

Close

Village of Gilberts

Village Hall
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Village Administrator Memorandum 36-11

TO: President Rick Zirk
Board of Trustees

FROM: Ray Keller, Village Administrator *PK*

DATE: May 12, 2011

RE: Village Board Meeting – May 17, 2011

The following summary discusses the agenda items for the Village Board meeting scheduled for May 17, 2011:

1. CALL TO ORDER

2. ROLL CALL / ESTABLISH QUORUM

3. APPOINTMENTS

A. Appointment of David LeClerq to the Plan Commission

Village President Zirk requests the Board's confirmation of his appointment of David LeClerq to a three-year term as an ex-officio member of the Plan Commission. His resume is enclosed.

4. PUBLIC COMMENT AND DISCUSSION

5. CONSENT AGENDA

Any item may be removed from the consent agenda by request.

A. Motion to approve Minutes from the May 3, 2011 Village Board Meeting

Staff recommend approval of the minutes, which were reviewed at the May 10 Committee of the Whole meeting. Please contact me prior to the meeting if you have any questions or corrections.

B. Motion to approve Minutes from the May 10, 2011 Committee of the Whole Meeting

Please review the enclosed minutes from the May 10 Committee of the Whole meeting. Please contact Staff prior to the meeting with any corrections or questions. Staff recommend approval.

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
847-428-2954 Fax 847-428-4232

C. Motion to approve Bills and Salaries dated May 17, 2011

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 the April 2011 Treasurer's Report

Staff recommend approval of the April 2011 Treasurer's Report, which was reviewed at the May 10 Committee of the Whole meeting. Please contact me prior to the meeting if you have any questions or need another copy of the report.

E. Motion to approve Ordinance 10-2011, an Ordinance adopting an Identity Protection Policy

Staff recommend approval of this ordinance to enact a policy that restricts the use or disclosure of individuals' social security numbers. State statute requires the Village to adopt a policy that limits the Village's use of social security numbers to investigations, contracts, debt collections, or internal identifications such as employee background checks. The Village will redact any social security number appearing in a document subject to the Freedom of Information Act and will only disclose a number if required by court order or similar action. This ordinance was reviewed and added to the consent agenda at the May 10 Committee of the Whole meeting.

F. Motion to approve Ordinance 11-2011, an Ordinance amending Village Code Section 14.25 "Refuse Collection and Disposal"

Staff recommend approval of this ordinance to amend the Village Code to add language for the senior discount (10% reduction) and a late fee (10% addition) for garbage collection fees. Both the discount and the late fee were inadvertently omitted from the ordinance authorizing the fee schedule for garbage services. This ordinance was reviewed and added to the consent agenda at the May 10 Committee of the Whole meeting.

G. Motion to approve Resolution 21-2011, a Resolution authorizing the purchase agreement between the Village of Gilberts and Landmark Ford, Springfield, Illinois for two 2011 Ford Crown Victoria Squad Cars

Staff recommend approval of this resolution to authorize the purchase of two squad cars for an amount not to exceed \$45,547.00, which is the state contract purchase price. The two new vehicles would replace G-9 and G-8, both of which have 130,000+ miles. Upon replacement, G-8 will be used by the Public Works Department, primarily by the Utilities Superintendent for trips not requiring one of the larger trucks. G-9 will be either scrapped or sold, whichever generates the best return. The vehicle purchase was included in the FY 2012 budget. This resolution was reviewed and added to the consent agenda at the May 10 Committee of the Whole meeting.

H. Motion to approve Resolution 22-2011, a Resolution authorizing an agreement between the Village of Gilberts and Baxter & Woodman to provide professional services assisting in the drafting of the Unified Development Code

Staff recommend approval of this resolution authorizing an agreement with Baxter & Woodman to assist with the development of a new zoning code, which would be integrated into a comprehensive "Unified Development Code" (UDO). Baxter & Woodman's proposal includes updating the Village's standards and specifications for

subdivision and site design, and then developing an updatable Engineering Standards Manual that will include all of the Village's design requirements. The will also assist with revising the subdivision code to remove archaic specifications and streamline the process. The Village Engineers' proposal cost totals \$10,900, which was included in the FY 2012 General Fund budget. This resolution was reviewed and added to the consent agenda at the May 10 Committee of the Whole meeting.

I. Motion to approve Resolution 23-2011, a Resolution authorizing an agreement between the Village of Gilberts and Ancel Glink to provide professional services assisting in the drafting of the Unified Development Code

Staff recommend approval of this resolution authorizing an agreement with Ancel Glink to develop a new zoning code, which would be integrated into a comprehensive "Unified Development Code" (UDO) that will also include updated subdivision requirements and engineering standards. The proposed project would result in a new zoning code that would be streamlined for easier use, updated to reflect recent case law and statute changes, and reviewed to ensure its provisions (e.g. setbacks, permitted uses, etc.) reflect the Village's land use expectations. In conjunction with the Village Engineers' efforts, the UDO will also include an updated subdivision code and engineering standards manual.

The project will primarily be led by the Village Attorney, who will provide the structure for the UDO based on similar documents developed for other Ancel Glink clients. Village Staff will work with the Village Attorney to review and update the regulations that will make up the content of the UDO. Throughout the process, Staff will work with the Plan Commission, which will be charged with providing feedback and recommendations on the UDO as it is assembled. The Village Attorney's proposal cost totals \$35,000, which was included in the FY 2012 General Fund budget. This resolution was reviewed and added to the consent agenda at the May 10 Committee of the Whole meeting.

J. Motion to approve Resolution 25-2011, a Resolution authorizing an agreement between the Village of Gilberts and Baxter & Woodman to design the reconstruction of Binnie Road

Staff recommend approval of this resolution authorizing Baxter & Woodman to design, permit and administer the bidding process for the reconstruction of approximately 700 lineal feet of Binnie Road. In conjunction with the restoration of the up- and downstream drainage systems, this project would result in the raising of the road elevation at its low point, which has historically flooded during storm events. This scope of services would yield the design documents and permits needed to competitively bid for the roadwork. Baxter & Woodman proposes a project cost of \$22,500. The project was included in the FY 2012 budget using the proceeds from the \$345,000 Recovery Zone Bond secured through Kane County. This resolution was reviewed and added to the consent agenda at the May 10 Committee of the Whole meeting.

K. Motion to approve Resolution 26-2011, a Resolution authorizing an agreement between the Village of Gilberts and Baxter & Woodman to design and reconstructed the Roads referenced in the Road Program

Staff recommend approval of this resolution authorizing the use of up to \$97,000.00 in Motor Fuel Tax Funds for Baxter & Woodman to complete the design, permitting and bidding of the road surface replacement program. The proposed project would eventually result in the resurfacing of the roads in the Windmill Meadows, Indian Trails, Gilberts Glen and Dunhill subdivisions. The Village Engineers would be responsible for completing the design documents and securing the necessary IDOT approvals, which are required because the Village will use Motor Fuel Tax (MFT) funds to pay for the resurfacing project. The design project would be paid from the Village's current MFT balance of \$786,296.35. This resolution was reviewed and added to the consent agenda at the May 10 Committee of the Whole meeting.

L. Motion to approve Resolution 27-2011, a Resolution authorizing an agreement between the Village of Gilberts and Baxter & Woodman to design a SCADA System

Staff recommend approval of this resolution authorizing Baxter & Woodman Control Systems Integrated (BWCSI) to develop the Village's SCADA system, which will provide remote reading, monitoring and control over the water and wastewater systems. The implementation of the full SCADA system would allow the new operator remote access and control of the system, improving response times for addressing problems while requiring less labor to manage the facilities.

BWCSI's total cost of \$141,000.00 would be financed by the enterprise (water/wastewater) fund, which included a \$100,000 set aside from reserve funds to complete the project within the FY 2012 enterprise fund budget. The project would use a design-build approach, which state statutes permit for professional services. This approach is appropriate given Baxter & Woodman's familiarity with and active involvement in the Village's water/wastewater systems and IT systems. This resolution was reviewed and added to the consent agenda at the May 10 Committee of the Whole meeting.

6. ITEMS FOR APPROVAL

A. Motion to approve Ordinance 12-2011, an Ordinance denying a Variance Request for the Property Commonly Known as 15N288 Tyrrell Road, Gilberts, Illinois

Maria Ramos and Jesus Alvarado have petitioned for variances from the Zoning Code to be allowed to keep an existing nonconforming house as a guest house after the construction of a new primary residence on their property at 15 N 288 Tyrrell Road. The petitioners are the owners of the 5.42-acre property located south of the Eagles Club and west of the Gilberts Glen subdivision. The property is zoned A-1 Agricultural and had previously been used as a residence, but it is currently unoccupied. The property is nonconforming, as it was occupied for residential use in the A-1 zoning district but is less than 15 acres in size.

The existing 837-square foot house is a one-bathroom, 2-bedroom ranch with a 2+ car attached garage. The petitioners propose constructing a new house on the property as a principal structure and converting the existing house into a guest house. The Zoning Ordinance permits a "guest house" as an accessory use in the A-1 zoning district, provided that the structure is less than 800 square feet in size and does not have its own kitchen. Typically, the construction and use of an accessory structure must follow the

construction of an allowed principal use. However, in this case, the accessory structure guest house would precede the construction of the new principal residence.

To allow the petitioners to keep the existing house as a “guest house,” as defined by the Zoning Code, the Village would need to grant variances from Section 3.3 (requires that an accessory use precede the principal structure), Section 5.5 (relief from the requirement that a guest house not have a kitchen or be larger than 800 square feet in size), and Section 5.6 (allows expansion of residential use on a property less than 15 acres in size in a A-1 zoning district).

At their March 23 meeting, the Zoning Board of Appeals did not find sufficient evidence to support the requested variances and voted 4-1 to reject the petition. Approval of the provided ordinance affirms the Zoning Board’s findings and conclusion, which would result in the requested variances not being granted.

B. Motion to approve Resolution 24-2011, a Resolution waiving competitive bidding requirements and authorizing an agreement between the Village of Gilberts and Baxter & Woodman to provide professional services for designing, permitting and constructing Gilberts Glen Storm Sewer Replacement and Detention Pond Restoration and Binnie Road Drainage Improvements

Staff recommend approval of this resolution to authorize an agreement with Baxter & Woodman to design, permit and complete drainage maintenance improvements in Gilberts Glen and in the vicinity of Binnie Road. The project includes two elements:

- The first element includes the replacement of approximately 2,200 linear feet of drainage pipe that runs through the center of the Gilberts Glen east subdivision to Tyler Creek. The project will also include repairs to the pond outlet structure located in the northeast corner of the Gilberts Glen subdivision, which will lower the current water level and restore lost storage capacity.
- The second element restores drainage ways up- and downstream from the low point on Binnie Road, approximately 2,800 feet east of the intersection of Galligan and Binnie Roads. This low spot in the road has a history of flooding during storm events, though recently enacted temporary measures have alleviated some of the flooding. This project element would repair drain tiles and restore overland routes to minimize future flooding.

Baxter & Woodman proposes to employ a design-build approach with assistance from Phoenix & Associates as a subconsultant. The project scope would include the preparation of design drawings, specifications and additional documentation needed for IEPA compliance; securing new stormwater easements; replacement of damaged tiles and pathways, and restoration of disturbed areas. The proposal sets the project cost at \$237,500 including design and construction. The project was included in the FY 2012 budget using the proceeds from the \$345,000 Recovery Zone Bond secured through Kane County.

The motion and resolution include a waiver of the competitive bidding requirements typically required of public works projects that exceed \$30,000, which will require

two-thirds majority approval by the Board. Because Baxter & Woodman has been retained as the Village Engineers since 2003, the agreement is not subject to the Local Government Professional Services Selection Act.

C. Motion to approve Ordinance 13-2011, an Ordinance amending Village Code Section 16 “Sign Code”

Approval of this ordinance amends the Village’s sign code to redefine the maximum size of a commercial ground sign by excluding support elements from the area calculation. Village Code Section 16.10.1.1 allows commercial monument signs up to eighty square feet (80 s.f.) in size, with a height no greater than eight feet and a width no greater than ten feet. The maximum size allowed includes a required two-foot-high brick base; the maximum width is measured from its widest point, including any support elements.

The proposed amendment would amend the sign code to exclude the brick base, side columns and other aesthetic features from the maximum sign size. Instead, the sign code regulation would set a maximum of 80 square feet for the “message” portion of the sign. The new sign calculation would exclude the required brick base and would allow an additional two feet on each side of the sign to accommodate columns that would frame the message/advertising part of the sign.

Staff recommend approval of the proposed amendment. Please contact me prior to the meeting if there are any questions or suggestions for further refinement to this part of the sign code.

7. ITEMS FOR DISCUSSION

Please contact me prior to the meeting if there are any discussion items that should be added to the agenda.

8. STAFF REPORTS

Staff will provide new updates at the meeting. Please contact me if there is a topic or question that can be addressed prior to the meeting.

9. BOARD OF TRUSTEES REPORTS

10. PRESIDENT’S REPORT

11. EXECUTIVE SESSION

Village Attorney Julie Tappendorf will review the executive session minutes discussed in her previously-provided report. Please contact me if you need another copy of the minutes or report or if you have any questions about other executive session topics.

12. ADJOURNMENT

This adjournment closes the meeting without specifying any further meetings of the Board as it is presently constituted. After a brief recess, the newly elected Trustees will take their seats on the Board and will begin their meeting.

**Village Board of Trustees
Meeting Agenda
Village of Gilberts
87 Galligan Road
Gilberts, Illinois 60136**

May 17, 2011

7:00 p.m.

AGENDA

ORDER OF BUSINESS

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. ROLL CALL/ESTABLISH QUORUM

3. APPOINTMENTS

- A. Appointment of David LeClercq to the Plan Commission

4. PUBLIC COMMENT AND DISCUSSION

5. CONSENT AGENDA

- A. A motion to approve Minutes from the May 3, 2011 Village Board Meeting
- B. A motion to approve Minutes from the May 10, 2011 Committee of Whole Meeting
- C. A motion to approve Bills and Salaries dated May 17, 2011
- D. A motion to approve April 2011 Treasurer's Report
- E. A motion to approve Ordinance 10-2011, an Ordinance adopting an Identity Protection Policy
- F. A motion to approve Ordinance 11-2011, an Ordinance amending section 8.7 "Refuse Collection and Disposal" an Section 14 concerning fees
- G. A motion to approve Resolution 21-2011, a Resolution authorizing the purchase agreement between the Village of Gilberts and Landmark Ford, Springfield, Illinois for two 2011 Ford Crown Victoria Squad Cars
- H. A motion to approve Resolution 22-2011, a Resolution authorizing an agreement between the Village of Gilberts and Baxter & Woodman to provide professional services assisting in the drafting of the Unified Development Code
- I. A motion to approve Resolution 23-2011, a Resolution authorizing an agreement between the Village of Gilberts and Ancel Glink to provide professional services assisting in the drafting of the Unified Development Code
- J. A motion to approve Resolution 25-2011, a Resolution authorizing an agreement between the Village of Gilberts and Baxter & Woodman to design the reconstruction of Binnie Road

- K. A motion to approve Resolution 26-2011, a Resolution authorizing an agreement between the Village of Gilberts and Baxter & Woodman to design and reconstructed the Roads referenced in the Road Program
- L. A motion to approve Resolution 27-2011, a Resolution authorizing an agreement between the Village of Gilberts and Baxter & Woodman to design a SCADA System

6. ITEMS FOR APPROVAL

- A. A motion to approve Ordinance 12-2011, An Ordinance denying a Variance Request for the Property Commonly Known as 15N288 Tyrrell Road, Gilberts, Illinois
- B. A motion to approve Resolution 24-2011, a Resolution waiving competitive bidding and authorizing an agreement between the Village of Gilberts and Baxter & Woodman to provide professional services for designing, permitting and constructing Gilberts Glen Storm Sewer Replacement and Detention Pond Restoration and Binnie Road Drainage Improvements
- C. A motion to approve Ordinance 13-2011, An Ordinance amending Village Code Section 16 "Sign Code"

7. ITEMS FOR DISCUSSION

8. STAFF REPORTS

9. BOARD OF TRUSTEES REPORTS

10. PRESIDENT'S REPORTS

11. 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.

12. ADJOURNMENT

5A

Village of Gilberts
87 Galligan Road
Gilberts Illinois 60136
Village Board of Trustee
Meeting Minutes
May 3, 2011

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

President Zirk asked Clerk Meadows to call the roll. Roll call: Members present: Trustees Clark, Mierisch, Zambetti, Farrell and President Zirk. 2- Absent: Trustees Erbeck and Cullotta. Others present: Administrator Keller, Attorney Tappendorf, Chief Building Inspector Swedberg, Finance Director Blocker Chief of Police Williams, Engineer Blecke, Assistant to the Village Administrator Beith and Village Clerk Meadows. For members of the audience please see the attached list.

Recognition

President Zirk reported that Trustees Erbeck and Cullotta were not in attendance. However, on behalf of the community he expressed appreciation to both Bruce Erbeck for his public service as a Village Trustee from 2007-2011 and Pete Cullotta for his public service as a Village Trustee from 2010-2011, Plan Commission Chairman from 2007-2010 and for also serving as a Plan Commission Member from 2004-2007 .

Public Comment and Discussion

President Zirk asked if anyone from the audience wished to address the Board. There was no comment from the audience.

Consent Agenda

- A. A motion to approve Minutes from the April 19, 2011 Village Board Meeting
- B. A motion to approve Bills and Salaries Dated May 3, 2011 as follows: General Fund \$50,736.34, Performance Bonds and Escrows \$1,795.00, Water Fund \$22,988.39, and Payroll \$91,238.31.
- C. A motion to approve Resolution 24-2011, a Resolution authorizing an agreement to participate in the Union National Bank Credit Card Program

A motion was made by Trustee Clark and seconded by Trustee Farrell to approve the consent agenda as presented. Roll call: Vote: 4-eyes: Trustees Clark, Mierisch, Zambetti and Farrell. 0-nays, 0-abstained. Motion carried.

Adjournment Sine Die

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 7:03 p.m. Roll call: Vote: 4-ayes by unanimous voice vote.

Order of Business (New Board)

Swearing in of the Newly Elected Trustees

Village Clerk Meadows administered the Oath of Office to Newly Elected Trustees Patricia Mierisch, Dan Corbett and Louis Hacker.

Call to Order

President Zirk called the second portion of the meeting to order at 7:05 p.m.

Roll call / Establish Quorum

President Zirk asked Clerk Meadows to call the roll. Roll call: Members present: Trustees Corbett, Clark, Mierisch, Zambetti, Farrell, Hacker and President Zirk. Others present: Administrator Keller, Attorney Tappendorf, Engineer Blecke, Administrative Assistant Beith, Chief of Police Williams, Chief Building Inspector Swedberg, Finance Director Blocker and Village Clerk Meadows. For members of the audience please see the attached list.

Appointments/Reappointments

Appointment of Randy Mills to the Plan Commission

A motion was made by Trustee Clark and seconded by Trustee Zambetti to concur with President Zirk's recommendation to appoint Randy Mills to the Plan Commission. Roll call: Vote: 6-ayes: Trustees Clark, Mierisch, Zambetti, Farrell, Hacker and Corbett. 0-nays, 0-abstained. Motion carried.

Reappointment of Matt Sullivan to the Plan Commission

A motion was made by Trustee Zambetti and seconded by Trustee Clark to concur with President Zirk's recommendation to reappoint Matt Sullivan to the Plan Commission. Roll call: Vote: 6-ayes: Trustees Mierisch, Zambetti, Farrell, Hacker, Corbett and Clark. 0-nays, 0-abstained. Motion carried.

Reappointment of Doug Hagen to the Plan Commission

A motion was made by Trustee Clark and seconded by Trustee Farrell to concur with President Zirk's recommendation to reappoint Doug Hagen to the Plan Commission. Roll call: Vote: 6-ayes: Trustees Zambetti, Farrell, Hacker, Corbett, Clark and Mierisch. 0-nays, 0-abstained. Motion carried.

Reappointment of Doug Hagen as Chairman to the Plan Commission

A motion was made by Trustee Farrell and seconded by Trustee Clark to concur with President Zirk's recommendation to reappoint Doug Hagen as Chairman to the Plan Commission. Roll call: Vote: 6-ayes: Trustees Farrell, Hacker, Corbett, Clark, Mierisch and Zambetti. 0-nays, 0-abstained. Motion carried.

Reappointment of Susan Davidowski as Vice-Chairman to the Plan Commission

A motion was made by Trustee Clark and seconded by Trustee Farrell to concur with President Zirk's recommendation to reappoint Susan Davidowski as Vice-Chairman to the Plan Commission. Roll call: Vote: 6-ayes: Trustees Hacker, Corbett, Clark, Mierisch, Zambetti and Farrell. 0-nays, 0-abstained. Motion carried.

Public Comment

President Zirk asked if there were any comments from the audience. There was no reply from the audience.

Items for approval

A motion to approve Resolution 25-2011, a Resolution Opposing the Loss of Local Government Income Tax Distributive Funds

Administrator Keller commented on the fact that the General Assembly is considering reducing or eliminating the local share of the state income taxes, known as the Local Government Distributive Fund (LGDF) to solve its own budgetary concerns. Reduction or elimination of the local share of the state income taxes would have a profound effect on local governments and the services they provide.

A motion was made by Trustee Clark and seconded by Trustee Zambetti to approve Resolution 25-2011, a Resolution Opposing the Loss of Local Government Income Tax Distributive Fund. Roll call: Vote: 6-ayes: Trustees Corbett, Clark, Mierisch, Zambetti, Farrell and Hacker. 0-nays, 0-abstained. Motion carried.

Staff reports

Administrator Keller discussed the upcoming agenda.

Chief Building Inspector Swedberg offered all of the Trustees an opportunity to ride along with him and experience a typical work day.

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Meeting Minutes
May 3, 2011
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Finance Director Blocker provided the Board Members with an update on the implementation of the refuse billing.

Chief of Police Williams reported that the department has partnered with School District 300 to implement a McGruff Safe House Program. He continued to provide the Board with an outline of the program. In the future he will provide the Board Members with a presentation on the program.

Trustee Reports

Trustee Farrell reported that the Village Wide Clean-up Event was a success.

President's Report

President Zirk welcomed the newly elected Trustees.

President Zirk asked Chief Building Inspector Swedberg to examine the stormwater retention lot which is north of the tot lot located on Gregory M Sears.

Adjournment

There being no further business to discuss, a motion was made by Trustee Clark and seconded by Trustee Farrell to adjourn from the public meeting at 7:21 p.m. Roll call: Vote:6: by unanimous voice vote. Motion carried.

Respectfully submitted,

Debra Meadows

VBm
5/3/2011

Name	Address	Telephone #
Kelli Hurley	61 Augusta Dr.	847-717-0134
Art Hurley	" "	" "
Sue Corbett	81 Augusta	847-2148167

5B

**Village of Gilberts
87 Galligan Road
Gilberts Illinois 60136
Village Board of Trustee
Meeting Minutes
May 10, 2011**

NOT APPROVED MINUTES

Call to Order/Pledge of Allegiance

President Zirk called the meeting to order at 7:01 p.m. He proceeded to lead those present in the Pledge of Allegiance.

Roll call/Establish Quorum

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

Items for Discussion

Minutes from the May 3, 2011 Village Board Meeting

President Zirk asked if there were any questions on the minutes from the May 3, 2011 Board Meeting. There were no questions. The minutes will be placed on the next consent agenda.

April 2011 Treasurer's Report

President Zirk asked if there were any questions on the April 2011 Treasurer's Report. There were no questions. The April 2011 Treasurer's Report will be placed on the next consent agenda.

Ordinance 10-2011, an Ordinance adopting an Identity Protection Policy

Administrator Keller reported that Illinois State Statute requires all local governments to enact a policy that severely restricts the use or disclosure of individuals' social security numbers. The policy state that the Village will only use social security numbers in investigations, contracts, debt collections, or internal identifications such as employee background checks. The Village will redact any social security number appearing in a document subject to the Freedom of Information Act.

President Zirk asked if there were any comments on the policy. There were no comments. This policy will be placed on the next consent agenda.

Ordinance 11-2011, an Ordinance amending section 8.7 "Refuse Collection and Disposal" and Section 14 Concerning fees.

Administrator Keller reported that this Ordinance was a housekeeping measure. The recently passed Ordinance amending section 8.7 "Refuse Collection and Disposal" inadvertently omitted language authorizing a 10% discount for seniors and 10% late fee. This matter will be placed on the next consent agenda.

Ordinance 12-2011, an Ordinance approving or denying a Variance Request for the Property Commonly Known as 15N288 Tyrrell Road, Gilberts Illinois

Administrator Keller discussed the recent variance request petition submitted on behalf of Maria Ramos and Jesus Alvarado to allow them to keep an existing nonconforming house as a guest house after the construction of a new primary residence on their property at 15N288 Tyrrell Road. The petitioners are the owners of the 5.42 acre property located south of the Eagles Club and west of Gilberts Glen subdivision. The property is zoned A-1 Agricultural and had previously been used as a residence, but is currently unoccupied. The property is nonconforming, as it was occupied for residential use in the A-1 zoning district but is less than 15 acres in size.

Administrator Keller went on to discuss the variances the Village would need to grant if they were to allow the petitioner to keep the existing house as a "guest house" as defined by the Zoning Code as follows:

- Section 3.3 requires that an accessory use be built after the principal structure. In this particular case, keeping the existing house would result in the accessory structure preceding the establishment of the principal use.
- Section 5.5 "Accessory Uses" permits "guest house", "not to exceed 800 square feet in floor area" and "shall have no kitchen facilities." Variances are required because the existing house, which will become the guest house, exceeds the maximum guest house size by 37 square feet and includes a kitchen.
- Section 5.6 "Site and Structure Provisions" requires that an A-1 zoned lot be a minimum of 15 acres to allow residential uses. The existing structure is legal nonconforming (i.e. "grandfathered"), as the property is less than 15 acres in size and the existing structure predates the Village's Zoning Ordinance. However, if a new structure were to be built, the property would lose its legal nonconforming status and would be required to conform to the Code requirements. As a result, the property couldn't be used as a residence (or a guest house accessory use) unless a variance was granted allowing the uses on a smaller lot.

Administrator Keller reported the Zoning Board of Appeals denied their request by a vote of 4-1.

Attorney Bud Homburg along with Ms. Ramos and Mr. Alvarado approached the Board. Attorney Homburg stated that his client had meet with the Eagles and surrounding neighbors and they were in support of the proposed guest and future home. For the record Attorney Homburg provided the Village Clerk with a copy of a support petition. Attorney Homburg went on to comment on the concern with the conforming additional 37 –square feet. He stated that the 37 square feet is the size of a small closet.

President Zirk asked if the petitioners had considered demolishing the old home and just building the new home. Ms. Ramos reported that they had made significant improvement to the smaller home and considered it an investment. However, they have a family of seven and require a larger home.

President Zirk asked if they have any plans for the proposed new home. Ms. Ramos replied no.

Trustee Corbett inquired why the petitioners did not simply ask the Plan Commission to re-zone the property.

Trustee Clark reported that the property in question was a forced annexation and brought into the Village during the Eagles annexation. Trustee Clark stated that he had no concern with the 37 square foot overage. However he did have concerns with the kitchen and with the future potential use of the residence.

There was some discussion with respect to rental property and occupancy enforcement issues.

Trustee Mierisch noted that there was new information being introduced this evening. An example was the concession of removing the kitchen.

Trustee Mierisch discussed her concerns. She noted that Chief Building Inspector Swedberg had identified 25 building code violations. She was concerned with the monetary cost in bringing the home into compliance. Ms. Ramos stated that some of the code violations were minor and carried a very minimal cost to repair.

Trustee Mierisch commented on the fact that the home had septic and well issues and electrical problems and at this time was uninhabitable. Ms. Ramos replied that the septic repairs had been made.

Committee of the Whole

Meeting Minutes

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Trustee Mierisch stated that she was in attendance at the Zoning Board of Appeals Public Hearing and she has heard conflicting comments. She noted at the Zoning Board of Appeals Public Hearing Ms. Ramos stated that the new home would be built within 5 to 7 years and tonight Ms. Ramos stated the home would be built within 2-3 years.

Trustee Mierisch asked about the violations concerning the vehicles parked on the grass. Ms. Ramos reported that they had been removed.

Trustee Zambetti concurred with Trustee Clark. He also had concerns with the future use of the proposed guest house.

Trustee Farrell expressed her concerns with the 25 building code violations. In addition, she was concerned that there was no construction time-line or plan for the new home.

Trustee Hacker asked if Ms. Ramos intended to live in the guest house once the main home was built or would they be renting it out. Ms. Ramos replied that the guest house would be for personal use.

A lengthy discussion ensued with the question of why now? The Board wondered why the petitioners were requesting the variances now when the construction of the new home is several years away.

Trustee Zambetti was not in favor of granting the variances. In his opinion the property should have one single family home.

Trustee Farrell stated that she also was struggling with the variance request. She was concerned with the future potential use of the property.

Trustee Clark commented on the fact that what if the Ramos site plan for the new home was not approved after the variances had been granted. He also expressed concerns for future Boards understanding the intent of this Board if they were to approve the variance request.

Ms. Ramos stated that their intent is to build a nice custom home. She asked the Board to consider the property's alternatives. Ms. Ramos discussed the improvement that they have already made to the property.

President Zirk directed staff to draft an Ordinance consistent with the Zoning Board of Appeals decision. This matter will be considered at the next Village Board Meeting.

Resolution 21-2011, a Resolution authorizing the purchase agreement between the Village of Gilberts and Landmark Ford, Springfield, Illinois for two 2011 Ford Crown Victoria Squad Cars.

Administrator Keller reported that the purchase of the two squad cars was included in the FY-2012 budget, with one vehicle being funded by a carry-over from the FY-2011 budget and the second funded through the Police Department's operational budget.

The two new vehicles would replace G-9 and G-8 both of which have over 132,000 miles. G-8 will be used by the Public Works Department, primarily by the Utilities Superintendent for trips not requiring one of the less fuel efficient trucks and G-9 will be used as part or scraped whichever is most cost efficient.

The Board concurred to place this Resolution on the next consent agenda.

Resolution 22-2011, a Resolution authorizing an agreement between the Village of Gilberts and Baxter & Woodman to provide professional services assisting in the drafting of the Unified Development Code

Administrator Keller reported that this resolution would authorize an agreement with Baxter & Woodman to assist with the development of a new zoning code. While the UDO development will be primarily developed by the Village Attorney and Staff, the Village Engineers' assistance with updating the engineering-related regulations will be needed to complete the project.

Trustee Clark inquired if the new code would be available on the Village website in a searchable format. Administrator Keller replied that the code would be in a word format and managed in house by staff unlike the new Village Code.

There was some discussion on the format of the new UDO.

Trustee Mierisch questioned the basis for going with "professional services" agreement with Baxter & Woodman instead of bidding them out. Administrator Keller responded by referring to state statute that allows municipalities to work directly with their engineering firms without having to bid the projects out separately. Furthermore, if the Village did solicit proposals, the Professional Services Selection Act requires qualifications-based criteria, prior to negotiating price.

Trustee Mierisch just did not want to see the Village place all their eggs in one basket. Trustee Clark felt that Baxter & Woodman had knowledge of the Village's history. Trustee Mierisch agreed on Baxter & Woodman assisting on the UDO.

A discussion ensued on how to ensure the Village had the most knowable consultants.

Resolution 23-2011, a Resolution authorizing an agreement between the Village of Gilberts and Ancel & Glink to provide professional services assisting in drafting of the Unified Development Code

This matter was discussed during the discussion of Resolution 22-2011. Both matters will be placed on the next consent agenda.

Resolution 24-2011, A Resolution authorizing an agreement between the Village of Gilberts and Baxter & Woodman to provide professional services for designing, permitting and construction of Gilberts Glen Storm Sewer Replacement and Detention Pond Restoration and Binnie Road Drainage Improvements

Trustee Mierisch asked if the Village had been granted easement access. Mr. Kannigan stated that he had spoken to many of the residents. However, he was just waiting on the Village to provide him with easement access language.

There was some discussion with respect to the areas sinkholes.

The Board Members recommended prior to the start of the project the Village hold an open house to inform the residents of the improvements. Mr. Kannigan recommended holding the open house on a Saturday.

Trustee Clark recommended staff reexamine Ordinance 06-2011.

Trustee Hacker inquired if the design-build approach had been utilized in the past. Engineer Stefan replied that many communities use this approach. Due to the fact it is the most cost effective approach.

Resolution 25-2011, a Resolution authorizing an agreement between the Village of Gilberts and Baxter & Woodman to design and reconstruction of Binnie Road

Administrator Keller discussed the authorization of the proposed Resolution. He reported that if approved Baxter & Woodman would begin the design, permit and administer the bidding process for the reconstruction of approximately 700 lineal feet of Binnie Road. In conjunction with the restoration of the up-and-downstream drainage system, this project would result in the raising of the road elevations at its low point, which has historically flooded during storm events.

Administrator Keller asked if the Board was interested in staff getting bids to complete an overlay of an 1800' section of Binnie Road which is not included in scope of work under consideration. The Board Members were in favor of getting bids for the proposed overlay project. Administrator Keller stated this project could be funded by MFT funds.

This matter will be placed on the next consent agenda.

Resolution 26-2011, a Resolution authorizing an agreement between the Village of Gilberts and Baxter & Woodman to design and reconstruct the Roads referenced in the Road Program.

Engineer Lou Haussmann provided the Board Members with an overview of the road program. A lengthy discussion ensued with respect to the road construction timeline. The Board Members would prefer to see the construction completed this year.

This matter will be placed on the next consent agenda.

Resolution 27-2011, a Resolution authorizing an agreement between the Village of Gilberts and Baxter & Woodman to design a SCADA system.

Technical Advisor, Chris Sosnowski provided the Board Members with an overview of the SCADA System.

Trustee Mierisch asked if staff had documented how many times issues have arisen and whether the remote access would have been beneficial and cost effective. Administrator Keller stated that it would be hard to estimate due to the fact the Village has not had any type of remote access in the past.

Trustee Mierisch asked if staff training was included in the proposal. Engineer replied yes.

This matter will be placed on the next consent agenda.

Ground Signs for Higgins Road

Administrator Keller discussed a recent request for a deviation from the sign code. Mr. Lazar had submitted a sign design that included side columns which are currently not allowed. The Board Members approved of the proposed monument sign. Administrator Keller will draft an Ordinance amending the sign code. This matter will be placed on the next agenda for consideration. In addition, staff will research what the cost would be to revise the two Higgins Road monument signs.

Committee of the Whole
Meeting Minutes
May 10, 2011
Page 8

President's Report

President Zirk asked if staff knew of the original cost of the sewer cleanout for the building that Cruisin' is in. Administrator Keller will have to check.

President Zirk reported he had a copy of the Village of Huntley's historical book. He commented on the fact that the author of the book has been commissioned by Mr. Oury to publish the Village of Gilberts history. He will leave the book with Village Clerk Meadows if anyone is interested in reading it.

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 10:11 p.m. Roll call: Vote: 6-ayes by unanimous voice vote.

Respectfully submitted,

Debra Meadows

SIGN IN SHEET
(Please Print)

VBm

5/10/2011

Name

Address

Telephone #

Dean Stogener 712 Tipperary St. Gilbert

Jenny Stogener 712 Tipperary St. Gilbert

Richard C. Myers 408 Hennessy Ct. Gilbert

John Carlsson 232 Tollview

Cory Hutton 94 Railroad St Phoenix Assoc

George Kunagin 94 Railroad St Phoenix Assoc

Tim Polk P.O. Box 642 ELBURNO IL 60119

Shay Dyrek 191 Vail Ct

5C

NOTE: The above totals could change subject to invoices processed after report was generated.

A	
Check Warrant Report	
Payroll Checks From 04/24/11 - 05/07/11	
Employee Name	Net Pay
Blocker, Marlene	1,434.18
Meadows, Debra	1,264.16
Sorenson, Shirley	1,045.33
Danca, Karen	345.46
Beith, William	566.69
Keller, Raymond B.	1,971.58
Joswick, Michael	1,893.83
Dieringer, Tricia	1,223.81
Rood, Jackie E. Jr	1,685.29
Block, Todd J	1,653.84
Pulgar, Hector L	1,533.62
Oberth, Michael	1,529.78
Hill, Jeff R	954.30
Levand, James A	1,253.85
McNamara, Paul	419.88
Williams, Steven	2,202.40
Stokes, Janet	922.36
Swedberg, John L	1,901.23
Castillo, John	1,556.27
Varas, Randy	1,230.86
Siegbahn, Lisa	674.56
Thomas, Randall	117.38
Joswick, Christopher	185.89
Mueller, Steve G.	376.50
Maculitis, Jerome	315.41
Meador, Eric E.	1,156.53
Hernandez, Jason	185.89
Steiner, George	206.21
Sandman, Rick	1,144.47
Klaras, Jason	950.54
Foley, Aaron	1,124.55
Schuring, Larry	670.48
PAYROLL LIABILITIES:	
Federal Tax Deposits	10,730.97
ICMA-RC	328.17
Illinois Department of Revenue	2,151.81
State Disbursement Unit-Cook	186.57
KCC State Disbursement Unit	116.01
Total All Checks	47,210.66

5D

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new copy please let me
know**

5E

VILLAGE OF GILBERTS

KANE COUNTY

STATE OF ILLINOIS

ORDINANCE NUMBER 10-2011

An Ordinance Adopting an Identity Protection Policy

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF GILBERTS
KANE COUNTY
STATE OF ILLINOIS**

_____ 2011

**Published in pamphlet form by authority of the President and Board of Trustees of
the Village of Gilberts, Kane County, Illinois this _____ day of _____, 2011.**

An Ordinance Adopting an Identity Protection Policy

WHEREAS, The Illinois Municipal Code, section ILCS 179/1 requires municipalities to adopt a written Identity Protection Policy prior to June 1, 2011; and

WHEREAS, The Village of Gilberts desires to adopt a written Identity Protection Policy to establish rules and procedures to detect, prevent, and mitigate identity theft as described in this Ordinance; 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 hereof as set forth in Section 1.

Section 2. **Adoption of Program.** The "Identity Protection Policy", attached hereto and made part hereof as Exhibit A, establishing rules and procedures to detect, prevent, and mitigate identity theft ("policy and procedures") is hereby approved and adopted.

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 herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or cause of action which shall have accrued to the Village of Gilberts prior to the effective date of this ordinance.

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

Passed this _____ day of _____, 2011 by 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 _____, 2011

Village President, Rick Zirk

(SEAL)

ATTEST: _____

Village Clerk, Debra Meadows

Published: _____

VILLAGE OF GILBERTS IDENTITY PROTECTION POLICY

This policy is adopted pursuant to the Identity Protection Act (5 ILCS 179/1 *et seq.*) to protect social security numbers from unauthorized disclosure.

PROHIBITED ACTS. No Village employee may do any of the following:

- (1) Publicly post or publicly display or otherwise intentionally communicate or otherwise intentionally make available to the general public in any manner an individual's social security number.
- (2) Print an individual's social security number on any card required for the individual to access products or services provided by the Village.
- (3) Require an individual to transmit his or her social security number over the Internet, unless the connection is secure or the social security number is encrypted.

(4) Print an individual's social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless state or federal law requires the social security number to be on the document to be mailed. Notwithstanding any provision in this section to the contrary, social security numbers may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Illinois Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the social security number. A social security number that may permissibly be mailed under this section may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope's having been opened.

- (5) Collect, use, or disclose a social security number from an individual, unless:
 - (i) required to do so under state or federal law, rules, or regulations, or the collection, use, or disclosure of the social security number is otherwise necessary for the performance of that agency's duties and responsibilities;
 - (ii) the need and purpose for the social security number is documented before collection of the social security number; and
 - (iii) the social security number collected is relevant to the documented need and purpose.
- (6) Require an individual to use his or her social security number to access an Internet website.
- (7) Use the social security number for any purpose other than the purpose for which it was collected.

- (8) Encode or embed a social security number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this policy.

EXCLUSIONS FROM PROHIBITIONS. The above-listed prohibitions do not apply in the following circumstances:

- (1) The disclosure of social security numbers to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities; and, if disclosing to a contractor or subcontractor, prior to such disclosure, the governmental entity must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under the Identity Protection Act on a governmental entity to protect an individual's social security number will be achieved.
- (2) The disclosure of social security numbers pursuant to a court order, warrant, or subpoena.
- (3) The collection, use, or disclosure of social security numbers in order to ensure the safety of: state and local government employees; persons committed to correctional facilities, local jails, and other law enforcement facilities or retention centers; wards of the State; and all persons working in or visiting a state or local government agency facility.
- (4) The collection, use, or disclosure of social security numbers for internal verification or administrative purposes.
- (5) The disclosure of social security numbers by a state agency to any entity for the collection of delinquent child support or of any state debt or to a governmental agency to assist with an investigation or the prevention of fraud.
- (6) The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit,

FREEDOM OF INFORMATION ACT REQUESTS. Consistent with the Illinois Freedom of Information Act, Village employees must redact social security numbers from information or documents being supplied to the public pursuant to a Freedom of Information Act request before allowing the public inspection or copying of the information or documents.

APPLICABILITY. This policy does not apply to the collection, use, or disclosure of a social security number as required by state or federal law, rule, or regulation. This policy does not apply to documents that are recorded with a county recorder or required to be open to the public under any state or federal law, rule, or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois.

If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, any Village employee that complies with the federal law shall be deemed to be in compliance with this policy.

IDENTITY PROTECTION PROCEDURES. All Village employees having access to social security numbers in the course of performing their duties shall be trained to protect the confidentiality of social security numbers. The training shall include instructions on the proper handling of information that contains social security numbers from the time of collection through the destruction of the information.

Only Village employees who are required to use or handle information or documents that contain social security numbers have access to such information or documents.

Social security numbers requested from an individual shall be provided in a manner that makes the social security number easily redacted if required to be released as part of a public records request.

When collecting a social security number, or upon request by the individual, a statement of the purpose or purposes for which the Village is collecting and using the social security number shall be provided to the individual.

DISTRIBUTION OF POLICY. A written copy of this policy has been provided to the Village's elected officials.

Each current Village employee shall be provided and shall acknowledge receipt of a copy of this policy. Each employee hereinafter hired by the Village shall be provided and shall acknowledge receipt of a copy of this policy upon commencing his or her employment. A copy of this policy shall be made available to any member of the public, upon request. If the Village Board amends this policy, the Village shall file a written copy of the amended policy with the Village Administrator, shall also advise all Village employees of the existence of the amended policy and make a copy of the amended policy available to each of its employees. The acknowledged copy of this policy shall be filed and maintained in each Village employee's personnel file.

This policy is effective _____, 2011.

ACKNOWLEDGMENT BY EMPLOYEE

I received a copy of this Identity Protection Policy this _____ day of _____ 2011.

Name of Employee:

Signature

**Attachment
A**

What does the Village of Gilberts do with your Social Security Number?

Statement of Purpose for Collection of Social Security Numbers
Identity-Protection Policy

The Identity Protection Act, 5 ILCS 179/1 *et seq.*, requires each local and State government agency to draft, approve, and implement an Identity-Protection Policy that includes a statement of the purpose or purposes for which the agency is collecting and using an individual's Social Security number (SSN). This statement of purpose is being provided to you because you have been asked by the Village of Gilberts to provide your SSN or because you requested a copy of this statement.

Why do we collect your Social Security number?

You are being asked for your SSN for one or more of the following reasons:

- Complaint mediation or investigation;
- Crime victim compensation;
- Vendor services, such as executing contracts and/or billing;
- Law enforcement investigation;
- Child support collection;
- Internal verification;
- Administrative services; and/or
- Other: _____

What do we do with your Social Security number?

- We will only use your SSN for the purpose for which it was collected.
- We will not:
 - Sell, lease, loan, trade, or rent your SSN to a third party for any purpose;
 - Publicly post or publicly display your SSN;
 - Print your SSN on any card required for you to access our services;
 - Require you to transmit your SSN over the Internet, unless the connection is secure or your SSN is encrypted; or
 - Print your SSN on any materials that are mailed to you, unless State or Federal law requires that number to be on documents mailed to you, or unless we are confirming the accuracy of your SSN.

Questions or Complaints about this Statement of Purpose

Contact:

Village Clerk, Debra Meadows

Village of Gilberts

87 Galligan Road, Gilberts IL 60136

Phone Number: 847-428-2861

5F

VILLAGE OF GILBERTS

KANE COUNTY

STATE OF ILLINOIS

ORDINANCE NUMBER ____-2011

An Ordinance Amending the Village of Gilberts' Code Section 14 Concerning Fees

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF GILBERTS
KANE COUNTY
STATE OF ILLINOIS**

May____, 2011

**Published in pamphlet form by authority of the President and Board of Trustees of
the Village of Gilberts, Kane County, Illinois this ____ day of _____, 2011.**

AN ORDINANCE AMENDING THE VILLAGE OF GILBERTS' CODE SECTION 14 CONCERNING FEES

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 Village Board of Trustees of the Village have determined that it is in the best interest of the welfare and safety of its citizens to amend section 14 concerning fees for refuse collection and disposal, as set forth in this Ordinance; and

WHEREAS, the President and Board of Trustees have determined that some of the fees and charges need to be modified and, in some cases, new fees and charges implemented in order to reflect the recent Board approval of a new residential refuse collection agreement; 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. Subsection 14.25.1, entitled "Residential Refuse Collection and Disposal User Fee," of Section 14.25, entitled "Refuse Collection and Disposal," shall be amended to add two new paragraphs, 14.25.1.1 and 14.25.1.2, as follows (additions are identified as underlined and deletions are identified by strikethrough):

14.25.1 Residential Refuse Collection and Disposal User Fee. Pursuant to Section 8.7.1.4 of this code, a monthly user fee shall be imposed on all residential households, invoiced and payable on a bimonthly basis, in the amount set forth in the following schedule:

Effective May 1, 2011:	Per household monthly user fee of \$23.00
Effective May 1, 2012:	Per household monthly user fee of \$24.00
Effective May 1, 2013:	Per household monthly user fee of \$24.00
Effective May 1, 2014:	Per household monthly user fee of \$25.00
Effective May 1, 2015:	Per household monthly user fee of \$26.00

14.25.1.1 Senior Discount: The residential refuse collection and disposal user fee may be discounted by ten percent (10%) for any household where the head of the household is 65 years of age or older and /or disabled.

Any eligible household may register with the Village of Gilberts upon providing proof of the head of household's age and/or disability. The Senior Discount shall then be applied to the next and subsequent billing cycles.

14.25.1.2 Late payment fee: 10% of outstanding bill amount

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

Section 5. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict 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 Ordinance.

Section 6. 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 _____, 2011.

	<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 _____, 2011

(SEAL)

Village President Rick Zirk

ATTEST:

Village Clerk, Debra Meadows

Published: _____

5G

RESOLUTION

VILLAGE OF GILBERTS

(Authorizing the Purchase Agreement between the Village of Gilberts and Landmark Ford, Springfield, Illinois for two 2011 Ford Crown Victoria Squad Cars in amount not to exceed \$45,547.00)

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 purchase agreement between the Village of Gilberts and Landmark Ford, Springfield, Illinois and such documents as are necessary and convenient to effectuate the purchase of two 2011 Ford Crown Victoria Squad Cars in the amount not to exceed \$45,547.00 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 _____, 2011 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 ____ 2011

Village President, Rick Zirk

(SEAL)

ATTEST:

Village Clerk, Debra Meadows

Published: _____

GILBERTS POLICE DEPARTMENT
86 RAILROAD STREET
GILBERTS ILLINOIS 60136

PO #: 11-001
Date: 02-16-2011
Customer ID:

Vendor
 Landmark Ford
 2401 Prairie Crossing Drive
 Springfield Illinois 62711-9485
 TX (800) 798-9912
 FX (217) 862-5316

Ship and bill to:
 Gilberts Police Department
 86 Railroad Street
 Gilberts IL 60136
 Telephone (847) 428-2954
 Fax (847) 428-4232

Request By	SHIP VIA	Tax ID
Lieutenant Mike Joswick		E9996-0753-03

Qty	Item #	Units	Description	Unit Pr	Total
2	PDS4015559		2011 Ford Crown Victoria (Black Exterior, Charcoal Black Interior)	\$20,668.00	\$41,336.00
2			Rear Locks Inoperable	\$ 22.00	\$ 44.00
2			Extended Service Contract 5year/75k	\$ 720.00	\$ 1,440.00
2			4" Flashing Trunk Lights	\$ 266.00	\$ 532.00
2			Delete Rear Window Switch	\$ 22.00	\$ 44.00
2			Power Seat (driver side)	\$ 330.00	\$ 660.00
2			Traction Control	\$ 109.00	\$ 218.00
2			Heated Mirrors	\$ 35.00	\$ 70.00
2			All Weather Rubber Floor Mats	\$ 78.00	\$ 156.00
2			Rear Door Handles Inoperable	\$ 22.00	\$ 44.00
2			Limited-Slip Axle	\$ 109.00	\$ 218.00
2			Cars Keyed Alike	\$ 50.00	\$ 100.00
2			Police Power Pigtail	\$ 25.00	\$ 50.00
1			CD Rom Service Manual	\$ 245.00	\$ 245.00
2			License, Title, & fees police plate	\$ 165.00	\$ 330.00
2			Front Door Moldings in Trunk	\$ 30.00	\$ 60.00

LT m Joswick 106

Subtotal	\$45,547.00
Freight	
Misc.	
Bal Due	\$45,547.00



**STATE CONTRACT WINNER
PSD# 4015559
2011 CROWN VICTORIA POLICE
INTERCEPTOR PACKAGE**

Call LYLE SNOW (800) 798-9912

Email lylesnow@msn.com

STANDARD PACKAGE \$20,668.00

AIR CONDITIONER
DUAL AIR BAGS
POWER WINDOWS
BUCKET SEAT VINYL REAR BENCH
POWER REMOTE CONTROL MIRRORS
AM/FM STEREO
INTERVAL WIPERS
REAR DEFROSTER
POLICE SUSPENSION
200 AMP GENERATOR
FAIL SAFE COOLING
750 CCA BATTERY
RADIO NOISE SUPPRESSION
HUB CAPS
17" TIRES AND WHEELS
CRUISE CONTROL
FRONT BODY MOLDINGS INSTALLED

FRONT SIDE AIR BAGS
WIG WAG HEADLIGHTS
4.6L V8 FFV ENGINE
POWER LOCKS
HEAVY DUTY FRAME
DUAL EXHAUST STAINLESS STEEL
ADDITIONAL DOME LIGHT
TINTED GLASS
6" LEFT HAND SPOTLIGHT
ENGINE OIL COOLER
DOOR LIGHT SWITCHES
INOPERATIVE
CALIBRATED SPEEDOMETER
TILT WHEEL
ANTI-LOCK BRAKES
RUBBER FLOORING
IGNITION OVERRIDE SECURE IDLE
POWER ADJUSTABLE PEDALS

ORDER CUT OFF DATE FEBUARY 25, 2011

"WE WILL GIVE TOP DOLLAR FOR YOUR USED POLICE VEHICLES"

ADDITIONAL OPTIONS AND ORDER FORM

PLEASE ENTER THE FOLLOWING

FORD FLEET NUMBER _____

CONTACT NAME LT Mike Joswick

PHONE NUMBER 547 428-2954

PURCHASE ORDER NUMBER _____

STATE TAX EXEMPT NUMBER _____

Quantity

2

Check desired options

Check desired options

<input type="checkbox"/>	Delete Ignition Override	(125.00)		<input type="checkbox"/>	Engine Hour Meter	215.00
<input type="checkbox"/>	Delete Wig Wag Flashers	(65.00)		<input type="checkbox"/>	12" Push Bumper	455.00
<input type="checkbox"/>	Delete Cruise Control	(189.00)		<input type="checkbox"/>	16" Push Bumper	482.00
<input checked="" type="checkbox"/>	Rear Locks Inoperable	67B 22.00		<input type="checkbox"/>	Silicone hoses w/aircraft clamps	177 320.00
<input type="checkbox"/>	Deliver Multiple Units, Each	185.00		<input checked="" type="checkbox"/>	All Weather Rubber Floor Mats	78.00
<input type="checkbox"/>	Deliver One Unit	200.00		<input type="checkbox"/>	Undercoat	185.00
<input type="checkbox"/>	Sliding Trunk Tray	598.00		<input type="checkbox"/>	Rustproof & Undercoat	289.00
<input checked="" type="checkbox"/>	Extended Service Contract 5yr or 75k	720.00		<input checked="" type="checkbox"/>	Rear Door Handles Inoperable	67R 22.00
<input type="checkbox"/>	Base Police Prep Led Lighting	65J 961.00		<input type="checkbox"/>	Scotch Guard	95.00
<input checked="" type="checkbox"/>	4" Flashing Trunk Lights	266.00		<input type="checkbox"/>	Splash Guards	125.00
<input type="checkbox"/>	Patriot Plastic Rear Seat	489.00		<input type="checkbox"/>	3 Outlet Power Supply**	138.00
<input checked="" type="checkbox"/>	Delete Rear Window Switches	948 22.00		<input type="checkbox"/>	ABS Chrome trim rings plastic	95.00
<input type="checkbox"/>	Street Appearance Group*	142.00		<input checked="" type="checkbox"/>	Limited-Slip Axle	45C 109.00
<input type="checkbox"/>	Base Lighting Led	65R 1806.00		<input type="checkbox"/>	Split-Bench Seats	472.00
<input checked="" type="checkbox"/>	Power Seat (Drivers Side)	21A 330.00		<input type="checkbox"/>	Tutone Black & White	770.00
<input checked="" type="checkbox"/>	Traction Control	552 109.00		<input type="checkbox"/>	Service Manual Paper	185.00
<input checked="" type="checkbox"/>	Heated Mirrors	61K 35.00		<input type="checkbox"/>	Engine Block Heater	41H 30.00
<input type="checkbox"/>	Trunk Pack Kevlar	14T 166.00		<input checked="" type="checkbox"/>	Cars Keyed Alike	50.00
<input type="checkbox"/>	Pass Air Bag Shutoff Switch	165.00		<input type="checkbox"/>	3.55 Limited Slip Axle	142.00
<input type="checkbox"/>	Full Wheel Covers	64N 39.00		<input checked="" type="checkbox"/>	Police Power PigTail	179 25.00
<input type="checkbox"/>	Remote Starter	564.00		<input type="checkbox"/>	Carpet & Front & Rear Mats	128 109.00
<input type="checkbox"/>	Led Trunk Lights Red & Blue	375.00		<input type="checkbox"/>	Ready for The Road Led lighting	65S 3687.00
<input type="checkbox"/>	Complete Police Prep Led	68B 2189.00		<input type="checkbox"/>	Sound Off Dome Light	91.00
<input type="checkbox"/>	Police Visibility Package Led	65H 2889.00		<input type="checkbox"/>	Single Cd Player	58Z 182.00
<input type="checkbox"/>	Cloth Rear Seat	(55.00)		<input type="checkbox"/>	Patriot Prisoner Partition	715.00
<input type="checkbox"/>	Legend light bar installed	2084.00		<input type="checkbox"/>	Trunk Air Circulation Fan	225.00
<input type="checkbox"/>	Code 3 light bar installed	2129.00		<input checked="" type="checkbox"/>	Cd Rom Service Manual	245.00
<input type="checkbox"/>	Low Profile Supervisor Code 3	1325.00		<input type="checkbox"/>	Smokers package	63B 10.00
<input type="checkbox"/>	Wingman Rear Code 3	1325.00		<input type="checkbox"/>	Roof wiring hole in center roof	187 190.00

Note
Key Code
1284X

→ 1

	Control Box For Above Lights	358.00			Remote Keyless Entry 14R	253.00
	Rear Wlg Wag	104.00			Radio-2-Way pre-wire connector 946	45.00
X	License, title, & fees police plate	165.00			License transfer, title, & fees	180.00
	Locking Gas Cap 98G	10.00			Body moldings shipped in trunk 96C	30.00
	Chrome Grille 66C	45.00			Spotlight (Right Hand) 51Y	130.00
	Decklid Release on door 61H	60.00			Lamp Pre-Wire Group 476	45.00
	Daytime Running Lights 77D	50.00			Horn Siren Wiring prep package 175	40.00
	Roof Reinforcement 185	80.00			Base Police Prep 65A	647.00
	Roof Wiring No Hole 189	85.00			Base Lighting Package 65P	1806.00
	Ballistic Door Panels 90B	2,365.00			Complete Police Prep Package 68P	1743.00
	Driver Ballstic Door Panel 90L	1290.00			Visibility Package 65W	2596.00
X	Front Door Moldings in trunk 96B	30.00			Led spotlight bulb	209.00

PAYMENT REQUIRED AT TIME OF DELIVERY

Exterior Colors

<input type="checkbox"/>	Arizona Beige	<input type="checkbox"/>	Light Grey
<input type="checkbox"/>	Medium Brown Metallic	<input type="checkbox"/>	Silver Grey Met.
<input type="checkbox"/>	Dark Toreador Red Met.	<input type="checkbox"/>	Silver Birch Met.
<input type="checkbox"/>	Smokestone Met.	X	Black
<input type="checkbox"/>	Dark Blue	<input type="checkbox"/>	Vibrant White
<input type="checkbox"/>	Norsea Blue Met.	<input type="checkbox"/>	Medium Titanium Met.
<input type="checkbox"/>	Light Blue Met.	<input type="checkbox"/>	Royal Blue
<input type="checkbox"/>	Light Ice Blue Met.	<input type="checkbox"/>	Ultra Blue Met.

Interior Colors

X	Charcoal Black
<input type="checkbox"/>	Light Camel
<input type="checkbox"/>	Medium Light Stone

***NA W/TU-TONE, RETAIL PAINT ONLY**
INCLUDES COLOR KEYED BODYSIDE MOLDINGS, REAR APPLIQUE WITH
COLOR KEYED PANELS, CROWN VICTORIA BADGE, CHROME GRILLE,
CHROME DOOR HANDLE BEZEL, CHROME TAIL LAMP APPLIQUE, FULL
WHEEL COVERS

**** NOT MOUNTED**

IF WE HAVE MISSED AN OPTION THAT YOU NEED PLEASE CALL
(800) 798-9912 EXT 253

CALL ABOUT MUNICIPAL FINANCING
Email lylesnow@msn.com

5H

RESOLUTION

VILLAGE OF GILBERTS

Authorizing an agreement between the Village of Gilberts and Baxter & Woodman to provide professional services for assistance tasks on the Unified Development Code

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 professional service agreement between the Village of Gilberts and Baxter & Woodman not to exceed \$10,900.00 and such documents as are necessary and convenient to effectuate the professional service agreement to provide services assisting drafting the Unified Development Code as here by 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 _____, 2011 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 May, 2011

Village President, Rick Zirk

(SEAL)

ATTEST: _____
Village Clerk, Debra Meadows

Published: _____

VILLAGE OF GILBERTS

General Engineering Service Request for FY 2011-2012
Page 1 of 2

Date: April 13, 2011

To: William Blecke

From: Ray Keller

Request No.:

Title: *Unified Development Code Assistance Tasks*

Work Description:

Assist with the development of the Unified Development Ordinance by revising and updating Village engineering standard requirements and details and the Village subdivision ordinance. The following Tasks are to be completed by the Village as determined by the Village. The requirements & commitments are broken down into **Tasks** and the fee for each Task is listed in the Fee section below. Each Task initialed will be completed by Baxter & Woodman, Inc and the corresponding fee amount will be invoiced upon the completion of each task.

Task 1:

Review current engineering standards and specifications and standard details and update as necessary for compliance with current recommended technology, concurrent jurisdictional standard specifications and Village manufacturer preference.

Task 2:

Develop an Engineering Standards Manual as a companion document to the subdivision ordinance in order that the standards can be updated with current technology or Village preference for suppliers and equipment manufacturers without the necessity of revising the subdivision ordinance.

Task 3:

Assist with the modification of the subdivision ordinance to remove engineering standards and specifications and reference instead the newly developed Engineering Standards Manual.

Fees:

Task 1:	Lump Sum Fee \$3,000	Initial _____ *
Task 2:	Lump Sum Fee \$4,900	Initial _____ *
Task 3:	Lump Sum Fee \$3,000	Initial _____ *

Please initial in the space provided to indicate the tasks(s) you would like included in this Service Request.

*This fee is only an estimate and may be increased depending on the extent of the services requested and number of hours accrued but only upon written notification from the Engineer and approval from the Village Administrator

VILLAGE OF GILBERTS

General Engineering Service Request for FY 2011-2012
Page 2 of 2

Schedule: The above-described tasks will begin upon receipt of this Service Request approved by the Village.

Ray Keller, Village Administrator

Date: _____

William C. Blecke, Baxter & Woodman, Inc.

Date: _____

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RESOLUTION

VILLAGE OF GILBERTS

Authorizing an agreement between the Village of Gilberts and Ancel & Glink to provide professional services for assistance tasks on the Unified Development Code

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 professional service agreement between the Village of Gilberts and Ancel & Glink not to exceed \$35,000 and such documents as are necessary and convenient to effectuate the professional service agreement to provide services assisting drafting the Unified Development Code as here by 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 _____, 2011 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 May, 2011

Village President, Rick Zirk

(SEAL)

ATTEST: _____
Village Clerk, Debra Meadows

Published: _____



A Professional Corporation
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Chicago, IL 60603
www.ancelglink.com

Julie A. Tappendorf
jtappendorf@ancelglink.com
(P) 312.604.9182
(F) 312.782.0943

January 4, 2010

Ray Keller
Village Administrator
Village of Gilberts
87 Galligan Road
Gilberts, Illinois

**RE: PROPOSAL FOR REVIEW AND UPDATE OF ZONING AND
SUBDIVISION REGULATIONS**

Dear Ray:

We are excited for the opportunity to submit our qualifications demonstrating our exceptional experience and ability to assist the Village of Gilberts in reviewing and updating the Village's zoning and subdivision regulations. Ancel Glink is uniquely qualified to assist the Village with this project and we look forward to working with the Village to establish zoning and subdivision regulations that accurately reflect the Village's development goals, land use policies, and design guidelines and preserve and enhance the quality and character of Gilberts.

Having served as the Village Attorney for almost two years, our firm has the advantage of having a familiarity with and knowledge of the Village's existing zoning and subdivision regulations. We have practical experience in interpreting and advising the Village on various provisions contained in its current zoning and subdivision regulations. We have also encountered areas in both codes that would benefit from improvements and updates. In addition, our attorneys have an excellent working relationship with Village Staff and representatives. Our familiarity and knowledge of the codes, expertise in the fields of planning and land use law, and existing relationship with the Village is certain to provide benefits to the Village in completing these important projects.

We truly hope that our qualifications meet with your approval as we eagerly anticipate the opportunity to work with the Village of Gilberts on the review and update of the Village's Zoning Code and Subdivision Code.

If you have any questions about our proposal or require further information, please contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Julie A. Tappendorf".

Julie A. Tappendorf

Enclosure



PLANNING & ZONING
CONSULTANTS
& ARCHITECTS

A Professional Corporation
140 South Dearborn Street, Suite 600
Chicago, IL 60603
www.ancelglink.com

Julie A. Tappendorf
jtappendorf@ancelglink.com
(P) 312.782.7606 Ext. 9182
(F) 312.782.0943

I. PROPOSED SCOPE OF SERVICES AND SCHEDULE

Ancel Glink is well prepared to assist the Village with reviewing and updating both the Village's zoning and subdivision regulations. We understand that the Village desires to go beyond the periodic revisions that had been necessary in the past to address immediate situations. Over the years, these periodic revisions have lead to internal inconsistencies, redundancies, and conflicts – a comprehensive review and update of these regulations will first, and foremost, address these shortcomings to enable the Village to more effectively plan for future development and more efficiently review applications and requests for zoning approvals.

Currently, the Village's zoning regulations consist of numerous stand-alone ordinances that have amended the current Zoning Code that was adopted nearly 30 years ago. I understand that the Village is interested in updating and consolidating all of its zoning regulations into one codified Zoning Code that will accurately reflect the Village's development goals, land use policies, and design guidelines. The Village is also interested in comprehensively rewriting the existing subdivision regulations. One of the options the Village is considering is adopting a unified development ordinance (UDO) that would incorporate both the zoning and subdivision regulations into one comprehensive land development code. The newly updated zoning and subdivision regulations, or UDO, will be "user-friendly" so as to better enable residents, property owners, developers, and Village Staff and Officials to interpret, understand, and administer the applicable regulations.

We understand that these projects will require frequent contact and collaboration with Village Staff to ensure effective communication and completion of the Village's goals in a prompt manner. It is expected that our existing relationship and familiarity with the Village and its regulations will provide significant benefits to the Village from a communication and collaboration standpoint. In addition, our proposal provides the Village with significant cost-benefits, as our submitted zoning and subdivision regulations amendments will include both a planning and legal analysis and recommendations.

Our Project Schedule is subject to further discussion and approval by the Village; however, we expect that we would submit a first draft of the zoning and subdivision regulations to Village Staff approximately three months after initiation of the project. We would expect to have a final draft of the updated code to the Village Board for action approximately six to nine months after initiation of the project, depending on the number of meetings with Staff and the Plan Commission on the draft code.

We propose to carry out the engagement as follows:

1. Village Staff Contact: Shortly after receiving Board direction to proceed with the project, we would formally initiate the engagement by contacting Village Staff to discuss and identify Staff concerns with the Village's existing zoning and subdivision regulations. We expect that there would be multiple conference calls, meetings, and email discussions with Village Staff throughout the project.

January 4, 2010

Page 3

2. Review and Analysis of Zoning and Subdivision Codes: We will review and analyze the zoning and subdivision regulations in more detail to identify weaknesses and shortcomings with the existing codes. In addition, we will research and identify appropriate areas within the two codes that would benefit from the incorporation of new concepts and graphics to visually illustrate complex concepts and standards, including, where appropriate, visual examples of desirable and undesirable design standards and concepts. Our discussions and interviews with Village Staff will enable us to determine if there are certain regulations adopted by like communities that may be modified for the Village in order to maximize the Village's goals and objectives while being sensitive to available and projected Village resources.
3. First Draft of Codes: We will coordinate our analyses with the collected Village Staff responses and use these to begin drafting new zoning and subdivision regulations. This process will also involve, we expect, an appreciable level of communication between our team and Village Staff.
4. Plan Commission Hearings: After submission of the first draft of the zoning and subdivision regulations, we would attend and facilitate a Plan Commission public hearing to discuss and consider the zoning and subdivision regulations. At the public hearing, we will discuss the specific changes to the existing zoning and subdivision regulations and solicit comments from the members of the Plan Commission.
5. Second Draft of Zoning and Subdivision Codes: Following the Plan Commission public hearings, we would revise the zoning and subdivision regulations to incorporate the various comments of the Plan Commission and conduct follow up research, if necessary. The second draft of the zoning and subdivision regulations will be the "Plan Commission recommended draft" that will move forward to the Village Board.
6. Final Presentation to the Village Board: We would attend a Final Presentation to make our formal presentation of the recommended draft of the zoning and subdivision regulations to the Village Board.
7. Final Draft of the Codes: Following the Final Presentation, we would make any necessary final modifications to refine the zoning and subdivision regulations and deliver the final zoning and subdivision regulations to Village Staff in both hard copy and electronic format.

This work plan proposal is subject to some level of variability as we proceed, but we will endeavor to hold as closely as possible to the work plan which, as much as anything, will be affected by the number of meetings we participate in. This work plan will result in well-considered zoning and subdivision regulations that are representative of the diversity of views

January 4, 2010

Page 4

we obtain from the various meetings with Village Staff and public meetings with elected and appointed officials of the Village.

II. PROJECT TEAM

The key contact for this project will be Julie Tappendorf, who will consult with partners Stewart Diamond and David Silverman from time to time. Our collective experience spans several decades and includes extensive involvement in land use matters, including the preparation of numerous municipal land use codes and ordinances, as well as authoring several articles on land use issues, participation in and speaking at numerous land use seminars for lawyers and non-lawyers alike, and teaching and lecturing in educational settings. Julie is an active member in the American Planning Association and has spoken at the APA's national and state conferences. She is also a faculty member of the American Law Institute/American Bar Association's Land Use Institute and an adjunct faculty member of the John Marshall Law School.

In addition, we may seek assistance from time to time from other attorneys or paralegals in our office. Because of the nature of our practice, these additional people are familiar with zoning and land use matters and their services can be used efficiently in support of our teams' work.

III. BUDGET

Ancel Glink proposes to bill hourly, at a rate of \$195.00 per hour, with a "not to exceed" amount of \$35,000 for the combined rewrite of the zoning and subdivision regulations (UDO). If the Village is interested in separating the projects, the "not to exceed" cost estimate for the Zoning Code review and update is \$25,000, and the "not to exceed" cost estimate for the Subdivision Code review and update is \$10,000.

Each monthly bill for services includes the initials of the individual performing the assigned task, the date on which the work was performed, a detailed description of the work, and the amount of time spent completing the assignment.

IV. RELATED EXPERIENCE

Ancel Glink's representation of units of government in the land use area spans the state, both geographically and in terms of the spectrum of development: from urban communities to areas with development pressures to rural communities. This breadth of experience gives us an equally broad and unrivaled perspective on the various land use challenges in each context. This recognized experience has resulted in a number of special counsel engagements to assist governments in the updating or rewriting of zoning codes, subdivision codes and other land use regulations.

January 4, 2010

Page 5

Among our representative clients in this regard are:

- Island Lake: Over the past year, we worked with the Village of Island Lake to complete a comprehensive rewrite of the Village's Zoning Code, which was adopted by the Village Board in December of 2009. In 2010, we will be working with the Village on a comprehensive update to the remainder of the Village Code, including a rewrite of the Village's subdivision and other land development regulations.
- Davis Junction: We have worked closely with the Village in preparing a comprehensive plan that was adopted last year and have been working with the Village for the past year on a comprehensive rewrite of the Village's zoning and subdivision regulations.
- Morton Grove: We began assisting the Village in early 2006 with the review and drafting of a unified development code that merges the Village's zoning and subdivision regulations, as well as other land use and development provisions, into one composite document. Most of this work was completed in late summer 2006 and was eventually adopted in November 2006 by the Board of Trustees.
- Oak Forest: Over the course of our representation we have been involved in a steady process of rewriting the City's zoning and subdivision code, to better integrate land use policies, remove regulations that result in an over reliance on variation processes to enable even simple improvements to property, simplify land use regulations to make them readily understandable, and streamline administrative procedures. Last year, the City retained us to assist with a comprehensive rewrite of all of the City's land development regulations, which project is ongoing in 2010.
- South Elgin: Since 2001, we have worked with the Village in every aspect of modern land development. For example, we worked with the Village and Kane County to implement the County's 50-50-50 land use plan through an approved Land Resource Management Plan, through amendments to that plan and the negotiation and implementation of boundary agreements. We have also assisted the Village with the review and update of its zoning code, with the review and rewrite of its subdivision ordinance, with the implementation of a moratorium on certain development, with the development of a new downtown master plan, and with the refinement of hearing procedures before the Planning and Zoning Commission.
- Bellwood: In 2005 and 2006, we led the Village through an educational and zoning code update process that examined current zoning techniques to facilitate redevelopment goals in six areas of the Village. The educational process involved explaining current form-based and hybrid zoning strategies, as well as the use of overlay zoning to encourage the type of mixed use redevelopment that the Village desired. In late 2006, the Village adopted zoning code text amendments establishing a redevelopment overlay

January 4, 2010

Page 6

zone that took elements from the various zoning techniques considered and balanced them against the reasonable capacities of Village staff.

- Berkeley: Over the course of our representation of the Village, we have substantially rewritten sections of the Village's subdivision ordinance, including bolstering the public improvement guarantees and maintenance requirements, establishing procedures for approval of "minor subdivisions", preparing new application and administrative review procedures, and coordinating the subdivision ordinance provisions with new planned development procedures designed to expand the Village's regulatory authority over redevelopment. In 2005, we also reviewed and redrafted substantial portions of the Village's un-codified zoning ordinances in preparation to codify these ordinances, which was accomplished in early 2006.
- Plano: As a first step in 2006, we assisted the City in reorganizing, reconciling inconsistencies, and rewriting provisions of their subdivision ordinance to enhance provisions related to land dedications and impact fees and performance and maintenance guarantees, as well as recommend provisions to facilitate the City's downtown master plan. We have since worked with the City reviewing public improvement design standards to ensure that they are consistent with our recommendations to promote high quality residential and commercial development.

In addition, while practicing at her former law firm of Holland & Knight, LLP, Julie was principally responsible for the following projects:

- Long Grove: Julie assisted the Village of Long Grove in reviewing and drafting a comprehensive rewrite of the Village's Zoning Code. This process included attendance at numerous meetings with Village staff, workshops and public hearings before the Plan Commission, and various meetings with the Village Board of Trustees before the newly updated Zoning Code was adopted by the Long Grove Village Board in 2007.
- Glencoe: Julie worked with the Village of Glencoe to develop new subdivision regulations to replace regulations that had become outdated and no longer consistent with the land use goals of the Village.
- Bannockburn: From 1997 through 2007, Julie assisted the Village of Bannockburn with numerous amendments and updates to its zoning regulations.

These projects are just a sample of the extensive range of experience and scope of insightful and creative approaches that Ancel Glink can offer the Village in reviewing and updating the Village's zoning and subdivision regulations.

5J

RESOLUTION

VILLAGE OF GILBERTS

Authorizing an agreement between the Village of Gilberts and Baxter & Woodman to provide professional services for designing and permitting the work on the reconstruction of Binnie Road

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 professional service agreement between the Village of Gilberts and Baxter & Woodman not to exceed \$22,500.00 and such documents as are necessary and convenient to effectuate the professional service agreement to provide services for designing and permitting the work on the reconstruction of Binnie Road as here by 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 _____, 2011 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 May, 2011

Village President, Rick Zirk

(SEAL)

ATTEST: _____
Village Clerk, Debra Meadows

Published: _____

**VILLAGE OF GILBERTS, ILLINOIS
Binnie Road Reconstruction Design
ENGINEERING SERVICES
WORK ORDER**

ENGINEERING SERVICES PROJECT # 100532.43

Description of Services to be Provided:

In general, the scope of work for this project includes designing and permitting of the reconstruction of the East 700 feet of the (approximately) west 2,100 feet of Binnie Road. The objective is to relieve historic backwater flooding conditions within the sag located on the road in the 700 foot reconstruction section. The work consists of the redesign of the easterly 700 linear feet of roadway including raising the base +/-4" along with the construction of new binder and final surface course asphalt. A detailed scope of services is found in Attachment A.

Schedule:

The above-described engineering services will begin upon receipt of this Work Order approved by the Village of Gilberts. The design tasks in Attachment A are to be completed and drawings and specifications ready for bidding within 120 days of receiving the signed Work Order.

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 ENGINEERS' fee for the services described in Attachment A shall be computed on the basis of their hourly billing rates for actual work time performed plus reimbursement of out-of-pocket expenses including travel costs, which total amount will not exceed \$22,500.

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

By: _____

Title: Vice President

Date: _____

Approved: **Village of Gilberts, IL**

By: _____

Title: _____

Date: _____

Additional Comments and Conditions: None

Scope of Services

1. ADMINISTRATION & MEETINGS – Organize and attend a PROJECT kick-off meeting with VILLAGE staff to discuss goals and objectives of the PROJECT; and establish clear lines of communication. Meet with VILLAGE staff to review and approve the method of establishing priorities for accomplishing work.
2. FIELD SURVEYS - Complete a field survey to establish line and grade of the roadway reconstruction, culvert replacement and associated restoration. Survey to generate base plan sheets for reconstruction design.
3. DESIGN - Provide engineering drawings for municipal acceptance for roadway reconstruction and drainage improvements within the ROW.
4. PERMITTING – Obtain necessary permits for construction including, but not limited to, IDOT Local Roads and NPDES Stormwater Discharge.
5. BIDDING – Advertise the project for bidding and assist with the bid opening, tabulation of bids and award recommendation.

5K

RESOLUTION

VILLAGE OF GILBERTS

Authorizing an agreement between the Village of Gilberts and Baxter & Woodman to design and reconstruct the Roads referenced in the Road Program

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 Preliminary Engineering Services Agreement for Motor Fuel Tax Funds between the Village of Gilberts and Baxter & Woodman, for an amount not to exceed \$97,000.00 in Motor Fuel Tax Funds, and such documents as are necessary and convenient to effectuate the professional service agreement to design and reconstruct the Roads referenced in the Road Program as here by 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 _____, 2011 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 May, 2011

Village President, Rick Zirk

(SEAL)

ATTEST:

Village Clerk, Debra Meadows

Published:



Illinois Department of Transportation

Resolution for Improvement by Municipality Under the Illinois Highway Code

BE IT RESOLVED, by the President and Board of Trustees of the
Council or President and Board of Trustees
Village _____ of Gilberts Illinois
City, Town or Village

that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
Various (See Exhibit A)			

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of Design Engineering for pavement pulverization or HMA milling,
HMA resurfacing, drainage improvements, restoration and other misc. work.

_____ and shall be constructed 19'-44' wide
and be designated as Section 11-00005-00-RS

2. That there is hereby appropriated the (additional ☐ Yes ☒ No) sum of Ninety Seven Thousand
Dollars (\$97,000.00) for the
improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Contract ; and,

Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the
district office of the Department of Transportation.

Approved

Date

Department of Transportation

Regional Engineer

I, Village Clerk in and for the

Village of Gilberts

City, Town or Village

County of Kane , hereby certify the

foregoing to be a true, perfect and complete copy of a resolution adopted

by the President and Board of Trustees

Council or President and Board of Trustees

at a meeting on _____

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this

_____ day of _____

(SEAL)

City, Town, or Village Clerk

Municipality Gilberts (V)	L O C A L A G E N C Y	 Illinois Department of Transportation Preliminary Engineering Services Agreement For Motor Fuel Tax Funds	C O N S U L T A N T	Name Baxter & Woodman, Inc.
Township				Address 8678 Ridgefield Road
County Kane				City Crystal Lake
Section 11-00005-00-RS				State IL

THIS AGREEMENT is made and entered into this _____ day of _____, 2011 between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the improvement of the above SECTION. Motor Fuel Tax Funds, allotted to the LA by the State of Illinois under the general supervision of the State Department of Transportation, hereinafter called the "DEPARTMENT", will be used entirely or in part to finance ENGINEERING services as described under AGREEMENT PROVISIONS.

Section Description

Name 2011 Road Repair Program

Route _____ Length 5.75 Mi. 30,368.00 FT (Structure No. _____)

Termini Various. See Exhibit A.

Description:

Design engineering services for various road repairs, ENGINEER's project number 110346.40 (See Exhibits A, B, and D).

Agreement Provisions

The Engineer Agrees,

1. To perform or be responsible for the performance of the following engineering services for the LA, in connection with the proposed improvements herein before described, and checked below:
 - a. ☒ Make such detailed surveys as are necessary for the preparation of detailed roadway plans
 - b. ☐ Make stream and flood plain hydraulic surveys and gather high water data, and flood histories for the preparation of detailed bridge plans.
 - c. ☒ Make or cause to be made such soil surveys or subsurface investigations including borings and soil profiles and analyses thereof as may be required to furnish sufficient data for the design of the proposed improvement. Such investigations are to be made in accordance with the current requirements of the DEPARTMENT.
 - d. ☐ Make or cause to be made such traffic studies and counts and special intersection studies as may be required to furnish sufficient data for the design of the proposed improvement.
 - e. ☐ Prepare Army Corps of Engineers Permit, Department of Natural Resources-Office of Water Resources Permit, Bridge waterway sketch, and/or Channel Change sketch, Utility plan and locations, and Railroad Crossing work agreements.
 - f. ☐ Prepare Preliminary Bridge design and Hydraulic Report, (including economic analysis of bridge or culvert types) and high water effects on roadway overflows and bridge approaches.
 - g. ☒ Make complete general and detailed plans, special provisions, proposals and estimates of cost and furnish the LA with five (5) copies of the plans, special provisions, proposals and estimates. Additional copies of any or all documents, if required, shall be furnished to the LA by the ENGINEER at his actual cost for reproduction.
 - h. ☐ Furnish the LA with survey and drafts in quadruplicate of all necessary right-of-way dedications, construction easement and borrow pit and channel change agreements including prints of the corresponding plats and staking as required.

Note: Four copies to be submitted to the Regional Engineer

- i. ☒ Assist the LA in the tabulation and interpretation of the contractors' proposals
 - j. ☐ Prepare the necessary environmental documents in accordance with the procedures adopted by the DEPARTMENT's Bureau of Local Roads & Streets.
 - k. ☐ Prepare the Project Development Report when required by the DEPARTMENT.
- (2) That all reports, plans, plats and special provisions to be furnished by the ENGINEER pursuant to the AGREEMENT, will be in accordance with current standard specifications and policies of the DEPARTMENT. It is being understood that all such reports, plans, plats and drafts shall, before being finally accepted, be subject to approval by the LA and the DEPARTMENT.
 - (3) To attend conferences at any reasonable time when requested to do so by representatives of the LA or the Department.
 - (4) In the event plans or surveys are found to be in error during construction of the SECTION and revisions of the plans or survey corrections are necessary, the ENGINEER agrees that he will perform such work without expense to the LA, even though final payment has been received by him. He shall give immediate attention to these changes so there will be a minimum delay to the Contractor.
 - (5) That basic survey notes and sketches, charts, computations and other data prepared or obtained by the Engineer pursuant to this AGREEMENT will be made available, upon request, to the LA or the DEPARTMENT without cost and without restriction or limitations as to their use.
 - (6) That all plans and other documents furnished by the ENGINEER pursuant to this AGREEMENT will be endorsed by him and will show his professional seal where such is required by law.

The LA Agrees,

1. To pay the ENGINEER as compensation for all services performed as stipulated in paragraphs 1a, 1g, 1i, 2, 3, 5 and 6 in accordance with one of the following methods indicated by a check mark:
 - a. ☐ A sum of money equal to _____ percent of the awarded contract cost of the proposed improvement as approved by the DEPARTMENT.
 - b. ☒ A sum of money equal to the percent of the awarded contract cost for the proposed improvement as approved by the DEPARTMENT based on the following schedule:

Schedule for Percentages Based on Awarded Contract Cost

Awarded Cost		Percentage Fees	
Under	\$50,000	Cost plus fixed fee not to	(see note)
		Exceed \$97,000 (See Exhibit C)	%
			%
			%
			%
			%

Note: Not necessarily a percentage. Could use per diem, cost-plus or lump sum.

2. To pay for services stipulated in paragraphs 1b, 1c, 1d, 1e, 1f, 1h, 1j & 1k of the ENGINEER AGREES at actual cost of performing such work plus 5 percent to cover profit, overhead and readiness to serve - "actual cost" being defined as material cost plus payrolls, insurance, social security and retirement deductions. Traveling and other out-of-pocket expenses will be reimbursed to the ENGINEER at his actual cost. Subject to the approval of the LA, the ENGINEER may sublet all or part of the services provided under the paragraph 1b, 1c, 1d, 1e, 1f, 1h, 1j & 1k. If the ENGINEER sublets all or part of this work, the LA will pay the cost to the ENGINEER plus a five (5) percent service charge.
- "Cost to Engineer" to be verified by furnishing the LA and the DEPARTMENT copies of invoices from the party doing the work. The classifications of the employees used in the work should be consistent with the employee classifications for the services performed. If the personnel of the firm, including the Principal Engineer, perform routine services that should normally be performed by lesser-salaried personnel, the wage rate billed for such services shall be commensurate with the work performed.

3. That payments due the ENGINEER for services rendered in accordance with this AGREEMENT will be made as soon as practicable after the services have been performed in accordance with the following schedule:
 - a. Upon completion of detailed plans, special provisions, proposals and estimate of cost - being the work required by paragraphs 1a through 1g under THE ENGINEER AGREES - to the satisfaction of the LA and their approval by the DEPARTMENT, 90 percent of the total fee due under this AGREEMENT based on the approved estimate of cost.
 - b. Upon award of the contract for the improvement by the LA and its approval by the DEPARTMENT, 100 percent of the total fee due under the AGREEMENT based on the awarded contract cost, less any amounts paid under "a" above.

By Mutual agreement, partial payments, not to exceed 90 percent of the amount earned, may be made from time to time as the work progresses.

4. That, should the improvement be abandoned at any time after the ENGINEER has performed any part of the services provided for in paragraphs 1a, through 1h and prior to the completion of such services, the LA shall reimburse the ENGINEER for his actual costs plus _____ percent incurred up to the time he is notified in writing of such abandonment - "actual cost" being defined as in paragraph 2 of THE LA AGREES.
5. That, should the LA require changes in any of the detailed plans, specifications or estimates except for those required pursuant to paragraph 4 of THE ENGINEER AGREES, after they have been approved by the DEPARTMENT, the LA will pay the ENGINEER for such changes on the basis of actual cost plus 147 percent to cover profit, overhead and readiness to serve - "actual cost" being defined as in paragraph 2 of THE LA AGREES. It is understood that "changes" as used in this paragraph shall in no way relieve the ENGINEER of his responsibility to prepare a complete and adequate set of plans and specifications.

It is Mutually Agreed,

1. That any difference between the ENGINEER and the LA concerning their interpretation of the provisions of this Agreement shall be referred to a committee of disinterested parties consisting of one member appointed by the ENGINEER, one member appointed by the LA and a third member appointed by the two other members for disposition and that the committee's decision shall be final.
2. This AGREEMENT may be terminated by the LA upon giving notice in writing to the ENGINEER at his last known post office address. Upon such termination, the ENGINEER shall cause to be delivered to the LA all surveys, permits, agreements, preliminary bridge design & hydraulic report, drawings, specifications, partial and completed estimates and data, if any from traffic studies and soil survey and subsurface investigations with the understanding that all such material becomes the property of the LA. The ENGINEER shall be paid for any services completed and any services partially completed in accordance with Section 4 of THE LA AGREES.
3. That if the contract for construction has not been awarded one year after the acceptance of the plans by the LA and their approval by the DEPARTMENT, the LA will pay the ENGINEER the balance of the engineering fee due to make 100 percent of the total fees due under this AGREEMENT, based on the estimate of cost as prepared by the ENGINEER and approved by the LA and the DEPARTMENT.
4. That the ENGINEER warrants that he/she has not employed or retained any company or person, other than a bona fide employee working solely for the ENGINEER, to solicit or secure this contract, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the ENGINEER, any fee, commission, percentage, brokerage fee, gifts or any other consideration, contingent upon or resulting from the award or making of this contract. For Breach or violation of this warranty the LA shall have the right to annul this contract without liability.

IN WITNESS WHEREOF, the parties have caused the AGREEMENT to be executed in quadruplicate counterparts, each of which shall be considered as an original by their duly authorized officers.

Executed by the LA:

Village of Gilberts of the
(Municipality/Township/County)

ATTEST:

State of Illinois, acting by and through its

By _____

Village Clerk

(Seal)

By _____

Title Village President

Executed by the ENGINEER:

Baxter & Woodman, Inc.

8678 Ridgefield Road

ATTEST:

Crystal Lake, IL 60012

By _____

By _____

Title Deputy Secretary

Title Vice President / COO

Approved

Date _____

Department of Transportation

Regional Engineer

VILLAGE OF GILBERTS, ILLINOIS
2011 ROAD REPAIR PROGRAM
SECTION NO.: 11-00005-00-RS

EXHIBIT A

PROJECT DESCRIPTION

The PROJECT is expected to include pavement pulverization or Hot-Mix Asphalt removal, and resurfacing, and minor drainage improvements on the following roadways:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
Sleeping Bear Trail	Whitefeather Lane	End
Running Deer Lane	Whitefeather Lane	End
Red Hawk Path	Running Deer Lane	Sleeping Bear Trail
Whitefeather Lane	Running Deer Lane	Sleeping Bear Trail
Shining Moon Path	Running Deer Lane	Sleeping Bear Trail
Arrowhead Drive	Whitefeather Lane	Tyrell Road
Pierce Street	Tyrell Road	Jean Street
Kathleen Street	Pierce Street	Pauline Court
Joan Court	Pierce Street	End
Andra Court	Pierce Street	End
Jean Street	Pierce Street	Pamela Court
Pamela Court	Towne Street	End
Pauline Court	Towne Street	End
Towne Street	Pauline Court	Towne Court
Towne Court	Towne Street	End
Suzanne Street	Towne Street	End
Deborah Street	Towne Street	End
Kildare Street	Tyrell Road	Welch Street
Kilkenny Court	Kildare Street	End
Welch Street	Tipperary Street	End
Kerry Court	Welch Street	End
Tipperary Street	Hennessy Court	End
Hennessy Court	Tipperary Street	End
Mason Road	Tipperary Street	End
Toll View Terrace	Park Street	End
Toll View Court	Toll View Terrace	End
Wind Mill Place	Toll View Terrace	Tyler Creek Street
Tyler Creek Street	End	End
Park Street	Toll View Terrace	End
Park Court	Park Street	End

The work also includes analysis of existing sidewalks, installing raised detectable warnings at sidewalk ramps to conform to current ADA standards and pavement markings, grading ditches, replacing rusted or collapsed culverts, replacing driveway aprons as necessary to install the new culverts, adding end sections to all new culverts, and restoring parkways with grass seed.

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VILLAGE OF GILBERTS, ILLINOIS
2011 ROAD REPAIR PROGRAM
SECTION NO.: 11-00005-00-RS

EXHIBIT B

SCOPE OF SERVICES

DESIGN SERVICES

1. MANAGE PROJECT – Plan, schedule, and control the activities that must be performed to complete the PROJECT including budget, schedule, and scope. Confer with LA staff, from time to time, to clarify and define the general scope, extent and character of the PROJECT and to review available data.
2. PRELIMINARY PLANS, SPECIFICATIONS, AND ESTIMATE OF COST
 - FIELD EVALUATION – Perform a field evaluation on the condition of existing pavements, and calculate quantities of pavement repair.
 - TOPOGRAPHIC SURVEY – Perform topographic surveys of natural and manmade features within the roadway right-of-way of streets to be pulverized and recycled in order to develop base sheets for PROJECT plan and profile drawings and cross sections. Prepare schematic drawings (no topographic survey) of the streets to be milled and overlaid in order to develop base sheets for PROJECT plan drawings. In addition, obtain data of record indicating locations of underground utilities.
 - PRELIMINARY GEOMETRIC PLANS – Prepare geometric plans, details and typical sections for the proposed improvements.
 - ESTIMATE OF COST – Develop pavement improvement strategies for each street. Prepare a summary of quantities, schedules, and an Engineer's Estimate of Cost.
 - SPECIAL PROVISIONS – Prepare special provisions in accordance with IDOT MFT guidelines.
 - GEOTECHNICAL REPORT – Employ the services of a geotechnical sub-consultant to take pavement cores for each roadway of the surface and base material to determine the composition of the existing pavement material at locations to be determined during design. The geotechnical consultant will provide an analysis of the cores in accordance with the requirements of the DEPARTMENT.

3. FINAL PLANS, SPECIFICATIONS, AND ESTIMATE OF COST

- QC/QA – Perform an in-house peer review and constructability review of the pre-final plans, specifications, and estimates of cost for the PROJECT.
- FINAL CONTRACT PLANS AND CONTRACT PROPOSAL - Prepare contract documents consisting of Plans, Special Provisions, Contract Proposals, Engineer's Estimate of Probable Construction Cost and Construction Schedule for the LA to receive construction bids.

4. ASSIST BIDDING – Provide documents for bidding and assist the LA in solicitation of bids from as many qualified bidders as possible, receive and evaluate bids, tabulate bids, and make a recommendation to the LA for an award of contract.

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**EXHIBIT C - PRELIMINARY ENGINEERING
2011 ROAD REPAIR PROGRAM**

ROUTE: Various
LOCAL AGENCY: (Municipality/Township/County)
SECTION: 11-00005-00-RS
PROJECT: 2011 ROAD REPAIR PROGRAM
JOB NO.: 110346.40

METHOD OF COMPENSATION:
COST PLUS FIXED FEE 1
COST PLUS FIXED FEE 1
COST PLUS FIXED FEE 1
DIRECT LABOR MULTIPLE
SPECIFIC RATE
LUMP SUM

X
14.5% [(DL + R (DL) + OH (DL) + IHDC)
14.5% [(DL + R (DL) + 1.4 (DL) + IHDC)
14.5% [(2.3 + R) DL + IHDC)
[(2.8 + R) DL] + IHDC

* FIRM'S APPROVED RATES ON FILE WITH IDOT'S
BUREAU OF ACCOUNTING AND AUDITING:
OVERHEAD RATE (OH)
COMPLEXITY FACTOR (R)
CALENDAR DAYS

147%
0

COST ESTIMATE OF CONSULTANT SERVICES IN DOLLARS

ELEMENT OF WORK	EMPLOYEE CLASSIFICATION	MAN- HOURS	PAYROLL RATE	PAYROLL COSTS (DL)	OVERHEAD*	SERVICES BY OTHERS	IN-HOUSE DIRECT COSTS (IHDC)	PROFIT	TOTAL
DESIGN SERVICES (110346.40)									
MANAGE PROJECT									
	PRINCIPAL	15	\$50.30	\$755.00	\$1,110.00		\$120.00	\$288.00	\$2,273.00
	SR ENGINEER I	30	\$42.54	\$1,276.00	\$1,876.00			\$457.00	\$3,609.00
PRELIMINARY PLANS, SPECIFICATIONS, AND ESTIMATE OF COST									
FIELD EVALUATION									
TOPOGRAPHIC SURVEY									
	SR ENGINEER III	40	\$47.74	\$1,910.00	\$2,808.00		\$100.00	\$699.00	\$5,517.00
	SR ENGINEER I	5	\$42.54	\$213.00	\$313.00			\$76.00	\$602.00
	CAD OPERATOR II	100	\$29.91	\$2,991.00	\$4,397.00			\$1,071.00	\$8,459.00
	CAD OPERATOR III	158	\$35.25	\$5,570.00	\$8,188.00			\$1,995.00	\$15,753.00
	ENGINEER TECH II	150	\$27.12	\$4,068.00	\$5,980.00		\$245.00	\$1,492.00	\$11,785.00
ESTIMATE OF COST									
	ENGINEER I	30	\$31.24	\$937.00	\$1,377.00			\$336.00	\$2,650.00
	SR ENGINEER I	80	\$42.54	\$3,403.00	\$5,002.00			\$1,219.00	\$9,624.00
	ENGINEER I	80	\$31.24	\$2,499.00	\$3,674.00			\$895.00	\$7,068.00
	CAD OPERATOR II	140	\$29.91	\$4,187.00	\$6,155.00			\$1,489.00	\$11,841.00
	SR ENGINEER I	4	\$42.54	\$170.00	\$250.00	\$8,000.00		\$61.00	\$8,481.00
	ENGINEER I	20	\$31.24	\$625.00	\$919.00			\$224.00	\$1,768.00
FINAL PLANS, SPECIFICATIONS, AND ESTIMATE OF COST									
	SR ENGINEER I	8	\$42.54	\$340.00	\$500.00			\$122.00	\$962.00
	ENGINEER TECH III	4	\$35.80	\$143.00	\$210.00			\$51.00	\$404.00
FINAL CONTRACT PLANS AND CONTRACT DOCUMENTS									
	SR ENGINEER I	20	\$42.54	\$851.00	\$1,251.00			\$305.00	\$2,407.00
	CAD OPERATOR II	20	\$29.91	\$598.00	\$876.00			\$214.00	\$1,691.00
ASSIST BIDDING									
	CLERICAL	6	\$23.57	\$141.00	\$207.00		\$20.00	\$53.00	\$421.00
	SR ENGINEER I	14	\$42.54	\$596.00	\$876.00			\$213.00	\$1,685.00
DESIGN SERVICES SUBTOTAL		924		\$31,273	\$45,972	\$8,000	\$485	\$11,270	\$97,000

IN-HOUSE DIRECT COSTS (INCLUDED IN TOTAL COST):
VEHICLE EXPENSES - TRAVEL, 951 MI @ \$0.51/MILE

SERVICES BY OTHERS (INCLUDED IN TOTAL COST):
GEOTECHNICAL REPORT (SOIL & MATERIAL CONSULTANTS)

\$485.00

\$8,000.00

VILLAGE OF GILBERTS, ILLINOIS
2011 ROAD REPAIR PROGRAM
SECTION NO.: 11-00005-00-RS

EXHIBIT D

ANTICIPATED SCHEDULE

- | | |
|---|---------------------------|
| 1. Project Kick-off Meeting | April 19, 2011 |
| 2. Village Board Notice to Proceed | May 3, 2011 |
| 3. Present Final Contract Documents at Public Meeting
and make adjustments as directed by Village Board
to address comments by the Board and the public | May 24, 2011 |
| 4. Village Board Authorizes Bidding | June 7, 2011 |
| 5. Submit Plans and Bidding Documents to IDOT for
Review | June 8, 2011 |
| 6. IDOT Approval | June 17, 2011 |
| 7. Advertise for Bidding | June 23 and June 30, 2011 |
| 8. Bid Opening | July 6, 2011 |
| 9. Award Contract at Village Board Meeting | July 19, 2011 |
| 10. Pre-construction Conference | August 8, 2011 |
| 11. Begin Construction | August 15, 2010 |
| 12. Complete Construction | November 15, 2011 |

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D.doc



5L

RESOLUTION

VILLAGE OF GILBERTS

Authorizing an agreement between the Village of Gilberts and Baxter & Woodman to design a SCADA System

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 professional service agreement between the Village of Gilberts and Baxter & Woodman not to exceed \$141,000.00 and such documents as are necessary and convenient to effectuate the professional service agreement to design a SCADA System as here by 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 _____, 2011 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 May, 2011

Village President, Rick Zirk

(SEAL)

ATTEST:

Village Clerk, Debra Meadows

Published: _____



Village of Gilberts - Water System and WWTP SCADA Upgrades - Budget Memo

February 24, 2010

Following are a list of recommended scope items with the associated fees for providing upgrades to the existing Water System and WWTP SCADA systems that will enable more efficient operation of the facilities.

Scope of Services

Network Connectivity and IT Improvements

- Provide desktop workstation at the WWTP to allow operations staff to perform daily functions required to operate the WWTP.
- Provide point-to-point high speed wireless link between the WWTP and WTP to allow network connection of the two facilities. Mesh network radios will be used to allow future expansion of the high speed wireless network.
- Provide Internet connection and security appliance (firewall) at the WTP to allow VPN connectivity to the Village Hall network, and remote access to the new SCADA Server (proposed below).
- Provide laptop to allow remote access to SCADA server from anywhere using an Internet connection (or through the network connection at the WWTP). The laptop can also be used at the WTP for performing required daily administrative tasks.

SCADA Improvements

- Provide SCADA server at the WTP to provide central location for monitoring, supervisory control, trending, alarming, and data collection for both the Water System and WWTP.
 - SCADA graphics for the water system will include an overview screen, tower/altitude valve screen, softener screen, system totals screen, trend screen, and setpoint/control screen to allow adjustment of system parameters.
 - SCADA graphics for the WWTP system will include an overview screen, pump control screens for the Raw Sewage station and RAS/WAS station, blowers screen, system totals screen and trend screen.
 - Alarm software on SCADA server will allow centralized management of alarms and a single location for logging alarms for both the water and WWTP systems.
 - A Data collection and reporting database will be developed to provide data collection of regulatory data for both the water and WWTP systems. Data that is available in the SCADA system will automatically be stored in the database. Data not available in SCADA will be manually entered by operations staff. Operations staff will have the ability to print monthly regulatory reports for both the water and WWTP systems from the historical database.



- Provide two (2) DH+ to Ethernet converters (one at the WWTP and one at the WTP) to allow the SCADA server to communicate to the Programmable Logic Controllers (PLCs).
- Provide PLC programming as required to allow data to be transmitted appropriately to the SCADA system and reporting database.
- Provide tower level transmitter panel and PLC-based SCADA control panel and radio system to connect Tower 3 to the WTP PLC. This tower is currently not connected into the water SCADA system. Although this is not required as the tower currently "floats" on the system and is not used for control, it provides additional information regarding the pressure on the north end of town and could possibly be used for more flexible control options in the future.
- Provide PLC-based SCADA control panel and radio system to connect the Bransik and Conservancy Lift Stations into the SCADA system. This would enable operations staff to better monitor the operation of the lift stations.

Budget Costs

Following is a table with budget costs for the various items in the scope of work above. All costs include labor and materials for an installed system.

Item	Estimated Cost
IT Improvements (Desktop/laptop/firewall)	\$8,000 ¹
Point-to-Point high speed wireless link (WTP to WWTP)	\$12,000
SCADA Improvements	
System design, project coordination, and documentation	\$10,000
SCADA Server Hardware, Software licenses and base setup	\$15,000
SCADA Graphical Software Development	\$18,000
SCADA Alarm software and development	\$4,000
Historical data collection and reporting system	\$10,000
PLC programming modifications	\$5,000
Onsite startup and testing	\$8,000
DH+ to Ethernet converters	\$4,000
Tower 3 Level Transmitter and SCADA connection	\$23,000
Lift Station SCADA connection (\$12,000 each x 2)	\$24,000
TOTAL	\$141,000

M:\GILBV\GENERAL\ADMIN\BUDGET\SCADA\SCADA UPGRADES BUDGET SCOPE-FEE DOC.DOCX

¹ Note: We are assuming the Internet service at the WTP will cost \$80 per month.



B&W Control Systems Integration

8678 Ridgefield Road · Crystal Lake, IL 60012

815.788.3600 office · 815.455.0450 fax · www.bwcsi.com

Quality-Based Selectionⁱ vs. Design/Bid/Build for Technology Projects

Introduction

BWCSI is often asked if a particular community, district, or agency is required to competitively bid their technology or SCADA system work. While we are not lawyers by any means, we have looked up some of the Illinois Statutes related to competitive bidding and have provided some other related information in this document to help our clients make informed decisions when selecting a project methodology.

Preliminary Considerations

The quickest consideration for making a quality-based selection of a Systems Integrator (SI) and/or a Technology Consultant is that our work products (a.k.a. deliverables) are the result of a professional's design, so the capabilities and product differ widely from firm to firm. Unlike constructing a building to detailed specifications, very few agencies (*even including* many traditional engineering firms) even have the expertise to accurately design and specify a SCADA or technology project, making it virtually impossible to ascertain the technical differences in a submitted "bid." When clients select an SI based on price, they are sometimes selecting the firm who decided to cut corners on scope (and price) because the product wasn't accurately defined in the specifications or request for proposal document.

Top 5 Reasons why BWCSI Clients Select us based on Qualifications

1. We are the only Systems Integrator in Illinois and Wisconsin that is "Triple Certified" in the critical technologies that MANY of our clients use:
 - a. We are a GE/Intellecion Solution Provider and a Certified Wonderware Integrator
 - b. We are a Rockwell (Allen Bradley) Registered Integrator
 - c. We are a Microsoft Certified Partner
2. We guarantee our 24x7 responsiveness (response within 30 minutes...every time without failure).
3. We are uniquely skilled in Information Technology Security – we do NOT provide "Security by Obscurity," which many of our competitors claim is the right way to secure applications (by attempting to hide them from the rest of a network). Recognizing the sensitivity of government data, we employ a "Certified Information System Security Professional" (CISSP) that is responsible for the security and network architecture of our projects.
4. We are one of the ONLY Technology Consulting firms that focus exclusively on government. **We know government applications in & out** (not just computers and networking). It is our unique knowledge on how government technology applications work with government business processes that many clients feel no one else provides quite like us.

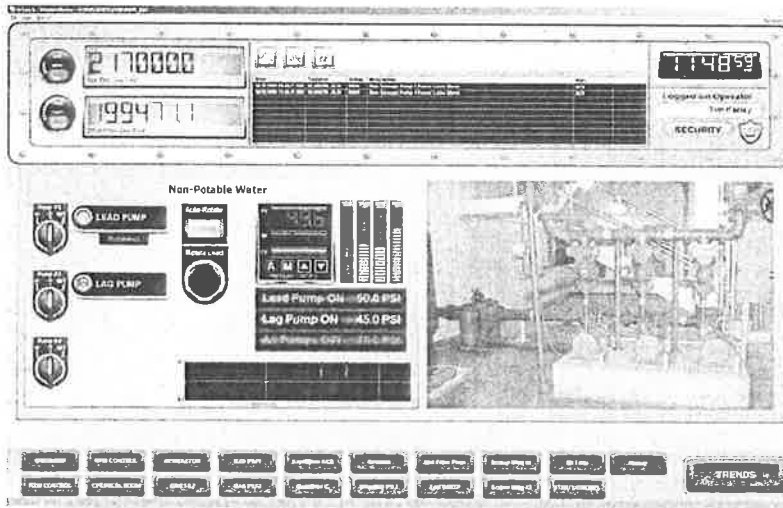


BWCSI Case Study

Village of Huntley, IL Water & Wastewater SCADA System

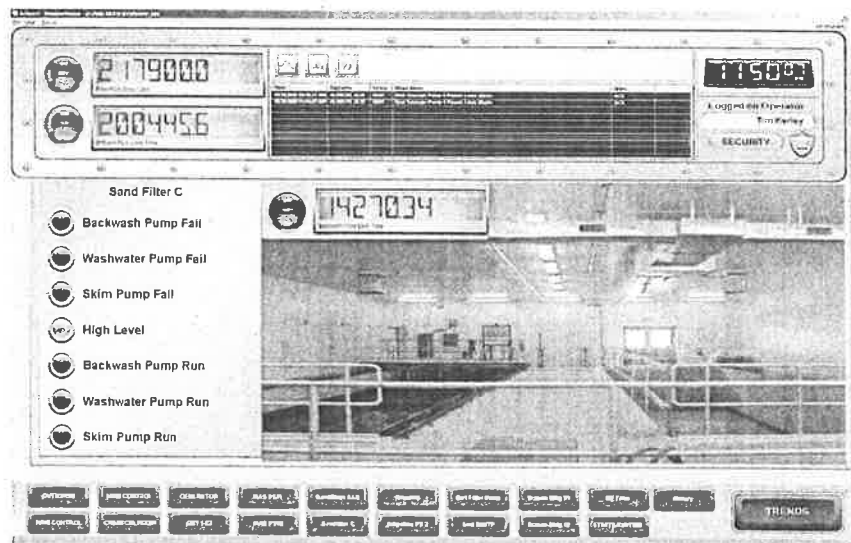
The Village of Huntley's West Wastewater Treatment Plant (WWTP) underwent a significant process upgrade in 2009. Once the Village had decided to upgrade the WWTP, B&W Control

Systems Integration (BWCSI) was retained to design, configure, and install a state-of-the-art Wastewater SCADA system to minimize the amount of time operators spent manually modifying process controls and collecting data, while also maximizing the flexibility of the system. BWCSI was also concurrently upgrading the Village's Water SCADA system with Invensys/Wonderware's InTouch product, and the

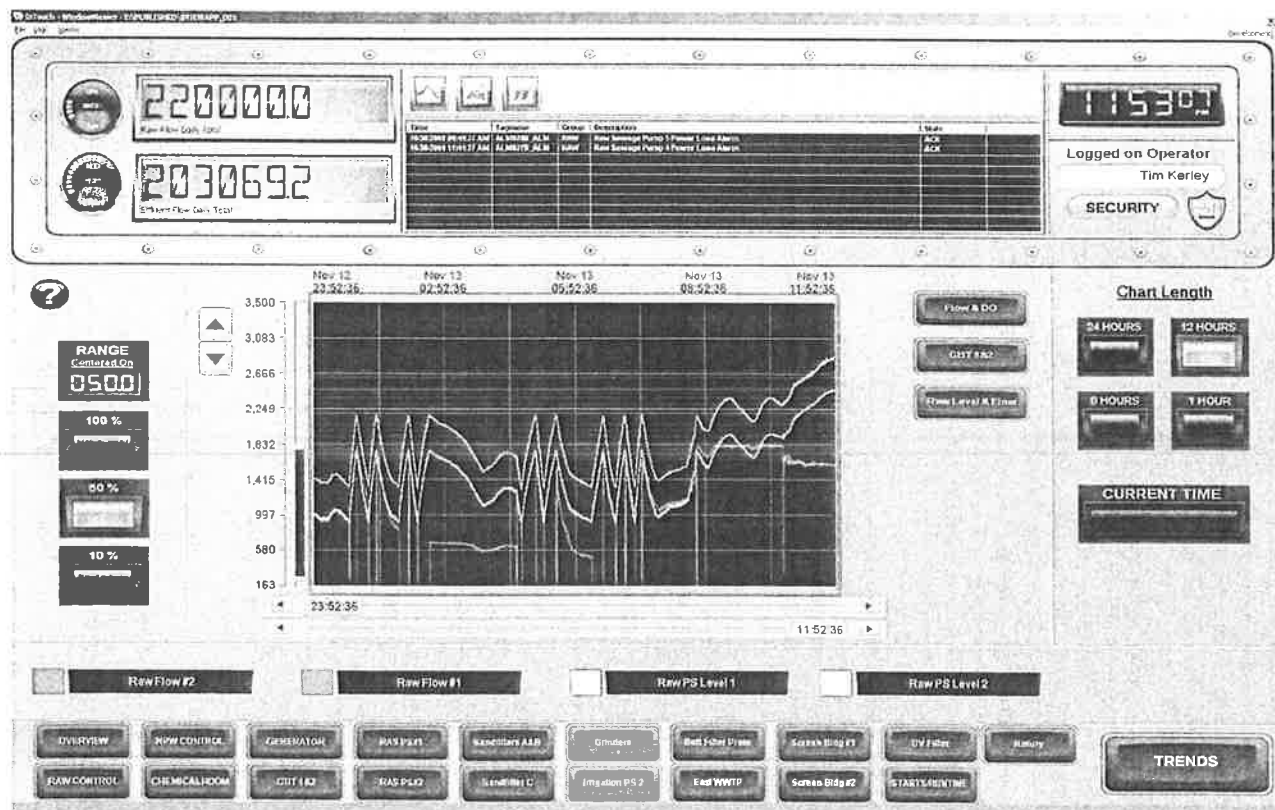
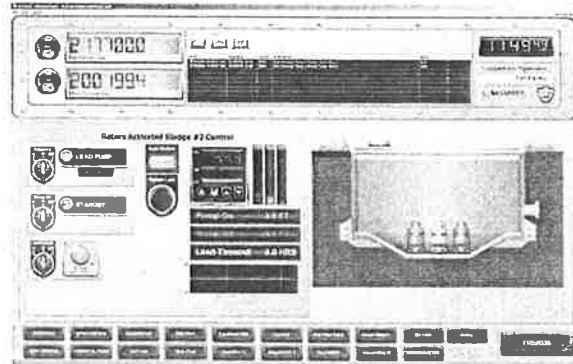


Wastewater staff agreed that the same Wonderware products being used for the water system would be ideally suited to supervise and control the new Wastewater Treatment Plant processes. InTouch and the related software was configured and installed onto a new, redundantly-built Dell

PowerEdge server to concentrate and present plant-wide data from over 18 different Programmable Logic Controllers (PLCs), which were used to control and monitor the wastewater treatment process. The WWTP PLC network was designed using an IP-based industrial redundant fiber ring that isolates the controls network from the Village's administrative data and maximizes the bandwidth and reliability for SCADA,



presenting full real-time data information to the operations staff. Wonderware's SCADAAlarm was also configured and is used to notify operators of specific alarm conditions via their mobile phones. Operations staff use a laptop to connect to a broadband Internet connection and establish a secured, encrypted Virtual Private Network connection to the WWTP, authenticate to the SCADA server, then securely manage the plant from anywhere with Internet connectivity. Operator-friendly screens, consistent navigation, and advanced Wonderware System Platform graphics minimize operator learning curve. Data from both the water and wastewater systems is automatically saved in a non-proprietary SQL database, where it is combined with other plant lab data and presented on a consistent web-based reporting platform that is accessible from anywhere on the Village's administrative network.



6A

DRAFT

Ordinance No. 12-2011

AN ORDINANCE AFFIRMING THE FINDINGS OF THE ZONING BOARD OF APPEALS TO DENY VARIANCES FROM ZONING ORDINANCE SECTION 3.3 "ACCESSORY USE AND STRUCTURE REGULATIONS," SECTION 5.5 "ACCESSORY USES" AND SECTION 5.6 "SITE AND STRUCTURE PROVISIONS" FOR PROPERTY LOCATED AT 15 N 288 TYRRELL ROAD

WHEREAS, Maria Ramos and Jesus Alvarado have filed for variances from 3.3 "Accessory Use and Structure Regulations," Section 5.5 "Accessory Uses" and Section 5.6 "Site and Structure Provisions" of the Gilberts Zoning Code to allow an existing nonconforming structure as a guest house after the construction of a new primary residence on property zoned A-1 Agricultural located at 15 N 288 Tyrrell Road; and,

WHEREAS, the Gilberts Zoning Board of Appeals held a public hearing and reviewed the request on March 23, 2011, and citing inadequate findings in support of the requests, voted 4-1 to recommend denial of the requested variances; now,

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

Section 1. That Village Board of Trustees affirms the findings of the Zoning Board of Appeals and does not grant variances from Section 3.3 "Accessory Use and Structure Regulations," Section 5.5 "Accessory Uses" and Section 5.6 "Site and Structure Provisions" of the Gilberts Zoning Code.

Section 2. That all provisions of the Village of Gilberts Zoning Ordinance shall remain in full force and effect, and this Ordinance shall take effect upon its passage and approval according to law.

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 Savings 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 Ordinance.

PASSED BY ROLL CALL VOTE OF THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this ____ day of _____, 2011.

DRAFT

	<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 _____, 2011

(SEAL)

Village President Rick Zirk

ATTEST:

Village Clerk, Debra Meadows

Published: _____

6B

RESOLUTION

VILLAGE OF GILBERTS

Waiving competitive bidding requirements and authorizing an agreement between the Village of Gilberts and Baxter & Woodman to provide professional services for designing, permitting and constructing Gilberts Glen Storm Sewer Replacement and Detention Pond Restoration and Binnie Road Drainage Improvements

WHEREAS, the Village of Gilberts desires to engineer and repair storm water drainage infrastructure in the Gilberts Glen subdivision and in the vicinity of Binnie Road; and

WHEREAS, Baxter & Woodman have served as the Village Engineers for the Village of Gilberts since 2003, and an agreement between the Village and their Village Engineers is not subject to the Local Government Professional Services Selection Act; and

WHEREAS, projects defined as “public works” with a value greater than \$30,000.00 require a competitive bidding process set forth in state statute 65 ILCS 5/8-9, or a waiver of the competitive bidding process if approved by two-thirds of the Village Board; and

WHEREAS, the proposed agreement capitalizes on Baxter & Woodman’s knowledge and history of Gilberts, their qualifications in designing and overseeing storm water management projects, and their relationships with qualified subcontractors who may assist with the completion of the repairs;

Now, 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 waives the competitive bidding requirements for this project should any element of this agreement be found to be a “public works project” subject to the requirements set forth by state statute 65 ILCS 5/8-9.

Section 2:

The Village of Gilberts hereby authorizes the Village President and Village Clerk to execute a professional service agreement between the Village of Gilberts and Baxter & Woodman not to exceed \$237,500.00 and such documents as are necessary and convenient to effectuate the professional service agreement to provide services for designing, permitting and constructing Gilberts Glen Storm Sewer Replacement and Detention Pond Restoration and Binnie Road Drainage Improvements as here by attached hereto and made a part hereof as Exhibit A as approved.

Section 3:

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

Passed this _____ day of _____, 2011 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 May, 2011

Village President, Rick Zirk

(SEAL)

ATTEST: _____
Village Clerk, Debra Meadows

Published: _____

VILLAGE OF GILBERTS, ILLINOIS
Gilberts Glen Storm Sewer Replacement and Detention Pond Restoration and
Binnie Road Drainage Improvements
ENGINEERING SERVICES
WORK ORDER

ENGINEERING SERVICES PROJECT # 100532.42

Description of Services to be Provided:

In general, the scope of work for this project includes designing, permitting and constructing drainage maintenance improvements to minimize localized flooding in the Gilberts Glen east and west subdivisions and restore the drainage system to its original design condition. The project will consist of the replacement of approximately 2,200 linear feet of 10 to 15 inch high density polyethylene (HDPE) pipe that runs from stormwater pond located in the northeast corner of the Gilberts Glen east subdivision southwest under Tyrrell Road and through the Gilberts Glen west subdivision to Tyler Creek. The project will also include the repair of the pond outlet structure to lower the current water level and restore lost live runoff storage and necessary pond embankment restoration.

The Binnie Road drainage improvement work consists of repairs/replacement of drain tiles/culverts and overland flows to restore historic conveyance conditions to the Binnie Road right-of-way.

A detailed scope of services is found in Attachment A.

Schedule:

The above-described engineering services will begin upon receipt of this Work Order approved by the Village of Gilberts. The design tasks in Attachment A are to be completed and drawings and specifications ready for within 30 days of receiving the signed Work Order. Construction is to be substantially complete by September 15, 2011 with final completion by October 15, 2011.

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 ENGINEERS' fee for the services described in Attachment A shall be computed on the basis of their hourly billing rates for actual work time performed plus reimbursement of out-of-pocket expenses including travel costs, which total amount will not exceed \$237,500.

Submitted: Baxter & Woodman, Inc. By: _____ Title: <u>Vice President</u> Date: _____	Approved: Village of Gilberts, IL By: _____ Title: _____ Date: _____
Additional Comments and Conditions: None	

Village of Gilberts, Illinois
Gilberts Glen Storm Sewer Replacement and Detention Pond Restoration and
Binnie Road Drainage Improvements
Engineering Services
Work Order 100532.42

Attachment A

Scope of Services

1. **ADMINISTRATION & MEETINGS** – Organize and attend a PROJECT kick-off meeting with VILLAGE staff to discuss goals and objectives of the PROJECT; and establish clear lines of communication. Meet with VILLAGE staff to review and approve the method of establishing priorities for accomplishing work.
2. **FIELD SURVEYS** - Complete a field survey to establish line and grade of the storm sewer replacement and overland swale grading. Provide a metes and bounds description of all necessary permanent and temporary easements for construction and future maintenance of proposed improvements.
3. **DRAINAGE ANALYSIS** – Review the original design hydrology and hydraulic conditions for the Gilberts Glen tributary drainage area (use of hydrologic and hydraulic computer models is not included in this scope). Analyze pipe sizing, overland relief (swale sizing) and pond storage and restoration to return storage and conveyance to original design conditions. Document and provide to the Village the design flow that can be conveyed and also the maximum storage volume in the pond. Analyze overland flow paths and pond control structures for comparison to historic data.
4. **DESIGN** - Prepare design drawings and specifications sufficient in detail to allow for installation of the replacement storm sewer to the established line and grade, regrading and restoration of the overland relief swale, reconstruction of the detention pond outlet structure and restoration of the pond embankment. In addition prepare a stormwater pollution prevention plan and Notice of Intent for submittal to the IEPA under the Villages existing NPDES Stormwater Discharge Permit.
5. **CONSTRUCTION** - Replace +/- 2,500 LF of 12"/15" HDPE piping, provide structures at key, elevations, critical areas, and change of direction to allow proper drainage and of tributary areas as shown on the design drawing(s). Provide earthwork to return overland swale system through Gilberts Glen East and West to historic conditions. Remove any asphalt and concrete that may be obstructing existing swale system along with soil overburden to an approved offsite location, including soil testing as required. Provide final grading, topsoil placement, and seeding of all disturbed areas.

Upstream (southwest) of the Binnie Road, reconstruct/repair concrete overland flow structure to historic conditions (reducing existing pond elevation by one (1) foot). Repair/replace approximately 1000-1200 Linear feet of existing drain tile. Repair 800LF of upstream overland swale area along and provide critical elevations for Village approval. Reseed approximately 1.5 acres of various disturbed shoreline areas.

6. PROJECT CLOSEOUT AND RECORD DRAWINGS - Provide documentation of any found, broken, and repaired drain tiles throughout course of scheduled work. Provide final record drawings in electronic format and final waivers, product and work guarantees, and warranty/maintenance bonds.

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6D

6C

Ordinance 13-2011

**AN ORDINANCE AMENDING SECTION 16 "SIGN CODE" OF THE
VILLAGE CODE CONCERNING COMMERCIAL MONUMENT SIGNS**

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 Village Board of Trustees of the Village of Gilberts have determined that it is in the best interest of the welfare and safety of its citizens to amend the requirements set forth for "monument signs" for commercial uses to exclude the base and side supports from the maximum allowable size for ground signs;

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 16.10.1.2., entitled "Monument Signs", is hereby amended to hereafter read as follows (additions are identified as underlined and deletions are identified by strikethrough):

- 16.10.1.2.1 Type – The only type of sign allowed is a monument sign.
- 16.10.1.2.2 Number – There shall not be more than one (1) monument sign for each principal building.
- 16.10.1.2.3 Construction – the base of all monument signs shall be two feet in height and constructed of brick to match the building.
- 16.10.1.2.4 Location – A monument sign shall not extend over any lot line or within fifteen (15) feet of any point of vehicular access from a zoning lot to a public roadway.
- 16.10.1.2.5 Height – A monument sign shall not project higher than eight (8) feet, as measured from the top of the base specified in Section 16.10.1.2.3. ~~of sign or grade of the nearest roadway or the average grade within thirty (30) feet, whichever is lower.~~
- 16.10.1.2.6 Length – The maximum length of the message area on a monument sign shall be ten (10) feet, and the maximum length of the monument sign inclusive of columns or side supports shall not exceed fourteen (14) feet in length.

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

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after the passage, approval, and publication in pamphlet form.

Passed this _____ day of _____, 2011 by roll call vote as follows:

	<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 _____,
2011.

Village President Rick Zirk

(SEAL)

ATTEST:

Village Clerk Debra Meadows

Published: _____