

Close +

Village of Gilberts

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

Village Administrator Memorandum 24-11

TO: President Rick Zirk
Board of Trustees

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

DATE: March 11, 2011

RE: Committee of the Whole Board Meeting – March 15, 2011

The following summary discusses the agenda items for the Village Board meeting scheduled for March 15, 2011:

1. CALL TO ORDER

2. ROLL CALL / ESTABLISH QUORUM

3. PUBLIC COMMENT

4. CONSENT AGENDA

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

A. Motion to approve the Minutes for the March 1, 2011 Village Board meeting

Staff recommend approval of the minutes, which were reviewed by the Board at the March 8 Committee of the Whole meeting.

B. Motion to approve the Minutes for the March 8, 2011 Committee of the Whole meeting

Please review the enclosed minutes, which were not previously reviewed at a Committee of the Whole meeting. Please contact Staff prior to the meeting with any corrections or questions. Staff recommend approval.

C. Motion to approve the Treasurer's Report for February 2011

Staff recommend approval of the Treasurer's Report for February 2011, which was reviewed at the March 8 Committee of the Whole meeting. Please contact me prior to the meeting with any requests for supplemental information.

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

D. Motion to approve Bills and Salaries Dated March 15, 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 prior to the meeting. Staff recommend approval.

E. Motion to approve Ordinance 06-2011, an Ordinance Authorizing the Disposal of Personal Property Owned by the Village of Gilberts

Approval of this ordinance would authorize the disposal of vehicle G-2, a squad car that was taken out of service in October 2009 and stripped for replacement parts for three other vehicles. A number of spare parts will be kept in inventory should they be needed in the future. The remaining frame will be sold for scrap or recycling. Staff recommend approval. The Village Board reviewed this item at the March 8 Committee of the Whole meeting and added it to the Consent Agenda.

F. Motion to approve Resolution 13-2011, a Resolution approving an agreement with Safety Management Inc.

Approval of this resolution would authorize an agreement with Safety Management Inc. to facilitate the IEPA's approval process for an amendment to the Village's wastewater treatment facility plan. Last Spring, the Village Engineers from Baxter & Woodman initiated a process to explore the possible renegotiation of approximately \$9.6 million in infrastructure obligations attached to the Village's next wastewater treatment plant expansion. Efforts to restructure the Village's obligations have since stalled, prompting the Village to consider retaining Safety Management Inc. to assist with the process. The proposed scope of services would cost up to \$14,800, which would be funded by the Village's enterprise fund.

Staff recommend approval. This item was reviewed at the March 8 Committee of the Whole meeting and added to the consent agenda.

5. ITEMS FOR APPROVAL

A. A motion to approve Resolution 14-2011, a Resolution approving the Pavement Management Report

Village Engineers from Baxter & Woodman have completed the final draft of the Pavement Management Report. The report was updated to reflect the potential cost-savings of bonding for a comprehensive surfacing program that were discussed in November 2010. The engineers' recommendations were also updated to highlight the pros and cons of implementing the road program at different funding levels.

Staff recommend approval of the Pavement Management Report. If the sales tax referendum is approved, Staff can then begin working on the implementation of the recommended resurfacing program. If not, Staff will work with the engineers to review scenarios for a smaller bond project or repairing road segments on a yearly basis as outlined in the plan. In either case, Staff will begin assembling a capital improvement program based on the report's recommendations and the available resources.

B. Resolution 15-2011, a Resolution authorizing payment of the Hill-Newby Recapture Agreement

As discussed at the February 15 and March 8 meetings, the owners of the Mobil Station have inquired about the Village repaying the Newby-Hill Recapture agreement. In 2007, the Village entered into a recapture agreement with Hill-Newby LLC for the extension of a twelve-inch water main under Higgins Road (IL Route 72). Though the project immediately benefitted their property, the Village acknowledged that the water main extension under Higgins Road was necessary to eventually loop water mains through the industrial park and approved a recapture agreement.

Early repayment of the recapture would reduce the future cost of connecting to the water system by avoiding the accumulating additional interest on the amount due. After accounting for three years of interest owed due to the terms of the agreement, the total outstanding recapture balance is now \$162,096.44. Early repayment may also encourage connection to the water mains, improving the potential of the properties while reducing the out-of-pocket costs to owners. By buying out the recapture agreement, the Village retains the ability to reduce or eliminate the recapture repayment when working with adjacent property owners on connecting to the water system.

Staff recommend approval of the payment, conditional upon the payment being made after the start of the new fiscal year on May 1, 2011. If approved, Staff will incorporate the payment into the TIF and enterprise fund budgets for FY 2012.

6. ITEMS FOR DISCUSSION

Please contact me if there is a topic that can be addressed prior to or at the meeting.

7. 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.

There will be an open house information session about the non-home rule sales tax referendum on Tuesday, March 22 from 5:00 p.m. to 7:30 p.m. Staff will be available to answer questions about the referendum, the Pavement Management Plan, or related issues.

8. BOARD OF TRUSTEES REPORTS

9. PRESIDENT'S REPORT

10. EXECUTIVE SESSION

Staff will discuss ongoing collective bargaining matters during the executive session. If there is another topic to be discussed during this session, please contact the Village President or me prior to the meeting. Please also contact me with any questions about current closed session topics.

11. ADJOURNMENT

**Village Board of Trustees
Meeting Agenda
Village of Gilberts
87 GALLIGAN ROAD,
GILBERTS, ILLINOIS 60136
March 15, 2011
7:00 P.M.**

A G E N D A

ORDER OF BUSINESS

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

2. ROLL CALL/ESTABLISH QUORUM

3. PUBLIC COMMENT

4. CONSENT AGENDA

- A. A motion to approve Minutes from the March 1, 2011 Village Board Meeting
- B. A motion to approve Minutes from the March 8, 2011 Committee of the Whole Meeting
- C. A motion to approve February 2011 Treasurer's Report
- D. A motion to Bills and Salaries Dated March 15, 2011
- E. A motion to approve Ordinance 06-2011, an Ordinance Authorizing the Disposal of Personal Property Owned by the Village of Gilberts
- F. A motion to approve Resolution 13-2011, a Resolution approving an agreement with Safety Management Inc.

5. ITEMS FOR APPROVAL

- a. A motion to approve Resolution 14-2011, a Resolution approving the Pavement Management Report
- b. A motion to approve Resolution 15-2011, a Resolution authorizing payment of the Hill-Newby Recapture Agreement

6. ITEMS FOR DISCUSSION

7. STAFF REPORTS

8. BOARD OF TRUSTEES REPORTS

9. PRESIDENT'S REPORT

10. EXECUTIVE SESSION

A portion of the meeting will be closed to the Public, effective immediately as Permitted by 5 ILCS 120/2 (c) (1) to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Village, and as permitted by 5 ILCS 102/2 (c) (11) to discuss litigation against, affecting, or on behalf of the Village which has been filed and is pending in a court or administrative tribunal of which is imminent and as permitted by 5 ILCS 120/2 (c) (21) to review and approve closed session minutes and as permitted by 5 ILCS 120/2 (c) 2 Collective negotiating matters.

11. ADJOURNMENT

AUDIENCE PARTICIPATION

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

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

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

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

"The Village of Gilberts complies with the Americans with Disabilities Act (ADA). For accessibility assistance, please contact the Village Clerk at the Village Hall, telephone number 874/428-2861." *Assistive services will be provided upon request*

4A

**Village of Gilberts
Village Board of Trustees
87 Galligan Road
Gilberts, Illinois 60136
Meeting Minutes
March 1, 2011**

NOT APPROVED MINUTES

Call to Order/Pledge of Allegiance

President Zirk called the meeting to order at 7:02 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 Erbeck, Clark, Mierisch, Zambetti and Farrell. 1-absent: Trustee Cullotta. Others present: Administrator Keller, Finance Director Blocker, Utility Superintendant Costillo, and Utility Technician Varas and Village Clerk Meadows. For members of the audience please see the attached list.

Employee Introduction

Administrator Keller introduced the newly hired Utilities Technician Mr. Randy Varas who began his employment with the Village on February 22.

Utility Superintendant remarked that the Village had hired a great and qualified person to oversee the operations of the water treatment plant. He continued to report that Baxter & Woodman's last day in assisting the Village with the operations at the water and wastewater plants was Friday, February 25th. The Board Members welcomed Utilities Technician Varas.

Public Comment

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 February 15, 2011 Village Board Meeting
- B. A motion to approve Bills and Salaries dated March 1, 2011 as follows: General Fund \$27,250.80, Performance bonds and Escrows \$ 193.00, Water Fund \$10,634.49, Payroll \$52,294.15
- C. A motion to approve Resolution 11-2011, A Resolution supporting the Appropriate Conservation Measures Managing Chronic Wasting Disease among the Deer Population

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

Items for Approval

A motion to approve Resolution 08-2011, a Resolution authorizing an agreement between the Village of Gilberts and Lauterback & Amen, LLP to provide professional audit services for Fiscal Year 2011 and 2012.

A motion was made by Trustee Erbeck and seconded by Trustee Farrell to approve Resolution 08-2011, a Resolution authorizing an agreement between the Village of Gilberts and Lauterback & Amen, LLP to provide professional audit services for Fiscal Year 2011 and 2012. Roll call: Vote: 5-ayes: Trustees Clark, Mierisch, Zambetti, Farrell and Erbeck. 0-nays, 0-abstained. Motion carried.

A motion to approve Resolution 09-2011, a Resolution approving the Police Pension Contribution for the Year Ending April 30, 2011 in the amount of \$74,250.

Administrator Keller reported that this amount was reflected in the ordinances establishing this year's property tax levy. The pension board attorney requested that the Village Board approve a separate resolution affirming the contribution.

A motion was made by Trustee Clark and seconded by Trustee Zambetti to approve Resolution 09-2011, a Resolution approving the Police Pension Contribution for the Year Ending April 30, 2011 in the amount of \$74,250. Roll call: Vote: 5-ayes: Trustees Mierisch, Zambetti, Farrell, Erbeck and Clark. 0-nays, 0-abstained. Motion carried.

A motion to approve Resolution 10-2011, a Resolution authorizing an agreement between the Village of Gilberts and MDC to provide residential waste hauling services.

Administrator Keller reported that the agreement had been revised to reflect the Board's comments. Trustee Farrell inquired about the delivery of the toters. Administrator Keller stated he was working with Mr. York on the transition issues. Mr. York responded that he prefers the large toters are delivered and then if residents preferred to have the smaller toters they could exchange them.

Trustee Clark expressed concern that the contract makes participation mandatory.

Trustee Clark was unclear if this discussion should be brought up during items 6C or 6D discussions. Trustee Erbeck believed the discussion was relative to agenda item 6D.

A motion was made by Trustee Erbeck and seconded by Trustee Farrell to approve Resolution 10-2011, a Resolution authorizing an agreement between the Village of Gilberts and MDC to provide residential waste hauling services. Roll call: Vote: 5-ayes: Trustees Zambetti, Farrell, Erbeck, Clark and Mierisch. 0-nays, 0-abstained. Motion carried.

A motion to approve Ordinance 04-2011, an Ordinance amending the Village of Gilberts Code Section 8.7: Refuse Collection and Disposal” and Section 14 Concerning Fees

Trustee Clark suggested there be language to allow residents the opportunity to opt out if they have alternative waste hauling means. In addition, the Village should allow residents the option to temporary shut-off their service if they were not going to be home for any extended length of time. Administrator Keller said that if a resident was going to be gone for an extended length of time and turned off their water it would trigger the garbage service to be turned off.

Trustee Clark discussed the legality of the Village mandating waste hauling service. Trustee Mierisch inquired on where in the contract was the language that mandated every resident have their waste removed by MDC. Administrator Keller stated the language was contained in Exhibit “A” in the RFP on page one.

A lengthy discussion ensued with respect to allowing resident to temporarily turn off their service. The Board concurred that their policy is to allow residents to temporarily turn off their waste hauling service if they were going to be away for an extended length of time.

In addition, the Board agreed to implement a policy which at staff’s discretion would allow residents the option of opting out of the mandated waste hauling service. However, if the resident opting out of the service had any garbage related property maintenance violations or placed garbage out on the curb they would be required to have their service reinstated and they would be backed billed.

A motion was made by Trustee Zambetti and seconded by Trustee Erbeck to approve Ordinance 03-2011, an Ordinance amending the Village of Gilberts Code Section 8.7 “Refuse Collection and Disposal” and Section 14 Concerning Fees with a policy to allow households to opt out if approved by administration. Roll call: Vote: 5-ayes: Trustees Farrell, Erbeck, Clark, Mierisch and Zambetti. 0-nays, 0-abstained. Motion carried.

A motion to approve Ordinance 04-2011, an Ordinance adding a New Section to the Village of Gilberts Code Section 12.5 "Collection of Waste Hauling, Tap-on Fees, Wastewater and Water Fees"

Administrator Keller reported that approval of this Ordinance establishes a priority order to the application of payments to the Village for outstanding bills. The Village would benefit most from ensuring that the order bills are paid are before the water bill. The Village has the most effective leverage on access to public water, primarily through shutoffs and/or water liens.

A motion was made by Trustee Clark and seconded by Trustee Erbeck to approve Ordinance 04-2011, an Ordinance adding a New Section to the Village of Gilberts Code Section 12.5 "Collection of Waste Hauling, Tap-On Fees, Wastewater and Water Fees". Roll call: Vote: 5-ayes: Trustees Erbeck, Clark, Mierisch, Zambetti and Farrell. 0-nays, 0-abstained. Motion carried.

A motion to approve Ordinance 05-2011, an Ordinance amending Gilberts Code Section 10.18 "Vehicle License Fees and Section 14 "Fee Schedule".

A motion was made by Trustee Clark and seconded by Trustee Erbeck to approve Ordinance 05-2011, an Ordinance amending Gilberts Code Section 10.18 "Vehicle License Fees and Section 14 "Fee Schedule". Roll call: Vote: 5-ayes: Trustees Clark, Mierisch, Zambetti, Farrell and Erbeck. 0-nays, 0-abstained. Motion carried.

Administrator Keller stated that this Ordinance would be effective immediately. Trustee Mierisch was pleased with the passage of the Ordinance. She commented on the people who in the past did not purchase the vehicle stickers and laughed in the Village's face.

A motion to approve Resolution 12-2011, a Resolution authorizing an agreement between the Village of Gilberts and GovQA Inc. for the "ShopQA" website demonstration program.

Administrator Keller reported that ShopQA is offering the ShopQA services to the Village for free for three years as a demonstration project, in exchange for including Gilberts in their efforts to promote the Shop QA service to other Illinois communities. Gilberts is one of ten Illinois communities invited to participate in the program, along with communities such as West Dundee, Crystal Lake and Shorewood.

The program is a new initiative that links a business directory portal hosted by GovQA to the Village's website, replacing the Village's own directory. The directory is searchable and includes micro-websites for each business that participates

Village Board
Meeting Minutes
March 1, 2011
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In addition the agreement offers the Village a ten percent share on online advertising revenue generated by Gilberts Shop QA site. Local businesses will also be given priority to advertise on the Gilberts' ShopQA site before external businesses are offered the opportunity.

Trustee Mierisch inquired on how the Village would be tracking the advertising revenue. Administrator Keller replied ShopQA would be providing the Village with reports. He commented on the various ways the new revenue stream could be used. He recommended the first year the revenue be channeled into the reserve account.

Trustee Erbeck questioned how the Village would oversee the content being posted on the website. Administrator Keller reported he had been discussing this concern with ShopQA and there are a variety of ways to control and flag inappropriate content.

A motion was made by Trustee Clark and seconded by Trustee Zambetti to approve Resolution 12-2011, a Resolution authorizing an agreement between the Village of Gilberts and GovQA Inc. for the "ShopQA" website demonstration program. Roll call: Vote: 5-ayes: Trustees Mierisch, Zambetti, Farrell, Erbeck and Clark. 0-nays, 0-abstained. Motion carried.

Board of Trustee Reports

Trustee Erbeck requested an overview of the Police Department squad's mileage and age. In addition, he commented on the picture of cannibalized squad G2. Administrator Keller stated that at the next meeting he will be reporting on the cost savings benefits of cannibalizing squads instead of auctioning them off.

Trustee Zambetti discussed alternative entrance signage.

There being no further business to discuss, a motion was made by Trustee Erbeck and seconded by Trustee Clark to adjourn from the public meeting at 8:06 p.m. Roll call: Vote: 5-ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows

4B

**Village of Gilberts
Committee of the Whole
87 Galligan Road
Gilberts, IL 60136
Meeting Minutes
March 8, 2011**

NOT APPROVED MINUTES

Call to Order/Pledge of Allegiance

President Zirk called the meeting to order at 7:02 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, Zambetti, Farrell and President Zirk. Others present: Administrator Keller, Assistant to the Village Administrator Beith and Village Clerk Meadows. For members of the audience please see the attached list.

Items for Consideration

Minutes from the March 1, 2011 Village Board Meeting

President Zirk asked if there were any comments on the minutes. There being no comments this item will be placed on the next consent agenda.

February 2011 Treasurer's Report

President Zirk asked if there were any comments on the February 2011 Treasurer's Report. There were no comments this item will be placed on the next consent agenda.

Ordinance 06-2011, an Ordinance Authorizing the Disposal of Personal Property Owned by the Village of Gilberts

Administrator Keller commented on how the Village had been implementing the Best Management Practice by stripping replacement parts from squad cars that are out of service. He reported that G-2 had been completely cannibalized and staff is requesting authorization to sell the remaining frame for scrap or recycling.

Administrator Keller reported that Chief Williams had drafted a spreadsheet showing the age and mileage of the remaining fleet.

There were no comments. This matter will be placed on the next consent agenda.

Committee of the Whole

Meeting Minutes

March 8, 2011

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Resolution 13-2011, a Resolution approving an agreement with Safety Management Inc.

Administrator Keller reported that since last spring the Village Engineers from Baxter & Woodman had been working with the IEPA and the AEGs to renegotiate the next wastewater treatment plant expansion permit obligations.

Trustee Erbeck arrived at 7:06 p.m.

He continued to report that the IEPA staff was receptive to the Village's approach to phase the improvements in over time. However the AEGs recently expressed opposition, including one request that imposed even more requirements. The IEPA is unwilling to move forward without the blessing of the Advisory Environmental Groups.

Staff recently was made aware of Safety Management Inc., which is a firm that specializes in working through the state agencies' approval process. He proceeded to introduce Mr. Gregg Swenson. Mr. Swenson discussed his proposal to navigate the IEPA's approval process and secure the needed permit amendment.

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

Resolution 14-2011, a Resolution approving the Pavement Management Report

Trustee Clark disapproved of the pavement management plan. He commented that the plan was fluff and just noted guidelines. Trustee Clark would like to see the Board adopt a real road program plan.

There was some discussion on the pending referendum and the effect the outcome will have on the resurfacing program options.

President Zirk did not see the harm in adopting the pavement management report and waiting to see the outcome of the referendum.

This matter will be placed on the next agenda.

Resolution 15-2011, a Resolution authorizing payment of the Hill-Newby Recapture

Administrator Keller commented on the discussion at last week's meeting regarding the Hill-Newby Recapture Agreement. He reported that the agreement proposed paying the recapture fees as an element of a TIF-funded project to encourage connection to the water mains, improving the potential of the properties while reducing the out-of-pocket costs to owners.

Administrator Keller recommended waiting on acting on it until after the conclusion of the referendum process.

President Zirk asked Mr. Hill if he had seen the agreement and if he was in favor of what was being proposed. Mr. Hill acknowledged that he had seen the agreement and he was in favor of the proposal.

Trustee Clark asked if the agreement proposed the Village pay off the recapture fees and not pass the cost on to anyone else. President Zirk responded that the Village may or may not pass the cost on.

Trustee Clark asked what was the incentive. Administrator Keller replied that part of the reason the original TIF District was created was to relieve some of the cost associated with connecting to the water system. In addition by acting on this matter now it relieves part of the interest cost by not allowing it to accelerate at a rate of 7% a year.

Trustee Erbeck asked why the Board would want to consider using taxpayer dollars to pay back something that is not being used today and has no plan to be used tomorrow. Trustee Erbeck stated that he did not initially have a problem with the agreement. However, he has had time to think about and talk to people and now has some concerns.

Trustee Erbeck commented on the fact that the water is there and the opportunity for people to tap-on are available. In addition, there are incentives in place. Trustee Erbeck is questioning what benefits there is to the Village and the residents for writing a \$162,000 check. President Zirk discussed the benefits to the current or future property owners. He noted that the funding was coming from money generated by the development of a TIF District and can only be used to benefit the TIF District.

A lengthy discussion ensued with respect to stimulating redevelopment and commercial growth along Route 72 by improving the infrastructure. President Zirk noted that Mr. Hill is just asking for the same opportunity the Village would offer a new business.

The Board Members along with Administrator Keller discussed in length the original Plote project that would have generated enough TIF dollars to fund the extension of the water and sewer to the Industrial area. They went on to discuss why the TIF District was created. President Zirk recalled that he was not in favor of creating the TIF District three years ago.

Trustee Clark commented on the need to bring the sewer to all the Industrial properties. Mr. Hill discussed his reasons for tapping onto the Villages water system. He noted that the water service was more important to the success of his business than tapping onto the Village's sewer system.

There was some discussion with respect to the creation of an SSA which had been discussed with the industrial property owners in the past. However, the property owners were opposed. Trustee Erbeck commented on the fact that if water and sewer was expanded to the industrial properties their land values would increase. President Zirk did not believe this was the opportune time to mandate industrial property owners tap-on to the Village's water and sewer systems.

A discussion ensued on multi-unit building's tap-on fees. Trustee Erbeck reported the fees are not charged per unit they are calculated on the square footage of the building.

There being no further discussion this matter will be placed on the next agenda.

Staff Reports

Administrator Keller reported on the 2011 Blizzard cost. The total dollar amount including staff overtime is \$17,602.93.

Trustee Farrell inquired about the status of the Village Wide Clean-up. Clerk Meadows reported that one of the Boy Scout Leaders has expressed interest in participating in the event. Clerk Meadows will contact them.

Trustee Zambetti suggested that in the future the Community Days Committee might want to consider holding the festival on the same dates as the Muddie Buddie Event.

Village Clerk Meadows provided the Board with an update on the Community Days Event. Administrator Keller asked the Board for direction on how involved they want to be in the planning process. The Board Members would like staff periodically to provide them with updates. In addition, to reduce staff exposure the Board will approve any contracts and any expenses that will use Village funds.

Committee of the Whole
Meeting Minutes
March 8, 2011
Page 5

Clerk Meadows reported that last year the Committee made \$361.39 which included paying for Police and Public Works wages.

There was some discussion about parking and the possibility of providing shuttle service.

Trustee Erbeck suggested charging a fee for beer bracelets. The proceeds could be used to offset some of the festivals expenses.

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

Respectfully submitted,

Debra Meadows

4C

Previously provided

If you need copies please let Deb know

4D

DRAFT 03/10/11

[illegible]

4E

VILLAGE OF GILBERTS

KANE COUNTY

STATE OF ILLINOIS

ORDINANCE NUMBER 06-2011

An Ordinance Authorizing the Disposal of Personal Property Owned by The Village of Gilberts

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

March 15, 2011

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Gilberts, Kane County, Illinois this 15 day of March, 2011.

VILLAGE OF GILBERTS

**AN ORDINANCE AUTHORIZING THE DISPOSAL OF
PERSONAL PROPERTY OWNED BY THE VILLAGE OF GILBERTS**

WHEREAS, it is the opinion of the corporate authorities of the Village of Gilberts that it is no longer necessary, useful, or in the best interest of the Village to retain ownership of the personal property described in this Ordinance; and

WHEREAS, the Village of Gilberts finds and determines that it will dispose of the personal property in a manner described in this Ordinance;

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: **Disposal of Surplus Property.** The President and Trustees find that the personal property described in Exhibit A attached to this Ordinance ("Surplus Property") is no longer necessary or useful to the Village and that the Public Works Department for the Village of Gilberts is hereby authorized to direct the sale or disposal of the Surplus Property in the manner most appropriate to the Village. The Surplus Property shall be sold or disposed of in an "as is" condition.

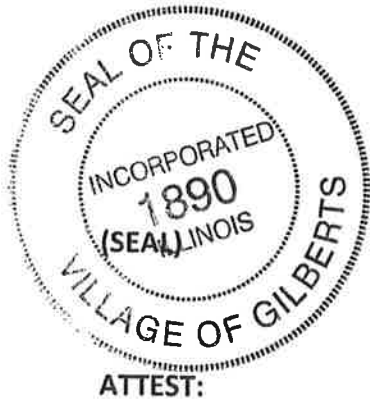
Section 3: Each section, paragraph, sentence, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, other than the part affected by such decision.

Section 4: Upon its passage and approval according to law, this Ordinance shall, by authority of the Board of Trustees, be published in pamphlet form. Publication date: _____. Effective date:_____.

Section 5: This Ordinance shall take effect upon its passage and approval according to law.

PASSED BY THE BOARD OF TRUSTEES this 16th day of March, 2011 by roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Bruce Erbeck	_____	_____	_____	_____
Trustee Everett Clark	_____	_____	_____	_____
Trustee Patricia Mierisch	_____	_____	_____	_____
Trustee Guy Zambetti	_____	_____	_____	_____
Trustee Nancy Farrell	_____	_____	_____	_____
Trustee Pete Cullotta	_____	_____	_____	_____
President Rick Zirk	_____	_____	_____	_____



Village President, Rick Zirk

Debra Meadows

Debra Meadows, Village Clerk

CERTIFICATE OF TITLE OF A VEHICLE

VEHICLE IDENTIFICATION NO.

2F-AFP71WX5X127113

YEAR

2005

MAKE

FORD

MODEL

CROWN VIC POLICE

BODY STYLE

4 DOOR

TITLE NO.

X5209032021

DATE ISSUED

07/28/05

ODOMETER

4213

COM

PURCHASED

NEW

PURCHASE DATE

01/14/05

MAILING ADDRESS

UNION NATIONAL BANK
101 E CHICAGO ST
ELGIN IL 60120-0558



MOBILE HOME SQ. FT.

TYPE OF TITLE
CORRECTED

OWNER(S) NAME AND ADDRESS

VILLAGE OF GILBERTS POLICE DEPT
86 RAILROAD ST
GILBERTS IL 60136

LEGEND(S)

ACTUAL MILEAGE

FIRST LIENHOLDER NAME AND ADDRESS

UNION NATIONAL BANK
101 E CHICAGO ST
ELGIN IL 60120-0558

SECOND LIENHOLDER NAME AND ADDRESS

RELEASE OF LIEN

The holder of lien on the vehicle described in this Certificate does hereby state that the lien is released and discharged.

Firm Name

By

Signature of Authorized Agent

Date

Firm Name

By

Signature of Authorized Agent

Date

NEW LIEN ASSIGNMENT: The information below must be on an application for title and presented to the Secretary of State.
Secured Party Address:

Federal and State law requires that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.

ASSIGNMENT OF TITLE

The undersigned hereby certifies that the vehicle described in this title has been transferred to the following printed name and address:

I certify to the best of my knowledge that the odometer reading is the actual mileage of the vehicle unless one of the following statements is checked:

☐ 1. The mileage stated is in excess of its mechanical limits.
☐ 2. The odometer reading is not the actual mileage.

WARNING-ODOMETER DISCREPANCY

If this vehicle is one of more than 5 commercial vehicles owned by me, I certify also that the vehicle is not damaged in excess of 83 1/3% of its fair market value unless this document is accompanied by a salvage application.

ODOMETER READING

NO
TENTHS

Signature(s) of Seller(s)

Printed Name(s) of Seller(s)

I am aware of the above odometer certification made by seller.

DATE OF SALE

Signature(s) of Buyer(s)

Printed Name

I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that according to the records on file with my Office, the person or entity named hereon is the owner of the vehicle described hereon, which is subject to the above named liens and encumbrances, if any.
IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE AND
THE GREAT SEAL OF THE STATE OF ILLINOIS, AT SPRINGFIELD.

D37270847

CONTROL NO.

Jesse White
JESSE WHITE, Secretary of State

PROMISSORY NOTE

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
\$12,495.00	01-13-2005	08-01-2006	15	MULN / 12	18091	FLS	
References in the shaded area are for Lender's use only and do not limit the applicability of this document to any particular loan or item. Any item above containing "****" has been omitted due to text length limitations.							

Borrower: Village of Gilberts (TIN: 36-3444049)
87 Galligan Rd.
Gilberts, IL 60136

Lender: UNION NATIONAL BANK
101 EAST CHICAGO ST
ELGIN, IL 60120
(847) 888-7500

Principal Amount: \$12,495.00

Date of Note: January 13, 2005

PROMISE TO PAY. Village of Gilberts ("Borrower") promises to pay to UNION NATIONAL BANK ("Lender"), or order, in lawful money of the United States of America, the principal amount of Twelve Thousand Four Hundred Ninety-five & 00/100 Dollars (\$12,495.00), together with interest on the unpaid principal balance from January 13, 2005, until paid in full.

PAYMENT. Borrower will pay this loan in full immediately upon Lender's demand. If no demand is made, Borrower will pay this loan in accordance with the following payment schedule: one principal and interest payment of \$6,483.52 on August 1, 2005, with interest calculated on the unpaid principal balances at an interest rate of 3.400% per annum; and one principal and interest payment of \$6,462.87 on August 1, 2006, with interest calculated on the unpaid principal balances at an interest rate of 3.400% per annum. This estimated final payment is based on the assumption that all payments will be made exactly as scheduled; the actual final payment will be for all principal and accrued interest not yet paid, together with any other unpaid amounts under this Note. Unless otherwise agreed or required by applicable law, payments will be applied first to any accrued unpaid interest; then to principal; then to any unpaid collection costs; and then to any late charges. The annual interest rate for this Note is computed on a 365/360 basis; that is, by applying the ratio of the annual interest rate over a year of 360 days, multiplied by the outstanding principal balance, multiplied by the actual number of days the principal balance is outstanding. Borrower will pay Lender at Lender's address shown above or at such other place as Lender may designate in writing.

PREPAYMENT; MINIMUM INTEREST CHARGE. In any event, even upon full prepayment of this Note, Borrower understands that Lender is entitled to a minimum interest charge of \$25.00. Other than Borrower's obligation to pay any minimum interest charge, Borrower may pay without penalty all or a portion of the amount owed earlier than it is due. Early payments will not, unless agreed to by Lender in writing, relieve Borrower of Borrower's obligation to continue to make payments under the payment schedule. Rather, early payments will reduce the principal balance due and may result in Borrower's making fewer payments. Borrower agrees not to send Lender payments marked "paid in full", "without recourse", or similar language. If Borrower sends such a payment, Lender may accept it without losing any of Lender's rights under this Note, and Borrower will remain obligated to pay any further amount owed to Lender. All written communications concerning disputed amounts, including any check or other payment instrument that indicates that the payment constitutes "payment in full" of the amount owed or that is tendered with other conditions or limitations or as full satisfaction of a disputed amount must be mailed or delivered to: UNION NATIONAL BANK, 101 EAST CHICAGO ST, ELGIN, IL 60120.

LATE CHARGE. If a payment is 10 days or more late, Borrower will be charged 5.000% of the regularly scheduled payment.

INTEREST AFTER DEFAULT. Upon default, at Lender's option, and if permitted by applicable law, Lender may add any unpaid accrued interest to principal and such sum will bear interest therefrom until paid at the rate provided in this Note (including any increased rate). Upon default, Lender, at its option, may, if permitted under applicable law, increase the interest rate on this Note 10.000 percentage points. The interest rate will not exceed the maximum rate permitted by applicable law.

DEFAULT. Each of the following shall constitute an event of default ("Event of Default") under this Note:

Payment Default. Borrower fails to make any payment when due under this Note.

Other Defaults. Borrower fails to comply with or to perform any other term, obligation, covenant or condition contained in this Note or in any of the related documents or to comply with or to perform any term, obligation, covenant or condition contained in any other agreement between Lender and Borrower.

Default in Favor of Third Parties. Borrower or any Grantor defaults under any loan, extension of credit, security agreement, purchase or sales agreement, or any other agreement, in favor of any other creditor or person that may materially affect any of Borrower's property or Borrower's ability to repay this Note or perform Borrower's obligations under this Note or any of the related documents.

False Statements. Any warranty, representation or statement made or furnished to Lender by Borrower or on Borrower's behalf under this Note or the related documents is false or misleading in any material respect, either now or at the time made or furnished or becomes false or misleading at any time thereafter.

Death or Insolvency. The death of Borrower or the dissolution or termination of Borrower's existence as a going business, the insolvency of Borrower, the appointment of a receiver for any part of Borrower's property, any assignment for the benefit of creditors, any type of creditor workout, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Borrower.

Creditor or Forfeiture Proceedings. Commencement of foreclosure or forfeiture proceedings, whether by judicial proceeding, self-help, repossession or any other method, by any creditor of Borrower or by any governmental agency against any collateral securing the loan. This includes a garnishment of any of Borrower's accounts, including deposit accounts, with Lender. However, this Event of Default shall not apply if there is a good faith dispute by Borrower as to the validity or reasonableness of the claim which is the basis of the creditor or forfeiture proceeding and if Borrower gives Lender written notice of the creditor or forfeiture proceeding and deposits with Lender monies or a surety bond for the creditor or forfeiture proceeding, in an amount determined by Lender, in its sole discretion, as being an adequate reserve or bond for the dispute.

Events Affecting Guarantor. Any of the preceding events occurs with respect to any guarantor, endorser, surety, or accommodation party of any of the indebtedness or any guarantor, endorser, surety, or accommodation party dies or becomes incompetent, or revokes or disputes the validity of, or liability under, any guaranty of the indebtedness evidenced by this Note. In the event of a death, Lender, at its option, may, but shall not be required to, permit the guarantor's estate to assume unconditionally the obligations arising under the guaranty in a manner satisfactory to Lender, and, in doing so, cure any Event of Default.

Adverse Change. A material adverse change occurs in Borrower's financial condition, or Lender believes the prospect of payment or performance of this Note is impaired.

Insecurity. Lender in good faith believes itself insecure.

Cure Provisions. If any default, other than a default in payment is curable and if Borrower has not been given a notice of a breach of the same provision of this Note within the preceding twelve (12) months, it may be cured if Borrower, after receiving written notice from Lender demanding cure of such default: (1) cures the default within fifteen (15) days; or (2) if the cure requires more than fifteen (15) days, immediately initiates steps which Lender deems in Lender's sole discretion to be sufficient to cure the default and thereafter continues and completes all reasonable

4F

RESOLUTION

VILLAGE OF GILBERTS

Authorizing an agreement between the Village of Gilberts and Safety Management, Inc. to provide Consulting Services

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 service agreement between the Village of Gilberts and Safety Management, Inc. to provide consulting services and such documents as are necessary and convenient to effectuate 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 15th day of March, 2011 by a roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Everett Clark	_____	_____	_____	_____
Trustee Bruce Erbeck	_____	_____	_____	_____
Trustee Nancy Farrell	_____	_____	_____	_____
Trustee Pete Cullotta	_____	_____	_____	_____
Trustee Patricia Mierisch	_____	_____	_____	_____
Trustee Guy Zambetti	_____	_____	_____	_____
President Rick Zirk	_____	_____	_____	_____

APPROVED THIS 15th DAY OF March, 2011

Village President, Rick Zirk



Debra Meadows
Village Clerk, Debra Meadows

Published: _____



Safety Management, Inc.

Safety Consultants * Engineers * Trainers
OSHA / MSHA / EPA / DOT / FEMA / NFPA

March 2, 2011

Mr. Ray Keller
Village Administrator
VILLAGE OF GILBERTS
87 Galligan Road
Gilberts, IL 60136

Re: Scope of Services

Subject: IEPA NPDES Permit Consulting & Coordination/Facilitation

Dear Ray

Pursuant to our conversation yesterday the following is a breakdown of our proposed scope of services.

1. Retained as Environmental Consultant for the Village
2. Act as liaison for the Village to facilitate obtaining amendment from the IEPA for the Village's NPDES Permit.
3. Aggressive timeframe to be established to travel to Springfield to meet with IEPA director and officials to expedite process.
4. Report to Village Administrator on a regular basis and submit activity / progress report weekly.

Proposed Retainer sent to Village President Rick Zirk on February 22, 2011 in the amount of \$ 20,000.00 (-) \$ 5,200.00 Discount for a 1 X Payment of Retainer = **\$ 14,800.00** Due at the start of Agreement.

Sincerely,

SAFETY MANAGEMENT, INC.

Gregg L. Swenson, Ph.D., CSC, CSHM
Vice President

6500 North Second Street, Loves Park, Illinois 61111
Phone: (815) 282-1381 Fax: (815) 282-1670 E-Mail: www.Safetymgmtinc.@aol.com
WEBSITE: safetymanagementinc.net



Safety Management, Inc.

Safety Consultants * Engineers * Trainers
OSHA / MSHA / EPA / DOT / FEMA / NFPA

March 4, 2011

Mr. Ray Keller
Village Administrator
VILLAGE OF GILBERTS
87 Galligan Road
Gilberts, IL 60136

Re: Scope of Services

Subject: IEPA NPDES Permit Consulting & Coordination/Facilitation

REVISED

**** The Scope of Services has been enhanced after our meeting of Thursday March 3, 2011***

1. **Retained as Environmental Consultant for the Village**
Initial Retainer is for a six month period to assist in navigating the desires of the Village to amend the phases of the current NPDES Permit.

2. **Act as liaison for the Village to facilitate obtaining amendment from the IEPA for the Village's NPDES Permit.**
Safety Management, Inc. will work with the village, staff and consulting engineers to navigate the process at the IEPA to achieve the desired resolution.

3. **Aggressive timeframe to be established to travel to Springfield to meet with IEPA director and officials to expedite process.**
Time is of the essence in working with the IEPA officials to mediate and expedite the desires of the village. With the recent changes in top management and staff at the IEPA, we need to take advantage of the window of opportunity to work with the transition team.

4. **Report to Village Administrator on a regular basis and submit activity / progress report weekly.**
Safety management, Inc. will work closely with the Village Administrator for direction and advice as it pertains to the desires of the village and it's board. All offers, decisions and or counter-offers will be made with the approval of the village board and the direction of the village administrator.

Submitted this fourth day of March 2011

By: **Gregg L. Swenson, Ph.D., CSC, CSHM**
Executive Vice President

6500 North Second Street, Loves Park, Illinois 61111
Phone: (815) 282-1381 Fax: (815) 282-1670 E-Mail: www.Safetymgmtinc.@aol.com
WEBSITE: safetymanagementinc.net



Safety Management, Inc.

Gregg L. Swenson, Ph.D., CSC, CSHM
Executive Vice President

Doctor of Philosophy
Occupational Health & Safety

Master of Business Administration
Risk Management & Loss Control

Bachelor of Science
Environmental Safety Engineering

Certified Safety Consultant (CSC)
National Association of Safety Professionals

Certified Health & Safety Manager (CHSM)
National Safety Management Society

Certified Master Trainer (CMT)
Emergency Management Institute

OSHA Outreach Instructor
U. S. Dept. of Labor, OSHA

MSHA Outreach Instructor
U. S. Dept. of Labor, MSHA

Registered Compliance Specialist
U. S. Dept. of Transportation, FMCSA

Hazardous Materials Specialist
U. S. Dept. of Homeland Security, FEMA

5A

RESOLUTION

VILLAGE OF GILBERTS

(Approving the Baxter & Woodman Pavement Management Report)

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 approves the Baxter & Woodman Pavement Management Report 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 15th day of March, 2011 by a roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Everett Clark	_____	_____	_____	_____
Trustee Bruce Erbeck	_____	_____	_____	_____
Trustee Nancy Farrell	_____	_____	_____	_____
Trustee Pete Cullotta	_____	_____	_____	_____
Trustee Patricia Mierisch	_____	_____	_____	_____
Trustee Guy Zambetti	_____	_____	_____	_____
President Rick Zirk	_____	_____	_____	_____

APPROVED THIS 15th DAY OF March, 2011

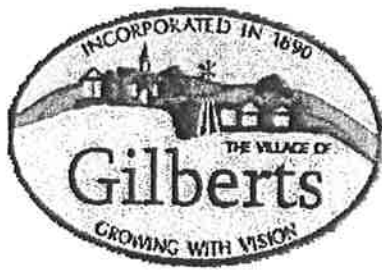
Village President, Rick Zirk



ATTEST:

Debra Meadows
Village Clerk, Debra Meadows

Published: _____

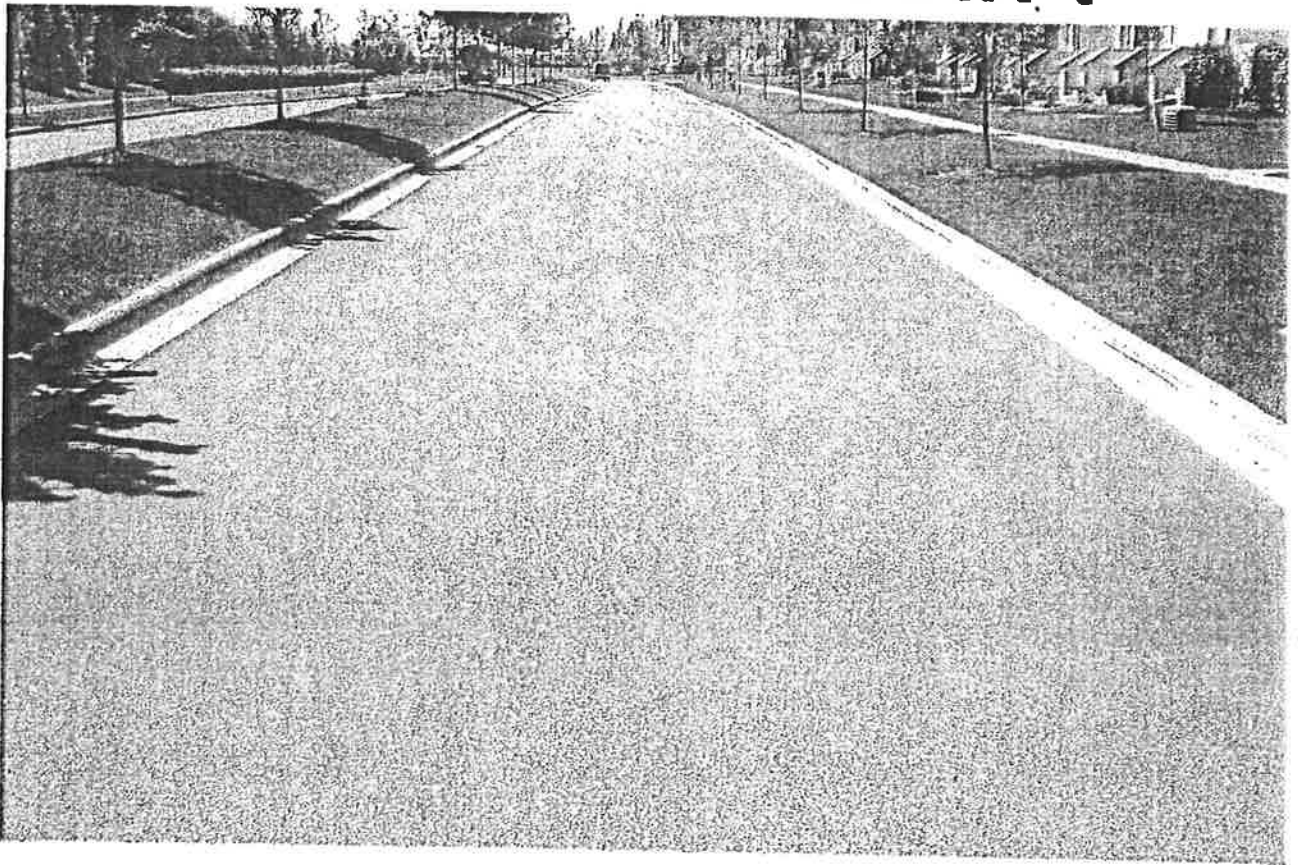


VILLAGE OF GILBERTS, ILLINOIS

PAVEMENT MANAGEMENT REPORT

2010

DRAFT



Baxter & Woodman Consulting Engineers

<i>Crystal Lake, Illinois</i>	<i>815.459.1260</i>
<i>Grayslake, Illinois</i>	<i>847.223.5088</i>
<i>Burlington, Wisconsin</i>	<i>262.763.7834</i>
<i>Mokena, Illinois</i>	<i>708.478.2090</i>
<i>DeKalb, Illinois</i>	<i>815.787.3111</i>
<i>Madison, Wisconsin</i>	<i>608.241.5481</i>
<i>Itasca, Illinois</i>	<i>630.773.1870</i>
<i>Plainfield, Illinois</i>	<i>815.609.7425</i>
<i>Chicago, Illinois</i>	<i>312.758.0050</i>

BAXTER



WOODMAN

Consulting Engineers

<http://www.baxterwoodman.com>

EXECUTIVE SUMMARY

The Village of Gilberts has authorized this pavement management report to assess the condition of the Village's streets and develop economical and workable street programs to maintain those streets over the next several years. Data collected from pavement evaluations completed in May, 2010 of all the streets maintained by the Village of Gilberts was entered into a database. This database was created using Microsoft Excel and Geographic Information System (GIS) software, giving the Village the ability to easily access and update information as well as produce meaningful, spatial reports and maps.

Pavement condition was rated and rehabilitation strategies and total repair costs were developed for the 22.95 miles of streets currently maintained by the Village and entered into the pavement management database. Analysis of the information in the database was used to develop a pavement improvement plan. The pavement improvement plan primarily focused on streets requiring resurfacing, which includes 8.44 miles of Village streets with a total estimated cost of approximately \$4.6 million (2010 dollars).

The report identified four main neighborhoods where the streets are currently most in need of resurfacing, and they include Indian Trails, Dunhill Estates, Gilberts Glen and Windmill Meadows. These neighborhoods were further investigated for alternative methods to deliver the improvements that would allow the Village to rehabilitate as many of these street sections as possible in the first year of the pavement improvement plan (2011). Since all of the streets in these neighborhoods have rural cross sections (shoulders and ditches), in-place recycling is a viable alternative to conventional rehabilitation, which allows the existing pavement to be crushed in place and reused as base for a new asphalt surface. This method results in substantial cost savings on a larger project, but because it requires

specialized equipment, there would be little or no cost savings on a smaller project. A larger project would achieve substantial cost savings by economies of scale. The Village can complete the necessary improvements on all four critical neighborhoods by three alternative methods:

Alternative Revenue Bond

The most aggressive alternative, which would result in a cost savings of almost \$1 million dollars over repairing the streets separately with conventional methods, would be to complete all four neighborhoods at once at a cost of \$2.75 million. This would require financing with an additional revenue source to supplement the Village's existing Motor Fuel Tax (MFT) balance and future MFT allotments. One potential source of alternative revenue would be a Non-Home Rule Sales Tax, the proceeds of which could be used to finance a \$2.75 Million Bond for roadway improvements.

Motor Fuel Tax Bond

If Village would be limited to financing a project utilizing their existing MFT and local road fund balances, future MFT allotments and future local road fund revenue (vehicle stickers), a \$1 million to \$1.75 million project could be accomplished. The State limits the Village's bonding authority with their MFT funds to a maximum of one-half their annual allotment to be pledged towards bonds. With this budget, a plan of completing improvements in only 2-3 of the neighborhoods would be possible. In this scenario, the neighborhoods that are most in need of repair should be targeted first for improvement. The project would still be large enough to realize significant savings, but would require at least one 10-year bond and several small annual projects to complete all four neighborhoods.

Annual Motor Fuel Tax Program

The last alternative is for the Village to utilize a portion of its current MFT and local road fund balances annually, along with portions of their annual MFT allotment and road fund revenue, to complete resurfacing projects on portions of the neighborhoods each year and complete all four neighborhoods in 5-10 years. This option will result in the least savings by economies of scale and project savings is further diminished by inflation, as construction costs will continue to rise. However, the Village would not need to borrow any money to complete the needed improvements in this manner.

With each of the proposed financing alternatives, the Village can complete all four neighborhoods within 10 years and can begin focusing on funding street rehabilitation for streets currently in good condition that will likely need to be resurfaced 10 years from now. The bulk of these street sections are in the Timber Trails neighborhood.

In order to maintain Village streets in the future, the Village should provide for funding levels to rehabilitate all Village streets on at least a 20 year cycle, considering the typical life cycle of a pavement is 15-20 years. To accomplish this, the Village should consider supplementing MFT funds with additional corporate funds or other sources. At the end of the current cycle, 20 years from now and beyond, the Village would need funding in place to begin repairing streets completed in the first year of the current cycle and additional streets added to the Village network, including the 5.55 miles of streets in developments, including most of Gilberts Town Center, that were not complete at the time of this report. The Village should continue their annual crack sealing program to delay the need for resurfacing as long as possible.

RECOMMENDATIONS

The results of this pavement management report should be very beneficial in assisting the planning of street improvement projects for the Village of Gilberts. The use of Microsoft Excel with a Geographic Information System gives the Village the ability to easily access and update information as well as produce meaningful, spatial reports and maps. The combination of the mapping system with the pavement inventory database is a system with flexibility for expansion and refinement. As the Village of Gilberts continues to grow, streets from new developments should be added to the database. The need to track statistical data (right-of-way widths, pavement thicknesses, number of accidents, location of water main breaks, traffic data, etc.) may arise and the existing pavement inventory database could then be expanded to encompass such needs. The Village should continue to update the database periodically to monitor the progress of the Village's street programs.

The current cost to repair streets requiring resurfacing or reconstruction is estimated to be \$6.8 million, with \$4.6 million of this cost for streets requiring resurfacing only. We recommend the Village initially focus on the four main neighborhoods most in need of resurfacing, which include Indian Trails, Dunhill Estates, Gilberts Glen, and Windmill Meadows. After investigating alternative methods to deliver the improvements to these neighborhoods that would allow the Village to rehabilitate as many of these street sections as possible in the first year of the plan (2011), we recommend in-place recycling as the preferred rehabilitation method for most of the streets in these neighborhoods. In-place recycling, or pulverization, explained in detail on page 10 of Section 2 of the report, is a rehabilitation method used on rural pavements (shoulder and ditches) where the existing pavement is crushed and reused as base material for a new asphalt surface. This method has

substantial cost savings over traditional methods of road rehabilitation on a larger-scale project, but because it requires specialized equipment, there would be little or no cost savings on a small-scale project. We also recommend a large-scale project to achieve significant savings by economies of scale. The Village can complete the necessary improvements in all four critical neighborhoods by three alternative methods:

Alternative Revenue Bond

The most aggressive alternative, which would result in a cost savings of almost \$1 million dollars over repairing the streets separately with conventional methods, would be to complete all four neighborhoods at once at a cost of \$2.75 million. This would require financing with an additional revenue source to supplement the Village's existing Motor Fuel Tax (MFT) balance and future MFT allotments. Completing all four neighborhoods in one year would then free up future revenue to complete other streets in need of repair. One potential source of alternative revenue would be a Non-Home Rule Sales Tax, the proceeds of which could be used to finance a \$2.75 Million Bond for roadway improvements.

Motor Fuel Tax Bond

If the Village is limited to financing a project utilizing their existing MFT and local road fund balances, future MFT allotments and future local road fund revenue (vehicle stickers), a \$1 million to \$1.75 million project could be accomplished. The State limits the Village's bonding authority with their MFT funds to a maximum of one-half their annual allotment to be pledged towards bonds. With this budget, a plan of completing improvements in only 2-3 of the neighborhoods would be possible. In this scenario, the neighborhoods that are most in need of repair (Indian Trails and Dunhill Estates) should be targeted first for improvement. The project would still be large enough to realize significant

savings, but would require at least one 10-year bond and several small annual projects to complete all four neighborhoods.

Annual Motor Fuel Tax Program

The last alternative is for the Village to utilize a portion of its current MFT and local road fund balances annually, along with portions of their annual MFT allotment and road fund revenue, to complete resurfacing projects on portions of the neighborhoods each year and complete all four neighborhoods in 5-10 years. This option will result in the least savings by economies of scale. Project savings would be further diminished by inflation, as construction costs will continue to rise. However, the Village would not need to borrow any money to complete the needed improvements in this manner.

With each proposed financing alternatives, the Village can complete all four neighborhoods within 10 years and can begin focusing on funding street rehabilitation for streets currently in good condition that will likely need to be resurfaced 10 years from now. The bulk of these street sections are in the Timber Trails neighborhood.

We recommend the Village continue its annual crack-sealing program, focusing on streets in good condition to delay streets from needing more costly repairs. We also recommend the Village apply for federal funds or other funding aid to offset the significant costs of major reconstruction projects such as Binnie Road or Industrial Drive. Consideration must also be given to the 5.55 miles of unfinished streets, mostly in Gilberts Town Center, that will be added to the Village network in the coming years. The next several years are critical for the Village to focus on increasing its budget to maintain its streets before rehabilitation costs become too great to bear.

It should be noted that recommendations made in this report are based on data from pavement evaluations performed in May, 2010. Pavement performance over a period of time such as five or ten years can be variable. In addition, the estimated costs of rehabilitation will become less accurate as time progresses because of variable pavement deterioration and inflation. Furthermore, increased traffic or new developments may cause the rehabilitation needs of certain streets to become a higher priority than they were at the time of this report. Street programs should be coordinated with all developments and local and private utilities to minimize future road disruption and to fully capitalize on coinciding construction seasons. Therefore, it is recommended that the information contained in the pavement inventory database be updated once every three to six years.



EXHIBIT 1 2010 PAVEMENT RATING MAP

Pavement Rating

- 0 - Unfinished
- 10 - No Maintenance Required
- 9 - Some Maintenance Required
- 8 - Spot Patch and Crack Seal
- 7 - Non-Structural Overlay
- 6 - Structural Overlay
- 5 - Edge Grind and Overlay
- 4 - Mill and Overlay
- 3 - Full-Depth HMA Removal & Resurface
- 2 - Residential Reconstruct
- 1 - Collector/Industrial Reconstruct

Village Limits

N

5B

RESOLUTION

VILLAGE OF GILBERTS

A Resolution authorizing payment of the Hill-Newby Recapture Agreement

WHEREAS, The Village of Gilberts entered into an Agreement with Hill-Newby LLC on October 2nd 2007 for the recapture of eligible costs associated with the construction of a new public water main; and,

WHEREAS, The Village Board of Trustees find it to be in the best economic interest of the Village to authorize the repayment of Hill-Newby Recapture Agreement at this time; and,

WHEREAS, the current balance owed on the recapture agreement is \$162,096.44, based on the original total cost of \$133,964 and \$28,132.44 in interest earned (3 years at 7% simple annual interest) since the adoption of the agreement in 2007; and,

WHEREAS, The Hill-Newby Recapture Agreement is eligible for funding by non-home rule sales tax revenues through the Road & Infrastructure Fund, as authorized by 65 ILCS 5/8/11-1.3, as the repayment of the recapture agreement is a cost component of the construction of public infrastructure; and,

WHEREAS, The Hill-Newby Recapture Agreement is eligible for funding by the Central Redevelopment Project Area Tax Increment Financing Plan & Project, as the repayment of the recapture agreement is a cost component of the "extension of public water mains to serve both consumption and fire protection needs of the entire Area"; and,

WHEREAS, The Hill-Newby Recapture Agreement is eligible for funding by the Village water/wastewater enterprise fund, as the repayment of the recapture agreement is a cost component of the construction of a public water main, which is an eligible enterprise fund expense.

NOW, THEREFORE 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 payment of the Hill-Newby Recapture Agreement after the start of Village Fiscal Year 2012 on May 1, 2011, and hereby authorizes the Village President and Village Clerk to execute any such documents as are necessary and convenient to effectuate the payment of the Recapture Agreement 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 Bruce Erbeck	_____	_____	_____	_____
Trustee Nancy Farrell	_____	_____	_____	_____
Trustee Pete Cullotta	_____	_____	_____	_____
Trustee Patricia Mierisch	_____	_____	_____	_____
Trustee Guy Zambetti	_____	_____	_____	_____
President Rick Zirk	_____	_____	_____	_____

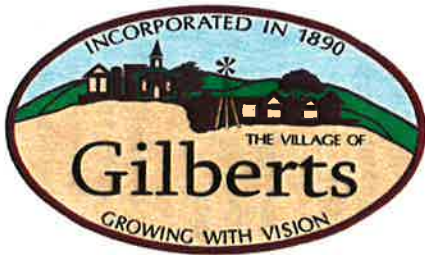
APPROVED THIS _____ DAY OF _____, 2011

Village President, Rick Zirk

(SEAL)

ATTEST: _____
Village Clerk, Debra Meadows

Published: _____



Village of Gilberts Non-Home Rule Sales Tax Referendum *April 5, 2011 Consolidated Election*

The Village of Gilberts has added a referendum question to the April 5, 2011 Consolidated Election Ballot to ask voters whether to collect a one-cent sales tax to fund its road resurfacing program. The question will appear on the ballot as:

Shall the corporate authorities of the Village of Gilberts be authorized to impose a Non-Home Rule Municipal Retailers' Occupation Tax and Non-Home Rule Municipal Service Tax (sales tax) at a rate of 1% for expenditures on public infrastructure as authorized by Section 8-11-1.3 and 8-11.14 of the Illinois Municipal Code?	YES <hr style="width: 50%; margin: 5px auto;"/>
	NO <hr style="width: 50%; margin: 5px auto;"/>

Questions about the Non-Home Rule Sales Tax

What is a Non-Home Rule Sales Tax?

State statute allows municipalities that do not have home rule authority (like Gilberts) to collect a 1% sales tax. The tax must be approved by referendum.

Why does the Village need a Non-Home Rule Sales Tax?

The Village recently completed its first Pavement Management Plan, which prioritized roads in four neighborhoods that need to be resurfaced in the near future. To reduce project costs, the Plan recommends doing all of the roads as a single project, which would cost about \$2.75 million.

The Village could finance the project over a 10-year term, but it would require an additional \$140,000 annually to make the payments. If approved, the one-cent sales tax would generate the funds needed to close this gap. After the bond is paid off, the Village would likely finance the next phase of street resurfacing projects.

What can the revenue be used for?

State statutes require that the funds be used only for infrastructure improvements, as stipulated in the wording of the referendum question.

What are the Village's alternatives for funding the Resurfacing Project?

Because the Village is not a home-rule municipality, the Village's options for tax increases are limited. Each option would require referendum approval:

- One-cent sales tax increase
- Property tax increase
- New gas tax

Neighborhoods could also create their own special service areas, which are paid like property taxes. This is the approach used to pay for residential road projects in the past. However, this approach would lose the efficiency of doing all the roads as one project, increasing the costs for each area.