both current and future properties. The owners of two properties currently zoned A-1 have also requested keeping the A-1 zoning district.

2. Creation of the "Old Town" zoning district

This would be a new zoning district that is intended to retain the character of the "Old Town" area by reducing the lot size, setbacks and yard requirements to better

fit the area's existing conditions, instead of leaving the lots and structures as legal nonconforming ("grandfathered") under the current R-2 zoning designation. To encourage its long-term viability, the list of permitted and special uses would be expanded to accommodate a mix of residential and appropriate low-impact commercial uses.

3. Home Occupations

The current zoning ordinance allows home occupations so long as they occupy less than 25% of the total floor area on the lot, there are no employees from outside the residence, and there are no observable noise, traffic, etc. impacts on the surrounding residential neighborhood. The revised language provides more detailed specifications for home occupations, but also allows for one employee who does not reside on the property to work for the home occupation.

4. Buffering requirements between residential and non-residential uses

After the construction of the industrial building in West Dundee near Gilberts Town Center, staff received questions about the proposed buffering requirements between residential and non-residential uses. The buffering requirements are implemented through the application of increased setbacks and landscaping requirements, which are typical of many communities' zoning codes:

- Commercial (C-1): the minimum building and parking setbacks are ten (10') feet from the abutting residential property
- Office (O-1): the minimum building and parking setbacks are thirty (30') feet from the abutting residential property.
- Industrial (I-1): the minimum building and parking setbacks for industrial uses should be thirty (30') feet, but the draft document incorrectly states that the setback should be ten (10') feet. Staff will update the draft document with this correction.
- Landscaping for non-residential parking areas are to include continuous landscaping along the entire shared frontage to a minimum height of six feet, with a 50%/50% mix of evergreen and deciduous trees. The code also allows a six-foot sight-proof fence to supplement the screening and reduce the landscaping where appropriate.

The effectiveness of the setbacks and landscaping requirements will depend on the specifics of each site (grade differences, berms, etc.). The primary tool for minimizing conflicts between residential and nonresidential uses is the careful placement of the zoning districts themselves. Where the Village anticipates potential future conflicts, additional screening requirements can be incorporated through the PUD or special use approval process.

Staff will request the Board's direction on these topics and any other sections that may require greater attention. After the Board adopts the UDO, Staff will work on updating the Zoning Map, which would include the rezoning of any specific properties affected by the UDO (A-1 zoned properties, Old Town properties, etc.). Unless directed

otherwise, Staff propose inviting the residents and owners of the Old Town area to a workshop or open house meeting with the Plan Commission to discuss the particulars of the proposed zoning district. There would also be another public hearing and recommendation from the Plan Commission before the updated Zoning Map could be adopted.

I. FY 2014 Budget

Staff will continue to review the draft FY 2014 budget, focusing on the water/wastewater enterprise fund and on any questions about the information presented thus far. Please contact me or Finance Director Marlene Blocker if there are any specific areas for which you would like more detailed information 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
March 19, 2013
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 March 12, 2013 Village Board Meeting
- B. February 2013 Treasurer's Report
- C. Ordinance 08-2013, an Ordinance amending Village Code Section 9-2-2-1 Building Code
- D. Resolution 07-2013, a Resolution authorizing the approval of the CY 2013 programming agreement with the Tri-Cities' Team
- E. Resolution 08-2013, a Resolution authorizing a work order with Everest Excavating Inc. for Industrial Drive repair project
- F. Amendment to Resolution 06-2012, Resolution authorizing a work order with Baxter & Woodman for design and construction engineering for barium/radium pre-treatment system improvements
- G. Facility Plan Amendment Work Order
- H. UDO Review
- I. FY-2014 Budget

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
March 12, 2013

NOT APPROVED MINUTES

Call to Order/Pledge of Allegiance

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

Roll Call/Establish Quorum

Village Clerk Meadows called the roll. Roll call: Members present: Trustees Corbett, Mierisch, Zambetti, Farrell, Hacker and President Zirk. 1-absent: Trustee Clark. Others present Administrator Keller, Assistant to the Village Administrator Beith, Chief of Police Williams, Chief Building Inspector Swedberg, Finance Director Blocker, Utility Superintendant Castillo and Village Clerk Meadows. For members of the audience please see the attached list.

Public Comment

President Zirk invited anyone in attendance who wished to address the Board to do so at this time. Mr. Bob Oury local businessman and property owner of the Indian Hills Training Center addressed the Board. He provided the Board Members with an update on the sale of the Village of Gilberts' History Book. He noted that 3,500 copies have been sold. Mr. Oury suggested the Village consider sending author Nancy Bacheller a letter thanking her for all her effort in compiling the historical data.

Mr. Oury discussed his aspiration on petitioning the Board to annex his 350 acre property into the Village limits. He proposed developing a first class industrial campus with a 100,000 s.f. manufacturing building. Mr. Oury would relocate his industrial company Rotec Industries to the proposed campus. The industrial campus would create jobs and generate revenue for the community.

Mr. Oury stated with respect to the zoning of the property he would be petitioning the Village for a portion of the property to be zoned I-1 "Industrial" and the remaining property zoned as an Agricultural District to accommodate the existing Indian Hills Training Center.

Prior to proceeding any further Mr. Oury wanted to see if this concept was something the Board Members would favorably consider. Trustee Zambetti reported that he was very enthusiastic with the premise of securing the Village boundaries and the concept of creating jobs.

President Zirk noted that the draft UDO no longer allows for agricultural uses. If the development was to move forward staff would want to ensure the development agreement language was crafted in a way as not to be misconstrued in future years.

Mr. Oury reported that if annexed into the Village he would still like to be allowed to host the Muddy Buddy Races.

Mr. Oury commented on the agricultural zoning tax benefits.

Trustee Mierisch inquired as to the type of industrial company was Rotec Industries was. Mr. Oury replied Rotec Industries manufactures heavy machinery and equipment. The equipment is stored outdoors as part of an advertising campaign. If the Village was to require screening the area in which the equipment was stored this requirement would decrease his sales.

Trustee Zambetti envisions Mr. Oury's equipment sales lot to be similar to car sales lot.

Trustee Mierisch stated she would like to hear more about the Mr. Oury's Industry. Administrator Keller reported that he will be meeting with Mr. Oury to discuss this matter.

Trustee Hacker asked Mr. Oury how many employees he anticipated employing. Mr. Oury replied about 50 employees. Trustee Hacker asked Mr. Oury on average how many units per year he sells. Mr. Oury replied his company averages 25,000,000 -50,000,000 dollars annually in sales. Mr. Oury invited the Board Members to visit his website to learn more about his company. He proceeded to thank the Board Members for their time.

Consent Agenda

- A. A Motion to approve Minutes from the February 19, 2013 Village Board Meeting**
- B. A Motion to ratify the Bills and Salaries dated March 5, 2013 as follows: General Fund \$45,384.89, Water Fund \$26,228.26 and Payroll \$67,977.23**
- C. A Motion to approve the Bills and Salaries dated March 12, 2013 as follows: General Fund \$62,192.59, Permit Pass Thrus \$90.00, Performance Bonds and Escrows \$310.00, Water Fund\$9,105 Payroll \$51,283.85**

President Zirk noted that the February 19th Village Board Meeting Minutes had been amended and sent to the Board Members for review via an email.

A Motion was made by Trustee Corbett and seconded by Trustee Farrell to approve the consent agenda items A-C 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 07-2013, an Ordinance amending certain sections of the Village Code to rescind the requirement of Dog Licensing.

President Zirk reported that this matter was discussed at the last Committee of the Whole Meeting. **A Motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve Ordinance 07-2013, an Ordinance amending certain sections of the Village Code to rescind the requirement of Dog Licensing.** Roll call: Vote: 4-ayes: Trustees Zambetti, Farrell, Hacker and Corbett. 1-nay: Trustee Mierisch, 0-abstained. Motion carried.

A Motion to approve Ordinance 08-2013, an Ordinance amending Village Code Section 9-2-2-1 Building Code Amendments

President Zirk commented on a situation that was brought to the Board's attention several months ago. Currently building permits expire 18 months from issuance and the Board felt that amount of time to complete miscellaneous construction projects is an extremely long duration of time. In some instances prolonged delays in completing the project creates public safety issues. Staff had drafted an amendment to the code which reduces the effective time of the building permit to 6 months. After the 6 months if the project was not completed the permit may be extended at the discretion of the Chief Building Inspector.

There was some discussion if the amendment would apply to new home construction and other larger construction projects. Chief Building Inspector Swedberg replied that larger construction project permits expiration dates would be based on their construction schedules which are submitted with their plans. Trustee Hacker express concern that the language in the Ordinance does not distinguish between miscellaneous building permits and larger construction projects.

President Zirk discussed the intent of the Ordinance. The Ordinance is intended to give staff the tools they need to enforce residents delaying completion of their miscellaneous home improvement projects.

Trustee Farrell inquired if this Ordinance also applies to demolition permits. Chief Building Inspector Swedberg replied no, the demolition permits are addressed in a separate section of the code.

Trustee Mierisch asked if the code was amended and the permit expiration time shortened would staff be enforcing the amended code. Chief Building Inspector Swedberg replied yes. He reported that even now the building clerk informs him when permits have expired. Chief Building Inspector Swedberg reported that if the expired permit poses a life safety issue he would issue a violation. However, if it is something that involves painting for example it would not be placed high on the priority list.

Trustee Hacker recommended staff amend the Ordinance to clarify the language to address the types of miscellaneous permits that expire in 6 months. Staff will amend the Ordinance and place the amended Ordinance on the Committee of the Whole agenda for discussion. There was no motion made on Ordinance 08-2013.

A Motion to approve Resolution 06-2013, a Resolution supporting the Parent Teacher Organizations' Opposition to Community Unit School District 300's Redistricting Gilberts school children away from Gilberts Elementary School.

A Motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve Resolution 06-2013, a Resolution supporting the Parent Teacher Organizations' Opposition to Community Unit School District 300's Redistricting Gilberts school children away from Gilberts Elementary School. Roll call: Vote: 5-ayes: Trustees Zambetti, Farrell, Hacker, Corbett and Mierisch. 0-nays, 0-abstained. Motion carried.

Items for Discussion

FY-2014 Budget Introduction

Administrator Keller reported that he had received several emails from the Board Members questioning some of the line items. He had invited the Department Heads to discuss this year's budget and provide the Board with an overview of their last year's departmental accomplishments and next year's goals.

Chief Williams discussed the Police Department's FY-13's accomplishments. He reported that the department had upgraded their radios as required by F.C.C. regulations. The radios were upgraded at no cost to the Village through an agreement with KaneComm. In addition, the Village's tornado sirens along with the Public Works radio were also updated with minimal cost to the Village.

The Police Department in accordance with State Statute had completed a list of eligible candidates for entry level full time positions.

The Police Department along with the Public Works Department had implemented a weekly fleet maintenance program which has proven to lower vehicle repair cost.

Chief Williams reported that the department had been awarded a \$10,000.00 grant from the Kane County DUI Task force. The grant money was received and has been applied to overtime costs associated with the Department's DUI enforcement program.

Chief Williams informed the Board Members that the STEP grant was renewed for the second year, providing additional opportunity for DUI enforcement without additional expenses to the Village.

Chief Williams discussed the recent equipment upgrades.

Chief Williams commented on the department's recent reorganization. He noted the department recently hired two new part-time officers.

Chief Williams reported that the officers continue a tradition of "extra" service to the community through their off duty work on Illinois Special Olympics, Shop with a Cop and the annual Cops vs. Kids basketball game.

Chief Williams reported the additional officer was trained as a certified child safety seat inspector and the department has the capacity to continue to provide regular seat inspections.

Chief Williams reported that OSHA regulations require the Village to offer a Hepatitis inoculation program which he has now implemented.

Chief Williams discussed the "Home Safe" program.

Chief Williams discussed the 2013-2014 departmental goals some of which are confidential.

Chief Williams reported the Sergeant Block will be attending a 12 week Staff and Command training course.

Chief Building Inspector Swedberg discussed the Public Works and Water Department 2012-2013 accomplishments. He reported that the Public Works and Water Departments had implemented a Safety Program which provides for training on various pieces of equipment and a safety awareness course.

Chief Building Inspector Swedberg commented on the various park improvements, which included the addition of a sand park in Town Center Park.

Chief Building Inspector Swedberg noted that the purchase of the chipper had increased tree trimming productivity.

Chief Building Inspector Swedberg stated that he had implemented a program in which Public Works has parked the larger trucks and began using more gas efficient vehicles which resulted in a substantial reduction in fuel expenses.

Chief Building Inspector Swedberg reported that the Public Works Department continues to mow approximately 55 acres of Village property and plow 26 miles of Village Streets.

Chief Building Inspector Swedberg discussed the Public Works Departments 2013-2014 goals. He reported that the department will be removing and relocating some of the trees in Town Square Park to accommodate larger rides during the Community Days Festival.

Chief Building Inspector Swedberg commented on the continuation of the water meter replacement program.

Chief Building Inspector Swedberg reported that the Public Works department will be working closely with the Tollway Authority during the Jane Addams reconstruction project.

Chief Building Inspector Swedberg stated that the Public Works department will continue working with Phoenix & Associates with stormwater management.

Chief Building Inspector Swedberg discussed several proposed projects included in the FY-14 budget.

Chief Building Inspector Swedberg reported that the Public Works department will continue to assist the athletic organizations.

Chief Building Inspector Swedberg reported that in the near future the Village will be offering residents free mulch. The free mulch will be made available due to the department's tree trimming activities.

Trustee Zambetti commented on the great job Public Works had done on the aesthetic improvements to Waitcus Park.

Chief Building Inspector Swedberg reported that they have budgeted for a seasonal part-time laborer to assist with mowing and other seasonal task.

The Board Members discussed the FY-2014 budget Public Works' overtime line item and the use of MFT Funds. President Zirk would prefer staff not allocate MFT funds unless they are needed. Administrator Keller noted that the \$20,000 MFT line item was only a place holder.

Administrator Keller reported that Chief Building Inspector Swedberg has been able to keep overtime cost down by allowing the option of flex time.

Finance Director Blocker reported that she does the annual Resolution allocating the MFT funds available to the Village. However, she only can submit the actual eligible expenses associated with snow plowing, crack sealing, salt and overtime wages.

Trustee Mierisch questioned the increase in the Street Maintenance line item in the amount of \$5,000. Staff reported the \$5,000.00 is due to essential repairs to Industrial Drive which recently failed.

Water Superintendent Castillo highlighted some of the Water and Wastewater Departments accomplishments. He reported that both the Water and Wastewater Departments received the IEPA Compliance Award.

Water Superintendent Castillo reported the mandated Water Plant pre-treatment project for the removal of barium & radium is being conducted by staff and Baxter & Woodman.

Water Superintendent Castillo discussed the FY-2014 Water and Wastewater Departments' goals.

Administrator Keller continued to provide the Board Members with an overview of the proposed FY-2014 budget. He commented on the changes to the Administration Department's budget. Trustee Hacker requested additional information on the administration salary increase in the amount of \$36,000. He would like to see details on the job description and workload.

The Board Members discussed in length other various budget line items.

Chief Building Inspector Swedberg discussed three options for supplying electrical power during the Community Days Festival.

The first option Chief Building Inspector Swedberg discussed was the rental of the three portable quiet running generators. This is the option that is currently used to power the event. The estimated cost of the generator rental is 1,500.00.

The second option discussed was the permanent installation of electrical pedestals. The estimated cost of this option is \$40,000.00. However, this option would provide for power during the annual tree lighting event, the possibility of offering movie night and operating an ice rink.

Chief Building Inspector Swedberg discussed option three. This option was to purchase 3 or 4 generators out-right. The Village would have on-demand power when needed. The generators could be used at any and all community events and also at the Village facilities in an event there was an emergency.

Chief Building Inspector Swedberg realize at this time it would be too late to provide power via options 2 or 3 to this year's Community Days. However, he wanted to provide the Board with the information for future consideration.

President Zirk was in favor of the permanent electrical pedestals. However, at this time funds are limited.

Chief Building Inspector Swedberg reported on the collapse of Industrial Road and the reconstruction bids.

President Zirk discussed his list of budget comments.

Budget discussion will be carried over to the next scheduled meeting.

Weather Radio Program

Assistant to the Village Administrator Beith discussed the Weather Radio Program. The Village will offer residents the opportunity to purchase the weather radios at cost. The Village Board expressed their support with the implementation of the program.

Staff Reports

Administrator Keller reported that he will be attending a meeting at Kane County tomorrow where they will be discussing the improvement to I-90 and Tyrrell Road. There was some discussion with respect to emergency response times during the road reconstruction project. Administrator Keller stated that he and Chief Williams have discussed alternative plans.

Chief Building Inspector Swedberg updated the Board Members on an employee's health condition.

Trustee Reports

Trustee Mierisch inquired on the status of the Town Center Park's outfall resistor. Administrator Keller reported that Baxter & Woodman is monitoring the situation.

President's Reports

President Zirk discussed an issue with a business located on Sola Drive.

Executive Session

A motion was made by Trustee Corbett and seconded by Trustee Zambetti to close a portion of the meeting with no business to follow to discuss the appointment, employment, compensation, discipline performance, or dismissal of specific employees of the Village as permitted by 5 ILCS 120/2.

Roll call: Vote: 5-ayes: 0-nays, 0-abstained. Motion carried. Trustees Corbett, Mierisch, Zambetti, Farrell and Hacker.

The Board Members along with Administrator Keller and Village Clerk Meadows went into executive session at 10:31 p.m. and returned to the public meeting at 10:40 p.m.

Roll call /Establish Quorum

President Zirk reopened the public meeting at 10:41 p.m. Village Clerk Meadows called the roll. Roll call: Trustees Corbett, Mierisch, Zambetti, Farrell, Hacker and President Zirk. Others present: Administrator Keller and Clerk Meadows.

Adjournment

There being no further business to discuss, a Motion was made by Trustee Corbett and seconded by Trustee Farrell to adjourn from the public meeting at 10:42 p.m. Roll call: Vote: 5 ayes by unanimous voice vote.

Respectfully submitted,

Debra Meadows

Fund Summary

	Balance as of 2/28/2013	Restricted / Designated Funds	Unrestricted / Undesignated Funds
Unrestricted - General Fund			575,612.45
Restricted - Total		5,504,033.26	
Committed- Designated Reserves		222,088.13	
- 1 Months Expenses	222,088.13		
Committed - Road Improvement		479,482.02	
- 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	7,973.36		
Committed- Infrastructure Fund		108,047.92	
- FY-12 (Transfer -Garbage)	108,047.92		
Committed-GO Bond - Road Program		138,356.29	
- Balance - Illinois Funds	138,356.29		
Restricted - Road Improvement MFT		529,523.92	
- Balance - Illinois Funds	475,439.69		
- Balance - Union Bank Money Market	54,084.23		
Committed - Capital Improvement		151,016.56	
- 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		
Committed - New Development Fees		968,617.63	
- FY-06 Municipal Impact Fee	286,000.00		
- FY-07 Municipal Impact Fee	382,250.00		
- FY-08 Municipal Impact Fee	261,250.00		
- 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-13 Municipal Impact Fee	134,750.00		
- FY-12 Municipal Impact Fee	64,400.00		

Committed - Tree Replacement/Beautification		21,208.90		
- FY-09 Recycling Revenue	2,500.00			
- FY-10 Recycling Revenue	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			
Committed - EDUI Funds		3,918.55		
- FY-12 Balance	3,918.55			
Restricted - Drug Forfeiture		2,956.77		
- Balance	2,956.77			
Committed - Enterprise Fund (Water / Wastewater)		900,888.56		
- Balance	900,888.56			
Committed - Pass Thru/Escrows		1,977,928.01		
- Balance	1,977,928.01			
Total		5,504,033.26	575,612.45	6,079,645.71

General Fund Revenue Receivable			156,210.28
- State Income Tax Payments Delayed	156,210.28		

Total Unrestricted Funds including Receivables		731,822.73
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Additional Information

Pass Thru - Balance of Escrow		1,977,928.01
- Building Permit-Town Center	7,040.37	
- Performance Bonds / Escrows	235,735.96	
- TIF #1	35,235.68	
- Impact Fees - Library	45,612.00	
- Impact Fees - School	1,636,904.00	
- Impact Fees - Fire District	1,000.00	
- Transistion Fees - Fire	2,000.00	
- Transistion Fees - Library	400.00	
- Transistion Fees - School	14,000.00	

Capital Projects		1,615,845.76
- Current Balance	115,845.76	
- Due from Conservancy Annexation	1,500,000.00	

School Site Purchase		1,917,985.38
- Original Amount	1,500,000.00	
- Interest due 9/06 thru 2/13	417,985.38	

Total Due VOG - Annexation		3,533,831.14
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SSA #20 Loan from Water Department		574,724.39
- FY-08 Advances	341,194.63	
- FY-09 Avances to date	233,529.76	

Total Due Water/Sewer Fund		574,724.39
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TREASURER'S STATEMENT AS OF February 28, 2013

	MONTH	YEAR TO DATE		YEAR TO DATE
Beginning Bank Balance:			<u>6,067,188.13</u>	<u>5,328,850.35</u>
Credits:				
General Fund:	<u>246,625.28</u>	<u>3,966,271.98</u>		
GO Bond	<u>5.55</u>	<u>236.01</u>		
Water Fund:	<u>179,934.08</u>	<u>1,669,260.58</u>		
Motor Fuel Tax (MFT):	<u>13,839.15</u>	<u>187,385.55</u>		
Performance Bonds/Escrow:	<u>12,565.00</u>	<u>198,864.75</u>		
TIF #1	<u>13.51</u>	<u>16,233.84</u>		
Drug Forfeiture:	<u>350.00</u>	<u>3,976.40</u>		
Total Credits All Funds:	<u>453,332.57</u>	<u>6,042,229.11</u>	<u>453,332.57</u>	<u>6,042,229.11</u>
Expenses:				
General Fund:	<u>282,390.53</u>	<u>3,389,995.08</u>		
GO Bond	<u>-</u>	<u>375,734.19</u>		
Water Fund:	<u>155,733.11</u>	<u>1,451,010.09</u>		
Motor Fuel Tax (MFT):	<u>-</u>	<u>-</u>		
Performance Bond/Escrow:	<u>2,751.35</u>	<u>69,241.06</u>		
TIF #1	<u>-</u>	<u>1,433.75</u>		
Drug Forfeiture:	<u>-</u>	<u>4,019.58</u>		
Total Debits All Funds:	<u>440,874.99</u>	<u>5,291,433.75</u>	<u>440,874.99</u>	<u>5,291,433.75</u>
Ending Bank Balance:				
General Fund:	<u>2,537,032.53</u>			
GO Bond	<u>138,356.29</u>			
Water Fund:	<u>900,888.56</u>			
Motor Fuel Tax (MFT):	<u>529,523.92</u>			
Performance Bond/Escrow:	<u>1,935,651.96</u>			
TIF #1	<u>35,235.68</u>			
Drug Forfeiture:	<u>2,956.77</u>			
Total Debits All Funds:	<u>6,079,645.71</u>		<u>6,079,645.71</u>	<u>6,079,645.71</u>

TREASURER'S SIGNATURE:



DATE: March 13, 2013

Village of Gilberts
MONTH CLOSED: JANUARY, 2013

GENERAL FUND MONEY MARKET
01-00-105

Beginning Book Balance:	<u>137,197.90</u>	Previous YTD Credits:	<u>3,719,646.70</u>
			<u>113,866.06</u>
Deposits (Total):	<u>68,786.17</u>	Current Credits:	<u>132,759.22</u>
		Current YTD Credits:	<u>3,966,271.98</u>
Interest Income:		Previous YTD Debits:	<u>3,107,604.55</u>
(01-00-341) Money Market:	<u>43.66</u>		<u>11,212.00</u>
(01-00-341) Checking:	<u>2.10</u>	Current Debits:	<u>271,178.53</u>
(01-00-342) Performance Bond:	<u>15.95</u>		
		Current YTD Debits:	<u>3,389,995.08</u>
Miscellaneous Income:			
Transfer From Illinois Funds	<u>250,000.00</u>		
Voided Ck #21222	<u>53.00</u>		
Transfer of Garbage Revenue	<u>63,840.18</u>		
Xfer Unused Flex	<u>18.16</u>		
Subtotal:	<u>519,957.12</u>	G/F MM Balance:	<u>248,778.59</u>
		IL Funds Balance:	<u>1,311,085.86</u>
Checks Written (Total):	<u>261,988.53</u>	Barrington Bank CD's:	<u>976,168.08</u>
CY-13 Flex Benefits	<u>9,190.00</u>	G/F CKG Balance:	<u>1,000.00</u>
Transfer to P/B (Agency)		Total balance:	<u>2,537,032.53</u>
Ending Check Book Balance:	<u>248,778.59</u>		
Deposits in Transit:	<u>124.05</u>		
Outstanding Transfers:	<u>63,840.18</u>		
Balance per Bank Statement:	<u>184,814.36</u>		

Expenditures/Transfers:

Date:	For:	Amount:
<u>2/5/2013</u>	Accounts Payable	<u>29,088.32</u>
<u>2/21/2013</u>	Accounts Payable	<u>112,124.99</u>
<u>2/1/2013</u>	February Insurance	<u>19,296.13</u>
<u>2/14/2013</u>	Payroll	<u>44,609.22</u>
<u>2/28/2013</u>	Payroll	<u>56,869.87</u>
	Total:	<u>261,988.53</u>

Deposits:	Deposits:	Direct Deposits	
<u>969.00</u>	<u>3,047.28</u>	T-Mobile	<u>1,725.00</u>
<u>106.00</u>	<u>3,723.60</u>	Kane County	
<u>2,122.80</u>	<u>106.00</u>	Nicor	<u>11,086.26</u>
<u>689.64</u>		Exelon	<u>16,332.55</u>
<u>10.00</u>			
<u>440.00</u>			
<u>393.00</u>			
<u>1,004.91</u>			
<u>306.00</u>			
<u>166.00</u>			
<u>1,615.00</u>			
<u>50.00</u>			
<u>23,110.16</u>			
<u>1,782.97</u>			
Total Deposits	<u>39,642.36</u>	Total Direct Deposits	<u>29,143.81</u>
Total Deposits/Direct Deposits:	<u>68,786.17</u>		

**Village of Gilberts
General Fund
Certificates of Deposit
February 28, 2013**

Bank	CD#	Amount	Term	Maturity Date	Interest Rate
Barrington Bank	0940000423-1001	224,645.79	6 months	3/27/2013	.20 APY
Barrington Bank	0940000423-1002	225,238.97	9 months	6/27/2013	.25 APY
Barrington Bank	0940000423-1003	262,946.20	12 months	9/27/2013	.40 APY
Barrington Bank	0940000423-1004	263,337.12	18 months	3/27/2014	.75 APY
Barrington Bank CD's	976,168.08				

Beginning Book Balance:	<u>1,458,741.53</u>	Previous YTD Credits:	<u> </u>
Deposits (Total):	<u>113,476.51</u>	Current Credits:	<u>113,556.33</u>
		Current YTD Credits:	<u> </u>
(01-00-347) IL First Funds:	<u>58.86</u>	Previous YTD Debits:	<u> </u>
(01-00-347) IL First Funds P/B:	<u>20.96</u>	Current Debits:	<u>11,212.00</u>
Xfer Bond Acct-Reimburse:	<u> </u>	Current YTD Debits:	<u> </u>
Subtotal:	<u>1,572,297.86</u>	CD Balance:	<u> </u>
Transfer to Union National	<u>250,000.00</u>	G/F MM Balance:	<u> </u>
Impact Fees to Agency Fund	<u>11,212.00</u>	G/F CKG Balance:	<u> </u>
		Total balance:	<u> </u>
Ending Check Book Balance:	<u>1,311,085.86</u>		
Deposits in Transit:	<u>20.96</u>		
Outstanding Transfers:	<u>5,606.00</u>		
Balance per Bank Statement:	<u>1,316,670.90</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:	Direct Deposits:	Description:
<u>17,645.92</u>	<u> </u>	
<u>20,863.77</u>	<u> </u>	
<u>22,409.51</u>	<u> </u>	
<u>9,340.83</u>	<u> </u>	
<u>43,216.48</u>	<u> </u>	
<u> </u>	<u> </u>	
<u> </u>	<u> </u>	
<u> </u>	<u> </u>	
Total Deposits/Direct Deposits:	<u>113,476.51</u>	

Beginning Book Balance:	<u>138,350.74</u>	Previous YTD Credits:	<u>230.46</u>
Deposits (Total):	<u> </u>	Current Credits:	<u>5.55</u>
	<u> </u>	Current YTD Credits:	<u>236.01</u>
(15-00-347) IL First Funds:	<u>5.55</u>	Previous YTD Debits:	<u>375,734.19</u>
	<u> </u>	Current Debits:	<u>-</u>
Miscellaneous Income:	<u> </u>	Current YTD Debits:	<u>375,734.19</u>
Subtotal:	<u>138,356.29</u>		
Checks Written	<u> </u>		
	<u> </u>		
Ending Check Book Balance:	<u>138,356.29</u>		
Deposits in Transit:	<u> </u>		
Outstanding Checks:	<u> </u>		
Balance per Bank Statement:	<u>138,356.29</u>		

Expenditures/Transfers:

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

Deposits:	Direct Deposits:	Description:
<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 Deposits/Direct Deposits:	<u>-</u>	

Beginning Book Balance:	<u>2,227.57</u>	Previous YTD Credits:	<u></u>
Deposits (Total):	<u></u>	Current Credits:	<u>-</u>
	<u></u>	Current YTD Credits:	<u></u>
(01-00-347) IL First Funds:	<u></u>	Previous YTD Debits:	<u></u>
	<u></u>	Current Debits:	<u>-</u>
Miscellaneous Income:	<u></u>	Current YTD Debits:	<u></u>
Subtotal:	<u>2,227.57</u>		
Checks Written	<u></u>		
	<u></u>		
Ending Check Book Balance:	<u>2,227.57</u>		
Deposits in Transit:	<u></u>		
Outstanding Checks:	<u></u>		
Balance per Bank Statement:	<u>2,227.57</u>		

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

Deposits:	Direct Deposits:
<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 Deposits/Direct Deposits:	<u>-</u>

Beginning Book Balance:	<u>246,434.68</u>	Previous YTD Credits:	<u>1,489,326.50</u>
			<u>6,862.94</u>
Deposits (Total):	<u>172,917.94</u>	Current Credits:	<u>173,071.14</u>
		Current YTD Credits:	<u>1,669,260.58</u>
Interest Income:		Previous YTD Debits:	<u>1,295,276.98</u>
(20-00-341) Money Market:	<u>152.18</u>		<u>214.50</u>
(20-00-341) Checking:	<u>1.02</u>	Current Debits:	<u>155,518.61</u>
		Current YTD Debits:	<u>1,451,010.09</u>
Voided Check #203258			
Miscellaneous Income:			
Subtotal:	<u>419,505.82</u>	Barrington Bank:	<u>58,449.97</u>
		Barrington Bank CD's:	<u>500,637.34</u>
Checks Written (Total):	<u>91,504.43</u>	H2O MM Balance:	<u>263,987.21</u>
Returned Checks	<u>174.00</u>	H2O Illinois Funds	<u>76,814.04</u>
Transfer for Garbage	<u>63,840.18</u>	H2O CKG Balance:	<u>1,000.00</u>
		Total balance:	<u>900,888.56</u>
Ending Check Book Balance:	<u>263,987.21</u>		
Deposits in Transit:	<u>627.92</u>		
Outstanding Transfers:	<u>63,840.18</u>		
Balance per Bank Statement:	<u>328,455.31</u>		

Expenditures/Transfers:

Date:	For:	Amount:
<u>2/5/2013</u>	<u>Accounts Payable</u>	<u>45,689.19</u>
<u>2/19/2013</u>	<u>Accounts Payable</u>	<u>19,863.37</u>
<u>2/14/2012</u>	<u>Payroll-Water</u>	<u>11,370.94</u>
<u>2/28/2013</u>	<u>Payroll-Water</u>	<u>11,107.36</u>
<u>2/1/2013</u>	<u>Health Insurance</u>	<u>3,473.57</u>
	Total:	<u>91,504.43</u>

Deposits:

<u>8,227.81</u>	<u>4,242.15</u>		
<u>8,426.08</u>	<u>1,522.86</u>	Direct Deposits	
<u>26,428.39</u>	<u>3,997.84</u>		
<u>47,765.02</u>	<u>189.60</u>		
<u>9,263.17</u>	<u>437.30</u>		
<u>13,033.77</u>			
<u>929.50</u>			
<u>2,950.79</u>			
<u>4,126.25</u>			
<u>1,828.61</u>			
<u>598.35</u>			
<u>2,962.59</u>			
<u>3,942.04</u>			
<u>594.90</u>			<u>31,450.92</u>
Total Deposits:	<u>172,917.94</u>		

Beginning Book Balance:	<u>1,000.00</u>	Previous YTD Credits:	<u> </u>
Deposits (Total):	<u>65,680.90</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>
	<u> </u>	Current YTD Debits:	<u> </u>
Total Voided Checks:	<u> </u>		
Subtotal:	<u>66,680.90</u>		
Checks Written (Total):	<u>65,680.90</u>		
	<u> </u>		
Ending Check Book Balance:	<u>1,000.00</u>		
Deposits in Transit:	<u> </u>		
Outstanding Checks:	<u>1,238.40</u>		
Balance per Bank Statement:	<u>2,238.40</u>		
Expenditures/Transfers:			
	Date:	For:	
	<u>2/5/2013</u>	Accounts Payable	<u>45,689.19</u>
	<u>2/5/2013</u>	Postage	<u>128.34</u>
	<u>2/19/2013</u>	Accounts Payable	<u>19,863.37</u>
		Total:	<u>65,680.90</u>
Outstanding Checks:			
Check #:	Amount:	Check #:	Amount:
<u>202350</u>	<u>4.18</u>	<u> </u>	<u> </u>
<u>202365</u>	<u>1.19</u>	<u> </u>	<u> </u>
<u>203853</u>	<u>160.49</u>	<u> </u>	<u> </u>
<u>203880</u>	<u>785.00</u>	TOTAL	<u>1,238.40</u>
<u>203881</u>	<u>35.06</u>		
<u>203886</u>	<u>50.00</u>		
<u>203890</u>	<u>202.48</u>		

Beginning Book Balance:	<u>58,447.35</u>	Previous YTD Credits:	<u> </u>
Deposits (Total):	<u> </u>	Current Credits:	<u>2.62</u>
Interest:		Current YTD Credits:	<u> </u>
Savings Acct:	<u>2.62</u>	Previous YTD Debits:	<u> </u>
		Current Debits:	<u> </u>
		Current YTD Debits:	<u> </u>

Subtotal: 58,449.97

Checks Written (Total): _____
Voided Checks (Total): _____

Ending Check Book Balance:	58,449.97
Deposits in Transit:	
Outstanding Checks:	
Balance per Bank Statement:	58,449.97

Expenditures/Transfers:

Date:	For:	Amount:
Total:		

Deposits:

Total Deposits: _____

**Village of Gilberts
Water Fund
Certificates of Deposit
February 28, 2013**

Bank	CD#	Amount	Term	Maturity Date	Interest Rate
Barrington Bank	0940000423-1005	100,084.96	6 months	3/27/2013	.20 APY
Barrington Bank	0940000423-1006	200,212.42	9 months	6/27/2013	.25 APY
Barrington Bank	0940000423-1007	200,339.96	12 months	9/27/2013	.40 APY
Barrington Bank CD's	500,637.34				

Beginning Book Balance:	<u>70,283.42</u>	Previous YTD Credits:	<u> </u>
Deposits (Total):	<u>6,742.17</u>	Current Credits:	<u>6,745.12</u>
		Current YTD Credits:	<u> </u>
(20-00-347) Illinois Funds:	<u>2.95</u>	Previous YTD Debits:	<u> </u>
		Current Debits:	<u>214.50</u>
Total Voided Checks:	<u> </u>	Current YTD Debits:	<u> </u>
Subtotal:	<u>77,028.54</u>		
Checks Written (Total):	<u> </u>		
Returned Payments	<u>214.50</u>		
Ending Check Book Balance:	<u>76,814.04</u>		
Deposits in Transit:	<u> </u>		
Outstanding Checks:	<u>-</u>		
Balance per Bank Statement:	<u>76,814.04</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:	<u>505.32</u>	<u>566.50</u>
	<u>480.00</u>	<u>622.90</u>
	<u>436.50</u>	<u>132.00</u>
	<u>994.00</u>	<u>768.90</u>
	<u>138.00</u>	<u>250.00</u>
	<u>290.91</u>	<u>453.60</u>
	<u>211.20</u>	<u>310.00</u>
	<u>128.59</u>	<u> </u>
	<u>160.05</u>	<u> </u>
	<u>293.70</u>	<u> </u>
Total Deposits:	<u>6,742.17</u>	

Beginning Book Balance:	<u>54,084.23</u>	Previous YTD Credits:	<u> </u>
Deposits (Total):	<u> </u>	Current Credits:	<u> </u>
Interest Income:	<u> </u>	Current YTD Credits:	<u> </u>
(30-00-341) Money Market:	<u> </u>	Previous YTD Debits:	<u> </u>
		Current Debits:	<u> </u>
Miscellaneous Income:	<u> </u>	Current YTD Debits:	<u> </u>
Subtotal:	<u>54,084.23</u>		
Checks Written (Total):	<u> </u>		
Returned Checks (Total):	<u> </u>		
	<u>-</u>		
Ending Check Book Balance:	<u>54,084.23</u>		
Deposits in Transit:	<u> </u>		
Outstanding Checks:	<u> </u>		
Balance per Bank Statement:	<u>54,084.23</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>
	<u> </u>	<u> </u>	<u> </u>
		Total:	<u> </u>

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

Beginning Book Balance:	<u>461,600.54</u>	Previous YTD Credits:	<u>173,546.40</u>
			<u>-</u>
Deposits (Total):	<u>13,820.15</u>	Current Credits:	<u>13,839.15</u>
Interest Income:		Current YTD Credits:	<u>187,385.55</u>
(30-00-347) Money Market:	<u>19.00</u>	Previous YTD Debits:	<u></u>
		Current Debits:	<u>-</u>
Miscellaneous Income:	<u></u>	Current YTD Debits:	<u>-</u>
Subtotal:	<u>475,439.69</u>	MFT MM Balance	<u>54,084.23</u>
		IL Funds Balance:	<u>475,439.69</u>
Checks Written (Total):	<u></u>	Total balance:	<u>529,523.92</u>
Returned Checks (Total):	<u></u>		
Ending Check Book Balance:	<u>475,439.69</u>		
Deposits in Transit:	<u></u>		
Outstanding Checks:	<u>-</u>		
Balance per Bank Statement:	<u>475,439.69</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>
<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>

Total Deposits:

Beginning Book Balance:	<u>206,004.31</u>	Previous YTD Credits:	<u>186,299.75</u>
			<u>11,212.00</u>
Deposits (Total):	<u>1,353.00</u>	Current Credits:	<u>1,353.00</u>
Interest Income:		Current YTD Credits:	<u>198,864.75</u>
(31-00-341) Money Market:			<u>-</u>
		Previous YTD Debits:	<u>66,489.71</u>
			<u>-</u>
Transfer from G/F		Current Debits:	<u>2,751.35</u>
Miscellaneous Income:		Current YTD Debits:	<u>69,241.06</u>
Subtotal:	<u>207,357.31</u>		
Checks Written (Total):	<u>2,751.35</u>	P/Bond Balance	<u>204,605.96</u>
Transfer to General Fund		IL Funds Balance:	<u>531,445.70</u>
Transfer to Water Fund		CD'S Balance	<u>1,199,600.30</u>
		Total balance:	<u>1,935,651.96</u>
Ending Check Book Balance:	<u>204,605.96</u>		
Deposits in Transit:	<u>116.00</u>		
Outstanding Checks:	<u>3,032.00</u>		
Balance per Bank Statement:	<u>207,521.96</u>		

Expenditures/Transfers:

Date:	For:	Amount:
<u>2/5/2013</u>	Accounts Payable	<u>2,465.74</u>
	Bond Release	
	Bond Release	
<u>2/19/2013</u>	Accounts Payable	<u>285.61</u>
	Bond Release	
	Bond Release	
	Total:	<u>2,751.35</u>

Deposits:		Outstanding Checks	
<u>58.00</u>		301704	<u>150.00</u>
<u>58.00</u>		302505	<u>175.00</u>
<u>116.00</u>		302544	<u>135.00</u>
<u>55.00</u>		302569	<u>106.00</u>
<u>950.00</u>		302755	<u>117.00</u>
<u>116.00</u>		303231	<u>58.00</u>
		303288	<u>1,000.00</u>
		303293	<u>1,000.00</u>
		303294	<u>175.00</u>
		303297	<u>58.00</u>
		303298	<u>58.00</u>
	<u>1,353.00</u>	Total Outstanding Checks	<u>3,032.00</u>

Beginning Book Balance:	520,233.70	Previous YTD Credits:	
Deposits (Total):		Current Credits:	11,212.00
Interest Income:		Current YTD Credits:	11,212.00
(31-00-341) Money Market:		Previous YTD Debits:	
Transfer from G/F (Impact Fees)	11,212.00	Current Debits:	-
Miscellaneous Income:		Current YTD Debits:	-
Subtotal:	531,445.70		
Checks Written (Total):			
Transfer to General Fund			
Ending Check Book Balance:	531,445.70		
Deposits in Transit:	5,606.00		
Outstanding Transfers:			
Balance per Bank Statement:	525,839.70		
Expenditures/Transfers:			
	Date:	For:	Amount:
		Total:	-
Deposits:			
Total Deposits:			-

Village of Gilberts
Performance Bond/Agency Fund
Certificates of Deposit
February 28, 2013

Bank	CD#	Amount	Term	Maturity Date	Interest Rate
Union National Bank	4176509	391,315.36	12 months	10/13/2013	.82 APY
Union National Bank	4152930	258,179.58	6 months	4/15/2013	.73 APY
Union National Bank	4176517	374,349.47	12 months	10/24/2013	.81 APY
Union National Bank	4152989	175,755.89	6 month	5/21/2013	.72 APY
		1,199,600.30			
Union National CD's	1,199,600.30				

Beginning Book Balance:	<u>2,606.77</u>	Previous YTD Credits:	<u>3,626.40</u>
Deposits (Total):	<u>350.00</u>	Current Credits:	<u>350.00</u>
Interest Income:	<u></u>	Current YTD Credits:	<u>3,976.40</u>
(40-00-341) Money Market:	<u></u>	Previous YTD Debits:	<u>4,019.58</u>
	<u></u>	Current Debits:	<u>-</u>
Miscellaneous Income:	<u></u>	Current YTD Debits:	<u>4,019.58</u>
Subtotal:	<u>2,956.77</u>		
Checks Written (Total):	<u></u>		
Returned Checks (Total):	<u>-</u>		
Ending Check Book Balance:	<u>2,956.77</u>		
Deposits in Transit:	<u></u>		
Outstanding Checks:	<u></u>		
Balance per Bank Statement:	<u>2,956.77</u>		

Expenditures/Transfers:			
	Date:	For:	Amount:
	<u></u>	Accounts Payable	<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>350.00</u>	
<u></u>	
<u></u>	
<u></u>	
<u></u>	
<u></u>	
<u></u>	
<u>350.00</u>	
Total Deposits/Direct Deposits:	<u></u>

Expenditures/Transfers:

Outstanding Checks:

Check #:	Amount:	Check#:	Amount:
16537	200.18	16971	48.93
16804	337.47	16972	312.14
16904	23.09	16973	1,243.88
16922	168.37	16974	220.51
16947	232.09	16975	195.70
16965	314.46	16976	788.41
16966	645.58	16978	878.88
16967	173.37	16981	60.00
16968	218.37	16984	198.00
16969	1,921.43	16985	108.28
16970	206.06	16986	341.60
		16987	186.57
		16988	323.00
		Flex Benefits	9,190.00
		Total:	18,536.37

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

**An Ordinance Amending
Village Code Section 9-2-2-1 Building Code**

WHEREAS, from time to time the Village Board of Trustees of the Village of Gilberts reviews its Ordinances to determine if they are up to date to meet the changing conditions in the Village; and

WHEREAS, the President and Board of Trustees have determined that the timeline for completing work under an issued building permit should be shortened to ensure timely completion of the project; and

WHEREAS, the President and Board of Trustees have determined that this Ordinance would serve and be in the best interest of the Village of Gilberts; and

THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS, ILLINOIS, as follows:

Section 1. Recitals. The recitals set forth above are hereby incorporated into and made a part of this Ordinance as though set forth in this Section 1.

Section 2. Amendment. Section 9-2-2-1 "Building Code" is hereby amended as follows (additions are identified as underlined and deletions are identified by strikethrough):

- (5) All building permits for new construction shall expire twelve (12) months from issuance and Aall other building permits shall expire six (6) months from issuance ~~if construction equal to at least fifty percent (50%) of the entire construction for which the permit was issued has not been completed within such six (6) months and shall in all cases expire eighteen (18) months from issuance~~, at which time all construction must cease until a permit extension is obtained. All work required to be done in accordance with the submitted plans and specifications shall be completed within the term of the permit.
(2006 Code § 5.2.23)

Section 3. 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 4. Repeal and Saving Clause. All ordinances or parts of ordinances in conflict with this Ordinance 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 Ordinances.

Section 5. Effective Date. This ordinance shall be in full force and effect from and after its approval in the manner provided by law.

PASSED BY ROLL CALL VOTE OF THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this ____ day of _____, 2013.

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

APPROVED this _____ day of _____, 2013
(SEAL)

Village President Rick Zirk

ATTEST: _____
Village Clerk, Debra Meadows

Published: _____

Everest Excavating, Inc.

66 East End Drive, Gilberts, IL 60136 Office: 847-844-3700 Fax: 847-844-3733

March 11, 2013

**RE: Industrial Dr Patch
Gilberts, IL**

Attn: John Swedberg

Thank you for the opportunity to provide you with a price for the above referenced project.

**We propose to excavate the patch area as requested 13' wide by 50' long 24" Deep for the
Lump Sum Amount of: \$ 17,600.00**

Job Item Clarifications:

- Work items limited to area within construction limits as specified.
- All undercutting and replacement to be done at an agreed unit price in writing prior to work.
- Any and all extra work to be authorized in writing prior to work.
- Includes excavation and haul off of material generated from defined area.
- Includes 18" of 3" minus road gravel capped with 6" of CA-6 and compacted.
- Includes 3" of asphalt patch when plants open.
- Includes placement of filter fabric below PGE material.
- Assumes road to be shut down to one lane during excavation and patching.
- Assumes tax exempt, certification to be provided by Village of Gilberts.
- All work to be completed with union forces.
- Assumes any landscaping along shoulder to be by others.

Everest Excavating reserves the right to verify the topography of existing conditions.

Thank You,
Everest Excavating, Inc.

Martin Nelsen

RESOLUTION

VILLAGE OF GILBERTS

Authorizing the Approval of the CY 2013 Recreational Programming Agreement with the Tri-Cities' Team

Be it Resolved by the President and Board of Trustees of the Village of Gilberts, Kane County, Illinois that:

Section 1:

The Village of Gilberts hereby authorizes the Village President and Village Clerk to execute an agreement between the Village of Gilberts and a Tri-Cities Team to provide youth baseball practices.

Section 2:

This resolution shall be in full force and in effect from and after its passage and approval pursuant to law.

Passed this ____ day of _____ 2013 by a roll call vote as follows:

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

APPROVED THIS ____ DAY OF APRIL, 2013

Village President, Rick Zirk

(SEAL)

ATTEST: _____
Village Clerk, Debra Meadows

Published: _____

**VILLAGE OF GILBERTS AND TRI-CITIES BASEBALL TEAM
CY 2013 RECREATIONAL PROGRAMMING AGREEMENT**

AGREEMENT made this 12th day of March, 2013, by and between the Village of Gilberts, an Illinois municipal corporation (hereinafter referred to as “the Village”) and Tri-Cities Baseball Team the (hereinafter referred to as “Tri-Cities Team”).

RECITAL

WHEREAS, Tri-Cities Cowboys Team provides a youth baseball program for the communities it serves: and,

WHEREAS, the Village and Tri-Cities Cowboys Team agreed on a program of recreational activities;

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

I. PURPOSE. For calendar year 2013, the Village and Tri-Cities Cowboys Team agree to provide support of a youth baseball program offered by Tri-Cities Cowboys Team.

II. SCOPE OF SERVICES. Tri Cities Team shall implement the following program of activities:

A. Youth Baseball

1. Tri-Cities will organize and implement youth baseball practices.
2. The Gilberts Memorial Park (Tyrrell Road) baseball field shall be reserved for Tri-Cities Team baseball practice sessions every and from _ p.m. to _ p.m. and every _ from _ p.m. to _p.m. from _ through April _ **See Attached**

Space at Memorial and/or Waitcus Parks shall be reserved for practice sessions for additional hours/days as mutually agreed upon by the Village and Tri-Cities _ To the best of its ability, the Village agrees to provide adequate practice times for Tri-Cities Team.

III. MAINTENANCE AND FACILITIES

A. Village Responsibilities. The Village agrees to provide the following services to support the programs provided by Tri-Cities:

1. Prior to the baseball season starting, the Village shall provide and maintain two porta-potties or similar temporary restroom accommodations at Memorial Park.

2. The Village shall provide Tri-Cities Team with information for the Village's designated non-emergency contact as follows: Chief Building Inspector, John Swedberg may be reached Monday-Friday from the hours of 8:30 am – 3:30 pm at 847-428-4167 after normal business hour you may contact Trustee Dan Corbett at 847-361-8991.
3. The Village shall be responsible for grass mowing and regular garbage collection at Memorial and Waitcus Parks. The grass will be properly maintained prior to practice times. The Village will provide garbage receptacles through its contracted waste hauler and arrange for regular garbage pick-up.
4. The Village shall be responsible for promptly removing graffiti, broken glass, or other hazards resulting from vandalism and/or misuse of the Village property.
5. The Village shall provide in-field sand for Tri-Cities Team use on the Memorial Park baseball diamond. If the baseball diamond is in need of more in-field sand throughout the season, Tri-Cities will contact the Village to request more to keep the baseball diamond in an appropriate playable condition.
6. The Village shall provide Tri-Cities Team a copy of the appropriate water quality test for the water fountain at Memorial Park to demonstrate compliance with all applicable state regulations.

B. Tri-Cities Team agrees to the following conditions for the use of Village facilities for Tri Cities' Cowboys Team activities:

1. Tri-Cities Team shall be responsible for lining the fields for the baseball program they run. Tri-Cities Buckeye may coordinate with other programs to prepare Village parks for practice or program use.
2. Tri-Cities Team shall be responsible for clearing the baselines and spreading in-field sand after every use. The sand will be provided by the Village for the baseball diamond at Memorial Park during their baseball season. Tri-Cities Buckeye Team shall also be responsible for raking the in-field after every use, with a rake provided by Tri Cities Cowboys Team.
3. Tri-Cities Team agrees to restore at the end of the day all Village parks and facilities used for Tri-Cities Team activities to the same condition as found at the beginning of the day, which includes picking up debris (water bottles, paper, ect.) as reasonably determined by the Village Public Works Supervisor.
4. Tri-Cities Team shall be responsible for conducting background checks on all coaches and adult volunteers prior to their participation in or assistance with any youth program.

IV. REIMBURSEMENT. The Village shall not be responsible for reimbursing or compensating Tri-Cities for the provision of the programs identified in this Agreement, nor shall the Village be entitled to any funds collected by Tri-Cities Team from the registration of program participants or other program-related revenues.

V. OTHER TERMS AND CONDITIONS

A. TERM OF AGREEMENT. This Agreement shall be in effect from March 12, 2013 to the YMCA needs the fields 2013.

C. INSURANCE. Tri-Cities Team shall carry a general liability insurance policy for an amount no less than \$1,000,000.00 and an umbrella policy for an amount no less than \$5,000,000.00. Tri-Cities shall add the Village as an additional insured party on any policy for the use of Village property and/or facilities for Tri-Cities' Buckeye Team activities and provide a copy of said policy or policies to the Village Clerk prior to the commencement of any activities on Village property by Tri-Cities Buckeye Team.

D. INDEMNIFICATION. Tri-Cities Team hereby shall indemnify and hold harmless the Village, its officers, representatives, employees, and facilities from and against any and all claims resulting from the use of Village property and/or facilities for Tri-Cities' Buckeye Team programs and activities.

D. FAILURE TO PERFORM. This Agreement may be declared null and void by either Tri-Cities Team or the Village should either the Village or Tri-Cities Team fail to meet any of the terms and conditions noted herein, within thirty (30) days of written notification of same by one to the other provided however, in the event of an extraordinary event or emergency the 30 day written notice period shall be reduced to forty-eight hours written notification, and during which time the other has not complied with this Agreement's provisions and conditions.

E. EQUAL OPPORTUNITY. Tri-Cities Team shall not discriminate in its employment, operating or business practices on the basis of race, creed, color, sex, military service status, age, national origin, matriculation or disability.

F. AMENDMENT. This Agreement may be amended during the term of this Agreement by mutual written consent of the Village and Tri-Cities.

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date so shown at the beginning.

Village of Gilberts

Tri-Cities
Baseball Team

Rick Zirk, Village President

(authorized signatory)



Date	Time	Home	Away	Location	Event
19-Mar	5:30-7:15			Memorial Park	Practice
21-Mar	5:30-7:15			Memorial Park	Practice
26-Mar	5:30-7:15			Memorial Park	Practice
28-Mar	5:30-7:15			Memorial Park	Practice
31-Mar	12:00-2:00	1:00-3:00	12:30-2:30	Memorial Park	Practice
2-Apr	5:30-7:15			Memorial Park	Practice
4-Apr	5:30-7:15			Memorial Park	Practice
7-Apr	12:00-2:00	1:00-3:00	12:30-2:30	Memorial Park	Practice
9-Apr	5:30-7:15			Memorial Park	Practice
11-Apr	5:30-7:15			Memorial Park	Practice
16-Apr	5:30-7:15			Memorial Park	Practice
18-Apr	5:30-7:15			Memorial Park	Practice
20-Apr	12:00-2:00	1:00-3:00	12:30-2:30	Memorial Park	Practice
23-Apr	5:30-7:15			Memorial Park	Practice
25-Apr	5:30-7:15			Memorial Park	Practice

We are Gilberts families whose kids have been playing on Memorial Park for years and will continue to play there for years to come.

Every year, we weed, spray the infield dirt to kill off weeds and grass, perform field maintenance before and after practice and pick up trash.. Last year we put Home plate back into the ground. The field is in need of dirt to the infield areas. Wind erosion and no maintenance has left a lip from the infield grass to the infield dirt that has at times become dangerous as the baseball takes very bad bounces. Also Home plate needs replaced as it was vandalized last year and is now problematic due to the fact that the underneath has dry rotted and fallen off leaving the plate with no support.

Thanks for the consideration

Joe Maskivish
353 Jackson Ct. Gilberts

RESOLUTION

VILLAGE OF GILBERTS

A Resolution authorizing a work order with Everest Excavation Inc. for Industrial Drive repair project

Be it Resolved by the President and Board of Trustees of the Village of Gilberts, Kane County, Illinois that:

Section 1:

The Village of Gilberts hereby authorizes the Village President and Village Clerk to execute a work order between the Village of Gilberts and Everest Excavation Inc. for Industrial Drive repair project as attached hereto and made a part hereof as Exhibit A as approved.

Section 2:

This resolution shall be in full force and in effect from and after its passage and approval pursuant to law.

Passed this _____ day of _____, 2013 by a roll call vote as follows:

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

APPROVED THIS _____ DAY OF _____ 2013

Village President, Rick Zirk

(SEAL)

ATTEST:

Village Clerk, Debra Meadows

Published:

**VILLAGE OF GILBERTS, ILLINOIS
WATER RECLAMATION FACILITY
FACILITY PLAN AMENDMENT**

**ENGINEERING SERVICES
WORK ORDER**

ENGINEERS' PROJECT # 130262.30

Description of Services to be Provided:

Provide engineering services for the preparation of an Amendment to these two reports:

1. March 2005 WWTP Expansion Facility Plan
2. October 2005 Anti-Degradation Assessment

These reports established a Plan by which the Village would expand the capacity of its Water Reclamation Facility (WRF). This Facility Plan Amendment will update that Plan in accordance with the draft Memorandum of Understanding (MOU) attached to this Work Order as Attachment B. The MOU is a result of negotiations with key stakeholders. The Village expects the MOU to be executed at some point during the time the Facility Plan Amendment is being prepared.

The Village may pursue a loan from the Illinois Environmental Protection Agency (IEPA)'s Water Pollution Control Loan Program (WPCLP) for the expansion of the WRF. Therefore, the Facility Plan Amendment will comply with the WPCLP's planning requirements.

The purpose of the Facility Plan Amendment is to revise the Plan to make the Village's cost of wastewater treatment more competitive with that of its neighboring communities. Services will be provided in accordance with the Engineering Services Agreement dated January 1, 2003.

A detailed scope of services for this Project is provided in Attachment A.

Schedule:

The above-described engineering services will begin upon receipt of this Work Order, approved by the Village of Gilberts. The following design schedule is anticipated:

Receive authorization to proceed	June 5, 2013
Review preliminary report with Village	September 30, 2013
Submit Facility Plan Amendment to IEPA	October 31, 2013
Receive IEPA Approval	January 31, 2014

Compensation:

Compensation for the services to be provided under this Work Order will be in accordance with the Engineering Services Agreement dated January 1, 2003. The engineering fee is based upon our standard hourly rates of compensation for actual work time performed plus reimbursement for out-of-pocket expenses including travel, which will not exceed \$39,504.

Submitted: **Baxter & Woodman, Inc.**

By: _____

John V. Ambrose, PE

Title: Vice President

Date: _____

Approved: **Village of Gilberts, IL**

By: _____

Rick Zirk

Title: Village President

Date: _____

Scope of Services

The following scope of services details the anticipated tasks necessary to successfully complete this Project so that the Village can expand its WRF in accordance with the Memorandum of Understanding (MOU) attached to this Work Order as Attachment B.

1. ADMINISTRATION & MEETINGS – Confer with the Village's Village Administrator, and his staff, from time to time, to clarify and define the general scope, extent, and character of the Project. Hold the following meetings:
 - a. Kickoff Meeting with Village Staff
 - b. Final Review Meeting with Village Staff
2. PROJECT MANAGEMENT - Plan, schedule, and control the activities that must be performed to complete the Project. These activities include, but are not limited to, budget, schedule, and scope.
3. STUDY AREA - Show the Study Area, Facilities Planning Area (FPA), and Village Limits to illustrate how they have changed since 2005 and the settlement of the lawsuit with Pingree Grove over boundaries.
4. PRESENT CONDITIONS – Describe the current conditions in the Village of Gilberts wastewater treatment system. Determine existing population, non-residential population equivalents (PEs) and wastewater contribution flow and pollutant loads. Describe current condition of the WRF.
 - a. From the records of the flow meters at the WRF and the 2 pump stations that pump into the WRF, determine the amount of the WRF's existing 1.0 mgd capacity is currently used.
 - b. From the WRF operating records, update the wastewater characteristics:
 - 1) Wastewater Sources
 - 2) Organic (BOD5) Loading
 - 3) Solids (SS) Loading
 - 4) Nutrient Loading
 - c. Identify changes that have been made to the WRF since 2005, such as the addition of the chemical phosphorus removal system.
 - d. Update the existing population: sewered & unsewered.

- e. Update the WRF Capacity Tracking spreadsheet to show the residential and non-residential wastewater flow, in terms of Population Equivalents (PE), from each existing and planned development that:

- 1) Was originally allocated to the development.
- 2) Is now being contributed to the sewer system.
 - a) Residential: The number of units occupied x the PE/unit allocated.
 - b) Non-residential: The actual potable water billed to each unit, or if the Village cannot provide that data, an estimate of the amount of wastewater each unit is contributing.
- 3) Is yet to be contributed, which is the difference between 1) and 2) above.

5. FUTURE CONDITIONS

- a. Change the 20-year planning period from 2006 - 2025 to 2017 – 2036.
- b. Update the population projections:
 - 1) CMAP Projections
 - 2) Village Projections (as described below)
 - a) In addition to the PE that is yet to come from existing developments per 4. B. 3) above, determine the residential population and the non-residential population equivalents (PE) that will come from new development and growth.
 - b) Use the projections that were made in the 2009 "Wastewater Collection and Treatment System Master Plan Update" prepared by Baxter & Woodman.
- c. Determine the wastewater contribution from development and growth areas.
 - 1) Determine the PE from new residential dwelling units expected to be built, occupied, or sewered and multiply the number of units by:
 - a) 3.2 PE/unit for each single family home.
 - b) 2.0 PE/unit for each townhome or duplex unit.
 - 2) Determine the PE from new non-residential units expected to be built, occupied, or sewered.
 - 3) Determine future WRF influent flow rate by multiplying the new residential PE and new non-residential PE by 100 gallons per day per PE.
 - 4) Forecast the WRF influent flow rate each year from 2013 until it reaches 2.5 mgd according to the following growth projection:
 - a) 2013-16: 50 homes/year (or the non-residential equivalent thereof).

-
- b) 2017+: 100 homes/year (or the non-residential equivalent thereof).
6. FUTURE EFFLUENT LIMITS – Update the forecast of the future effluent limits by adding information on the:
- a. Stricter ammonia limits that USEPA is expected to promulgate in 2013.
 - b. Potential nutrient limits that IEPA is currently considering.
7. BASIS OF DESIGN - Develop a Basis of Design that takes into account the current actual loading conditions and the projected increase in loading using standards and design criteria from the Illinois Recommended Standards for Sewage Works and considering future regulations.
8. FUTURE NEEDS
- a. Determine future wastewater treatment needs using the:
 - 1) WRF influent flow forecast.
 - 2) Basis of Design.
 - b. Forecast when the capacity of the WRF will need to be expanded, using 0.25 mgd increments.
 - c. Determine the improvements required to meet future needs:
 - 1) WRF:
 - a) Existing treatment processes and equipment that need to be modified, upgraded, or expanded.
 - b) New treatment processes and equipment
 - c) Evaluate dewatering vs liquid haul and determine when it is no longer cost-effective to continue to liquid haul, at which point, a dewatering facility should be constructed.
 - 2) Enhancement Wetlands:
 - a) Develop a plan to construct additional enhancement wetlands in phases to keep pace with development.
 - b) Devise a phasing plan by which there will be more than 14 acres of enhancement wetland per MGD of actual flow in each phase until the actual flow reaches 2.5 mgd. The 14 acres per MGD was developed in the 2005 Facility Plan and Anti-Deg reports. The existing 5-acre wetland will be included in the total wetland acreage in each phase.
 - c) Location of additional enhancement wetlands:
 - i) First: Village-owned property south of the WRF.

-
- ii) Subsequent: Property in the proposed Tyler Creek Development.
 - d) Pump Station and force main: In the phasing plan, include a pump station and force main to pump part of the effluent to the wetlands that are north and west of the WRF.
 - i) Since the effluent is expected to flow by gravity through the new wetlands constructed south of the WRF, do not plan construction of the pump station and force main until the south property is exhausted.
 - ii) Call for pumps to be added or replaced with larger pumps and the force main to be extended in subsequent phases to add the capacity needed to keep pace with development.
 - 3) Effluent Irrigation System:
 - a) Develop a plan to irrigate land.
 - b) Expand the irrigation area in phases such that, in every phase, 20% of the flow above 0.80 mgd is irrigated.
 - c) Since the WRF effluent flow is not projected to reach 0.8 mgd until many years from now, any amount of irrigation fields constructed before then would exceed the 20% target. Therefore, instead of the 20% target, formulate the Plan for the early years based on the land available and what is logical and practical in regard to layout and expansion.
 - d) Location of irrigation fields:
 - i) First: Village-owned property and Tyler Creek Development property directly north south of the WRF.
 - ii) Second: Village-owned 23-acre parcel east of the railroad tracks and north of the existing Water Treatment Plant.
 - iii) Subsequent: Property in the proposed Tyler Creek Development.
 - e) Pump Station and force main: In the phasing plan, include a pump station and force main to pump the effluent to the irrigation fields.
 - i) Call for pumps to be added or replaced with larger pumps and the force main to be extended in subsequent phases to add the capacity needed to keep pace with development.
 - 9. FUTURE WASTEWATER COLLECTION SYSTEM – Incorporate the 2009 “Wastewater Collection and Treatment System Master Plan Update” into the Facility Plan Amendment.
 - a. Summarize the plan for the proposed interceptor sewers and pump stations.
 - b. If necessary, change the location of the sewers and pump stations to accommodate the proposed Tyler Creek Development.
 - 10. COST ESTIMATE – Prepare an opinion of the probable total Project cost in each phase for at least the 20-year planning period, including construction, engineering services, contingencies, and, on the basis of information furnished by the Village, allowances for

legal services, financial consultants, and any administrative services or other costs necessary for completion of the Project.

11. FACILITY PLAN AMENDMENT REPORT - Prepare a Facility Plan Amendment Report in conformance with IEPA requirements.

c. The Facility Plan Amendment Report will contain the following sections:

- 1) Introduction
 - a) Study, Purpose, and Scope of the Amendment.
- 2) Present Conditions
 - a) Study Area, FPA, and Village Limits
 - b) Population
 - c) Wastewater flow
 - d) Wastewater characteristics
 - e) WRF description & condition
 - f) NPDES Permit
 - g) Effluent Quality
- 3) Future Conditions
 - a) Planning period
 - b) Population projections
 - c) Wastewater flows & loads
 - d) Future effluent limits
- 4) Wastewater Treatment Improvements
 - a) Existing treatment processes
 - b) New/proposed treatment processes
 - c) Biosolids treatment
- 5) Interceptor Sewer & Pump Station Improvements
- 6) Environmental Impacts – An update the Environmental Impacts Section of the 2005 Facility Plan.
- 7) Implementation
 - a) Recommended Plan
 - b) Total project cost of each phase
 - c) Basis of Design
 - d) Phasing

- e) Proposed Schedule
 - f) Recommended actions
 - g) Exhibits indicating:
 - i) Proposed expanded treatment units.
 - ii) Enhancement wetland and irrigation system phasing plan.
 - 8) Financing – A description of how the Village will pay for the improvements and how the Village will pay back loans.
 - d. Provide three copies of the Facility Plan Amendment Report to the Village, for review, comments, and approval. Incorporate final comments in the final Facility Plan Amendment Report.
12. AGENCY SUBMITTALS
- a. IEPA – Facility Plan Amendment
 - 1) Submit the Facility Plan Amendment Report to the IEPA for review, comments, and approval.
 - 2) Respond to IEPA questions and requests for additional information.
 - 3) Incorporate IEPA comments.
 - b. IEPA – NPDES Permit Modification
 - 1) Prepare an application for an NPDES Permit Modification and submit it to IEPA.
 - 2) Respond to IEPA questions and requests for additional information.
 - c. Prepare and send sign-off request letters to the appropriate agencies.
13. PUBLIC HEARING AND/OR BOARD MEETINGS – Prepare exhibits for and assist the Village with the preparation of public information for the Project, and attend three or less public meetings as requested by the Village to present the Design Report and Design Documents for the Project.
- a. Public Hearing
 - 1) If required by IEPA, hold a public hearing to present the Facility Plan Amendment and IEPA's Preliminary Impact Determination to the Public.
 - 2) Allow a 15-day comment period after the public hearing.
 - 3) Provide a summary of public hearing and any comments received during the 15-day public comment period to the Village and the IEPA.

b. Mid-course Review with Village Board

- 1) Attend a Village Board Meeting or a Committee of the Whole Meeting and present the findings and recommendations at approximately the mid-point of the Project.

c. Final Review with Village Board

- 1) Attend a Village Board Meeting or a Committee of the Whole Meeting and present the final findings and recommendations.

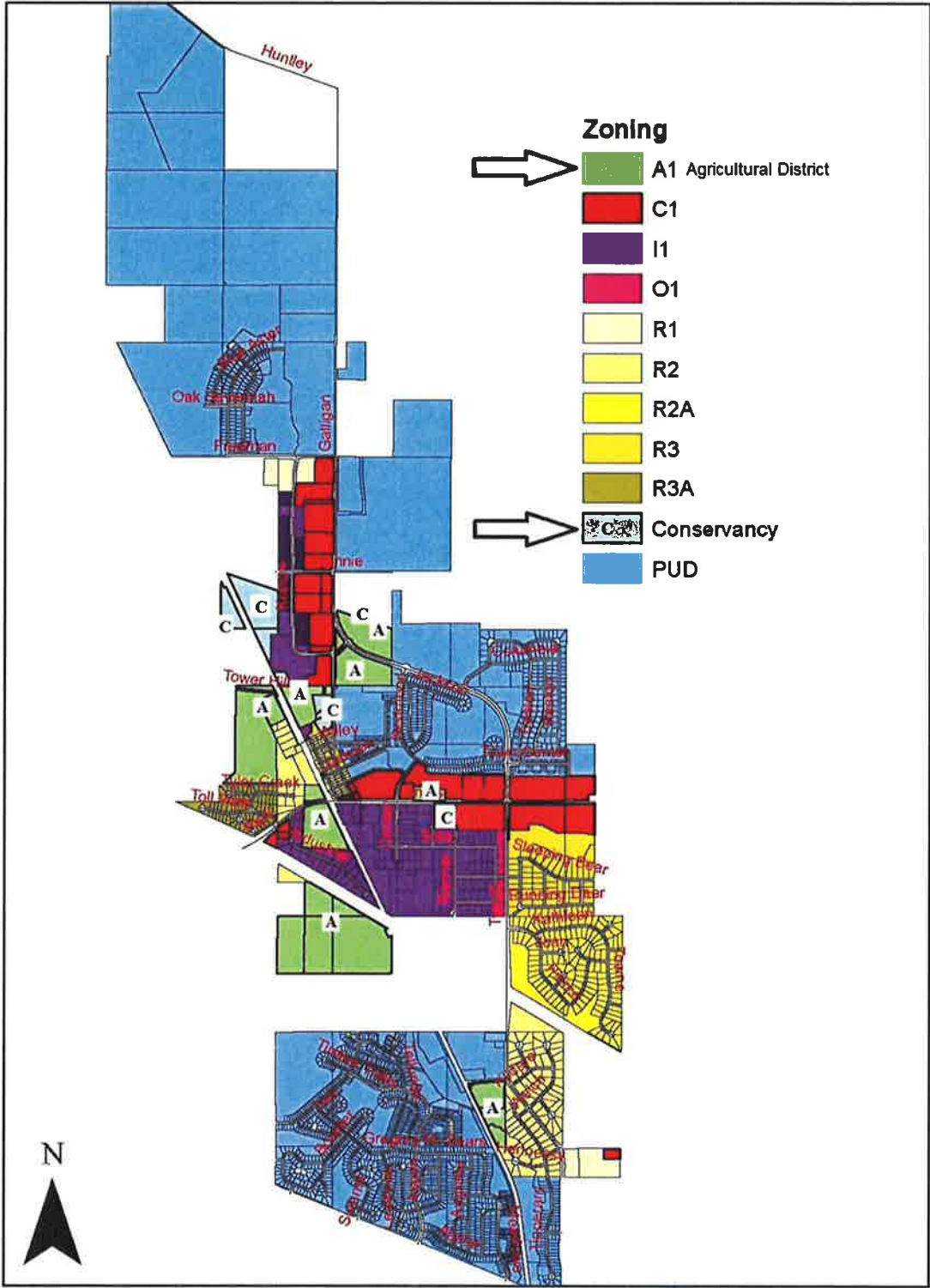
14. FINAL DOCUMENTS

- a. Furnish the Village with one hardcopy and one softcopy on electronic media of the Facility Plan Amendment Report as approved by the IEPA.

OLD TOWN



CONSERVANCY AND AGRICULTURAL DISTRICTS





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MEMORANDUM

To: Village President and Members of the Village Board
Village of Gilberts

CC: Ray Keller, Village Administrator

From: Julie A. Tappendorf

Subject: Unified Development Ordinance

Date: December 21, 2012

Over the past year, the Plan Commission has conducted workshops to discuss and make recommendations on comprehensive amendments to the Village's current zoning, subdivision, and other development regulations ("Unified Development Ordinance" or "UDO"). As required by state statute, the Plan Commission conducted a public hearing on the UDO on December 5, 2012, and at the conclusion of the hearing, the Plan Commission unanimously recommended approval of the UDO in the form included with this memorandum.

Because the Village's current zoning regulations are not codified, we could not generate a "blackline" of the changes. So to assist the Village Board in reviewing the UDO, this memorandum summarizes the key substantive changes from the Village's old regulations. Also noted are specific issues that came up during the Plan Commission's public hearings that may be of interest to the Village Board.

CHAPTER 1 – Title and Purpose

General Comments:

This chapter contains the intent and purposes of the UDO and is important to justify and support the Village's development regulations if a particular development decision is challenged in court.

10-1-1 Title.

This section is self-explanatory and simply states the title of the Village's new UDO.

10-1-2 Authority and Purposes.

The statements in this section are the support and justification for the Village's UDO and development within the community. Subsections B-E incorporate language from Illinois court

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cases that have favorably reviewed and upheld municipal development and land use decisions. Subsection F includes language regarding administration and enforcement of the code.

10-1-3 Exemption.

This section provides an exemption from the otherwise applicable regulations for Village uses and facilities so long as those uses and facilities are primarily for a public purpose. There are a number of reasons for this exemption. First, it avoids a situation where the Village must review and consider approval of its own special use or variation application. Second, it recognizes that Village facilities (such as water towers, sewage plants, and other public facilities) have special characteristics that may not fit within current development regulations. Finally, the draft UDO eliminates the six Public Land districts in favor of having public facilities zoned in existing zoning districts. This section would then replace the exemptions currently contained in the multiple PL districts.

CHAPTER 2 – Zoning Districts and Official Zoning Map

General Comments:

This chapter establishes the various zoning districts, creates legal interpretation rules, authorizes the zoning map, and establishes a default zoning district upon annexation.

10-2-1 Establishment of Zoning Districts

Currently, the Village has 14 zoning districts, consisting of 1 agricultural district, 4 residential districts, 1 commercial district, 1 office/research district, 1 industrial district, and 6 public land districts. That is a lot of zoning districts for a small community. The Village would be better served by consolidating these into fewer districts, recognizing that future development will likely come in as a planned unit development that will approve deviations from the underlying zoning district regulations.

In furtherance of that recommendation, the draft UDO implements the following:

- Elimination of the Agriculture District. The agriculture district is eliminated and the use regulations incorporated in existing zoning districts. Current agriculture uses will be “grandfathered” as nonconformities. Specific regulations for agricultural uses are contained in the individual zoning district chapters.
- Retain Current Residential, Commercial Office/Research, and Industrial Districts: All four residential districts are retained for a number of reasons. First, the R-1 estate district will replace the agriculture district as the “default” district for new annexations. It is the most restrictive zoning district and provides the most control for the Village in considering new development. Second, the other three zoning districts allow for varied single family development (R-2 and R-3), as well as a multiple family zoning district.

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Finally, there are a number of subdivision developments already zoned in these zoning districts and changing these will create a variety of nonconformities that are unnecessary. The commercial, office, and industrial districts will also remain.

- Eliminate Public Land Districts. At some point, the Village decided to create 6 different public land districts rather than zone these parcels (Village properties, parks, etc) into a zoning district compatible with surrounding land. In reviewing this issue, however, we discovered that the Village's zoning map does not reflect the multiple public land districts or rezoning of all of these properties. To simplify the UDO, as well as the Village's zoning map, the public land districts have been eliminated. These parcels would be rezoned into zoning districts that are compatible with surrounding land uses rather than having pockets of PL lots scattered throughout the Village like "donut holes." The public uses would then be incorporated into existing zoning districts rather than having multiple public land districts.
- Create a New Old Town District. The draft UDO creates a new zoning district for the "Old Town" area. This new zoning district would recognize the unique mix of uses and development in this area and establish regulations that are consistent with the current development pattern, including appearance guidelines. This new zoning district has been relocated to Chapter 7.

10-2-2 Interpretation of District Sequence

This section includes certain legal policies for interpreting the zoning district regulations.

10-2-3 Zoning Map

This section establishes the zoning map and includes certain legal policies for interpreting the zoning map.

10-2-4 Annexation

- This section provides that new land annexed to the Village will automatically be zoned into the R-1 zoning district. Of course, most new parcels of land being annexed to the Village will have an annexation agreement that provides for specific rezoning – this provision is simply the safeguard in case of an annexation without an agreement or agreed-upon rezoning ordinance.

CHAPTER 3 – Residential Districts

10-3-1 Purposes

This section sets out the purpose of each of the four residential districts, the R-1, R-2, R-3, and R-4 zoning districts. As we noted previously, the A-1 agriculture district is eliminated, and these

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parcels and rezoned into other zoning districts. Existing agriculture uses will be “grandfathered” as nonconformities, as noted in this section.

10-3-2 Permitted Uses

The permitted uses in the residential districts were changed to reflect existing uses and to encourage the type of uses most appropriate in residential districts. A reference was added to the Village exemption and to existing agricultural uses on property that will be rezoned from the eliminated A-1 district to other zoning districts.

10-3-4 Special Uses

Similar to the permitted uses, special uses were established that are consistent with current uses and will encourage appropriate uses in the residential districts, subject to special procedures and approvals, including appropriate conditions on such uses. Schools, religious facilities, clubs, lodges, and the like were consolidated into “assembly uses”. This is consistent with recent court cases that require municipalities to treat religious and similar non-religious uses the same. The substantive regulations for assembly uses will be contained in 10-8-5 of the code. Note that new agricultural uses will require a special use permit so the Village can retain control over these uses in the future (existing agricultural uses are allowed to continue as-is under the Village’s nonconformity regulations).

10-3-4 Use Limitations

The limitations on one principal building and use per lot are standard residential regulations.

10-3-5 District Regulations

Instead of setting out each general regulation in each district chapter, we have cross-referenced the regulations here. This eliminates a lot of duplicate language for generally applicable regulations (accessory and temporary uses, parking, signage, etc.) and instead consolidates them into chapter 8 and 9 of the code.

10-3-6 Bulk, Space, and Yard Requirements (Chart and Notes)

All of the bulk, space, and yard requirements were placed into a chart for ease of reading and application. The chart contains the generally applicable lot area, width, coverage, height, and yard regulations for the residential districts. Note that there is a reference in this section to special standards that apply to subdivisions and developments that may be different than the otherwise applicable district requirements. Some of these are referenced in Section B (notes section), including regulations pertaining to Windmill Meadows and Dunhill. Others may be contained in planned unit development approvals or other approval agreements or covenants.

10-3-7 “ITO” India Trails Overlay Zoning District

A couple of years ago, the Village approved a new overlay district for the Indian Trails subdivision. Those regulations have been incorporated into this new section.

CHAPTER 4 – Commercial Districts

10-4-2 Permitted Uses

For the most part, the list of permitted uses reflects the current permitted uses in the Commercial District. We did shift medical laboratories to a special use rather than a permitted use. We also eliminated a residential “caretaker” use as outdated. Grocery and hardware stores, as well as bars and taverns were added as permitted uses.

10-4-3 Special Uses

As above, the list of special uses reflects the current special uses in the Commercial District, except we shifted restaurants and banquet halls to permitted uses from special uses, and added a reference to drive through facilities requiring a special use permit. We also added forest preserves as special uses.

10-4-4 Use Limitations

This section contains outdoor storage regulations relating to a variety of uses and provides for temporary outdoor seating for restaurants, bars and taverns pursuant to a special use permit.

10-4-5 District Regulations

Instead of setting out each general regulation in each district chapter, we have cross-referenced the regulations here. This eliminates a lot of duplicate language for generally applicable regulations (accessory and temporary uses, parking, signage, etc.) and instead consolidates them into chapter 8 and 9 of the code.

10-4-6 Bulk, Space, and Yard Requirements (Chart and Notes)

We consolidated all of the bulk, space, and yard requirements into a chart for ease of reading and application. The chart contains the generally applicable lot area, width, coverage, height, and yard regulations for the commercial district.

CHAPTER 5 – Office Districts

10-5-1 Purposes

Currently, the Village has 2 office districts, the O-1 and O-2 districts. However, the permitted and special uses are exactly the same in both districts. Also, there do not appear to be any properties zoned in the O-2 district. As a result, we consolidated the office district regulations into one O-1 district, but have retained the special setbacks to the Tollway and Route 72 that were established in the O-2 district.

10-5-2 Permitted Uses

The list of permitted uses reflects the current permitted uses in the Office District, except restaurants are now a permitted use.

10-5-4 Special Uses

As above, the list of special uses reflects the current special uses in the Office District, except we added a reference to drive through facilities requiring a special use permit. We also added forest preserves as special uses.

10-5-4 Use Limitations

This section contains outdoor storage regulations, among other regulations.

10-5-5 District Regulations

Instead of setting out each general regulation in each district chapter, we have cross-referenced the regulations here (and will do the same in the other district chapters). This eliminates a lot of duplicate language for generally applicable regulations (accessory and temporary uses, parking, signage, etc.) and instead consolidates them into chapter 8 and 9 of the code.

10-5-6 Bulk, Space, and Yard Requirements (Chart and Notes)

We consolidated all of the bulk, space, and yard requirements into a chart for ease of reading and application. The chart contains the generally applicable lot area, width, coverage, height, and yard regulations for the office district.

CHAPTER 6 – Industrial District

10-6-2 Permitted Uses

For the most part, the list of permitted uses reflects the current permitted uses in the Industrial District, except we eliminated day care centers and nursery schools as they seemed inappropriate in an industrial district and eliminated the residential “caretaker” use as outdated.

10-6-4 Special Uses

As above, the list of special uses reflects the current special uses in the Industrial District, except we added forest preserves as special uses, as well as drive-throughs, asphalt plants, vehicle sales, and taxicab offices and storage. In addition, amusement parks are allowed as a special use only if indoor.

10-6-4 Use Limitations

This section contains outdoor storage regulations among other regulations.

10-6-5 District Regulations

Instead of setting out each general regulation in each district chapter, we have cross-referenced the regulations here (and will do the same in the other district chapters). This eliminates a lot of duplicate language for generally applicable regulations (accessory and temporary uses, parking, signage, etc.) and instead consolidates them into chapter 8 and 9 of the code.

10-6-6 Bulk, Space, and Yard Requirements (Chart and Notes)

We consolidated all of the bulk, space, and yard requirements into a chart for ease of reading and application. The chart contains the generally applicable lot area, width, coverage, height, and yard regulations for the industrial district.

CHAPTER 7 - Old Town District

This is an entirely new chapter because previously, this area was zoned in a residential district, with residential zoning regulations. We propose creating this new zoning district that would allow the type of “mixed-uses” that currently exist and might be established in the future. It is similar to CBD (Central Business Districts) in other towns.

10-4-2 Permitted Uses

The proposed permitted uses would be a mix of residential and appropriate low-impact commercial uses.

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10-4-3 Special Uses

The proposed special uses would permit more intense commercial uses upon issuance of a special use to provide the Village with more control over these uses that might have more impact on neighboring residential uses.

10-4-4 Use Limitations

This section is a hybrid of the residential and commercial use restrictions, recognizing that this district is a mixed-use district. We have also included special regulations to acknowledge existing uses and structures.

10-4-5 District Regulations

Instead of setting out each general regulation in each district chapter, we have cross-referenced the regulations here (and will do the same in the other district chapters). This eliminates a lot of duplicate language for generally applicable regulations (accessory and temporary uses, parking, signage, etc.) and instead consolidates them into chapter 8 and 9 of the code.

10-4-6 Bulk, Space, and Yard Requirements (Chart and Notes)

We consolidated all of the bulk, space, and yard requirements into a chart for ease of reading and application. The chart contains the generally applicable lot area, width, coverage, height, and yard regulations for the OT districts.

CHAPTER 8 - General Use Regulations

10-8-1 Accessory Structures and Uses

Currently, the accessory structure and use regulations are contained in various provisions of the zoning regulations, including portions set out in the individual zoning districts, while other provisions are contained in other sections of the zoning regulations. This new section will consolidate all accessory structure and use regulations in one place in the UDO.

Subsection B contains a detailed definition of what type of uses or structures are accessory.

Subsection D includes those accessory uses and structures allowed in the various zoning districts. These lists include those uses and structures currently allowed.

Subsection E includes special regulations for certain accessory uses and structures, including pools, tennis courts, tents, outdoor storage, and others.

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10-8-2 Home Occupations

This section regulates home occupations, which are allowed as accessory to residential uses, so long as they don't exceed 25% of the total floor area on the lot. The substantive regulations include the following limitations:

- One employee that does not reside on the property may be present in the home at any one time in connection with the home occupation.
- No structural alterations are allowed.
- The home occupation must be conducted entirely inside except for outdoor play areas.
- Certain limitations are in place on equipments and signage.
- Certain home occupations are prohibited, including sale of firearms, weapons, alcohol, tobacco, and assembly uses.

10-8-3 Temporary Uses

Temporary uses require a permit with a few exceptions (garage sales and residential tents). The zoning administrator is responsible for processing and approving temporary uses.

Subsection D lists the permitted temporary uses by zoning districts. For certain uses, there are specific limitations or regulations that apply, including time limits for some (i.e., real estate offices/model units, block parties, carnivals and circuses, tree sales). Garage sales include limits on the time period (4 days) and the number of garage sales per year (4), although the Village-wide garage sale is an exception.

10-8-4 Adult Use Regulations

Except for renumbering sections to incorporate into the new UDO, these regulations remain unchanged from what the Village approved in 2008.

10-8-5 Assembly Uses

As noted previously, "assembly" uses have been consolidated into this section, which includes religious facilities, libraries, schools, and other similar uses. These will require a special use permit in the underlying zoning district, which allows the Village more control to address any impacts from these uses, such as parking, traffic, etc.

10-8-6 Agricultural Uses

As discussed previously, the new UDO eliminates the "Agricultural District" and instead incorporates agricultural uses within the various zoning districts as either (1) existing uses that will be allowed to continue as nonconforming uses or (2) new uses that require a special use permit. This section includes substantive regulations concerning these existing and new uses,

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including identifying the permitted uses (crops, breeding and keeping of livestock, etc) and special uses (commercial roadside farm stands). Certain agricultural uses are not permitted at all in the village, including intensive and industrial-type agricultural uses.

10-8-7 Antennas and Support Structures

The Village had updated its antenna regulations in 2008, and they remain unchanged. There have been some changes to the federal laws in the area of cellular facility regulations, but those relate to the timing of approval of these facilities, not the underlying substantive regulations.

10-8-8 Performance Standards

This section has been comprehensively rewritten from the current regulations. Much of the Village's current performance standards is out of date and has been superseded or preempted by state regulations enforced by the Illinois Pollution Control Board and/or the IEPA. Where applicable, we have simply referenced Illinois laws. In other areas, the regulations were simplified to give the Village more discretion over enforcement of these standards.

10-8-9 Bulk Requirements

This section re-enforces the owner's obligation to maintain required open spaces and setbacks, and also includes regulations as to how required yards are determined on special lots, such as corner lots and through lots. This section also includes common exceptions to the otherwise applicable bulk regulations, including height exceptions and permitted obstructions in required yards. These are consistent with current regulations.

CHAPTER 9 – Site Development Regulations

10-9-1 Parking and Loading

This section contains the parking and loading regulations that are currently contained in various provisions of the zoning regulations. This new section consolidates all parking and loading regulations in one place in the UDO.

Subsection A contains some general provisions about applying the parking and loading regulations to new uses, existing uses, and changes or expansions of existing uses. This section also provides that the regulations are minimum regulations and additional parking and loading in excess of the requirements is allowed.

Subsection B includes regulations specific to parking, including location, design, and required number of spaces. For example, all new parking lots must be paved and graded to ensure proper drainage. Currently, the zoning code parking regulations only apply to parking lots of 5 spaces or more – the plan commission recommended that this requirement apply to all parking except for single-family uses.

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Table 1 includes the minimum dimension requirements for parking spaces. The zoning code contains a graphic which will be included in an appendix.

For ease in administering the required space requirements, all of these requirements have been put into chart form in subsection 3. The requirements have not changed, although some uses have been consolidated where the number requirements are the same.

A new subsection 4 provides that when a structure is approved but the use is still unidentified, the maximum number of spaces that might conceivably be required will need to be provided.

Subsection 6 replaces the current “handicapped parking” requirements with a reference to state statute, since this requirement is subject to modification over time.

Subsection 8 is a new “land banking” requirement that would allow the village to approve a reduction in the required parking provided that a plan is submitted and a covenant signed to provide parking in the future should it be necessary.

Subsection C contains the loading regulations, including design, size, access, surface, and grading/drainage requirements. Subsection 5 contains current language that leaves the number of required loading spaces to the discretion of the Zoning Administrator. The Plan Commission may want to discuss whether it would be beneficial to provide specific standards.

10-9-2 Signs

Currently, the village’s sign regulations are contained in the village code, outside of the zoning code. In establishing the UDO, the intent is to compile all of the village’s “development” regulations into one code, including sign regulations.

Subsection C includes sign permit requirements.

Subsection D contains the variation regulations for signs. This procedure is different than other zoning variations in that the Village Board will hold the hearing and make the decision a sign variation.

Subsections E-M contain the substantive sign regulations. The sign regulations were recently amended to address certain statutory requirements for political signs, as well as to modify and amend various other sign regulations to better reflect current policies of the village. These recent changes are included in this section.

One new addition to the sign regulations is to address “LED signs” or digital signs. Under current regulations, these signs would be prohibited as moving/animated signs. A new provision was added to Section 10-9-2(L)(7) to allow these signs in non-residential zoning districts, subject to very specific standards and restrictions, including a special use permit.

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Subsection N adds a new paragraph 2 concerning sign packages. This new section would allow the village to approve a comprehensive sign package for a development or property that would supersede the code regulations for as long as the sign package approval is valid. This approval could be through an annexation agreement or PUD or other ordinance or agreement. This provides more flexibility to the village and a developer to have all signs approved in one package, which also assists in administration and enforcement.

10-9-3 Fences

This section contains the fence regulations that are currently contained in various provisions of the zoning regulations and in the village code. This new section will consolidate all of these various regulations in one place in the UDO. The Plan Commission recommended a couple of changes, including a removal of language requiring a specific distance from the property line and a sidewalk on corner lots.

10-9-4 Landscaping and Trees

This section contains the landscaping and tree preservation regulations that are currently contained in various provisions of the zoning regulations. This new section will consolidate all of these various regulations in one place in the UDO. Except for consolidating and reorganizing the regulations, the substantive requirements remain the same, except that instead of listing the preferred and prohibited plantings in the UDO, these lists will be available from Village staff allowing staff to update species, as needed.

10-9-5 Exterior Lighting

Currently, the Village does not have specific regulations for exterior lighting, except for a brief paragraph in each of the zoning district regulations that restricts the foot candle illumination adjacent to residential districts to 2 foot candles. This particular 2 foot candle regulation has been retained, but we have added a few additional regulations regarding glare, heat, hazardous lighting have been added. Also, a section giving discretion to the Zoning Administrator to require a lighting plan has been added to paragraph 7.

CHAPTER 10 - Nonconformities

The new Chapter 10 incorporates some of the current regulations, but expands these significantly to address all nonconformities, including structures, uses, and signs. The current abandonment provisions are retained, meaning that if someone abandons a nonconforming use for a period of six months or longer, that use can not be re-established unless it is conforming.

Generally, if a use is rendered “nonconforming” because of a change in the zoning, that use can continue as-is without having to conform with the new law. However, if someone proposes to structurally alter a nonconforming structure, enlarge a structure or use, or extend a use, then it

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must comply with the new zoning law. So, for example, if the new Zoning Code created a new nonconformity – i.e., a use that was previously allowed is now prohibited or requires a special use, the use would be rendered nonconforming. It would be allowed to continue in the same manner. However, if the owner wanted to extend the use, or expand the structure where the use was located, the owner would have to either (1) bring the use into conformity or (2) obtain zoning relief to make the use legal. There are certain exceptions that allow normal repair and maintenance, or rebuilding upon destruction not caused by the owner (i.e., fire).

There were also some changes made to eliminate amortization provisions that would require someone to remove a structure after a certain period of time. These types of amortization provisions have been struck down by many courts as an unconstitutional “taking” of someone’s property without compensation. Also, state law specifically authorizes an individual to continue a nonconforming use or use of a structure even after a zoning amendment so long as the use or structure is not expanded or substantively modified. The changes reflect these limitations.

CHAPTER 11 – Zoning Administration and Enforcement

General Comments:

Chapter 11 has been organized to be more “user-friendly” by consolidating all administrative, procedural, and enforcement regulations into one chapter rather than having them spread out over various sections in the code. The Chapter has been organized into four parts. Part One, titled “Administrative Bodies” contains specific regulations for each individual or body with responsibilities in zoning and development matters. Part Two, titled “General Process Requirements,” contains the procedural guidelines for applications, notices, and hearings/meetings. Part Three, titled “Forms of Relief,” contains the various forms of zoning and subdivision relief, specific procedures for each form, as well as applicable standards. Part Four, titled “Enforcement,” contains the enforcement and penalty regulations for the UDO.

The Village’s existing zoning and development regulations have very little in the way of administrative provisions relating to applications, fees, administration, and enforcement. Those that have been established are not consistent for each type of application or form of relief. The significant overhaul of the Village’s existing administrative procedures is intended to ensure that the development process is consistent with current law and sufficiently detailed so that applicants understand the Village’s expectations.

Part One: Administrative Officials and Bodies.

1. General Provisions.

This part identifies all of the various officials and bodies, including the zoning administrator, zoning board of appeals, and plan commission, and their respective duties and responsibilities. The language in Part One is consistent with state statute and case law concerning the jurisdiction and authority over various zoning, subdivision, and development matters.

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2. Combined Plan Commission/Zoning Board of Appeals.

This part includes the previously approved language pertaining to the consolidated ZBA and Plan Commission.

Part Two: General Process Requirements:

Part Two consists of three parts, Applications, Notices, and Public Hearings and Meetings.

1. Applications.

This section generally describes the application process. Instead of including the detailed requirements in the UDO, these detailed requirements will be administered and established by the Zoning Administrator, in coordination with the building department. Placing detailed application requirements in a policy rather than the zoning code will enable staff to update the requirements on a more frequent basis, without having to go through the notice and hearing requirements for each change.

All application fees refer to the Village's fee regulations in chapter 4 of title 2 of the code, including reimbursable costs and escrow requirements, similar to all other fees in the Village.

2. Notices.

The notice requirements have been updated to reflect recent changes in state law.

Personal notice (i.e., neighbor courtesy notices) and posted notice (on signs) are not legally required for any zoning or development matter outside of the City of Chicago. Therefore, it is entirely up to individual municipalities whether they require any notice beyond the statutorily required published notice. Currently, the Village requires personal notices for hearings on residential applications and posted (sign) notices for non-residential hearings. Staff's position is that these distinctions are not reasonable, and the Plan Commission should discuss an alternative approach to courtesy notices. In the draft UDO, these sections have been modified to require personal notice for all hearings to be mailed to owners within 250 feet of the subject property. Posted notice, on the other hand, would only be required if the Zoning Administrator requires the applicant to post such notice. In those cases, Staff would recommend a general sign that would refer people to the more detailed public notice on file with the Village.

3. Zoning Applications and Hearings:

This section consolidates the procedures for meetings and hearings on all forms of relief under the UDO. These regulations are being updated to reflect new statutory and case law requirements.

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Part Three: Forms of Relief

This part includes specific procedures and standards applicable to each individual form of relief under the UDO, including comprehensive plan, official map, amendments, variations, special use permits, planned unit developments, subdivisions, site plans, interpretations, and ZBA appeals. The individual sections for each form of relief are organized in a similar fashion for ease of interpretation and application. The regulations have also been updated to be consistent with state statutory and case law procedures and standards for each form of relief, including the time frame for making recommendations and decisions.

Part Four: Enforcement and Penalties

This part describes the various remedies available to the Village for enforcement of violations of the UDO. The various forms of remedies are fairly standard and consistent with state statute and case law.

CHAPTER 12 - Subdivision Regulations

General Organization

One of the most significant changes to the Chapter 12 is the removal of engineering specifications for subdivisions from the subdivision ordinance. Most communities use an administrative “manual” for these technical specifications such as street materials and width, curb and gutter details, and water and sewer specifications. These technical requirements are frequently modified as materials and other changes are made in the construction field. Consequently, there has been a move to place these more technical requirements in an administrative manual, rather than the Village Code. These specifications will be prepared by Village staff and consultants to ensure they meet current specifications and standards in the industry.

10-12-1 General Provision

This section contains the purpose and application for subdivision regulations and remains mostly unchanged from the existing subdivision regulations. Note that subdivision regulations apply both within the Village’s borders as well as 1 1/2 miles outside the borders, as authorized by Illinois law.

10-12-2 Administration

This section has been moved from the administrative provisions in Chapter 11 so that the subdivision regulations are self-contained within one chapter. Otherwise, the substantive regulations remain unchanged, except that hardship for subdivision variances has been defined to exclude financial difficulties and mere inconveniences.

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10-12-3 Required Improvements and Design Standards

This section contains the substantive regulations for subdivisions, including the required standards for subdivisions, requirements for lots and blocks, easements, and public improvements. The substantive regulations have not been significantly modified, although as noted above, the technical specifications have been removed for placement in the administrative manual.

10-12-4 Construction and Post Construction Requirements

This section has been rewritten to address current issues in development and subdivision improvements. For example, all required improvements must be completed within 2 years from final plat approval unless an extension has been granted. This will give the Village more control over completion of various improvements unless relief is specifically granted.

10-12-5 Performance Security

This section has also been updated to reflect current development issues and also to reflect changes to state law concerning the form and amount of required performance security for subdivision improvements. Language has been added to Subsection E to allow the village to require an increase in performance security if the posted security is insufficient to cover the costs of remaining public improvements – this has become a problem with various developments where security has been posted, but the costs of finishing the improvements has increased beyond the amount of the security, leaving the Village unprotected.

10-12-6 Inspection of Work

This section is standard and provides for Village inspection of public improvements as work is completed.

10-12-7 Dedication and Acceptance of Improvements

This section is intended to protect the Village in its acceptance of various improvements that will be dedicated to the Village, such as water and other utility facilities and roadways.

10-12-8 Guaranty Security

This reflects current law on guarantee of improvements that have been dedicated to the Village.

10-12-9 Miscellaneous Provisions

This section contains various provisions regarding issuance of building permits and occupancy permits for new subdivisions, as well as enforcement and recording requirements.

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10-12-10 Dedication of Land for Public Use; Cash Contribution In Lieu

This section contains the “impact fee” provisions of the subdivision code. Currently, the Village has implemented a number of impact fees that have questionable legality outside of the annexation agreement process. Under Illinois law, the Village has the authority to impose park and school impact fees in lieu of land dedications. However, the Village’s current subdivision regulations also impose library, fire, police, and administrative fees and dedication requirements on all subdivisions and planned developments. While the substantive provisions have been retained, I have clarified that these additional fees and/or dedications are assessed only as part of an annexation agreement, consistent with current authority for non-home rule municipalities. In practice, the Village has only imposed these additional fees (other than park and school) on annexation agreement developments, so the new language is consistent with both Illinois law and current Village practice. Note that there was also a change to the park dedication language to recognize that if the park district were created in the future, park fees may be required.

The charts for school and park impact fee calculations remain unchanged as it appears that they were created in the early 2000’s.

The “fair market value” of land was established in 2003, but it is not clear what that value is. That will need to be calculated and then put into the Village’s fee ordinance.

CHAPTER 13 – Applicability and Interpretation

This Chapter includes the definitions that have been consolidated from various ordinances and regulations. Section 10-13-2 through 10-13-4 also acknowledges that current projects are allowed to proceed under current laws, rather than the UDO.

January 8 2013

María & Jesús Alvarado
225 Powder Horn Ct.
Gilberts, IL 60136

Dear Board Members

The purpose of this communication is to make a special request in regards to the Unified Development Ordinance. As you may already know, we are the owners of the property with address of 158N288 Tyrell Rd. When we purchased this property, we came to the Village Hall to find out about its uses. The agricultural use was the main deciding factor of our purchase. Along with this Unified Development Ordinance the Agricultural Zoning is about to go away. We understand that when looking at the whole picture of governing Gilberts, you may find other greater benefits in general, to pass this ordinance. We are just hoping that you, as our representatives, can consider our opinion and our request to grant us the following petitions for our property.

1. We would like for our property to be zoned as R-2. Around our property we have both, R-1 & R-2 zoning.
2. We would like to have approved that use of having horses along with the existing Horse-barns.
3. We would like to be able to grow crops specially alfalfa for the horses.
4. We would like to be granted a permission to build some type of barn or garage for the storage of crops/alfalfa/agricultural equipment. We find it necessary in order to keep our property looking attractive, organized and clean for the future.

Please let us know if you would be able to grant our petition.

Sincerely,

Maria & Jesus Alvarado

RICHARD MYERS

February 5, 2013

The Honorable Rick Zirk
Village President
Village of Gilberts
87 Galligan Road
Gilberts, Illinois 60136

Dear Mr. Zirk,

It is my understanding that the board is considering changing some agricultural parcels within the village to residential.

It appears that I own one of those parcels in question, which was joined with the former "Lange" property. This parcel is south of Tyler creek and adjoins my property at 408 Hennessy Court.

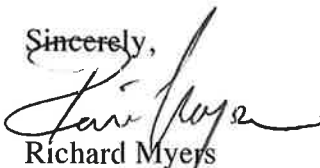
A brief history of the property should be noted. When I purchased the property it was in Kane County. After some questionable uses for the rest of the Lange property arose, I approved my parcel to be annexed into the Village. This therefore enabled the rest of the Lange property and the mosque property to follow suit.

My intention for this parcel was to have the possibility to stable several horses and to accompany it, a small stable/barn for their care. I had also considered some small plantings of either a vineyard or vegetable plot. As I approached my retirement my vision was to establish my driveway as a common element and then possibly construct another home on this parcel as there is sufficient land above the flood plain to enable this.

I am asking the board to consider these exemptions (grandfather) on this particular parcel and would appreciate a response on their review when it's completed.

Thank you in advance.

Sincerely,



Richard Myers

Cc: village board members
Robert Smith, esq.

Softener Waste Pretreatment Water System Improvements

Village Board Meeting
March 19, 2013

Baxter & Woodman, Inc.
Harry D. Harman, P.E.
Project Manager

1. Problem
 - a. Barium (Ba) & Radium (Ra) in well water
 - b. Water Reclamation Facility
 - i. Ba - Violate effluent limit
 - ii. Ra - Expensive biosolids disposal
2. Objective
 - a. Water Reclamation Facility
 - i. Ba – effluent limit compliance
 - ii. Ra – lower biosolids disposal cost

3. Expected Results at WRF

	<u>Limits</u>	<u>Current</u>	<u>After Pretreatment</u>	
Ba	2.0	3.5	0.5	mg/l in WRF effluent
Ra	100	96	10	pCi/g in WRF biosolids

4. Schematic Diagrams (Attached)

5. Cost

Construction	\$469,500
Engineering - Construction	<u>\$ 42,100</u>
Total Construction Project	\$511,600
Engineering – Design	<u>\$ 58,900</u>
Total	\$570,500

6. Schedule (Depends on IEPA Permit & Loan)

a. Advertise	4/15/13
b. Open Bids	6/5
c. COTW	6/11
d. Village Board	6/18
e. Loan Offer from IEPA	8/1
f. Notice of Award	8/2
g. Notice to Proceed	9/1
h. Construction Complete	1/15/14

