

# Village of Gilberts

Village Hall  
87 Galligan Road, Gilberts, IL 60136  
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www.villageofgilberts.com

## Village Administrator Memorandum 42-12

**TO:** President Rick Zirk  
Board of Trustees

**FROM:** Ray Keller, Village Administrator *RK*

**DATE:** August 17, 2012

**RE:** Village Board Meeting – August 21, 2012

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The following summary discusses the agenda items for the regular Village Board meeting scheduled for August 21, 2012:

**1. CALL TO ORDER**

**2. ROLL CALL / ESTABLISH QUORUM**

**3. PUBLIC COMMENT**

**4. CONSENT AGENDA**

**A. Motion to approve Minutes from the August 7, 2012 Village Board Meeting**

Staff recommend approval of the minutes from the August 7 Board meeting, which are provided for the Board's review. Please contact Staff prior to the meeting if there are any changes or corrections.

**B. Motion to approve Minutes from the August 14, 2012 Special Village Board Meeting**

Staff recommend approval of the minutes from the August 14 Board meeting, which are provided for the Board's review. Please contact Staff prior to the meeting if there are any changes or corrections.

**C. Motion to approve Bills and Salaries dated August 21, 2012**

Please refer to the enclosed spreadsheet, which lists the bills to be approved. If you need additional information about any of these bills, please contact me or Finance Director Marlene Blocker prior to the meeting. Staff recommend approval.

**D. Motion to approve Resolution 22-2012, a Resolution authorizing the execution of an agreement with Peckham Guyton Albers & Viets, Inc. (PGAV) to establish a new Tax Increment Finance Redevelopment District**

Staff recommend approval of this resolution authorizing an agreement with PGAV to help establish a new Tax Increment Financing (TIF) district in Gilberts. The TIF district has been proposed as a mechanism for financing infrastructure improvements needed to implement Interstate Partners' plan for completing the Riemer Centre development. PGAV, which helped the Village to set up the TIF district for the adjacent industrial park in 2008, would complete the report that documents the Village's qualifications and satisfies the "but for" clause that is the foundation of a TIF district. The consultant will also verify which improvements are eligible for TIF reimbursement and facilitate the completion of the TIF setup process.

As with all TIF districts, the setup process will require public hearings and consultation with all of the affected taxing bodies. PGAV proposes to complete the process for \$19,000, which would be paid for by the developer through his escrow account. This item was discussed and added to the consent agenda at the August 14 Board meeting. Please contact me if supplemental information will be needed at the meeting.

**5. ITEMS FOR APPROVAL**

There are no new items submitted for Board approval, except any items that may be removed from the Consent Agenda.

**6. ITEMS FOR DISCUSSION**

There are no new items scheduled for discussion at this meeting. Please contact me or President Zirk prior to the meeting to add a discussion topic to this agenda or an upcoming meeting.

**7. STAFF REPORTS**

Staff will provide updates on current activities at the meeting.

**8. BOARD OF TRUSTEES REPORTS**

**9. PRESIDENT'S REPORT**

**10. EXECUTIVE SESSION**

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

**11. ADJOURNMENT**

**Village Board of Trustees  
Meeting Agenda  
Village of Gilberts  
87 GALLIGAN ROAD,  
GILBERTS, ILLINOIS 60136  
August 21, 2012  
7:00 P.M.**

**A G E N D A**

**ORDER OF BUSINESS**

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

**2. ROLL CALL/ESTABLISH QUORUM**

**3. PUBLIC COMMENT**

**4. CONSENT AGENDA**

- A. A Motion to approve Minutes from the August 7, 2012 Village Board Meeting
- B. A Motion to approve Minutes from the August 14, 2012 Special Meeting of the Village Board of Trustees Meeting
- C. A Motion to approve Bills and Salaries dated August 21, 2012
- D. A Motion to approve Resolution 22-2012, a Resolution authorizing the execution of an agreement with Peckham Guyton Albers & Viets, Inc. (PGAV) to establish a new Tax Increment Finance Redevelopment District

**5. ITEMS FOR APPROVAL**

**6. ITEMS FOR DISCUSSION**

**7. STAFF REPORTS**

**8. BOARD OF TRUSTEES REPORTS**

**9. PRESIDENT'S REPORT**

**10. 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 102/2 ( 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.

**11. ADJOURNMENT**

## AUDIENCE PARTICIPATION

Anyone indicating a desire to speak during Public Comments will be acknowledged by the Village President. Please state your name, address and topic when called upon to speak. All remarks are to be addressed to the Village President and Board of Trustees as a whole, not to any specific person(s). Interrogation of the Village Staff, Village President, Village Board or any of their comments will not be allowed at this time. Personal invectives against Village Staff or Elected Officials are not permitted.

To ensure that everyone who wishes to speak has the opportunity to do so, please limit your comments to five minutes. Additional time may be granted at the discretion of the Village President.

If you have written comments, please provide a copy to the Village President. If there are a number of individuals present to speak on the same topic, please designate a spokesperson that can summarize the issue.

During Public Comments, the Village President, Trustees and Staff will listen to comments and will not engage in discussion. The Village President or Trustees may ask questions to better understand your concern, suggestion or request. Please direct any personnel concerns to the Village Administrator before or after the meeting.

"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 874/428-2861." *Assistive services will be provided upon request.*

**Village of Gilberts  
87 Galligan Road  
Gilberts IL 60136  
Village Board  
Meeting Minutes  
August 7, 2012**

**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, Clark, Farrell, Hacker and President Zirk. 2-absent: Trustees Mierisch and Zambetti. Others present: Administrator Keller, Chief of Police Williams, Finance Director Blocker, Assistant to the Village Administrator Beith and Village Clerk Meadows. For members of the audience please see the attached list.

Trustee Zambetti arrived at 7:02 p.m.

**Recognition**

**Award for Outstanding Achievement in Popular Annual Financial Reporting**

President Zirk commended Finance Director Blocker on her outstanding achievement on obtaining the award in Popular Annual Financial Reporting. President Zirk reported that what was even more extraordinary is the fact that Finance Director Blocker on behalf of the Village had recently been awarded the Certificate of Achievement for Excellence in Comprehensive Annual Financial Reporting. President Zirk thought it was a great achievement to receive both awards in the same year. These accomplishments affirm the Village's financial standing, credibility and transparency.

**Public Comment**

President Zirk asked if anyone in the audience wished to address the Board. There were no comments from the audience.

**Consent Agenda**

- A. A Motion to approve Minutes from the July 17, 2012 Village Board Meeting**
- B. A Motion to approve Bills and Salaries dated August 7, 2012 as follows: General Fund \$178,069.35, Developer Donations \$1,500.00. Permit Pass Thrus \$1,500.00, Performance Bonds and Escrows \$1,437.62, Water Fund \$42,029.93 and Payroll \$53,088.27.**
- C. A Motion to approve the Treasurer's Report for July 2012**

- D. A Motion to approve Ordinance 15-2012, an Ordinance Terminating SSA 2
- E. A Motion to approve Ordinance 16-2012, an Ordinance Terminating SSA 3
- F. A Motion to approve Ordinance 17-2012, an Ordinance Terminating SSA 4
- G. A Motion to approve Ordinance 18-2012, an Ordinance Terminating SSA 5
- H. A Motion to approve Ordinance 19-2012, an Ordinance Terminating SSA 6
- I. A Motion to approve Ordinance 20-2012, an Ordinance Terminating SSA 7
- J. A Motion to approve Ordinance 21-2012, an Ordinance Terminating SSA 8

A motion was made by Trustee Clark and seconded by Trustee Farrell to approve the consent agenda items A-J as presented. Roll call: Vote: 5-ayes: Trustees Corbett, Clark, Zambetti, Farrell, Hacker. 0-nays, 0-abstained. Motion carried.

#### Items for Discussion

##### Cops Grant

Administrator Keller reported that the Village recently was notified that it was selected as a recipient of the Federal COPS Hiring Program. The grant program provided federal funding for up to 75% of eligible costs associated with hiring a new full time police officer.

Administrator Keller went on to report that the grant covers up to 75% of the personnel costs associated with adding an entry-level police officer, up to a maximum federal funding of \$125,000 over the three-year period. The grant requires that the recipient fund the position at 100% local cost for at least one additional year after the life of the grant. The grant expressly prohibits using the federal funds to supplant the recipient's budget or replace an existing or future vacancy.

Administrator Keller informed the Board that staff has analyzed the potential impacts accepting the grant would have on the general fund. Though the grant is intended to provide for three years of funding, the Village would exhaust the federal funds early in FY 2015 due to the \$125,000 cap on the grant. As a result, the Village would experience a \$69,597 increase in the police personnel costs in FY 2015.

Chief Williams commented on the benefits if the Board was to accept the grant. The additional officer would facilitate the department's capability to advance the community policing goals that have been previously discussed by the Board.

Chief Williams reported that he does have a current part time officer that qualifies as an eligible candidate. There was some discussion with respect to the candidate's qualifications.

President Zirk discussed the Police Union contract. He noted that per the union contract the addition of a full time officer is a long term commitment. If in the future budgetary constraints were to arise the Village per the union contract would first have to eliminate all part time officers prior to reducing any full time positions.

Trustee Corbett inquired what the current candidate's salary was and the number of hours he works. Chief Williams replied the current rate of pay is \$15.21 an hour and on average he works 3-4 days a month.

Trustee Farrell asked if in the past the Village had been awarded the grant. Staff replied, yes they believe twice in the 1990's. Trustee Farrell asked Chief Williams if the Board passed on the grant would the Village ever be awarded the grant again. Chief Williams replied he could not say for sure but his gut feeling is this probably is the Village's only opportunity. Trustee Farrell asked what was the deadline date that Chief Williams would need a decision by. Chief Williams stated he would need to respond by September.

Trustee Hacker asked if the Board increased the police department's budget to include funds to hire additional part time officers would that provide adequate staffing to allow for additional community policing programs. Chief Williams replied yes. Trustee Hacker suggested that during next year's budget cycle the Board may want to consider additional funding for part time officers.

Trustee Hacker commented on the fact that economic forecasters are predicting a second recession due to the financial conditions in Europe. He is not in favor of taking a budgetary risk at this time.

A lengthy discussion ensued on the conditions and stipulations of the grant funding proceeds.

Trustee Zambetti was pleased in the fact that the Village had been awarded the grant. However, he was also concerned with the future budgetary risk. In his opinion it was best to pass on the grant this year. Chief Williams agreed with Trustee Zambetti. Chief Williams stated that if the Village was growing and he could demonstrate that the department's workload had increase by 60% he would be lobbying very hard for the Board to accept the grant. However that is not the current case.

Trustee Clark also believed the grant was a great staffing opportunity if the community had continued to grow and develop. However, at this time in his opinion the budget doesn't support the hiring of an additional officer and the union contract stipulations makes hiring additional officers more costly. He reported that it was easier in the 1990's when the Village was rapidly growing to justify an additional officer.

President Zirk expressed concerns with committing future Boards to long term expenditure they may or may not be able to afford. In addition, President Zirk did review the budget and noted that Chief Williams has not expressed a need for hiring any additional officers.

President Zirk stated that staff is looking for clear direction on this issue. If the majority of the Board is not interested in accepting the grant they should inform the staff at this time.

Trustee Hacker expressed no interest in accepting the grant.

Trustee Farrell stated as a rule she always supports the police department. However, she is concerned with the financial risk and recommends passing on the grant this time.

Trustees Zambetti and Clark concurred with Trustees Hacker and Farrell.

Trustee Corbett stated that at this time he is leaning towards passing on the grant.

Trustee Hacker suggested Chief Williams conduct a part time officer needs study. Outlining the benefits the additional officers would have on providing community policing programs.

Chief Williams stated that he is comfortable with the Board's decision not to accept the grant. He expressed concern with the scenario two years from now if there were insufficient funds to accommodate the additional officer that the Board would ask him to reduce his budget by \$21,000. Chief Williams commented that it would be a difficult task to cut the Police Department budget anymore than it had already been cut.

#### **Road Program Updates**

Administrator Keller reported that the subcontractor is working on the drainage improvements along Kathleen, Welch, Red Hawk and Sleeping Bear. The re-grading work will begin the week of August 6<sup>th</sup> and is expected to take about three weeks to complete.

The engineers anticipate that the landscaping subcontractor would begin laying seed and sod the week of August 27<sup>th</sup>, though this may be delayed on a week-to-week basis if the excessive heat and/or drought conditions persist. All restoration and punch list cleanup work will be completed within the approved contract closeout date of November 1<sup>st</sup>.

Trustee Hacker requested an electronic copy of the revised Baxter & Woodman worksheet.

#### **Staff Reports**

Administrator Keller reported that next week there will be a Special Meeting of the Village Board of Trustees to consider the Parks Program Referendum. If the Board approves the "Public Question" the resolution will need to be passed prior to August 20<sup>th</sup>.

Administrator Keller reported at the regularly scheduled Committee of the Whole meeting he has invited the potential developers of the Riemer Development to provide the Board with an overview of their proposed project. Their plans offer both industrial and commercial users.

Administrator Keller stated the developer would like to discuss the possibility of development incentives. The Board was open to entertaining the idea of some type of incentives. A lengthy discussion ensued with respect to potential job creation and commercial development.

Trustee Clark questioned if the older portion of the Riemer Development infrastructure would be brought up to today's design standards. Administrator Keller replied yes. The developers are currently addressing those issues.

Finance Director Blocker reported past due water bills had been mailed. Trustee Hacker inquired if there were any residents that had received a \$2,000 water bill. Finance Director Blocker replied that one resident did receive a \$1,500 water bill due to the fact they had been watering their new sod. The resident has been placed on a payment plan.

President Zirk commented on the existing policy that requires builders to lay the sod or pay a \$500.00 (non-refundable) temporary permit fee. When the sod is laid in excessive heat or extreme drought conditions it forces residents to continuously water their lawns. In return they receive a very high water bill. President Zirk thought maybe a better approach is to not allow builders to lay the sod in these types of weather conditions. The Board Members concurred with President Zirk's proposed policy change. Administrator Keller will inform staff of the new policy restricting sod installation.

**President's Report**

President Zirk discussed a recent resident's complaint regarding a company vehicle being parked overnight on Evergreen Circle. He stated historically the Board's policy has been to allow company vehicles to be parked overnight where no signs are posted. President Zirk wanted to know if any Board Member wished to change their stand on the current position. All Board Members were in favor of the current policy.

President Zirk commented on Administrator Keller's recent email with respect to the soccer facility petitioning Kane County. President Zirk directed staff to provide Kane County with the Village's concerns and objections to the petition. Administrator Keller intends to do so.

**Adjournment**

There being no further business to discuss, a motion was made by Trustee Clark and seconded by Trustee Zambetti to adjourn from the public meeting at 8:03 p.m. Roll call: Vote: 5-ayes by unanimous voice vote.

Respectfully submitted,

Debra Meadows

## Village of Gilberts

**87 Galligan Road**

## Gilberts, Illinois

## Board of Trustees

## Meeting Sign-in-Sheet

**August 7, 2012**

Name

## Address

**Telephone #**

Jeanne Allen      499 Kathleen St.      847-836-0828

KEN POTEMPA 492 KATHLEEN ST 847-426-6762

**Special Meeting  
Village Board of Trustees  
Village of Gilberts  
87 Galligan Road  
Gilberts Illinois  
August 14, 2012  
Meeting 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, Attorney Tappendorf, Finance Director Blocker and Village Clerk Meadows.

**Public Comment**

President Zirk asked if anyone in the audience wished to address the Board. There were no comments from the audience.

**Consent Agenda**

There were no items listed under the Consent Agenda title.

**Items for Approval**

**A Motion to approve Ordinance 22-2012, an Ordinance amending the Village of Gilberts Special Service Area Number Fifteen Tax Roll and Report.**

Administrator Keller discussed Ordinance 22-2012. He reported that approval of this ordinance would amend the tax roll and accompanying report for Special Service Area Number Fifteen to reflect the replatting of lots in Gilbert Town Center Development. In 2010, the Town Center Development was amended to eliminate seven single-family lots along Town Center Boulevard to expand and relocate the access to the adjacent commercial lot. In 2011, the Village approved an amended final plat that re-subdivided 64 duplex lots into 60 single –family lots. As a result, the SSA 15 tax roll needs to be adjusted to reflect the reduced number of lots and the special taxes to be collected from the remaining lots. This amendment would have no effect on the current residents' taxes.

**A motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve Ordinance 22-2012, an Ordinance amending the Village of Gilberts Special Service Area Number Fifteen Tax Roll and Report.** Roll call: Vote: 5-ayes: Trustees Corbett, Mierisch, Zambetti, Farrell and Hacker. 0-nays, 0-abstained. Motion carried.

**A Motion to approve Ordinance 23-2012, an Ordinance providing for and requiring the submission of the proposition of levying a new tax for recreational system purposes in the Village of Gilberts, Kane County, Illinois to the voters of said Village at the general election to be held on the 6<sup>th</sup> day of November, 2012.**

Administrator Keller discussed the proposed ordinance. He reported that due to the fact the Village is a non-home-rule municipality subject to the PTELL property tax cap, any new or increased property tax needs to be approved by referendum before being levied. The provided ordinance would establish the question to be posed to the voters. The question neither authorizes nor establishes a position on a new tax levy.

Administrator Keller went on to discuss Illinois' State Statute 65 ILCS 5/11-95 ("Division 95"). Division 95 limits the amount in which a municipality may levy for parks and recreation purposes. The maximum tax rate is \$0.20 per \$100 equalized assessed value (EAV), which is roughly one-third of a property's fair market value.

Administrator Keller discussed the draft budget and the proposed Town Center's park build-out. The draft budget would support 1 Full Time manager, 1 Full-Time employee and 2 seasonal employees, operating cost and the rehabbing of Memorial and Waitcus Parks. In addition, the proposed budget funds the build-out of Town Center Park. The draft plan for Town Center Park includes a pavilion with restrooms, a splash park, adult size football field, a youth soccer field, a middle school soccer field and a larger ball diamond field to accommodate older program participants.

Trustee Hacker questioned how the Village intended to handle the 123 Gilberts' residential homes that currently are located within the boundaries of the Dundee Township Park District. Attorney Tappendorf suggested that the Board could implement a policy that allowed the Village to rebate the municipal park levy to the residents that are located in the Dundee Township Park District. The residents would need to contact the Village if they desire to opt out of the Villages parks program. The Board Members agreed on the implementation of the policy.

Trustee Mierisch was comfortable with placing the question on the general election ballot if staff intended to provide the residents with concise information with respect to the formula used to calculate the parks levy. Administrator Keller reported that staff would hold a series of open houses to provide the residents with information and answer any questions they may have.

President Zirk agreed the Village should hold a series of informative workshops.

Trustee Mierisch inquired about the cost associated with the referendum. Administrator Keller replied that the cost is minimal. He estimates around \$1,500.00 to print an insert for the newsletter similar to the one he drafted in the past.

Trustee Corbett asked for clarification on the opt-out policy. He questioned if the residents located within the double parks taxing district opted out of the Village's program would they then pay out of district fees. Administrator Keller replied yes. If they wanted to participate in any of the Village programs and had chosen to opt out of the park district they then would pay a higher fee to participate in any programs.

Trustee Corbett inquired if the Village would be providing the programs. Administrator Keller replied no. The Village would still need other organizations to provide the programming. He stated that the tax levy revenue would only support enhancing and maintaining the facilities.

There being no further discussion, **a motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve Ordinance 23-2012, an Ordinance providing for and requiring the submission of the proposition of levying a new tax for recreation system purposes in the Village of Gilberts, Kane County, Illinois to the voters of said Village at the general election to be held on the 6<sup>th</sup> day of November, 2012.** Roll call: Vote: 5-ayes: Trustees Mierisch, Zambetti, Farrell, Hacker and Corbett. 0-nays, 0-abstained. Motion carried.

#### **Items for Discussion**

##### **Worksession on Gilberts Corporate Park Development**

Mr. Mark Ebacher of Interstate Partners provided the Board Members with a brief history of his company and noted the names of some of his corporate developments located in Elgin.

Mr. Ebacher proceeded to discuss the concept plan for the development of the property located at the southwest corner of Higgins and Tyrrell Roads. Mr. Ebacher proposed to re-subdivide the property to accommodate up to five large multi-tenant industrial buildings similar to what they constructed at the Northwest Business Park in Elgin, east of the Indian Trails neighborhood. In addition, the concept plan has slated retail space along Route 72 which will include a water feature. Mr. Ebacher continued to discuss the plan's connectivity features which include a walking path.

Mr. Ebacher reported that there is a challenging parcel located along Tyrrell Road. He anticipates this parcel being developed last. He envisions the parcel as future office space being home to tenants such as a law office or a hair salon.

Trustee Zambetti inquired about the height of the buildings. Mr. Ebacher reported that the building outside height would be 39'.

A lengthy discussion ensued with respects to buildings and ground maintenance. Mr. Ebacher stated that his developments are governed by strict CCR's and his company provides the maintenance services.

There was some discussion on the appearance of the site during the various construction phases. Mr. Ebacher reported that during each phase of the project parcels not under construction would be planted with various types of vegetation (soy beans, wheat) which provides for an aesthetically pleasing appearance.

There was some discussion with economic incentives to support the development in the form of a new Tax Increment Financing district (TIF) to reimburse eligible infrastructure costs like roads, water mains, and stormwater management improvements.

Trustee Mierisch commented that she likes everything she heard. However, she is wondering once the development is built would there be a lot of empty units. Mr. Ebacher did not anticipate having empty units. His other developments on average maintain at 97% occupancy rate. Mr. Ebacher stated that he would not construct a development unless he was confident the development would be successful and thrive.

The Board Members discussed the possibility of a tax sharing agreement. President Zirk stated that he was comfortable with a tax sharing agreement on the industrial units if the industrial users were sales tax generators. However, he was not in favor of any tax sharing agreement for the retail units. Mr. Ebacher was in agreement with President Zirk's position.

President Zirk questioned if Mr. Ebacher would be submitting design standards. Mr. Ebacher replied yes. The standards will be provided with the preliminary plans.

There was some discussion about the current zoning of the Zwick property. Mr. Ebacher believed the more suitable use of that property would be Industrial. He does not foresee any retail development on that location due to the fact the site is isolated.

Board of Trustees  
Special Meeting Minutes  
August 14, 2012  
Page 5

Administrator Keller stated that if the Board Members are in favor of the project moving forward he will schedule the Plan Commission Public Hearing for September 12<sup>th</sup>. The Board Members concurred that they were in favor of the project continuing on with the submittal process.

**PGAV Agreement for establishing an industrial park conservation area TIF district**

Administrator Keller discussed the creation of the industrial park TIF district. The creation of the TIF District would assist Mr. Ebacher in covering some of the cost incurred with completing infrastructure improvements.

Administrator Keller reported that staff requested a scope of services from PGAV the consultant that assisted the Village in creating a TIF in the past. PGAV has advised the Village would be eligible to set up an industrial park conservation area TIF, which is premised on job creation rather than on removing "blighted" conditions as in other TIF Districts. If the Board is in favor of creating a TIF District staff along with PGAV will continue on with the process which includes conducting public hearings and consultation with all the affected taxing bodies. The Board was in favor of creating the TIF District. The resolution will be placed on the next Board agenda.

**Adjournment**

There being no further business to discuss, a motion was made by Trustee Zambetti and seconded by Trustee Corbett to adjourn from the public meeting at 8:44 p.m. Roll call: Vote: 5-ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows

## Village of Gilberts

## Gilberts, Illinois

## Sign-in-Sheet

**August 14, 2012**

**Telephone #**

Bud Neunberg	2425 Royal Blvd Edgmont 60123	847-695-2000
MARK BACHMAN	1860 Central Drive 60124	847-426-5303
Kristian Zychall	21 JMB 60130	847 488 0585
George Karagi	94 Fairwood St.	817 514-5475
Bob Gudmundson	975 E. 22 <sup>nd</sup> St Suite 400 Wheaton	630-774-9501



## BILLS AND SALARIES

FINAL 08/21/12

8/21/2012 2:20 PM

	VENDOR	TOTAL	GENERAL FUND	DEVELOPER DONATIONS	PERMIT PASS THRUS	PERFORMANCE BONDS AND ESCROWS	WATER FUND	PAYROLL
MANALY01	MCHENRY ANALYTICAL WATER	2,165.50					2,165.50	
MEN002	MENARDS - CARPENTERSVILLE	187.46	129.43				58.03	
MORTSALT	MORTON SALT, INC	2,697.38					2,697.38	
NAPA01	DUNDEE NAPA AUTO PARTS	163.14	163.14					
NIG001	NICOR	231.36					231.36	
PIEMONTE	AL PIEMONTE CHEVROLET	147.13	147.13					
SIMPSON	M. E. SIMPSON CO	376.00					376.00	
SUBLAB01	SUBURBAN LABORATORIES	380.00					380.00	
THIRD01	THIRD MILLENNIUM ASSOCIATES	89.35					89.35	
ULTRA01	ULTRA STROBE COMMUNICATIONS	50.00	50.00					
USABLUE	USA BLUEBOOK	514.77					514.77	
VIKING01	VIKING CHEMICAL CO	1,010.25					1,010.25	

Village of Gilberts	Check Warrant Report	
	Payroll Checks From 07/29/12 - 08/11/2012	
	Employee Name:	Net Pay
Blocker, Marlene	1,659.31	
Meadows, Debra	1,497.01	
Sorenson, Shirley	1,176.92	
Danca, Karen	352.80	
Beith, William	427.83	
Keller, Raymond B.	2,420.71	
Joswick, Michael	2,058.39	
Rood, Jackie E. Jr	1,951.95	
Block, Todd J	1,987.69	
Pulgar, Hector L	1,670.63	
Oberth, Michael	1,248.97	
Mueller, Steve	150.89	
Maculitis, Jerome	417.04	
Izydorski, Michael	623.73	
Hill, Jeff R	1,222.40	
Levand, James A	1,049.43	
Williams, Steven	2,509.45	
Meador, Eric E.	1,515.87	
Hernandez, Jason	195.69	
Steiner, George	300.28	
Schuring, Larry	791.92	
Klaras, Jason	1,169.35	
Bethke, Daniel	430.50	
Sheppard, Paul	1,234.34	
Foley, Aaron	1,353.40	
Stokes, Janet	970.54	
Swedberg, John L	2,104.65	
Castillo, John	1,769.50	
Varas, Randy	1,367.08	
Siegbahn, Lisa	683.24	
Davidowski, Susan	22.34	
Hagan, Douglas	23.59	
Borgardt, Robert	22.34	
Del Vecchio, Valerie	23.59	
McHone, Kevin	22.34	
Mills, Randall	23.59	
Zoerhof, Kristian	23.59	
Sullivan, Matthew	22.34	
Payroll Liabilities:		
Federal Tax Deposits	12,326.24	
Gilberts Police Benevolent	70.00	
Illinois Department of Revenue	2,391.40	
State Disbursement Unit-Cook	186.57	
KCC State Disbursement Unit	116.01	
State Disbursement Unit	323.00	
ICMA-RC	337.47	
MAP	186.00	
Central United Life Insurance	108.28	
Total All Checks		52,540.20

VILLAGE OF GILBERTS

RESOLUTION

**A Resolution authorizing the execution of an agreement with  
Peckham Guyton Albers & Viets, Inc. (PGAV) to establish  
a new Tax Increment Finance Redevelopment District**

NOW THEREFORE, BE IT RESOLVED by the President and Board of Trustees  
of the Village of Gilberts, Kane County, Illinois that:

**Section 1:**

The Agreement by and between the Village of Gilberts and PGAV attached hereto  
as Exhibit A shall be and is hereby authorized and approved, and the President and  
Village Clerk are hereby authorized to execute said Agreement.

**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 \_\_\_\_\_, 2012 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 Lou Hacker	_____	_____	_____	_____
Trustee Patricia Mierisch	_____	_____	_____	_____
Trustee Guy Zambetti	_____	_____	_____	_____
President Rick Zirk	_____	_____	_____	_____

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012

\_\_\_\_\_  
Village President Rick Zirk

(SEAL)

ATTEST:

\_\_\_\_\_  
Village Clerk Debra Meadows

Published: \_\_\_\_\_

# Exhibit "A"

**AGREEMENT FOR PROFESSIONAL SERVICES  
BETWEEN  
VILLAGE OF GILBERTS, ILLINOIS  
AND  
PECKHAM GUYTON ALBERS & VIETS, INC.**

(Higgins Road Industrial Park Conservation Area TIF)

THIS AGREEMENT is entered into on the date and by execution shown hereafter, by and between the Village of Gilberts, Illinois (hereinafter referred to as the "Village") and Peckham Guyton Albers & Viets, Inc., (hereinafter referred to as "PGAV").

**WITNESSETH:**

**Whereas**, the Village has been confronted with a private development opportunity that, if it occurs, would have a significant positive impact on employment opportunities for the Village and the surrounding area; and

**Whereas**, the Village has expressed that it has reason to believe that the development project will not occur due to extraordinary expenses for property assembly, infrastructure support, and financial incentives which will necessarily be incurred in order for the project to move forward; and

**Whereas**, the Village desires to explore the feasibility of establishing a tax increment finance redevelopment project area under the provisions of an "industrial park conservation area" as defined in the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 et seq (the "TIF Act") and to prepare a redevelopment plan for this area; and

**Whereas**, the general area to be considered for the proposed Higgins Road Industrial Park Conservation Area TIF ("Higgins Road IPC TIF") is delineated on the attached Exhibit A; and

**Whereas**, the Village seeks the services of a TIF consultant to assist the Village in determining eligibility, preparing a TIF redevelopment plan, the establishment of a TIF redevelopment project area pursuant to the requirements of the TIF Act, and

**Whereas**, PGAV is duly experienced in providing said services.

**Now, Therefore**, the parties hereto do mutually agree as follows:

**I. SCOPE OF SERVICES**

PGAV will provide the services as outlined below.

**A. Inducement Resolution**

PGAV will prepare, for use by the Village, a draft of a resolution indicating the Village's intent to establish an IPC TIF redevelopment project area and to induce private investment in said area.

## B. Eligibility Analysis and Boundary Determination

The eligibility of the expanded IPC TIF area will be dependent on meeting the definition of an “**industrial park conservation area**” as defined in the TIF Act. Key components of the industrial park conservation area definition will be addressed including:

1. PGAV will examine the most recent monthly unemployment rates for Kane County and the United States to determine if Gilberts would qualify as a “**labor surplus municipality**”. A municipality has up to six months to establish a TIF redevelopment project area under the industrial park conservation area criteria when the labor surplus municipality status has been obtained.
2. PGAV will work with the Village in determining what properties would be suitable for inclusion in the industrial park conservation area. Suitable properties will need to be in the Village corporate limits (or an annexation agreement in place), include **vacant land suitable for industrial development**, and be **zoned industrial** no later than the adoption of ordinances designating the industrial park conservation area. Furthermore, the boundaries of the industrial park conservation area will need to be **contiguous to an existing “blighted area” or “conservation area”** (in this case contiguous to the City’s Central TIF Redevelopment Project Area).

## C. Redevelopment Plan

PGAV will prepare a Redevelopment Plan for the Higgins Road IPC TIF (the “Plan”). This Plan will include as provided for in the TIF Act:

1. Findings that the Village is a labor surplus municipality as documented under Section B of this scope of services.
2. Redevelopment Plan objectives, including the reduction of unemployment by the creation of new jobs and that the provision of new facilities will enhance the tax base of the taxing districts that extend into the project area.
3. Generalized land use for the area, including information on the property’s industrial zoning classification.
4. Description of private projects and necessary public actions. This will include a general description of any proposed developer, user and tenant of any property, a description of the type, structure and general character of the facilities to be developed, and a description of the type, class and number of new employees to be employed in the operation of the facilities to be developed.
5. Implementation schedule and strategy.
6. Estimated redevelopment project costs.
7. Estimate of equalized assessed value of the area after redevelopment.
8. Projection of real property tax increment proceeds.
9. Include documentation that “but for TIF” the Plan will not be implemented.

10. Include evidence that the subject area has not been subject to growth and development by private enterprise.

#### **D. Review & Approval Process**

1. PGAV will prepare, for the Village's use, a schedule that documents the review and approval process for the Plan. Included on this schedule will be dates for publication and mailing of required notices pursuant to the requirements of the TIF Act.
2. PGAV will provide guidance to the Village in the formal approval process of the Plan. This shall include general advice and sample notices for the: Joint Review Board; public hearing; approval ordinances, etc., and notices to taxing bodies, property owners and residential addressees located within 750 of the Project Area.
3. PGAV will present the proposed Redevelopment Plan at the Joint Review Board meeting and at the required public hearing.

#### **II. INFORMATION TO BE PROVIDED OR TASKS TO BE UNDERTAKEN BY THE VILLAGE**

The Village will be responsible for the following:

- A. A person to serve as a point of contact with the Village, who will interact with PGAV staff, coordinate with other Village staff or consultants, as needed, and be responsible for tasks to be completed by the Village.
- B. Provide tax maps from Kane County showing parcels and property identification numbers (PINs). The Village shall provide such mapping information in ArcGIS format.
- C. Collect the most recent equalized assessed valuation (EAV) of each parcel in the expanded TIF Area from the County Assessor, including name and address of property owners. While collecting this information, the Village will obtain the historical EAV for each parcel going back to 2006.
- D. Prepare the legal description of the expanded IPC TIF Area.
- E. Provide for the publication of the required public hearing notices in the local newspaper and mailing of required notices to taxing districts and property owners within the TIF Area, as expanded.
- F. Prepare estimated project costs for the development of the industrial park, including the cost of extending the necessary utilities to serve the expanded the industrial park.
- G. Accomplish any necessary annexations or execute any necessary pre-annexation agreements for any land to be included in the TIF Area that is not currently within the corporate limits of the Village.
- H. Accomplish any necessary amendments to the Village's Comprehensive Plan so that the proposed industrial or business park uses contained in the TIF redevelopment plan are consistent with the Comprehensive Plan for the Village as a whole.

### III. TIMING OF PERFORMANCE

The work on all tasks as provided for herein will be begin upon execution of this agreement, which shall constitute "notice to proceed" unless otherwise provided in written or electronic form by the Village and will be conducted based on a mutually agreed upon schedule.

### IV. COMPENSATION

- A. The fee for the completed services shall be \$19,000, exclusive of reimbursable expenses as stated below.
- B. Reimbursable expenses will consist of reasonable travel expenses, local mileage, long distance telephone charges, express delivery charges, photographic expenses, the cost of printing or other reproduction of documents, fees or charges for documents owned by others, and other "out-of-pocket" expenses required to provide the services described. Such expenses will be billed at their direct cost to PGAV. Reimbursable expenses shall not exceed \$2,000 without prior written consent from the Village.
- C. Method of Compensation shall be in accordance with the below schedule:
  - 1. \$2,000 retainer amount upon signing of this Agreement and submittal of invoice.
  - 2. \$1,000 upon completion of the services stated in Section I, Task A, and B, and submittal of invoice.
  - 3. \$9,000 upon completion of the Redevelopment Plan as stated in Section I, Task C and submittal of invoice.
  - 4. \$7,000 upon completion of Section I, Task D and submittal of invoice.

PGAV may submit invoices for partial completion of services for any Task per the above payment schedule.

- D. Payments to PGAV for services and reimbursable expenses are due within 30 days after receipt of our statement. If no payment has been received within 60 days after receipt of our initial statement, PGAV will suspend services under this Agreement until PGAV has been paid in full the amounts due for services and expenses.

### V. TERMINATION OF AGREEMENT

If for any reason the Village determines that the work should be terminated, the Village will inform PGAV in writing that it wishes to terminate this agreement. The date of said termination shall occur upon receipt of the written notice of termination by PGAV via the U.S. Postal Service or facsimile (followed by receipt of an original signature copy).

The Village will pay PGAV an amount representing the work performed to the date of termination, plus any expenses which have been incurred by PGAV to that date.

## **VI. SERVICES OUTSIDE THE SCOPE OF THIS AGREEMENT**

The scope of the work to be performed by PGAV shall be as provided for herein. The following work elements are hereby specifically noted as not included as tasks to be performed in conjunction with the terms of this Agreement:

- A. Revisions to the eligibility analysis or TIF redevelopment plan if the boundaries of the TIF Area changes after the Village's concurrence with PGAV's recommended boundary configuration.
- B. Undertaking special studies such as market studies, economic impact studies, traffic impact studies and any other special studies that may be useful to the Village in making decisions on specific development proposals within the TIF Area.
- C. Preparation of the required annual TIF reports that are required to be submitted to the Illinois Comptroller's Office.
- D. Preparation of and/or review of redevelopment agreements between the Village and private parties wishing to receive TIF assistance.

These services shall be considered additional work beyond the scope of this Agreement. The Village may acquire such services by PGAV at an additional cost to be negotiated and provided for in the form of an addendum to this or separate Agreement.

## **VII. PROJECT STAFFING & MANAGEMENT**

- A. PGAV hereby agrees to provide the qualified professional, technical, and clerical staff available within the firm to conduct the work in accordance with the tasks as outlined in Section I of this Agreement.
- B. If, in the opinion of PGAV and the Village a particular assignment requires specialized expertise not available within the PGAV staff, the accomplishment of such tasks may be achieved through subcontract with firms or individuals subject to prior approval of the Village.

## **VIII. OWNERSHIP OF DOCUMENTS**

PGAV agrees that any and all reports prepared, and conclusions reached hereunder, are for the confidential information of the Village and that neither PGAV nor any member of the PGAV staff will disclose any of the same with any person whatsoever, other than the Village or their authorized representatives, except when called upon to testify in relation to such report or conclusion under oath in a judicial forum, or as may be otherwise required by law. Except to the extent that documents, reports or other information are prepared under the provisions of this agreement and submitted to municipalities or other public entities wherein they become subject to Federal or State "sunshine law" provisions, the Village will have sole ownership of all reports, maps, etc. prepared under this Agreement, including rights of copying and distribution.

## **IX. OTHER TERMS AND CONDITIONS**

The Scope of Services, provided in Section I of this Agreement, is based upon the provisions of the TIF Act as of December 31, 2011. Should anything occur that would cause TIF Redevelop-

ment Plan to be prepared and processed under the terms of any subsequent amendments, the applicable portions of this Agreement shall be amended as appropriate.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

ATTEST:

VILLAGE OF GILBERTS, ILLINOIS

\_\_\_\_\_  
Debra Meadows, Village Clerk

\_\_\_\_\_  
Rick Zirk, Village President

ATTEST:

PECKHAM GUYTON ALBERS & VIETS, INC.



\_\_\_\_\_  
Michael P. Weber  
Director, PGAV Planners

\_\_\_\_\_  
John Brancaglione,  
Vice President

Attachment: Exhibit A - Proposed Higgins Road Industrial Park Conservation Area



### Legend

-  Proposed IPC Area Boundary
-  Existing Central Redevelopment Project Area

**Exhibit A**  
**Proposed Higgins Road**  
**Industrial Park Conservation Area**

Village of Gilberts, Illinois



July 2012



**PGAV** PLANNERS