

# Village of Gilberts

Village Hall  
87 Galligan Road, Gilberts, IL 60136  
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## Village Administrator Memorandum 14-11

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

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

**DATE:** February 4, 2011

**RE:** Village Board Meeting – February 8, 2011

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The following summary discusses the agenda items for the special Village Board meeting scheduled for February 8, 2011:

1. **CALL TO ORDER**
2. **ROLL CALL / ESTABLISH QUORUM**
3. **PUBLIC COMMENT AND DISCUSSION**
4. **CONSENT AGENDA**

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

**A. Motion to approve Minutes for the January 18, 2011 Village Board 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.

**B. Motion to approve the Bills and Salaries dated February 8, 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.

**C. Motion to approve the January 2011 Treasurer's Report**

Finance Director Marlene Blocker has prepared the Treasurer's report for January 2011, which was not previously reviewed at a Committee of the Whole meeting. Please contact me prior to the meeting if you have any questions. Staff recommend approval.

**D. Motion to approve Resolution 05-2011, a Resolution exercising an option to renew an Intergovernmental Agreement with the County of Kane for Animal Control Services**

Approval of this resolution would exercise an option to renew an existing intergovernmental agreement with Kane County for animal control services. The agreement was approved in 2008 with a three year term with two one-year options. The agreement allows the Village to continue to use the County's animal shelter and services for picking up and holding stray dogs. The terms and rates set forth in the original agreement remain unchanged. Staff recommend approval.

**5. ITEMS FOR APPROVAL**

**A. Motion to approve Ordinance 01-2011, an Ordinance amending a special use permit for the operation of a recycling center within the I-1 General Industrial Zoning District Located at 46 East End Drive**

Approval of this ordinance would amend the special use permit for Elgin Recycling Inc., located at 46 East End Drive, to allow the recycling of appliances and other "white goods," which were prohibited by the facility's original special use permit (Ord. 08-17).

At their December 8 meeting, the Plan Commission concluded the public hearing for Elgin Recycling's proposed amendment to its special use permit. Based on testimony regarding violations of the Zoning Code and the original special use permit, the Plan Commission failed to recommend approval of the amendment. Draft versions of the Finding of Fact and the Plan Commission meeting minutes, along with a complete packet of testimony materials, were previously provided.

Staff have since met with representatives from Elgin Recycling and an adjoining property owner, who raised the noted violations and complaints, including noise, vibration, parked trucks on the street, and leaving materials uncontained and uncovered overnight. The Applicant has remedied most of the violations, including ensuring that materials are contained and covered and directing vehicles to not block adjacent driveways. Staff noted that noise decreased over the past few weeks as the facility was less active, though the adjacent owner continued to complain about noise and vibration. Both parties explored possible acoustical improvements to the adjoining property, but sound passing through the building's overhead doors would negate any appreciable sound reduction. The adjoining owner's attorney forwarded a list of conditions of approval that they sought to be applied to the special use permit; a copy is provided for your information. The Applicant's representative rejected the list of conditions, restating the argument that the special use permit amendment shouldn't be needed at all.

In preparing the draft ordinance, Staff outlined conditions of approval that clarified and restated the conditions that were previously applied to the original special use permit. These conditions are comparable to those applied to the special use permit for West End Recycling, with modifications made to address some of the concerns raised through this process. Staff recommend approval as drafted.

If the Board concurs with the Plan Commission's recommendation to not approve the amendment, Staff recommend that the Board move to approve the ordinance and then vote in the negative so that its passage fails. If the Board is inclined to grant the requested amendment, the Board retains the discretion to further modify the listed conditions of approval as needed.

**B. Motion to approve Resolution 04-2011, A Resolution authorizing the release of J.S. Riemer, Inc. Developer's Subdivision Surety Bond, and Replacing it with a One-Year Warrantee or Maintenance Bond**

Approval of this resolution would authorize the release of a surety bond for \$276,100.00 for sanitary sewer improvements that were constructed by J.S. Riemer as an element of his industrial subdivision. Baxter & Woodman inspected the sewers, which were also televised. Village Engineer Bill Blecke recommends that the Village release the surety bond, as the improvements meet the Village's specifications and the engineering plans for the development. In its place, the Village will hold a one-year maintenance bond for the amount of \$92,371.00 in the event that defects or problems are found after the acceptance of the sewers. Staff recommend approval.

**C. A motion to approve Resolution 6-2011, a Resolution authorizing an Engineering Services Work Order with Baxter & Woodman for Gilberts Glen Storm Sewer Replacement and Detention Pond Restoration**

Approval of this resolution would allow Baxter & Woodman to begin designing and permitting drainage improvements that would restore the original design conditions in the Gilberts Glen subdivision. The Village had secured a total of \$345,000.00 from the Kane County Recovery Zone Bond (RZB) program for both the Gilberts Glen and Binnie Road improvements (see agenda #5D below). The Village now has access to the bond proceeds and may begin work on the two projects. The project scope and eligible activities included the costs of Baxter & Woodman's engineering services, which will be limited to a maximum cost of \$17,500.00 for the Gilberts Glen project. Staff recommend approval.

**D. A motion to approve Resolution 7-2011, a Resolution authorizing an Engineering Services Work Order with Baxter & Woodman for Binnie Road Reconstruction and Drainage Improvements**

Approval of this resolution would allow Baxter & Woodman to begin designing and permitting the reconstruction of approximately 700 feet of Binnie Road, a low-lying road segment that regularly floods. The project would include reconstruction of the road and the repair and replacement of drain tiles, culverts and overland drainage ways. The Village had secured a total of \$345,000.00 from the Kane County Recovery Zone Bond (RZB) program for both the Binnie Road improvements and the Gilberts Glen drainage project (see agenda #5C above). The Village now has access to the bond proceeds and may begin work on the two projects. The project scope and eligible activities included the costs of Baxter & Woodman's engineering services, which will be limited to a maximum cost of \$22,500.00 for the Binnie Road project. Staff recommend approval.

## 6. ITEMS FOR DISCUSSION

### A. Vehicle Sticker Program

The pending garbage contract with MDC for garbage removal services provides a unique opportunity for the Village to eliminate vehicle stickers while keeping residents' garbage costs stable. The savings between what residents now pay and the cost of MDC's services would be sufficient to replace vehicle stickers with an equivalent revenue stream for the road fund. The garbage contract will also generate additional funds that can be applied to capital equipment replacement or another Village priority.

Under the current garbage services contract, residents pay \$22.77 per month. Under the pending MDC contract, the cost for garbage/recycling services will be reduced to \$17.85 per household, yielding a net difference of \$4.92 per month. By keeping the cost to residents the same, the Village could use the difference between revenues and garbage costs to eliminate vehicle stickers as the primary funding source for the road improvement program. In this scenario, the monthly garbage fee paid by residents would be based on the actual cost of MDC's services, plus a \$5.00 service charge, rounded up to the next whole dollar. The fee would be billed every two months on the water/sewer bills that the Village already issues. Staff estimate that approximately 180 users not currently getting water/sewer bills would need to be added to the system.

The table below summarizes the revenues and costs over the five-year term of the MDC agreement; a more detailed analysis is enclosed for your information.

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Residents Pay Monthly Fee:	\$23.00	\$24.00	\$24.00	\$25.00	\$25.00
Projected Net Annual Revenue	\$115,603	\$126,865	\$112,569	\$122,986	\$132,961
Projected Annual Road Funds (80% )	\$92,482	\$101,492	\$90,055	\$98,389	\$106,369
Projected Annual Admin Funds (20%)	\$23,121	\$25,373	\$22,514	\$24,597	\$26,592

Staff recommend using 80% of the projected net balance as an alternative revenue source for the road improvement fund and 20% for administrative costs. The net proceeds from the public services fund would allow the Village to eliminate the vehicle sticker program without negatively impacting the road improvement fund. Based on the projected revenues and costs, the proposed approach would set aside \$92,383 for the road improvement fund in the first year. This amount would be a net increase of \$18,783 over the \$71,700.50 collected from vehicle stickers to date, without the staff costs of administering and enforcing the vehicle sticker program. The proposed approach could also relieve the general and enterprise funds of \$22,000-\$26,000 annually in administrative costs over the five year period.

Staff request the Board's direction on whether to implement this fee structure for residential garbage services. If the Board concurs, Staff will prepare an ordinance for approval at the same time as the pending contract with MDC.

**B. Payment Priority Ordinance**

As the Village will soon start billing for residential garbage services, Staff recommend adopting an ordinance that establishes a priority for how payments for outstanding bills and fees are applied. State statutes do not provide the Village similar enforcement tools for collecting on garbage bills or fines from code violations. However, the Village has greater latitude when collecting water and sewer fees due, as the Village ultimately has the powers to apply a lien against the offending property or shut off its water.

The enclosed draft ordinance, if approved, would require that any payments from Village customers would be first be applied to outstanding fines (zoning or code enforcement violations, etc.) before being applied to other remaining bills. Any remaining balance would be applied successively to garbage uses fees, tap-on fees, sewer bills and water bills. A customer would not be able to pay a water bill and stay in the house until all other obligations to the Village are settled.

Staff request the Board's direction on whether to implement this structure for prioritizing the application of payments made for Village services. If the Board concurs, Staff will prepare an ordinance for approval at the same time as the pending contract with MDC.

**C. Nonresidential Refuse Haulers License**

The pending contract with MDC focuses on the collection of refuse and recyclables from residential uses in the Village, allowing nonresidential users the flexibility to make their own arrangements for collecting refuse from their properties. Many communities that allow multiple garbage haulers institute an annual license, which the Illinois Supreme Court has upheld as a way to license, regulate and even limit the number of garbage haulers allowed to operate within a municipality. The license provides a mechanism for regulating garbage pickup days and hours (e.g. prohibiting garbage pickup on holidays), requiring that haulers operate responsibly (e.g. required to pickup loose refuse), and extending liability coverage to the Village while serving the community and using Village streets.

The communities that institute a refuse haulers licensing program also collect an annual administrative fee. Village Staff surveyed the neighboring communities and found that only Lake in the Hills institutes a garbage haulers license program with a \$100 annual fee. A 2009 ILCMA survey of Chicago area communities showed that of the responding communities, the fees ranged from \$300 to \$1,561, with no obvious connection between community size or affluence and the fee amount. Staff believe that a \$1,000 fee could be justified to cover the Village's administrative and other expenses. Based on the number of respondents to the Village's garbage services RFP, three to five carriers may be interested in providing nonresidential garbage services.

Staff request the Board's direction on whether to implement this licensing program for garbage haulers serving nonresidential customers starting May 1, 2011. If the Board concurs, Staff will prepare an ordinance for approval at the same time as the pending contract with MDC.

#### **D. Building Permit Fees Update**

As an element of the Village Code recodification, Staff propose restructuring the residential building permit fee schedule found in Section 14.1 "Buildings and Miscellaneous Construction" to a \$0.75 per square foot fee. At the January 11 Committee of the Whole meeting, Staff had previously reported on this element as a first step toward updating the Village's fee structure. Staff also provided comparables fees for nearby communities, which are summarized on the attached memo and table. While \$0.75 per square foot was provided as a recommended starting point, the Board retains the option of adjusting the fee as desired.

Staff next reviewed the deposit required for miscellaneous and minor permits. The Village currently requires a \$193.00 deposit, which is held to discourage and/or cover re-inspection fees if the inspection is not approved. Upon completion of the final inspection, the deposit is returned to the applicant. Due to a built-in escalator clause, the deposit is now \$193.00 per permit. Staff recommend that the deposit be reduced to \$60.00, which would be adequate to cover two reinspections, should they be needed. Staff also recommend allowing the deposits to be refunded administratively, which would facilitate the turnaround of deposit checks back to the applicant.

Staff also found that the Village currently charges \$40.00 for reviewing miscellaneous permits. This fee is a holdover from when the Village contracted with a provide inspection company Staff recommend eliminating this separate plan review fee.

Staff request the Board's direction on additional desired changes to the residential building permit fee structure. Staff will continue to review the nonresidential fee structure and identify other potential changes.

#### **7. STAFF REPORTS**

#### **8. BOARD OF TRUSTEES REPORTS**

#### **9. PRESIDENT'S REPORT**

#### **10. EXECUTIVE SESSION**

Please contact me with any questions about current closed session topics.

#### **11. ADJOURNMENT**

Closest

**Special Meeting  
Village Board of Trustees  
Meeting Agenda  
Village of Gilberts  
87 GALLIGAN ROAD,  
GILBERTS, ILLINOIS 60136  
February 8, 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 January 18, 2011 Village Board Meeting
- B. A Motion to approve the Bills and Salaries dated February 8, 2011
- C. A motion to approve the January 2011 Treasurer's Report
- D. A motion to approve Resolution 05-2011, a Resolution exercising an option to renew for one year, an Intergovernmental Agreement with the County of Kane for Animal Control Services

**5. ITEMS FOR APPROVAL**

- A. A motion to approve Ordinance 01-2011, an Ordinance amending a special use permit for the operation of a recycling center within the I-1 General Industrial Zoning District Located at 46 East End Drive
- B. A Motion to approve Resolution 04-2011, A Resolution authorizing the release of J.S. Riemer, Inc. Developer's Subdivision Surety Bond, and Replacing it with a One-Year Warrantee or Maintenance Bond
- C. A motion to approve Resolution 6-2011, a Resolution authorizing an Engineering Services Work Order with Baxter & Woodman for Gilberts Glen Storm Sewer Replacement and Detention Pond Restoration
- D. A motion to approve Resolution 7-2011, a Resolution authorizing an Engineering Services Work Order with Baxter & Woodman for Binnie Road Reconstruction and Drainage Improvements

**6. ITEMS FOR DISCUSSION**

- A. Vehicle Sticker Program
- B. Payment Priority Ordinance
- C. Nonresidential Refuse Haulers License
- D. Building Permit Fees Update

**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  
Board Meeting  
87 Galligan Road  
Gilberts, IL 60136  
Meeting Minutes  
January 18, 2011**

**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, Mierisch, Zambetti, Farrell, Cullotta and President Zirk. 1-Absent: Trustee Erbeck. Others present: Administrator Keller, Chief of Police Williams, Finance Director Blocker and Village Clerk Meadows. For members of the audience please see the attached list.

**Presentation**

**Chief's Commendation Award-Officer Steve Mueller & Officer Michael Oberth**

Chief Williams provided those in attendance with an opening statement. He stated that from time to time Police Officers are asked to respond to extraordinary circumstances from which the community at large is ill prepared. It falls onto training, experience, skill and abilities of the officers to act often alone to end horrific events and return the community to a sense of safety and well being.

On August 18<sup>th</sup> of last year Gilberts' Police Officers, Steven Mueller and Officer Mike Oberth were tasked with such a response. At approximately at 8:20 a.m. they were dispatched to a domestic disturbance involving a shooting with the shooter at large. Their response and subsequent actions were so exceptional that it warrants public recognition. Chief Williams thanked the Board for allowing him the time to publicly present the Officers with the department's gratitude and visible recognition of their efforts to maintain the safety of the community.

President Zirk proceeded to read the commendations. He read Officer Mueller's commendation first. "On August 18, 2010 you were assigned, along with Officer Michael Oberth, to a domestic dispute involving a reported shooting at 364 Evergreen Circle, Gilberts, Illinois. Upon arrival you immediately approached the residence, placing yourself in reasonable apprehension of a deadly force encounter. You assessed the scene, discovering an individual whose clothing was covered in blood.

Consistent with proper procedure, you took the individual, into custody, searched the scene discovering one deceased individual, called for medical assistance, secured the crime scene and called for additional assistance. Your actions in this matter as the first officer on the scene were consistent with the highest standards of the department. You correctly followed all protocols of initial crime scene investigation, preventing further violence, securing the crime scene for a more thorough examination and evidence processing and guaranteed the ability of a complete follow up investigation. You are hereby awarded this Chief's Commendation in recognition of your exceptional performance".

President Zirk proceeded to read Officer Oberth's Commendation. "On August 18, 2010, you were assigned, along with Officer Steve Mueller, to a domestic dispute involving a reported shooting at 364 Evergreen Circle, Gilberts, Illinois. Upon arrival you immediately approached the residence, placing yourself in reasonable apprehension of a deadly force encounter. You assessed the situation and assisted Officer Mueller in securing the crime scene and called for additional assistance. Your actions in this matter as one of the first officers on the scene were consistent with the highest standards of the department. You correctly followed all protocols of initial crime scene investigation, preventing further violence, securing the crime scene for a more thorough examination and evidence processing and guaranteed the ability of a complete follow up investigation. You are hereby awarded this Chief's Commendation in recognition of your exceptional performance".

The Board Members along with the audience applauded the officers.

#### **Public Comment**

President Zirk asked if anyone in the audience wished to address the Board at this time. In addition, he asked that comments with respect to agenda item 7 A. "Bark Park" were reserved until that discussion begins.

#### **Consent Agenda**

- A. A Motion to approve Minutes from the January 4, 2011 Village Board Meeting
- B. A Motion to approve Minutes from the January 11, 2011 Committee of the Whole Meeting
- C. A Motion to approve December 2010 Treasurer's Report
- D. A Motion to approve Bills and Salaries Dated January 18, 2011

President Zirk asked if there were any questions or comments on the consent agenda items. There were no comments. A motion was made by Trustee Clark and seconded by Trustee Cullotta to approve the consent agenda as presented as follows:

- A. A motion to approve Minutes from the January 4, 2011 Village Board Meeting
- B. A Motion to approve Minutes from the January 11, 2011 Committee of the Whole Meeting

- C. A Motion to approve the December 2010 Treasurer's Report
- D. A Motion to approve Bills and Salaries Dated January 18, 2011 as noted: General Fund \$41,528.31, Developer Donations \$1,000.00, Permit Pass Thurs \$467.50, Performance Bonds and Escrows \$1,306.00, Water Fund \$31,186.48 and Payroll \$59,697.23. Roll call: Vote: 5-ayes: Trustees Clark, Mierisch, Zambetti, Farrell and Cullotta. 0-nays, 0-abstained. Motion carried.

#### **Items for Discussion**

#### **Consideration of Resolution 03-2011, a Resolution Supporting the Efforts of the Happy Tails Bark Park Committee in developing a Bark Park**

President Zirk commented on the benefits of facilitating the Bark Park Open House held earlier this evening.

Administrator Keller summarized the concerns and comments brought to the forefront at the open house. The concerns focused on the proposed Gilberts Town Center location, aesthetics, parking, security and noise. In addition, staff has received comments via email which will be shared with the Board.

Administrator Keller discussed the rudimentary resolution brought before the Board. He noted that the resolution was a concept and could evolve to include additional expectations and or conditions and was not meant for Board action tonight. However, the resolution identifies some of the conditions the Board may want to outline for the group to address.

Trustee Mierisch recalled past agreements with other organizations (Grizzlies, YMCA, and Renegades). She noted that the draft Bark Park Resolution contained unique conditions. Administrator replied that some of the conditions are what is required of other groups. He provided examples (liability insurance, establishment of a nonprofit organization). He went on to discuss some of the other requirement derived from previous meetings such as the maintenance schedule and security. He stated that these are the type of concerns that would be unique to this type of park use on Village property.

He reported that this resolution would not obligate the Board to enter into an agreement. The purpose of the resolution was to outline expectations. The resolution serves as a precursor before entering into a formal agreement.

Trustee Mierisch cited section 2-1 which requires the group to provide the Village with a detailed business plan. Administrator Keller responded by saying the details of the resolution should be defined by the Board's expectations.

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Meeting Minutes  
January 18, 2011  
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He continued to discuss the differences with the Dog Park Group. He noted that the group was not an established nonprofit organization. The other organization that the Village has agreements with has been providing services and has longevity.

Trustee Mierisch requested clarification on the steps in which to move forward. She wondered if staff was suggesting the Board consider adopting the resolution prior to the group acquiring their nonprofit status and developing a business plan. Administrator Keller replied that the adoption of the resolution shows support for the development of the Bark Park and provides the group with a level of commitment. Trustee Mierisch expressed concerns on the fact that if the group was to proceed and spend funds what if the Board in the eleventh hour changed their minds. Administrator Keller stated that the resolution is not a guarantee. He along with Attorney Tappendorf and Village Clerk Meadows had discussed the legal implications of committing future Boards to conditions entering into a contract when the Village is unsure who the entity is going to be. However, the resolution provides the group with some level of reassurance of the Village's commitment.

President Zirk discussed the difference between the current organizations and the proposed Bark Park Organization. He noted that if the Grizzlies were to go away all the Village would be left with are some football goal post and grass fields that the Village is currently mowing. Unlike the development of a Bark Park which will be making capital improvements. He commented on the fact that the Village needs to be sure they have a business plan and will be sustainable. Administrator Keller agreed. He reported that the Bark Park will be run more like a business unlike peewee football. They will have capital investments, operational expenses, and revenue coming in.

Trustee Mierisch inquired if the resolution should identify the Village's expectation if the group were to dissolve. Administrator Keller replied yes.

President Zirk reported that the resident opposed to the location of the proposed bark park was in support of the creation of a Village Bark Park. He went on to express the Board support of the creation of the Bark Park. He felt that the resolution should provide the Bark Park Committee with clear direction and expectations.

He recommended the Bark Park Committee also be allowed to provide input on the resolution to include language with respect to their expectations of the Village.

President Zirk recommended addressing the concerns brought forth at the open house (fencing, security, noise and advertising signage). President Zirk directed Administrator Keller to draft alternatives and solutions to the concerns.

There was some discussion with respect to distributing information to the Board Members. The Board Members agreed a weekly email containing all information would be best.

Trustee Clark asked if anyone on the Bark Park Committee had any concerns with the resolution. Administrator Keller reported the January 18<sup>th</sup> Board Packet was available online. However, he had not asked the Bark Park Committee for any input he wanted the Board to review the resolution first. Trustee Clark stated he does not have a problem with the resolution. He thought the biggest concern was location. He expressed concern with taking a public area and turning it to a semi-private land. Trustee Clark does not have a problem with developing a Bark Park.

Trustee Farrell commented on the fact that the Bark Park Committee has never been set on any one location.

Administrator Keller commented on the concerns with respect to the proposed location. He reminded the Board that several alternative locations were discussed in the past. However, there were reasons the Board had identified the Town Center location. A lengthy discussion ensued with respect to the alternative locations.

Trustee Zambetti expressed his support for the development of a bark park. However, he would not support a bark park that is adjacent to any residential property.

He reported that he recently investigated the Wastewater Treatment Plant area by the Eagles Club. He noted that the area is wooded. However, not under water as earlier reported. It also has parking available. In his opinion this area makes sense.

Trustee Cullotta agreed. He is not in favor of the Town Center location.

Staff will investigate the proposed wastewater plant location.

There was some discussion with respect to Homeland Security issues if the wastewater treatment plant area was to be considered. Trustee Mierisch was very concerned with any type of security breach with respect to the Village's water supply. Trustee Mierisch was not saying that she is not in favor of the location she is just concerned with security issues.

### **Staff Reports**

#### **Community Policing Updates**

Chief Williams provided the Board Member with an overview of the implementation of Community Policing. He reported that the officers had received their initial training and also have received their beat assignments.

Chief Williams discussed the philosophy of the program. He noted that the program instills the officers to be accountable for concerns within their assigned beats. However, they will work as a team and assist when needed in other areas.

Chief Williams will begin a campaign informing the residents of the new program and philosophy. The information will be placed on the Village's website, facebook page and newsletter.

Trustee Farrell suggested sharing the information with the Home Owners Associations.

The Board Members concurred that the police department is moving in the right direction.

#### **Enhanced DUI Program**

Chief Williams provided the Board Members with a summary of the implementation of the Enhanced DUI Program. He noted that the program will require an additional second shift officer. However the program will be self supporting.

He will be meeting with the liquor license establishment owners to discuss a voucher program. The program will provide free taxi rides to patrons that had too much to drink. The liquor license establishment owners at their discretion can call a taxi to take a patron home and the police department will reimburse the owners for the taxi ride.

The Board Members thought the program invokes a sense of community.

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**Citizens Police Academy (CERT Training)**

Chief Williams informed the Board on the dates that the department would be offering Citizens Police Academy, CERT Training and the next Neighborhood Watch Meeting.

Finance Director Blocker reported the water meters have been read and there were only two exceptions.

Trustee Zambetti commended the Public Works Department for their great job snow plowing. The Board Members concurred.

**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 8:12 p.m. Roll call: Vote: 5-ayes by unanimous voice vote.

Respectfully submitted,

Debra Meadows



# SIGN IN SHEET

(Please Print)

VBm

1/18/2011

Name	Address	Telephone #
Ewa Janowski	904 Serotoga Dr, <sup>Stacy</sup> Hollow	847-783-5227
CAROL RONAN	88 SUMMIT DR	847-741-4709
Chris Wagner	2641 Cadbury Circle LITH	847-682-8684
Stacy Phrek	191 Vail Ct, Gilbert	847-717-0096
ALAN M'Conroe	191 Vail Ct. GILBERT	847-890-4702
Missou Leguek	211 Jackson St	847-428-6061
Beverly L Boehm	1428 Sheffield Dr Elgin	847-911-0352
Sandra Walker	1109 Pyott Rd Lake In The Hills	847-456-3679
DONALD PUMFERY	117 WILLEY ST	847-551-1278
Dan Cusack	81 Augusta Dr	847-214-8167

**4B**

	VENDOR		GENERAL FUND	DEVELOPER DONATIONS	PERMIT PASS THURS	PERFORMANCE BONDS AND ESCROWS	WATER FUND	PAYROLL	
	TOTAL								
	GRAND TOTAL	107,799.86	28,503.91	1,000.00	600.00	701.54	30,323.10	46,671.31	
	Payroll	46,671.31							
ACE002	ACE COFFEE BAR INC.	22.50	22.50						
ADVANCE	ADVANCE DESIGN STUDIO, LTD.	193.00				193.00			
APA001	AMERICAN PLANNING ASSOCIATION	535.00	535.00						
AT&TV01	AT&T U-VERSE	75.00	75.00						
AZAVAR01	AZAVAR AUDIT SOLUTIONS, INC.	275.69	275.69						
B&W001	BAXTER & WOODMAN, INC.	6,016.50	1,523.00		600.00	261.54	3,631.96		
B&W002	B&W CONTROL SYSTEMS INTEGRATIO	3,616.22	3,616.22						
BANKCARD	UNION NATIONAL BANK OF ELGIN	224.82	224.82						
BRANIFF	BRANIFF COMMUNICATIONS, INC.	589.90	589.90						
BRENN001	BRENNTAG MID-SOUTH, INC.	1,534.10					1,534.10		
CAN01	CANON FINANCIAL SERVICES, INC.	755.00	755.00						
CASTLE01	SERVICE SANITATION, INC.	64.00	64.00						
COM003	COMMONWEALTH EDISON	195.13	195.13						
EMBCOF	EMBASSY COFFEE SERVICE	24.98	24.98						
EPC001	ELGIN PAPER COMPANY	300.52	300.52						
EXELON	EXELON ENERGY INC.	16,038.33	125.38				15,912.95		
EXXON01	EXXONMOBILE FLEET/GECC	5,067.77	4,978.56				89.21		
FEDEX	FEDEX	44.92	44.92						
FOX01	FOX VALLEY SECURITY SYSTEMS	372.00	372.00						
HDSUP	HD SUPPLY WATERWORKS	205.82					205.82		
IACP001	INTL ASSOC OF CHEIFS OF POLICE	120.00	120.00						
JUST001	JUST TIRES	15.00	15.00						
JWCENV01	JWC ENVIRONMENTAL	100.89					100.89		
MANALY01	MCHENRY ANALYTICAL WATER	1,847.00					1,847.00		
MEN002	MENARDS - CARPENTERSVILLE	160.29	63.07				97.22		
METRO001	METRO WEST COUNCIL	22.00	22.00						
NAPA01	DUNDEE NAPA AUTO PARTS	359.55	337.41				22.14		
NEM001	NORTH EAST MULTI-REGIONAL	400.00	400.00						
NEX001	NEXUS OFFICE SYSTEMS, INC.	105.10	105.10						
NEXT01	NEXTEL COMMUNICATIONS	463.56	366.33				97.23		
NIG002	NICOR	813.56					813.56		
PETRO001	PETROLIANCE	2,592.35					2,592.35		
RAY001	RAY O'HERRONS	675.00	675.00						
RESERVE	RESERVE ACCOUNT	500.00	500.00						
RUTLAND	RUTLAND-DUNDEE FPD	1,000.00		1,000.00					
SCUFF01	RICHARD SPINKER	595.00	595.00						

DRAFT  
02/08/11

	VENDOR		GENERAL FUND	DEVELOPER DONATIONS	PERMIT PASS THRUS	PERFORMANCE BONDS AND ESCROWS	WATER FUND	PAYROLL
		TOTAL						
SOURCE01	SOURCE ONE OFFICE PRODUCTS	96.56	96.56					
SPRING01	SPRING HILL FORD	332.37	332.37					

Village of Gilberts	
Check Warrant Report	
Payroll Checks From 01/16/11 - 01/29/11	
Employee Name	Net Pay
Blocker, Marlene	1,402.11
Meadows, Debra	1,319.42
Sorenson, Shirley	1,043.79
Danca, Karen	386.00
Keller, Raymond B.	1,863.25
Joswick, Michael	1,879.85
Dieringer, Tricia	1,212.20
Rood, Jackie E. Jr	1,793.49
Block, Todd J	1,695.01
Pulgar, Hector L	1,430.02
Oberth, Michael	1,033.48
Hill, Jeff R	1,297.87
Levand, James A	1,417.12
McNamara, Paul	345.97
Williams, Steven	2,156.20
Stokes, Janet	903.97
Swedberg, John L	1,888.99
Castillo, John	1,480.46
Siegbahn, Lisa	550.37
Joswick, Christopher	179.22
Mueller, Steve G.	563.22
Meador, Eric E.	1,234.63
Lorkowski, Michael	187.73
Sandman, Rick	1,319.46
Klaras, Jason	1,159.65
Foley, Aaron	1,302.43
Schuring, Larry	968.93
PAYROLL LIABILITIES:	
Blue Cross Blue Shield	3,181.87
Federal Tax Deposits	8,935.65
ICMA-RC	287.38
Illinois Department of Revenue	2,065.00
State Disbursement Unit-Cook	186.57
<b>Total All Checks</b>	<b>46,671.31</b>

closet

**4C**

TO: Village President  
Board of Trustees

CC: Ray Keller, Village Administrator

FROM: Marlene Blocker, Finance Director

DATE: February 4, 2011

SUBJECT: Finance Department Update Report

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- Treasurer's Report – Attached is the January Treasurer's Report for approval and filing along with the Designated versus Undesignated Report. We received two State Income Tax payments this month – we are now 4 months in arrears. I will email the detailed General and Water Fund budgets.
- Kane County Recovery Bond – We have received notification that \$345,000 has been deposited in a joint account for the Village of Gilberts at Illinois Funds. I have included a sheet in the Treasurer's Report for this bond receipt.
- Water Billing Update – We will be processing second notices the first part of next week. We currently have 10 people on payment plans. We have had two residents complete their payments during January who expressed their appreciation for our patience and understanding during a difficult period.

If you have any questions, please give me a call.

# Fund Summary

	BALANCE AS OF 1-31-11	Restricted / Designated Funds	Unrestricted / Undesignated Funds
<b>Unrestricted - General Fund</b>			98,140.94
<b>Restricted - Total</b>		4,647,690.37	
<b>Restricted- Designated Reserves</b>		105,750.00	
- 1 Months Expenses	105,750.00		
<b>Restricted - Road Improvement</b>		468,324.76	
- FY-07 and Prior	707,838.00		
- FY-08 Transfer (School Road)	(120,000.00)		
- FY-08	76,235.76		
- FY-09	75,968.38		
- FY-09 Transfer (Additional Salt & Snow Removal)	(78,469.37)		
- FY-09/FY10 Hennessy Bridge Work	(350,000.00)		
- FY-10	79,129.42		
- FY-11 to date	77,622.57		
<b>Restricted - Road Improvement MFT</b>		831,144.77	
- Balance - Illinois Funds	774,987.41		
- Balance - Union Bank Money Market	56,157.36		
<b>Restricted - Capital Improvement</b>		115,845.76	
- FY-05	81,596.76		
- FY-06	45,000.00		
- FY-08 Transfer (Wing Mower)	(41,751.00)		
- FY-11 P/W Truck Sale	31,000.00		
<b>Restricted - New Development Fees</b>		763,217.63	
- FY-06 Municipal Impact Fee	286,000.00		
- FY-07 Municipal Impact Fee	382,250.00		
- FY-08 Municipal Impact Fee	261,250.00		
- FY-08/FY-09 Transfer (Salt Bin)	(185,701.50)		
- FY-09 Municipal Impact Fee	82,500.00		
- FY-07/08 Municipal Transistion Fee	8,000.00		
- FY-07/08 Municipal Police/SafetyTransistion Fee	2,000.00		
- FY-09 Transfers Out	(127,256.51)		
- FY-10 Reimburse PGAV TIF Study from TIF	18,788.40		
- FY-10 Town Center Park Parking Lot	(201,112.76)		
- FY-10 Municipal Impact Fee	104,500.00		
- FY-11 Municipal Impact Fee	132,000.00		
<b>Restricted - Tree Replacement/Beautification</b>		6,910.00	
- FY-09 Recycling Revenue	2,500.00		
- FY-10 Recycling Rvenue	5,000.00		
- FY-10 Tree Replacements	(590.00)		
<b>Restricted - Drug Forfeiture</b>		13,649.15	
- Balance	13,649.15		
<b>Restricted - Enterprise Fund (Water / Wastewater)</b>		652,153.55	
- Balance	701,551.93		
<b>Restricted - Pass Thru/Escrows</b>		1,690,694.75	
- Balance	1,690,694.75		
<b>Total</b>		4,647,690.37	98,140.94
			4,745,831.31
<b>General Fund Revenue Receivable</b>			162,750.77
- State Income Tax Payments Delayed	162,750.77		
<b>Total Unrestricted Funds including Receivables</b>			260,891.71



## Additional Information

<b>Pass Thru - Balance of Escrow</b>		<b>1,690,694.75</b>
- Building Permit-Town Center	4,787.87	
- Performance Bonds / Escrows	226,073.43	
- TIF #1	108,517.45	
- Impact Fees - Library	37,262.00	
- Impact Fees - School	1,296,654.00	
- Impact Fees - Fire District	1,000.00	
- Transistion Fees - Fire	2,000.00	
- Transistion Fees - Library	400.00	
- Transistion Fees - School	14,000.00	

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

<b>School Site Purchase</b>		<b>1,704,216.48</b>
- Original Amount	1,500,000.00	
- Interest due 9/06 thru 1/11	204,216.48	

<b>Total Due VOG - Annexation</b>		<b>3,320,062.24</b>
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<b>SSA #20 Loan from Water Department</b>		<b>574,724.39</b>
- FY-08 Advances	341,194.63	
- FY-09 Avances to date	233,529.76	

<b>Total Due Water/Sewer Fund</b>		<b>574,724.39</b>
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**TREASURER'S STATEMENT AS OF JANUARY 31, 2011**

	MONTH	YEAR TO DATE		YEAR TO DATE
Beginning Bank Balance:			<u>4,862,922.66</u>	<u>3,913,134.55</u>
Credits:				
General Fund:	170,062.78	2,474,262.38		
Water Fund:	57,664.41	908,255.85		
Motor Fuel Tax (MFT):	13,779.89	155,058.92		
Performance Bonds/Escrow:	3,222.48	56,811.21		
TIF #1	23.04	83,306.41		
Drug Forfeiture:	-	1,613.47		
Total Credits All Funds:	<u>244,752.60</u>	<u>3,679,308.24</u>	<u>244,752.60</u>	<u>3,679,308.24</u>
Expenses:				
General Fund:	250,964.18	1,823,389.90		
Water Fund:	107,062.79	953,836.10		
Motor Fuel Tax (MFT):	-	-		
Performance Bond/Escrow:	3,816.98	59,253.48		
TIF #1	-	111.00		
Drug Forfeiture:	-	10,021.00		
Total Debits All Funds:	<u>361,843.95</u>	<u>2,846,611.48</u>	<u>361,843.95</u>	<u>2,846,611.48</u>
Ending Bank Balance:				
General Fund:	2,914,301.96			
Water Fund:	652,153.55			
Motor Fuel Tax (MFT):	831,135.77			
Performance Bond/Escrow:	226,073.43			
TIF #1	108,517.45			
Drug Forfeiture:	13,649.15			
Total Debits All Funds:	<u>4,745,831.31</u>		<u>4,745,831.31</u>	<u>4,745,831.31</u>

TREASURER'S SIGNATURE: 

DATE: FEBRUARY 3, 2011

Village of Gilberts  
MONTH CLOSED: January, 2011

GENERAL FUND MONEY MARKET  
01-00-105

Beginning Book Balance:	96,025.56	Previous YTD Credits:	2,304,199.60
Deposits (Total):	66,822.17	Current Credits:	102,945.62
Interest Income:			67,117.16
(01-00-341) Money Market:	34.99	Current YTD Credits:	2,474,262.38
(01-00-341) Checking:	6.45	Previous YTD Debits:	1,572,425.72
(01-00-342) Performance Bond:	38.55	Current Debits:	250,964.18
Miscellaneous Income:		Current YTD Debits:	1,823,389.90
Transfer from Water(Lien Recor	105.00		
Voided Check	100.00		
Transfer from P/B Account	10.00		
Transfer From Illinois Funds	250,000.00		
Subtotal:	413,142.72	CD Balance:	1,195,066.61
Checks Written (Total):	238,884.18	G/F MM Balance:	162,178.54
Transfer for CY-11 Flex	11,980.00	IL Funds Balance:	789,094.56
Transfer to P/B Account	100.00	Citizens Bank Balance:	766,962.25
		G/F CKG Balance:	1,000.00
		Total balance:	2,914,301.96
Ending Check Book Balance:	162,178.54		
Deposits in Transit:	45.00		
Outstanding Checks:			
Balance per Bank Statement:	162,133.54		

Expenditures/Transfers:

Date:	For:	Amount:
1/4/2011	Accounts Payable	99,623.75
1/20/2011	Accounts Payable	42,995.81
1/6/2011	Payroll	45,101.92
1/20/2011	Payroll	51,127.70
1/20/2011	Special Check	35.00
	Total:	238,884.18

Deposits:	Deposits:	Direct Deposits
3,992.54	10,671.00	T-Mobile
3,581.00	2,595.48	Exelon
7.50	1,808.50	
225.00	625.00	
433.50	1,200.00	
3,462.29	10,646.96	
852.00		
100.00		
10,254.80		
51.00		
50.00		
15.00		
25.00		
Total Deposits	50,596.57	Total Direct Deposits
		16,225.60
Total Deposits/Direct Deposits:	66,822.17	

Village of Gilberts  
MONTH CLOSED: January, 2011

GENERAL FUND CHECKING ACCT  
01-00-103

Beginning Book Balance: 1,000.00

Deposits (Total): 143,654.56

Voided Checks:

Check# Vendor Name:

Total Voided Checks:

Subtotal: 144,654.56

Checks Written (Total): 143,654.56

Voided Checks (Total):

Ending Check Book Balance: 1,000.00

Deposits in Transit:

Outstanding Checks: 3,865.65

Balance per Bank Statement: 4,865.65

Previous YTD Credits:

Current Credits:

Current YTD Credits:

Previous YTD Debits:

Current Debits:

Current YTD Debits:

Expenditures/Transfers:

Date:

1/4/2011

1/20/2011

1/20/2011

For:

Accounts Payable

Accounts Payable

Special Check

Amount:

100,623.75

42,995.81

35.00

Total:

143,654.56

Outstanding Checks:

Check #:

Amount:

11937

100.00

14130

50.00

15048

50.00

16678

60.00

18915

39.25

19186

300.00

19338

40.00

19352

275.69

19373

365.56

19374

10.00

19381

50.00

Check #:

19394

19403

19404

19406

19410

19416

19422

19423

Humana - Water

Amount:

647.50

152.00

145.00

20.00

73.04

1,000.00

250.00

229.61

8.00

Total

3,865.65

CITIZENS FIRST MONEY MARKET  
01-00-106

Beginning Book Balance:	766,506.55	Previous YTD Credits:	
Deposits (Total):		Current Credits:	455.70
Interest:		Current YTD Credits:	
Savings Acct:	455.70	Previous YTD Debits:	
Transferred from CD's		Current Debits:	
		Current YTD Debits:	
Subtotal:	766,962.25		
Checks Written (Total):			
Transferred to CD's			
Ending Check Book Balance:	766,962.25		
Deposits in Transit:			
Outstanding Checks:			
Balance per Bank Statement:	766,962.25		

**Expenditures/Transfers:**

Date:	For:	Amount:
Total:		

**Deposits:**[illegible]

**Total Deposits:** \_\_\_\_\_

ILLINOIS FIRST MONEY MARKET  
01-00-104

Beginning Book Balance:	936,604.64	Previous YTD Credits:	
Deposits (Total):	102,415.79	Current Credits:	102,489.92
		Current YTD Credits:	
(01-00-347) IL First Funds:	74.13	Previous YTD Debits:	
		Current Debits:	
Miscellaneous Income:		Current YTD Debits:	
Subtotal:	1,039,094.56	CD Balance:	
Transfer to Union National Bank	250,000.00	G/F MM Balance:	
Returned Checks (Total):		G/F CKG Balance:	
		Total balance:	
Ending Check Book Balance:	789,094.56		
Deposits in Transit:			
Outstanding Checks:			
Balance per Bank Statement:	789,094.56		

**Expenditures/Transfers:**

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

Deposits:	Direct Deposits:	Description:
30,899.26		
11,374.17		
31.82		
19,198.89		
31,688.20		
9,223.45		
<b>Total Deposits/Direct Deposits:</b>	102,415.79	

**Village of Gilberts  
General Fund  
Certificates of Deposit  
January 31, 2011**

Bank	CD#	Amount	Term	Maturity Date	Interest Rate
Union National Bank	4152-922	389,835.26	6 months	4/9/2011	.76 APY
Union National Bank	4152930	257,203.05	6 months	4/15/2011	.76 APY
Union National Bank	4152948	372,933.54	6 months	4/23/2011	.76 APY
Union National Bank	4152989	175,094.76	1 month	5/22/2011	.76 APY
		1,195,066.61			
Union National CD's	1,195,066.61				

ILLINOIS FIRST MONEY MARKET  
KANE COUNTY RECOVERY BOND  
15-00-105

10

345,000.00

345,000.00

**Current YTD Debits:**

345,000.00

**Amount:**

**Total:**

**Description:**

**Total Deposits/Direct Deposits:**



Beginning Book Balance:	129,396.90	Previous YTD Credits:	850,591.44
			4,234.71
Deposits (Total):	53,403.93	Current Credits:	53,429.70
Interest Income:		Current YTD Credits:	908,255.85
(20-00-341) Money Market:	14.65	Previous YTD Debits:	846,773.31
(20-00-341) Checking:	11.12	Current Debits:	107,062.79
Miscellaneous Income:		Current YTD Debits:	953,836.10
Subtotal:	182,826.60	Barrington Bank:	557,364.72
Checks Written (Total):	106,389.11	H2O MM Balance:	75,763.81
Returned Checks	568.68	H2O Illinois Funds	18,392.32
Transfer to G/F (Lein Recording)	105.00	H2O CKG Balance:	1,000.00
		Total balance:	652,520.85

Ending Check Book Balance:	75,763.81
Deposits in Transit:	11.12
Outstanding Checks:	
Balance per Bank Statement:	75,752.69

Expenditures/Transfers:

Date:	For:	Amount:
1/4/2011	Accounts Payable	59,229.33
1/18/2011	Accounts Payable	31,186.48
1/6/2011	Payroll-Water	7,403.77
1/20/2011	Payroll-Water	8,569.53

Total:	106,389.11
Direct Deposits	

Deposits:

247.85	61.49
7,857.81	188.39
3,561.92	415.00
1,514.35	1,897.92
2,721.15	5,044.14
661.50	4,920.08
11.70	6,085.54
115.00	8,469.66
378.10	9,252.33
Total Deposits:	53,403.93

Beginning Book Balance:	<u>1,000.00</u>	Previous YTD Credits:	<u>                    </u>
Deposits (Total):	<u>90,415.81</u>	Current Credits:	<u>                    </u>
Voided Checks:		Current YTD Credits:	<u>                    </u>
Check#    Vendor Name:	<u>                    </u>	Previous YTD Debits:	<u>                    </u>
	<u>                    </u>	Current Debits:	<u>                    </u>
	<u>                    </u>	Current YTD Debits:	<u>                    </u>
Total Voided Checks:	<u>                    </u>		
Subtotal:	<u>91,415.81</u>		
Checks Written (Total):	<u>90,415.81</u>		
Vioded Checks (Total):	<u>                    </u>		
Ending Check Book Balance:	<u>1,000.00</u>		
Deposits in Transit:	<u>                    </u>		
Outstanding Checks:	<u>44,758.93</u>		
Balance per Bank Statement:	<u>45,758.93</u>		

Expenditures/Transfers:

Date:	For:		
<u>1/4/2011</u>	Accounts Payable	<u>59,229.33</u>	
<u>1/18/2011</u>	Accounts Payable	<u>31,186.48</u>	
<u>                    </u>	<u>                    </u>	<u>                    </u>	
<u>                    </u>	<u>                    </u>	<u>                    </u>	
	Total:	<u>90,415.81</u>	

Outstanding Checks:

Check #:	Amount:	Check #:	Amount:
<u>202350</u>	<u>4.18</u>	<u>                    </u>	<u>                    </u>
<u>202365</u>	<u>1.19</u>	<u>                    </u>	<u>                    </u>
<u>202389</u>	<u>543.62</u>	<u>                    </u>	<u>                    </u>
<u>202654</u>	<u>44,122.39</u>	<u>                    </u>	<u>                    </u>
<u>203006</u>	<u>87.55</u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	Total:	<u>44,758.93</u>

Beginning Book Balance:	13,859.86	Previous YTD Credits:	
Deposits (Total):	4,163.55	Current Credits:	4,165.16
(20-00-347) Illinois Funds:	1.61	Current YTD Credits:	
		Previous YTD Debits:	
		Current Debits:	
Total Voided Checks:		Current YTD Debits:	
Subtotal:	18,025.02		
Checks Written (Total):			
Voided Checks (Total):			
Ending Check Book Balance:	18,025.02		
Deposits in Transit:			
Outstanding Checks:			
Balance per Bank Statement:	18,025.02		

Expenditures/Transfers:

Date:	For:	
	Total:	

Deposits:

323.00	118.80	
686.00	404.80	
313.10	90.00	
340.10	156.60	
158.00	100.00	Transit from Dec
249.75	69.30	Transit from Dec
491.60	198.00	Transit from Dec
286.30		
89.10		
89.10		
Total Deposits:	4,163.55	

Beginning Book Balance:	<u>557,295.17</u>	Previous YTD Credits:	<u></u>
Deposits (Total):	<u></u>	Current Credits:	<u>69.55</u>
Interest:		Current YTD Credits:	<u></u>
Savings Acct:	<u>69.55</u>	Previous YTD Debits:	<u></u>
		Current Debits:	<u></u>
		Current YTD Debits:	<u></u>

Subtotal: 557,364.72

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

Ending Check Book Balance: 557,364.72  
Deposits in Transit:   
Outstanding Checks:   
Balance per Bank Statement: 557,364.72

Expenditures/Transfers:

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

Deposits:

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

Total Deposits:

Beginning Book Balance:	56,157.36	Previous YTD Credits:	
Deposits (Total):		Current Credits:	-
Interest Income:		Current YTD Credits:	
(30-00-341) Money Market:		Previous YTD Debits:	
		Current Debits:	
Miscellaneous Income:		Current YTD Debits:	
Subtotal:	56,157.36		
Checks Written (Total):			
Returned Checks (Total):			
Ending Check Book Balance:	56,157.36		
Deposits in Transit:			
Outstanding Checks:			
Balance per Bank Statement:	56,157.36		

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

**Deposits:**

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**Total Deposits:**

<b>Beginning Book Balance:</b>	<u>761,198.52</u>	<b>Previous YTD Credits:</b>	<u>141,279.03</u>
<b>Deposits (Total):</b>	<u>13,705.55</u>	<b>Current Credits:</b>	<u>13,779.89</u>
<b>Interest Income:</b>		<b>Current YTD Credits:</b>	<u>155,058.92</u>
<b>(30-00-347) Money Market:</b>	<u>74.34</u>	<b>Previous YTD Debits:</b>	<u>-</u>
		<b>Current Debits:</b>	<u>-</u>
<b>Miscellaneous Income:</b>	<u></u>	<b>Current YTD Debits:</b>	<u>-</u>
<b>Subtotal:</b>	<u>774,978.41</u>	<b>MFT MM Balance</b>	<u>56,157.36</u>
<b>Checks Written (Total):</b>	<u></u>	<b>IL Funds Balance:</b>	<u>774,978.41</u>
<b>Returned Checks (Total):</b>	<u></u>	<b>Total balance:</b>	<u>831,135.77</u>
<b>Ending Check Book Balance:</b>	<u>774,978.41</u>		
<b>Deposits in Transit:</b>	<u></u>		
<b>Outstanding Checks:</b>	<u></u>		
<b>Balance per Bank Statement:</b>	<u>774,978.41</u>		

**Expenditures/Transfers:**

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

**Deposits:**

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

**Total Deposits:**

<b>Beginning Book Balance:</b>	<u>226,667.93</u>	<b>Previous YTD Credits:</b>	<u>53,588.73</u>
<b>Deposits (Total):</b>	<u>3,122.48</u>	<b>Current Credits:</b>	<u>3,222.48</u>
<b>Interest Income:</b>		<b>Current YTD Credits:</b>	<u>56,811.21</u>
<b>(31-00-341) Money Market:</b>		<b>Previous YTD Debits:</b>	<u>55,436.50</u>
<b>Deposit Correction</b>	<u>100.00</u>	<b>Current Debits:</b>	<u>3,816.98</u>
<b>Miscellaneous Income:</b>		<b>Current YTD Debits:</b>	<u>59,253.48</u>
<b>Subtotal:</b>	<u>229,890.41</u>		
<b>Checks Written (Total):</b>	<u>3,806.98</u>		
<b>Transfer to G/F</b>	<u>10.00</u>		
<b>Ending Check Book Balance:</b>	<u>226,073.43</u>		
<b>Deposits in Transit:</b>			
<b>Outstanding Checks:</b>	<u>2,221.00</u>		
<b>Balance per Bank Statement:</b>	<u>228,294.43</u>		

**Expenditures/Transfers:**

<b>Date:</b>	<b>For:</b>	<b>Amount:</b>
<u>1/4/2011</u>	<u>Accounts Payable</u>	<u>2,500.98</u>
<u>1/20/2011</u>	<u>Accounts Payable</u>	<u>1,306.00</u>
	<b>Total:</b>	<u>3,806.98</u>

**Deposits:**

<u>280.00</u>	
<u>93.00</u>	
<u>1,472.32</u>	
<u>1,084.16</u>	
<u>193.00</u>	
<b>Total Deposits:</b>	<u>3,122.48</u>

**Outstanding Checks**

<u>300636</u>	<u>135.00</u>
<u>300889</u>	<u>150.00</u>
<u>301188</u>	<u>5.00</u>
<u>301209</u>	<u>135.00</u>
<u>301704</u>	<u>150.00</u>
<u>302505</u>	<u>175.00</u>
<u>302544</u>	<u>135.00</u>
<u>302569</u>	<u>106.00</u>
<u>302752</u>	<u>117.00</u>
<u>302854</u>	<u>193.00</u>
<u>302935</u>	<u>770.00</u>
<u>302936</u>	<u>150.00</u>

**Total Outstanding Checks** 2,221.00

Beginning Book Balance:	<u>108,494.41</u>	Previous YTD Credits:	<u>83,283.37</u>
Deposits (Total):	<u></u>	Current Credits:	<u>23.04</u>
Interest Income:	<u>23.04</u>	Current YTD Credits:	<u>83,306.41</u>
(34-00-341) Money Market:	<u></u>	Previous YTD Debits:	<u>111.00</u>
		Current Debits:	<u>-</u>
Miscellaneous Income:	<u></u>	Current YTD Debits:	<u>111.00</u>
Subtotal:	<u>108,517.45</u>		
Checks Written (Total):	<u></u>		
Returned Checks (Total):	<u></u>		
Ending Check Book Balance:	<u>108,517.45</u>		
Deposits in Transit:	<u></u>		
Outstanding Checks:	<u></u>		
Balance per Bank Statement:	<u>108,517.45</u>		
Expenditures/Transfers:			
	Date:	For:	Amount:
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
		Total:	<u></u>
Deposits:			
<u>99.20</u>	Kane County		
<u></u>			
<u></u>			
<u></u>			
<u></u>			
<u></u>			
<u></u>			
<u></u>			
Total Deposits:	<u>99.20</u>		



Village of Gilberts  
MONTH CLOSED: January, 2011

PD DRUG FORFEITURE ACCT  
40-00-105

Beginning Book Balance:	<u>13,649.15</u>	Previous YTD Credits:	<u>1,613.47</u>
Deposits (Total):	<u></u>	Current Credits:	<u>-</u>
Interest Income:	<u></u>	Current YTD Credits:	<u>1,613.47</u>
(40-00-341) Money Market:	<u></u>	Previous YTD Debits:	<u>10,021.00</u>
	<u></u>	Current Debits:	<u>-</u>
Miscellaneous Income:	<u></u>	Current YTD Debits:	<u>10,021.00</u>
Subtotal:	<u>13,649.15</u>		
Checks Written (Total):	<u></u>		
Returned Checks (Total):	<u></u>		
Ending Check Book Balance:	<u>13,649.15</u>		
Deposits in Transit:	<u></u>		
Outstanding Checks:	<u></u>		
Balance per Bank Statement:	<u>13,649.15</u>		
Expenditures/Transfers:			
	Date:	For:	Amount:
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
		Total:	<u>-</u>
Deposits:			
<u></u>			
<u></u>			
<u></u>			
<u></u>			
<u></u>			
<u></u>			
<u></u>			
Total Deposits/Direct Deposits:	<u></u>		

Beginning Book Balance:	<u>                    -</u>	Previous YTD Credits:	<u>                                    </u>
Deposits (Total):	<u>          112,202.92          </u>	Current Credits:	<u>                                    </u>
Voided Checks:		Current YTD Credits:	<u>                                    </u>
Check #:      Vendor Name:		Previous YTD Debits:	<u>                                    </u>
<u>                                    </u>	<u>                                    </u>	Current Debits:	<u>                                    </u>
<u>                                    </u>	<u>                                    </u>	Current YTD Debits:	<u>                                    </u>

Subtotal:                     112,202.92          

Checks Written (Total):                     112,202.92          

Voided Checks (Total):   

Ending Check Book Balance:                     -

Deposits in Transit:   

Outstanding Checks:                     14,575.14          

Balance per Bank Statement:                     14,575.14          

**Expenditures/Transfers:**

Date:	For:	Amount:
<u>          1/6/2011          </u>	<u>Payroll</u>	<u>          45,101.92          </u>
<u>          1/20/2011         </u>	<u>Payroll</u>	<u>          51,127.70          </u>
<u>          1/6/2011          </u>	<u>Payroll-Water</u>	<u>           7,403.77          </u>
<u>          1/20/2011         </u>	<u>Payroll-Water</u>	<u>           8,569.53          </u>
<u>                                    </u>	<u>                                    </u>	<u>                                    </u>
<u>                                    </u>	<u>                                    </u>	<u>                                    </u>
	<b>Total:</b>	<u>          112,202.92          </u>

**Outstanding Checks:**

Check #:	Amount:	Check#:	Amount:
<u>                    12042          </u>	<u>              92.35          </u>	<u>                                    </u>	<u>                                    </u>
<u>                    15058          </u>	<u>            165.83          </u>	<u>                                    </u>	<u>                                    </u>
<u>                    15464          </u>	<u>            110.82          </u>	<u>                                    </u>	<u>                                    </u>
<u>                    15530          </u>	<u>            169.87          </u>	<u>                                    </u>	<u>                                    </u>
<u>                    15545          </u>	<u>            550.37          </u>	<u>                                    </u>	<u>                                    </u>
<u>                    15547          </u>	<u>            184.22          </u>	<u>                                    </u>	<u>                                    </u>
<u>                    15551          </u>	<u>            187.73          </u>	<u>                                    </u>	<u>                                    </u>
<u>                    15557          </u>	<u>              22.90          </u>	<u>          Flex Benefits          </u>	<u>          12,982.77          </u>
<u>                                    </u>	<u>                                    </u>	<u>                                    </u>	<u>                                    </u>
<u>                    15566          </u>	<u>            108.28          </u>	<b>Total:</b>	<u>          14,575.14          </u>

## ROAD IMPROVEMENT FUND BALANCE SHEET

Date	Deposit	Received From	Balance
	\$ 2,940.00	Circuit Court	\$ 2,940.00
11/8/2001	\$ 24,220.94	Infrastructure Acct	\$ 27,160.94
2/28/2002	\$ 180.00	Overweight Permits	\$ 27,340.94
3/31/2002	\$ 380.00	Overweight Permits	\$ 27,720.94
5/31/2002	\$ 540.00	Overweight Permits	\$ 28,260.94
5/31/2002	\$ 1,500.00	Antenna Rental/Verizon	\$ 29,760.94
6/30/2002	\$ 1,500.00	Antenna Rental/Verizon	\$ 31,260.94
6/30/2002	\$ 350.00	Antenna Rental/Worldcom	\$ 31,610.94
6/30/2002	\$ 450.00	Overweight Permits	\$ 32,060.94
7/30/2002	\$ 100.00	Antenna Rental/DataCom	\$ 32,160.94
7/30/2002	\$ 1,500.00	Antenna Rental/Verizon	\$ 33,660.94
7/30/2002	\$ 350.00	Antenna Rental/Worldcom	\$ 34,010.94
7/30/2002	\$ 680.00	Overweight Permits	\$ 34,690.94
8/31/2002	\$ 650.00	Overweight Permits	\$ 35,340.94
8/31/2002	\$ 5,050.00	Circuit Court	\$ 40,390.94
8/31/2002	\$ 102.60	Antenna Rental/DataCom	\$ 40,493.54
8/31/2002	\$ 1,500.00	Antenna Rental/Verizon	\$ 41,993.54
8/31/2002	\$ 350.00	Antenna Rental/Worldcom	\$ 42,343.54
9/30/2002	\$ 102.60	Antenna Rental/DataCom	\$ 42,446.14
9/30/2002	\$ 1,500.00	Antenna Rental/Verizon	\$ 43,946.14
9/30/2002	\$ 350.00	Antenna Rental/Worldcom	\$ 44,296.14
9/30/2002	\$ 360.00	Overweight Permits	\$ 44,656.14
9/30/2002	\$ 14,329.13	Circuit Court	\$ 58,985.27
10/11/2002	\$ 102.60	Antenna Rental/DataCom	\$ 59,087.87
10/11/2002	\$ 350.00	Antenna Rental/Worldcom	\$ 59,437.87
10/31/2002	\$ 1,500.00	Antenna Rental/Verizon	\$ 60,937.87
10/30/2002	\$ 470.00	Overweight Permits	\$ 61,407.87
11/8/2002	\$ 102.60	Antenna Rental/DataCom	\$ 61,510.47
11/25/2002	\$ 1,500.00	Antenna Rental/Verizon	\$ 63,010.47
11/22/2002	\$ 120,000.00	Resolution #02-13R	\$ 183,010.47
11/30/2002	\$ 50.00	Overweight Permits	\$ 183,060.47
12/31/2002	\$ 400.00	Overweight Permits	\$ 183,460.47
12/31/2002	\$ 102.60	Antenna Rental/DataCom	\$ 183,563.07
12/31/2002	\$ 1,500.00	Antenna Rental/Verizon	\$ 185,063.07
1/9/2003	\$ 102.60	Antenna Rental/DataCom	\$ 185,165.67
1/31/2003	\$ 490.00	Overweight Permits	\$ 185,655.67
2/28/2003	\$ 106.50	Antenna Rental/DataCom	\$ 185,762.17
2/28/2003	\$ 1,500.00	Antenna Rental/Verizon	\$ 187,262.17
2/28/2003	\$ 1,500.00	Antenna Rental/Verizon	\$ 188,762.17
2/28/2003	\$ 210.00	Overweight Permits	\$ 188,972.17
3/31/2003	\$ 210.00	Overweight Permits	\$ 189,182.17
3/4/2003	\$ 1,785.00	Antenna Rental/Worldcom	\$ 190,967.17
3/10/2003	\$ 107.80	Antenna Rental/DataCom	\$ 191,074.97
3/25/2003	\$ 1,500.00	Antenna Rental/Verizon	\$ 192,574.97
4/1/2003	\$ 385.00	Antenna Rental/Worldcom	\$ 192,959.97
4/9/2003	\$ 109.10	Antenna Rental/DataCom	\$ 193,069.07

## ROAD IMPROVEMENT FUND BALANCE SHEET

Date	Deposit	Received From	Balance
4/29/2003	\$ 1,500.00	Antenna Rental/Worldcom	\$ 194,569.07
4/30/2003	\$ 450.00	Overweight Permits	\$ 195,019.07
5/31/2003	\$ 500.00	Overweight Permits	\$ 195,519.07
5/31/2003	\$ 111.70	Antenna Rental/DataCom	\$ 195,630.77
5/31/2003	\$ 1,500.00	Antenna Rental/Verizon	\$ 197,130.77
5/31/2003	\$ 385.00	Antenna Rental/Worldcom	\$ 197,515.77
5/31/2003	\$ 14,685.00	Vehicle Stickers	\$ 212,200.77
6/30/2003	\$ 50.00	Overweight Permits	\$ 212,250.77
6/30/2003	\$ 385.00	Antenna Rental/Worldcom	\$ 212,635.77
6/30/2003	\$ 113.00	Antenna Rental/DataCom	\$ 212,748.77
6/30/2003	\$ 1,500.00	Antenna Rental/Verizon	\$ 214,248.77
6/30/2003	\$ 7,575.50	Vehicle Stickers	\$ 221,824.27
7/2/2003	\$ 385.00	Antenna Rental/Worldcom	\$ 222,209.27
7/9/2003	\$ 113.00	Antenna Rental/DataCom	\$ 222,322.27
7/24/2003	\$ 1,500.00	Antenna Rental/Verizon	\$ 223,822.27
7/31/2003	\$ 1,365.00	Vehicle Stickers	\$ 225,187.27
7/31/2003	\$ 260.00	Overweight Permits	\$ 225,447.27
8/1/2003	\$ 385.00	Antenna Rental/Worldcom	\$ 225,832.27
8/31/2003	\$ 113.00	Antenna Rental/DataCom	\$ 225,945.27
8/31/2003	\$ 1,500.00	Antenna Rental/Verizon	\$ 227,445.27
8/31/2003	\$ 813.00	Vehicle Stickers	\$ 228,258.27
8/31/2003	\$ 50.00	Overweight Permits	\$ 228,308.27
9/2/2003	\$ 385.00	Antenna Rental/Worldcom	\$ 228,693.27
9/5/2003	\$ 119.36	Antenna Rental/DataCom	\$ 228,812.63
9/22/2003	\$ 1,500.00	Antenna Rental/Verizon	\$ 230,312.63
9/30/2003	\$ 385.00	Antenna Rental/Worldcom	\$ 230,697.63
9/30/2003	\$ 3,210.00	Vehicle Stickers	\$ 233,907.63
10/31/2003	\$ 585.00	Vehicle Stickers	\$ 234,492.63
10/13/2003	\$ 119.36	Antenna Rental/DataCom	\$ 234,611.99
10/24/2003	\$ 1,500.00	Antenna Rental/Verizon	\$ 236,111.99
10/31/2003	\$ 150.00	Antenna Rental/Blue Wave	\$ 236,261.99
11/30/2003	\$ 461.00	Vehicle Stickers	\$ 236,722.99
11/3/2003	\$ 385.00	Antenna Rental/Worldcom	\$ 237,107.99
11/10/2003	\$ 119.36	Antenna Rental/DataCom	\$ 237,227.35
11/20/03	\$ 1,500.00	Antenna Rental/Verizon	\$ 238,727.35
11/25/2003	\$ 385.00	Antenna Rental/Worldcom	\$ 239,112.35
12/31/2003	\$ 592.00	Vehicle Stickers	\$ 239,704.35
12/17/2003	\$ 450.00	Overweight Permits	\$ 240,154.35
12/5/2003	\$ 119.36	Antenna Rental/DataCom	\$ 240,273.71
12/10/2003	\$ 150.00	Antenna Rental/Blue Wave	\$ 240,423.71
12/22/2003	\$ 1,500.00	Antenna Rental/Verizon	\$ 241,923.71
1/2/2004	\$ 385.00	Antenna Rental/Worldcom	\$ 242,308.71
1/7/2004	\$ 150.00	Antenna Rental/Blue Wave	\$ 242,458.71
1/7/2004	\$ 119.36	Antenna Rental/DataCom	\$ 242,578.07
1/20/2004	\$ 1,500.00	Antenna Rental/Verizon	\$ 244,078.07
1/20/2004	\$ 430.00	Overweight Permits	\$ 244,508.07

## ROAD IMPROVEMENT FUND BALANCE SHEET

Date	Deposit	Received From	Balance
1/31/2004	\$ 178.00	Vehicle Stickers	\$ 244,686.07
2/5/2004	\$ 119.36	Antenna Rental/DataCom	\$ 244,805.43
2/5/2004	\$ 385.00	Antenna Rental/Worldcom	\$ 245,190.43
2/5/2004	\$ 150.00	Antenna Rental/Blue Wave	\$ 245,340.43
2/25/2004	\$ 1,500.00	Antenna Rental/Verizon	\$ 246,840.43
2/29/2004	\$ 297.75	Vehicle Stickers	\$ 247,138.18
3/1/2004	\$ 385.00	Antenna Rental/Worldcom	\$ 247,523.18
3/3/2004	\$ 119.36	Antenna Rental/DataCom	\$ 247,642.54
3/9/2004	\$ 150.00	Antenna Rental/Blue Wave	\$ 247,792.54
3/19/2004	\$ 1,500.00	Antenna Rental/Verizon	\$ 249,292.54
3/26/2004	\$ 385.00	Antenna Rental/Worldcom	\$ 249,677.54
3/30/2004	\$ 500.00	Antenna Rental/T-Mobile	\$ 250,177.54
3/31/2004	\$ 215.50	Vehicle Stickers	\$ 250,393.04
3/31/2004	\$ 550.00	Overweight Permits	\$ 250,943.04
4/3/2004	\$ 159.70	Antenna Rental-Blue Wave	\$ 251,102.74
4/4/2004	\$ 123.36	Antenna Rental/DataCom	\$ 251,226.10
4/19/2004	\$ 1,500.00	Antenna Rental/Verizon	\$ 252,726.10
4/30/2004	\$ 28.00	Vehicle Stickers	\$ 252,754.10
4/30/2004	\$ 450.00	Overweight Permits	\$ 253,204.10
5/31/2004	\$ 20,063.50	Vehicle Stickers	\$ 273,267.60
6/30/2004	\$ 80.00	Overweight Permits	\$ 273,347.60
6/30/2004	\$ 13,599.00	Vehicle Stickers	\$ 286,946.60
7/31/2004	\$ 200.00	Overweight Permits	\$ 287,146.60
7/31/2004	\$ 2,273.00	Vehicle Stickers	\$ 289,419.60
8/31/2004	\$ 1,151.00	Vehicle Stickers	\$ 290,570.60
9/30/2004	\$ 1,056.00	Vehicle Stickers	\$ 291,626.60
9/30/2004	\$ 12,302.57	June Road & Bridge	\$ 303,929.17
9/30/2004	\$ 510.15	July Road & Bridge	\$ 304,439.32
9/30/2004	\$ 439.12	August Road & Bridge	\$ 304,878.44
9/30/2004	\$ 11,261.13	September Road & Bridge	\$ 316,139.57
10/31/2004	\$ 412.00	Vehicle Stickers	\$ 316,551.57
10/31/2004	\$ 437.56	October Road & Bridge	\$ 316,989.13
11/30/2004	\$ 199.00	Vehicle Stickers	\$ 317,188.13
12/31/2004	\$ 164.00	Vehicle Stickers	\$ 317,352.13
12/31/2004	\$ 664.27	December Road & Bridge	\$ 318,016.40
12/31/2004	\$ 430.00	Overweight Permits	\$ 318,446.40
1/31/2005	\$ 155.25	Vehicle Stickers	\$ 318,601.65
2/28/2005	\$ 135.50	Vehicle Stickers	\$ 318,737.15
3/31/2005	\$ 50.00	Vehicle Stickers	\$ 318,787.15
3/31/2005	\$ 400.00	Overweight Permits	\$ 319,187.15
4/30/2005	\$ 130.00	Overweight Permits	\$ 319,317.15
4/30/2005	\$ 206,034.00	Fy-05 Surplus	\$ 525,351.15
5/31/2005	\$ 100.00	Overweight Permits	\$ 525,451.15
5/31/2005	\$ 34,806.50	Vehicle Stickers	\$ 560,257.65
5/31/2005	\$ 1,257.88	May Road & Bridge	\$ 561,515.53
5/31/2005	\$ 45,000.00	Enterprise Fund Repayment	\$ 606,515.53

## ROAD IMPROVEMENT FUND BALANCE SHEET

Date	Deposit	Received From	Balance
6/30/2005	\$ 3,258.20	June Road & Bridge	\$ 609,773.73
6/30/2005	\$ 580.00	Overweight Permits	\$ 610,353.73
6/30/2005	\$ 3,927.00	Vehicle Stickers	\$ 614,280.73
7/31/2005	\$ 589.00	July Vehicle Stickers	\$ 614,869.73
7/31/2005	\$ 658.51	July Road & Bridge	\$ 615,528.24
8/31/2005	\$ 790.00	August Vehicle Stickers	\$ 616,318.24
8/31/2005	\$ 130.30	August Road & Bridge	\$ 616,448.54
9/30/2005	\$ 350.50	September Vehicle Stickers	\$ 616,799.04
9/30/2005	\$ 160.00	September O/W Permits	\$ 616,959.04
9/30/2005	\$ 4,407.27	September Road & Bridge	\$ 621,366.31
10/31/2005	\$ 610.00	October Overweight	\$ 621,976.31
10/31/2005	\$ 275.00	October Vehicle Stickers	\$ 622,251.31
10/31/2005	\$ 225.88	October Road & Bridge	\$ 622,477.19
11/30/2005	\$ 121.26	November Road & Bridge	\$ 622,598.45
11/30/2005	\$ 536.00	November Vehicle Stickers	\$ 623,134.45
11/30/2005	\$ 660.00	November Overweight	\$ 623,794.45
12/31/2005	\$ 440.00	December Overweight	\$ 624,234.45
12/31/2005	\$ 136.50	December Vehicle Stickers	\$ 624,370.95
1/31/2006	\$ 77.50	January Vehicle Stickers	\$ 624,448.45
1/31/2006	\$ 400.00	January Overweight	\$ 624,848.45
2/28/2006	\$ 91.00	February Vehicle Stickers	\$ 624,939.45
2/28/2006	\$ 510.00	February Overweight	\$ 625,449.45
3/31/2006	\$ 63.50	March Vehicle Stickers	\$ 625,512.95
3/31/2006	\$ 80.00	March Overweight	\$ 625,592.95
4/30/2006	\$ 380.00	April Overweight	\$ 625,972.95
4/30/2006	\$ 20.00	April Vehicle Stickers	\$ 625,992.95
5/31/2006	\$ 752.52	May Road & Bridge	\$ 626,745.47
5/31/2006	\$ 42,662.00	May Vehicle Stickers	\$ 669,407.47
5/31/2006	\$ 50.00	May Overweight	\$ 669,457.47
6/30/2006	\$ 2,330.34	June Road & Bridge	\$ 671,787.81
6/30/2006	\$ 50.00	June Overweight	\$ 671,837.81
6/30/2006	\$ 15,677.50	June Vehicle Stickers	\$ 687,515.31
7/31/2006	\$ 900.00	July Late Fees	\$ 688,415.31
7/31/2006	\$ 1,147.50	July Vehicle Stickers	\$ 689,562.81
7/31/2006	\$ 200.00	July Overweight	\$ 689,762.81
7/31/2006	\$ 536.92	July Road & Bridge	\$ 690,299.73
8/31/2006	\$ 101.61	August Road & Bridge	\$ 690,401.34
8/31/2006	\$ 1,732.00	August Vehicle Stickers	\$ 692,133.34
8/31/2006	\$ 1,295.00	August Late Fees	\$ 693,428.34
9/30/2006	\$ 3,160.98	September Road & Bridge	\$ 696,589.32
9/30/2006	\$ 2,154.00	September Vehicle Stickers	\$ 698,743.32
9/30/2006	\$ 2,236.00	September Late Fees	\$ 700,979.32
10/31/2006	\$ 447.00	September Vehicle Stickers	\$ 701,426.32
10/31/2006	\$ 290.00	September Overweight	\$ 701,716.32
10/31/2006	\$ 106.23	October Road & Bridge	\$ 701,822.55
11/30/2006	\$ 112.68	November Road & Bridge	\$ 701,935.23

## ROAD IMPROVEMENT FUND BALANCE SHEET

Date	Deposit	Received From	Balance
11/30/2006	\$ 301.00	November Vehicle Stickers	\$ 702,236.23
11/30/2006	\$ 150.00	November Late Fees	\$ 702,386.23
12/31/2006	\$ 163.50	December Vehicle Stickers	\$ 702,549.73
12/31/2006	\$ 100.00	December Overweight	\$ 702,649.73
1/31/2007	\$ 213.50	January Vehicle Stickers	\$ 702,863.23
1/31/2007	\$ 1,120.00	January Overweight	\$ 703,983.23
2/28/2007	\$ 30.50	February Vehicle Stickers	\$ 704,013.73
2/28/2007	\$ 80.00	February Overweight	\$ 704,093.73
3/31/2007	\$ 560.00	March Overweight	\$ 704,653.73
3/31/2007	\$ 53.50	March Vehicle Stickers	\$ 704,707.23
4/30/2007	\$ 730.00	April Overweight	\$ 705,437.23
4/30/2007	\$ 2,400.77	FY-07 Kane Co. Overweight	\$ 707,838.00
5/31/2007	\$ 407.34	May Road & Bridge	\$ 708,245.34
5/31/2007	\$ 38,562.00	May Vehicle Stickers	\$ 746,807.34
5/31/2007	\$ 50.00	May Overweight	\$ 746,857.34
6/30/2007	\$ 1,654.21	June Road & Bridge	\$ 748,511.55
6/30/2007	\$ 22,401.00	June Vehicle Stickers	\$ 770,912.55
7/31/2007	\$ 44.79	July Road & Bridge	\$ 770,957.34
7/31/2007	\$ 4,915.50	July Vehicle Stickers	\$ 775,872.84
8/31/2007	\$ 678.00	August Vehicle Stickers	\$ 776,550.84
8/31/2007	\$ 368.12	August Road & Bridge	\$ 776,918.96
9/30/2007	\$ 1,472.84	September Road & Bridge	\$ 778,391.80
9/30/2007	\$ 460.00	September Vehicle Stickers	\$ 778,851.80
10/31/2007	\$ 294.00	October Vehicle Stickers	\$ 779,145.80
10/31/2007	\$ 240.00	October Overweight	\$ 779,385.80
10/31/2007	\$ 106.06	October Road & Bridge	\$ 779,491.86
11/30/2007	\$ 50.00	November Overweight	\$ 779,541.86
11/30/2007	\$ 536.00	November Vehicle Stickers	\$ 780,077.86
11/30/2007	\$ 107.22	November Road & Bridge	\$ 780,185.08
12/31/2007	\$ 112.00	December Vehicle Stickers	\$ 780,297.08
1/31/2008	\$ 204.00	January Vehicle Stickers	\$ 780,501.08
1/31/2008	\$ 196.47	Dundee Township Receipt	\$ 780,697.55
2/29/2008	\$ 83.00	February Vehicle Stickers	\$ 780,780.55
3/31/2008	\$ 40.50	March Vehicle Stickers	\$ 780,821.05
3/31/2008	\$ 50.00	March Overweight	\$ 780,871.05
4/30/2008	\$ 3,202.71	FY-08 Kane Co. Overweight	\$ 784,073.76
4/30/2008	\$ (120,000.00)	School Road	\$ 664,073.76
5/31/2008	\$ 80.00	May Overweight	\$ 664,153.76
5/31/2008	\$ 42,219.00	May Vehicle Stickers	\$ 706,372.76
5/31/2008	\$ 151.31	May Road & Bridge	\$ 706,524.07
6/30/2008	\$ 1,683.51	June Road & Bridge	\$ 708,207.58
6/30/2008	\$ 18,996.00	June Vehicle Stickers	\$ 727,203.58
6/30/2008	\$ 330.00	June Overweight	\$ 727,533.58
7/31/2008	\$ 5,899.00	July Vehicle Stickers	\$ 733,432.58
7/31/2008	\$ 50.00	July Overweight	\$ 733,482.58
7/31/2008	\$ 82.08	July Road & Bridge	\$ 733,564.66

## ROAD IMPROVEMENT FUND BALANCE SHEET

Date	Deposit	Received From	Balance
8/31/2008	\$ 111.68	August Road & Bridge	\$ 733,676.34
8/31/2008	\$ 726.00	August Vehicle Stickers	\$ 734,402.34
8/31/2008	\$ 130.00	August Overweight	\$ 734,532.34
9/30/2008	\$ 1,361.81	September Road & Bridge	\$ 735,894.15
9/30/2008	\$ 1,208.00	September Vehicle Stickers	\$ 737,102.15
10/31/2008	\$ 332.78	October Road & Bridge	\$ 737,434.93
10/31/2008	\$ 718.00	October Vehicle Stickers	\$ 738,152.93
10/31/2008	\$ 310.00	October Overweight	\$ 738,462.93
11/30/2008	\$ 238.00	November Vehicle Stickers	\$ 738,700.93
11/30/2008	\$ 80.71	November Road & Bridge	\$ 738,781.64
11/30/2008	\$ 80.00	November Overweight	\$ 738,861.64
12/31/2008	\$ 400.00	December Overweight	\$ 739,261.64
12/31/2008	\$ 156.00	December Vehicle Stickers	\$ 739,417.64
1/31/2009	\$ 300.00	January Overweight	\$ 739,717.64
1/31/2009	\$ 107.00	January Vehicle Stickers	\$ 739,824.64
2/28/2009	\$ 114.00	February Vehicle Stickers	\$ 739,938.64
2/28/2009	\$ 50.00	February Overweight	\$ 739,988.64
3/31/2009	\$ 53.50	March Vehicle Stickers	\$ 740,042.14
4/30/2009	\$ (78,469.37)	FY-09 Additional Salt & Snow Removal	\$ 661,572.77
5/1/2009	\$ (350,000.00)	Hennessy Bridge Work	\$ 311,572.77
5/31/2009	\$ 360.00	May Overweight	\$ 311,932.77
5/31/2009	\$ 169.40	May Road & Bridge	\$ 312,102.17
5/31/2009	\$ 34,485.50	May Vehicle Stickers	\$ 346,587.67
6/30/2009	\$ 230.18	June Road & Bridge	\$ 346,817.85
6/30/2009	\$ 1,371.93	June Road & Bridge	\$ 348,189.78
6/30/2009	\$ 29,733.00	June Vehicle Stickers	\$ 377,922.78
6/30/2009	\$ 50.00	June Overweight	\$ 377,972.78
7/31/2009	\$ 126.84	July Road & Bridge	\$ 378,099.62
7/31/2009	\$ 6,906.50	July Vehicle Stickers	\$ 385,006.12
8/31/2009	\$ 185.10	August Road & Bridge	\$ 385,191.22
8/31/2009	\$ 130.00	August Overweight	\$ 385,321.22
8/31/2009	\$ 804.00	August Vehicle Stickers	\$ 386,125.22
9/30/2009	\$ 1,458.65	Septembr Road & Bridge	\$ 387,583.87
9/30/2009	\$ 430.00	September Overweight	\$ 388,013.87
9/30/2009	\$ 366.00	September Vehicle Stickers	\$ 388,379.87
10/31/2009	\$ 112.68	October Road & Bridge	\$ 388,492.55
10/31/2009	\$ 330.00	October Overweight	\$ 388,822.55
10/31/2009	\$ 410.00	October Vehicle Stickers	\$ 389,232.55
11/30/2009	\$ 140.24	November Road & Bridge	\$ 389,372.79
11/30/2009	\$ 150.00	November Overweight	\$ 389,522.79
11/30/2009	\$ 286.00	November Vehicle Stickers	\$ 389,808.79
12/31/2009	\$ 169.00	December Vehicle Stickers	\$ 389,977.79
12/31/2009	\$ 300.00	December Overweight	\$ 390,277.79
1/31/2009	\$ 124.00	January Vehicle Stickers	\$ 390,401.79
2/28/2010	\$ 99.90	Dundee Township Receipt	\$ 390,501.69
2/28/2010	\$ 50.00	February Overweight	\$ 390,551.69



## ROAD IMPROVEMENT FUND BALANCE SHEET

Date	Deposit	Received From	Balance
2/28/2010	\$ 77.00	February Vehicle Stickers	\$ 390,628.69
3/31/2010	\$ 23.50	March Vehicle Stickers	\$ 390,652.19
4/30/2010	\$ 50.00	April Overweight	\$ 390,702.19
5/31/2010	\$ 250.00	May Overweight	\$ 390,952.19
5/31/2010	\$ 32,610.00	May Vehicle Stickers	\$ 423,562.19
5/31/2010	\$ 338.49	May Road & Bridge	\$ 423,900.68
6/30/2010	\$ 32,243.00	June Vehicle Stickers	\$ 456,143.68
6/30/2010	\$ 1,372.76	June Road & Bridge	\$ 457,516.44
7/31/2010	\$ 214.36	July Road & Bridge	\$ 457,730.80
7/31/2010	\$ 5,565.50	July Vehicle Stickers	\$ 463,296.30
8/31/2010	\$ 462.50	August Vehicle Stickers	\$ 463,758.80
8/31/2010	\$ 224.75	August Road & Bridge	\$ 463,983.55
8/31/2010	\$ 410.00	August Overweight	\$ 464,393.55
9/30/2010	\$ 308.00	September Vehicle Stickers	\$ 464,701.55
9/30/2010	\$ 380.00	September Overweight	\$ 465,081.55
9/30/2010	\$ 1,182.60	September Road & Bridge	\$ 466,264.15
10/31/2010	\$ 588.58	October Road & Bridge	\$ 466,852.73
10/31/2010	\$ 260.00	October Overweight	\$ 467,112.73
10/31/2010	\$ 348.00	October Vehicle Stickers	\$ 467,460.73
11/30/2010	\$ 140.61	November Road & Bridge	\$ 467,601.34
11/30/2010	\$ 130.00	November Overweight	\$ 467,731.34
11/30/2010	\$ 71.50	November Vehicle Stickers	\$ 467,802.84
12/15/2010	\$ 1.42	December Road & Bridge	\$ 467,804.26
12/31/2010	\$ 97.00	December Vehicle Stickers	\$ 467,901.26
12/31/2010	\$ 300.00	December Overweight	\$ 468,201.26
1/31/2010	\$ 50.00	January Overweight	\$ 468,251.26
1/31/2010	\$ 73.50	January Vehicle Stickers	\$ 468,324.76

**4D**

**A Resolution Exercising an Option to Renew for One Year, an  
Intergovernmental Agreement with the County of Kane for Animal Control Services**

**WHEREAS**, the Village of Gilberts previously entered into an Intergovernmental Agreement with the County of Kane for Animal Control Services dated May 19, 2008; and

**WHEREAS**, the Agreement allows the Village of Gilberts to extend said contract term from April 30, 2011 and additional one year (and thereafter for a further additional one year); and

**WHEREAS**, the Village of Gilberts has determined it is in the best interests of the citizens of the Village of Gilberts to trigger the renewal of the Agreement for an additional one year.

**THEREFORE, BE IT RESOLVED** by the Village President and Board of Trustees of the Village of Gilberts as follows:

1. The Village of Gilberts hereby exercises the first (of two) one year options for said Agreement contained in Section 8 thereof and confirms that it has been actively participating in animal control services and facility planning activities.
2. That the Village President is authorized to execute and send a written notice to the County of Kane triggering the extension of the Agreement pursuant to Section 8 of the Agreement,

This resolution shall be in full force and effect from and after its passage, approval as provided by law.

Passed and Approved by roll call vote of the President and Board of Trustees of the Village of Gilberts of Kane County, Illinois, this \_\_\_\_\_ day of February \_\_\_\_\_, 2011.

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

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_, 2011

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

ATTEST: \_\_\_\_\_  
Debra Meadows, Village Clerk

# COUNTY OF KANE

## ANIMAL CONTROL DEPARTMENT



*cc: Police Chief*

RECEIVED

JUL 21 REC'D

VILLAGE OF GILBERTS

Mary J. Lawrie, MS MBA  
Administrator

Jane Davis DVM  
Deputy Administrator

4060 Keslinger Road  
Geneva, IL 60134

Phone: (630) 232-3555  
Fax: (630) 232-3585

ORIGINAL

June 2, 2008

Darlene Mueller, Village Clerk  
Village of Gilberts  
87 Galligan Road  
Gilberts, IL 60136

Dear Ms. Mueller:

Enclosed please find the fully executed copy of the Animal Control Services Agreement.  
The effective date for the agreement is May 19, 2008.

Thanks so very much for all your assistance. If you have any questions please give me a call.

Sincerely,

Mary J. Lawrie

March, 2008

**AGREEMENT FOR ANIMAL CONTROL SERVICES**

**THIS INTERGOVERNMENTAL AGREEMENT** is made and entered into this first day of April, 2008 by and between the **COUNTY OF KANE**, a body politic and corporate, and the **VILLAGE OF GILBERTS**, an Illinois municipal corporation.

WHEREAS, the County of Kane ("Kane County") is a body politic and corporate duly organized and existing under the Constitution and laws of the State of Illinois; and

WHEREAS, the Village of Gilberts ("Municipality") is an Illinois municipal corporation; and

WHEREAS, Kane County pursuant to the Animal Control Act, 510 ILCS 5/1 et seq. (the "Act") has certain rights, duties and obligations with respect to rabies control and registration of dogs and cats on a county-wide basis, and also has primary responsibility for animal control activities within unincorporated Kane County; and

WHEREAS, Kane County has caused to be constructed a new Animal Control Facility (the "Facility") in order to exercise and fulfill the County's rights, duties and obligations under the Act and otherwise; and

WHEREAS, Kane County has and will invest substantial sums for capital expenditures in connection with the construction of the Facility; and

WHEREAS, the Municipality has the right, but not the obligation to control animal activities in its corporate limits, and has historically taken the primary responsibility for animal control activities within its corporate limits and desires to contract with the County to discharge these responsibilities; and

WHEREAS, pursuant to Kane County Board Ordinance 07-254, passed July 10, 2007, Kane County is ready, willing and able to contract with the municipalities of Kane County to provide them with animal control services, including but not limited to pick-up of animals running at large, sick or injured dogs and small, wild mammals such as skunks, raccoons, and bats and providing housing and adoption services for animals in its custody to the best of its ability; and

WHEREAS, the parties have a mutual interest in long term planning for animal control services in Kane County and intend to participate in such planning activities to be convened by the Metro West Council of Government, but desire to enter into an agreement for services while such planning is ongoing; and

WHEREAS, pursuant to Article VII Section 10 of the Constitution of the State of Illinois and Section 3 of the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/3 (2006), units of local government are authorized and empowered to enter into agreements to obtain and share services and to exercise jointly or transfer any powers or functions not prohibited by law; and

WHEREAS, the Chairman of the Kane County Board has heretofore been authorized pursuant to Resolution 08-79 to enter into an intergovernmental agreement with the Municipality as herein provided;

**NOW, THEREFORE the COUNTY OF KANE and the VILLAGE OF GILBERTS** do hereby agree as follows:

**Section 1. Incorporation of Recitals.** The facts and statements contained in the preamble to this Agreement are hereby incorporated herein as if fully set forth.

**Section 2. Pickup Service Provided.** The Kane County Animal Control Department will provide pickup service for stray dogs found within the limits of the Municipality and shall transport them to the Facility or another County designated animal shelter for a service fee to be paid to the County as provided in Section 5-49(a) of the Kane County Code.

**Section 3. Complaint Calls – Response.** The Kane County Animal Control Department will respond to complaint calls, as provided in Section 5-49(a) of the Kane County Code, from the Municipality's police department (or appropriate Municipal officials if no police department exists), for barking dogs, dogs running at large and sick or injured wildlife outside of a building or structure within the limits of the Municipality and shall transport them to the Facility or another County designated animal shelter. The service fee to be paid to the County shall be that shown on Exhibit A. The County Board may pass a resolution which shall be binding on the Municipality upon 60 days notice to the Municipality, to increase said rates. Notwithstanding the above, all service fee increases are hereby capped at a maximum increase of 25% of the Base Rate in the first 12 month period of the agreement. During each subsequent 12 month period, all service fees are likewise capped at a maximum increase of 25% of the Base Rate. "Base Rate" is the amount specified by category of service in Exhibit A.

**Section 4. Vicious or Dangerous Dogs.** The Kane County Animal Control Department shall cooperate with the police department of the Municipality in responding to complaints relating to vicious or dangerous dogs. All complaints and proceedings shall be handled as provided in Sections 15 and 15.2 of the Act.

**Section 5. Invoices for Services.** Kane County shall invoice the Municipality for services provided at the end of each month and the Municipality shall remit payment to Kane County in full within thirty (30) days. The County invoice shall, at a minimum, specify the dates of service, particulars regarding the animal serviced and the types of services rendered (See Exhibit B.) The County shall retain the right to limit, suspend, or terminate services to the Municipality if it shall omit to pay any fees within sixty (60) days of receipt of the County's invoice therefore. All fees for services shall be deposited by the County as set forth in Resolution 06-330.

**Section 6. Termination of prior Agreements; Waiver of Fees.** Upon the effective date of this Agreement, any and all prior agreements between Kane County and the Municipality are hereby terminated and abrogated.

**Section 7. Fees and Charges to Individual Owners.** Nothing in this Agreement shall be construed to limit the right of Kane County or the municipality to increase or impose any fees or charges to individual owners as permitted or provided by law.

**Section 8. Effective Date; Termination.** This Agreement shall commence upon the affixing of the last signature of any officer required to sign this Agreement, which date shall be deemed the "Effective Date." This Agreement shall remain in full force and in effect until April 30, 2011, with two one-year renewal options that shall be subject to the following condition: that the Municipality has been and is actively participating in animal control services and facility planning activities that are to be convened and coordinated by the Metro West Council of Governments, ("Metro West"). The Municipality shall notify the county in writing, not less than 60 days prior to the expiration date, of its intent to exercise each renewal option.

**Section 9. Additional Agreement.** The Parties agree to meet to work towards a long term solution to the regional issues of animal control. To that end, the County will assist the Municipality cooperatively with Metro West to participate in developing a plan to meet specific anticipated demand for animal control services due to municipal growth. Failure by the Municipality to participate in good faith in said meetings shall be a breach of the terms of this agreement by the Municipality.

**Section 10. Service Provision Subject to Shelter Capacity.**

The County shall reserve 30% of the animal shelter capacity for the exclusive use of the county for provision of services to residents of unincorporated Kane County and for its use for provision of County-wide animal bite investigation services. If, at any time, in the opinion of the Kane County Animal Control Administrator, animals in the shelter from the Municipality and other municipal contract-holders constitute more than 60% but less than 70% of total shelter capacity, the Administrator shall notify the Municipality as provided for in Section 12 of this Agreement. If, at that time, in the opinion of the Kane County Animal Control Administrator, animals in the shelter from the Municipality and other municipal contract-holders has reached 70% of the total shelter capacity, the Administrator shall notify the Municipality that Animal Control services for new additional animals are being suspended and for what time period they shall be suspended to the Municipality and to all other municipal contract-holders. In the event of service suspension, the County shall work with the Municipality to identify and obtain animal control services from other service providers in the geographic area, but it shall be the sole responsibility of the Municipality to secure such services for its residents during the service suspension period, and the County shall have no obligation, responsibility or liability to the Municipality for animal control services except as provided by other applicable law. Animal Control services shall be reinstated when the Animal Control Administrator determines that the unused shelter capacity has exceeded 30% for two consecutive weeks.

**Section 11. Indemnification.** The Municipality shall indemnify, defend and hold harmless Kane County and its officers, agents and employees of and from any and all claims, demands, suits at law or in equity, of any kind and manner, which in any way occur or arise in connection with Kane County's services or facilities provided pursuant to this Agreement, except as to claims of intentional, willful or wanton acts committed by the County and its officers agents and employees and/or to the extent prohibited by law or public policy. In the event of a claim being made by the County under this Section, the County shall be entitled to be defended by counsel of its own choosing, and the Municipality shall pay any reasonable attorneys' fees and expenses incurred by the County in connection therewith.



**Section 12 Notices.** Any notices permitted or required to be given under this Agreement shall be deemed given if sent by certified mail, return receipt requested, or by personal delivery to the person to who it is addressed, to the following:

If to Kane County:

County of Kane

Kane County Government Center

719 South Batavia Avenue - Building A - 2nd Floor

Geneva, IL 60134

Attention: County Board Chairman

With a copy to:

Animal Control Administrator

County of Kane

4060 Keslinger

Geneva, IL 60134

With a copy to:

States Attorney, Chief of the Civil Division

County of Kane

If to the Municipality:

Village of Gilberts

87 Galligan Road

Gilberts, Illinois 60136

Attention: Village Clerk

until notice of change of address is given in the manner provided. Notice by fax transmission or email communication shall not be sufficient unless required by an applicable statute.

**Section 13 Severability.** If any provision, clause or section of this Agreement shall be ruled or held invalid by any Court of competent jurisdiction, then and in such event such finding of invalidity shall not affect the remaining provisions of this Agreement which can be given effect without such invalid provisions and to that end to provisions of this Agreement are Severable.

**Section 14 Entire Agreement of the Parties.** This Agreement, and any ordinances or resolutions incorporated herein by reference or by operation of law constitutes the entire agreement of the parties and no modifications by course of conduct or oral agreement shall be valid unless reduced to writing and duly adopted by the Kane County Board and the Municipality.

**Section 15. Binding Effect; Successors' Assignment.** This Agreement shall be binding upon the respective parties hereto, and their lawful successors in interest, except that Kane County shall not assign performance of this Agreement to another unit of local government without the written consent of the Municipality.

**WHEREFORE**, the parties have caused this Agreement to be signed as of the date and year first above written.

**COUNTY OF KANE**

By: Karen McConaughay

Karen McConaughay

County Board Chairman

ATTEST: John A. Cunningham

John A. Cunningham

Kane County Clerk



**VILLAGE OF GILBERTS**

By: Thy West

Village President

ATTEST: Madeline Clapper

City Clerk/Collector

**Exhibit A**

**Resolution 07-254, Adopted 7-10-07**

**Sec. 5-49.1. Fees:**

(a) Effective July 1, 2007, the fees to municipalities contracting for animal control services with the county shall be as follows:

Pick up stray, sick, or injured animals (includes euthanasia for injured wildlife)	\$100.00
Board, euthanasia, and cremation fee for animals unclaimed by their owner	200.00
Additional boarding charges per day if needed such as in litigation situations	25.00
Additional transport fees (e.g., for court hearing)	100.00
No fees shall be charged if the animal is reclaimed by its owner and applicable fees paid.	

(b) Effective May 1, 2006, the fees to individual owners for animal control services shall be as follows:

Pick up stray or sick or injured animal - nonneutered	\$150.00
Pick up stray or sick or injured animal - neutered	75.00
Boarding charges per day - nonneutered	35.00
Boarding charges per day - neutered	17.50
Microchip fee, where applicable	15.00
The animal control administrator shall rebate fifty percent (50%) of the pick up	

and boarding charges if the animal is neutered within forty five (45) days of being reclaimed and evidence provided to the animal control department.

- (c) If in the opinion of the county veterinarian, neutering of an animal is not appropriate for any reason, the additional fee imposed by subsection (b) of this section for nonneutered animals shall not be charged.
- (d) The administrator shall by regulation prescribe circumstances where a waiver or reduction of fees is appropriate based on financial hardship.
- (e) Any person or agency claiming an animal for adoption purposes shall not be required to pay any pick up or boarding fees incurred prior to the claim. (Ord. 06-154 §§ 1, 2, 3, 4, 5, 4-11-2006; Ord. 07-254, § 1, 7-10-2007)

Exhibit B  
Sample Invoice for Services

February 11, 2008

Enclosed is the billing statement for Kane County Animal Control Services for the month of January 2008. Services are broken into four categories: Pick-ups, Strays Brought into the Shelter, Complaints and Calls for Sick/Injured animals. You will only have a print out sheet for areas in which we have provided services.

<b>Village of</b>	
Pick-ups	
Strays Brought Into Shelter	
Complaints	
Sick/Injured	
<b>Total</b>	<b>\$</b>

Payment is due in 30 days to:

Kane County Animal Control  
4060 Keslinger Road  
Geneva, Illinois 60134

If you have a question do not hesitate to call Lynne Ellberg at 630-444-1035.

Thank you,

Mary L. Lawrie  
Kane County Animal Control Administrator

**5A**

## **ORDINANCE 1-2011**

### **AN ORDINANCE AMENDING A SPECIAL USE PERMIT FOR THE OPERATION OF A RECYCLING CENTER WITHIN THE I-1 GENERAL INDUSTRIAL ZONING DISTRICT LOCATED AT 46 EAST END DRIVE**

**WHEREAS**, in 2008, the Village approved Ordinance No. 08-17 approving a special use permit to allow the operation of a recycling business on the property commonly known as 46 East End Drive, Gilberts, Illinois, which property is legally described on **Exhibit A** ("**Property**"); and,

**WHEREAS**, Robert and Claudia Conroy of Tink's Ink LLC / Elgin Recycling, have filed a petition with the Village Clerk of the Village of Gilberts, Illinois, for an amendment to their special use permit for the operation of a recycling facility within the I-1 General Industrial zoning district, located at 46 East End Drive, Gilberts, IL, to allow the recycling of "white goods" at their facility; and,

**WHEREAS**, the Gilberts Plan Commission held a public hearing and reviewed the request on November 10, 2010 and continued the public hearing on December 8, 2010 and recommended denying the request to amend the special use permit by a vote of 6-0 ; and,

**WHEREAS**, representatives from the Village, the applicant and an adjoining property owner met to identify draft conditions of approval that would clarify the applicant's responsibilities and would mitigate some of the negative externalities identified during the public hearing; and,

**WHEREAS**, the Village Board of Trustees of Gilberts have determined that approval of an amended special use permit for the subject property with restated and amended conditions of approval would protect the community's health, welfare and safety better than the special use permit under which the applicant currently operates; 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 the special use permit for the operation of a recycling facility, located at 46 East End Drive, within the I-1 General Industrial zoning district, be hereby amended to allow the recycling of appliances known as "white goods," subject to the list of conditions established in Section 2.

**Section 2.** The approvals granted pursuant to Section 1 of this Ordinance are conditioned upon and limited by the following conditions, the violation of any of which shall, in the discretion of the President and Board of Trustees, be grounds for the repeal and revocation of the approvals granted by this Ordinance in accordance with applicable law. In addition, any violation of this Ordinance will be deemed a violation of the Zoning Code and subject the Owner to enforcement

proceedings accordingly.

1. The Zoning Code, the Subdivision Code, the Building Code, and all other applicable Village ordinances and regulations shall continue to apply to the Property, and the development and use of the Property shall comply with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.
2. All conditions of approval established by the special use permit approved on June 19, 2008 by adoption of Ordinance 08-17 remain in full force and effect unless otherwise amended as stipulated below.
3. The Applicant may recycle ferrous and non-ferrous metal scrap including metal appliances commonly known as "white goods," excluding any such materials that contain "white goods components" as defined by 415 ILCS 5/22.28(c)(2), Illinois Environmental Protection Act.
4. The Applicant shall pay the Village any fees for outstanding zoning, special use permit, building or property maintenance violations within ten (10) days of the approval of an ordinance amending the special use permit now in effect.
5. The Applicant shall demonstrate compliance with all applicable codes and requirements within the same ten-day time period.
6. The subject property owner and business operator shall submit to two inspections annually demonstrating conformance with all special use conditions, locally adopted building & existing structure codes and ordinances.
7. There shall be no overnight outside storage of any materials on the subject property, except materials may be stored overnight in covered roll-off containers and/or closed box trucks or truck trailers stored behind sightless fencing.
8. All storage of recycled materials shall be contained to prevent migration of the same and/or any run-off from same to adjoining properties or public ways.
9. All roll-off containers or dumpsters shall be kept behind sightless fencing and covered when holding recyclables or other materials.
10. All vehicles and non-motorized storage (e.g. truck trailers) shall be kept behind sightless fencing.
11. The petitioner shall submit to the Village of Gilberts an updated plan for debris and litter control.
12. This special use permit, as amended, is specifically granted to Tink's Ink LLC / Elgin Recycling Inc. for use on the specified subject property, commonly known as 46 East End Drive. The special use permit may not be transferred, sold, used by, or otherwise conveyed to any party other than the applicant without an amendment to the special use permit approved by the Village of Gilberts.
13. Operations of the recycling center shall at all times comply with sound and noise regulations set forth in the Village of Gilberts Municipal Code and Zoning Ordinance.
14. Vehicles coming to, waiting to enter, or leaving the recycling center shall not block the entrance or driveway to any other property.
15. Operator shall not smash, pull apart, or saw cut items to be recycled outside the principal structure.



16. Operator shall maintain a dustless, nonporous hard surface for loading and unloading of materials and the containment of any petroleum product or other hazardous substance.
17. The Applicant/operator of the recycling facility shall establish and enact written procedures for the discovery and/or spilling of hazardous or white goods materials, as described above. A copy of the procedures shall be provided to the Village of Gilberts within thirty (30) days of approval of this ordinance and shall be available for inspection upon request.
18. No motorized vehicles or construction equipment, with or without motors, and no engines, transmissions, differentials or other motor vehicle or construction equipment parts which may contain petroleum products or hazardous substances shall be salvaged or recycled on the subject property.

**Section 3.** Except as expressly modified by this Ordinance, Ordinance 08-17 shall remain in full force and effect, and the Owner shall comply with all requirements, conditions, and restrictions therein.

**Section 4.** That each section, paragraph, sentence, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, other than the part affected by such a decision.

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

**PASSED BY ROLL CALL VOTE OF THE BOARD OF TRUSTEES** of the Village of Gilberts, Kane County, Illinois, \_\_\_\_\_

**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 Pete Cullotta	_____	_____	_____	_____
Trustee Bruce Erbeck	_____	_____	_____	_____
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:

\_\_\_\_\_

**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**Subject Property**

Lot 8 (except the North 214.86 feet and also except the East 66 feet thereof) in Gilberts Industrial District Unit No. 3 being a Subdivision of part of the Southwest Quarter of Section 24, Township 42 North, Range 7 East of the Third Principal Meridian, according to the Plat thereof, recorded November 20, 1972 as Document No. 1246672 in Kane County, Illinois.

PIN Number: 02-24-300-047

The property is commonly known as 46 East End Drive, Gilberts, IL 60136.

**VILLAGE OF GILBERTS  
ELGIN RECYCLING SPECIAL USE PERMIT  
SUBMITTED BY POLK – JAN. 27, 2011  
Addressing “Owner” and “Operator”**

Source: Mark Schuster,  
representing Tim Polk  
Emailed 1/27/11

**CONDITIONS OF APPROVAL  
OF AMENDMENT TO SPECIAL USE**

1. All conditions of approval established by the special use permit approved on June 19, 2008 by adoption of Ordinance 08-17 remain in full force and effect unless otherwise amended as set forth herein.
2. Hours of operation of the re-cycling center shall be limited to Monday thru Friday, 8:00 a.m. to 5:00 p.m., and Saturday from 8:00 a.m. to 1:00 p.m.
3. Operations of the re-cycling center shall at all times comply with sound and noise regulations set forth in the Village of Gilberts Municipal Code, including but not limited to Article 13 of the Village Code, in all respects, as measured at the property line, and any applicable, IEPA regulations, and/or Illinois Pollution Control Board regulations.
4. Vehicles arriving to unload, and vehicles departing loaded or unloaded from the site, shall not be staged on the public right of way, including but not limited to East End Drive, and shall be managed with an on-site staging area for all vehicles. Vehicles coming to, waiting to enter, or leaving the re-cycling center shall not block the entrance or driveway to any other property.
5. The property shall not be used for re-cycling of ferrous and non-ferrous metal scrap, including metal appliances commonly known as "white goods," excluding any such items that contain "white goods components" as defined by Illinois Environmental Protection Act, 415 ILCS 5/22.28(c)(2).
6. The Applicant shall pay the Village any fees for outstanding zoning, special use permit, building or property maintenance violations within ten (10) days of the approval of an ordinance amending the special use permit now in effect.
7. Owner and/or the operator of the re-cycling center shall demonstrate compliance with all applicable codes and requirements within the same 10-day time period.
8. Owner and/or operator of the re-cycling center shall submit to quarterly inspections during each calendar year demonstrating conformance with all special use conditions, Village Code requirements, including Building and Structure Codes and ordinances, and applicable IEPA and IPCB regulations.
9. There shall be no overnight outside storage of any materials on the subject property, except materials may be stored overnight in covered roll-off containers and/or closed box trucks or truck trailers stored behind sightless fencing.
10. All storage of recycled materials shall be contained at all times so as to prevent migration of same and/or any run-off from same to adjoining properties or public ways.
11. Owner shall cover the outside storage yard with a dustless, non-porous, hard concrete surface, including design features to contain any spill of any petroleum product or other hazardous substances.

12. Owner shall provide on-site detention of stormwater run-off.
13. All roll-off containers or dumpsters shall be kept behind sightless fencing and covered when holding recyclables or other materials.
14. Storage of any and all vehicles and non-motorized items shall be behind sightless fencing.
15. The operator of the re-cycling center shall not smash, pull apart, saw cut or torch cut items outside; any such operations shall occur only inside the principal structure on the subject property.
16. The operator of the re-cycling center shall not engage in activities or processes on the subject property, such as dropping items or materials, or pounding, which cause the ground on neighboring properties to quake or shake.
17. Owner shall submit a site plan approved by an Illinois licensed engineer for review and approval by the Village for compliance with all applicable zoning, special use permit, and environmental conditions, including the 100-year storm event stormwater run-off route, any on-site detention, and any septic field on the site.
18. Owner shall submit to the Village of Gilberts for review and approval an updated plan for debris and litter control.
19. Owner shall establish and implement written procedures for the discovery and/or containment of spills of petroleum products or hazardous substances or "white goods components," as described above, for review and approval by the Village. A copy of the written procedures shall be filed with the Village, where the document will be available for inspection by the public upon request.
20. Owner and the operator of the re-cycling center shall at all times comply with all applicable laws, rules, regulations and local codes, including IEPA and/or IPCB regulations, and Village of Gilberts regulations.
21. No motorized vehicles or construction equipment, with or without motors, and no engines, transmissions, differentials or other motor vehicle or construction equipment parts which may contain petroleum products or hazardous substances shall be salvaged or recycled on the subject property.
22. This special use permit, as amended, is specifically granted to Tink's Ink, LLC as owner of the subject property for a re-cycling center to be operated by Elgin Recycling Inc. on the subject property, commonly known as 46 East End Drive. The special use permit may not be transferred, sold, used by, or otherwise conveyed to any party other than Tink's Ink, LLC and/or Elgin Recycling Inc. without written approval of the Village of Gilberts.
23. The Village shall monitor the sound and noise levels on and emanating from the subject property. Such monitoring shall be for not less than four days per week for the first six months after approval of this amendment to special use, and thereafter. Provided, if there has been compliance during said time, then such monitoring shall be for not less than one day per week for the next following six months and thereafter, but if there has been compliance then no further monitoring shall be done. Provided further, if there is thereafter a complaint filed with the Village regarding noise, then monitoring shall resume. Owner shall reimburse the Village the cost incurred by the Village in retaining an outside firm to monitor the sound and noise levels on and emanating from the subject property for purposes of ensuring compliance with the applicable sound and noise regulations. The Village shall, on the basis of evidence provided by such monitoring, issue and prosecute a citation for any event of non-compliance.

24. This Special Use is subject to revocation, for any violation of the conditions set forth herein, or other violation of applicable law or regulations, in accordance with applicable procedures mandated by law.
25. Tink's Ink, LLC and/or Elgin Re-cycling, Inc. shall reimburse Mr. Thomas T. Polk the expenses incurred by him in contesting the approval of this amendment to the special use originally granted for the subject property on June 19, 2008, including attorney fees and expert fees incurred by Polk.

# *Village of Gilberts*

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

## **DRAFT**

### **VILLAGE OF GILBERTS PLAN COMMISSION**

#### **FINDING OF FACT AND RECOMMENDATION**

**TO:** VILLAGE PRESIDENT RICK ZIRK AND BOARD OF TRUSTEES  
**FROM:** VILLAGE OF GILBERTS PLAN COMMISSION  
**RE:** FINDING OF FACT AND RECOMMENDATION

**APPLICANT:** Tink's Ink LLC / Elgin Recycling  
**APPLICATION:** Special Use Permit Amendment  
**LOCATION:** 46 East End Drive

#### **I. GENERAL INFORMATION**

Complete information regarding the proposed amendment can be found in the staff report accompanying this application, VA93-10, which is hereby attached to and made a part of these Findings.

#### **II. PROCEDURES**

Pursuant to law, a public hearing was held by the Village of Gilberts Plan Commission regarding this matter on November 10, 2010 and continued to December 8, 2010. The hearing was advertised in the Courier News and appeared in an edition available to the public 15 to 30 days prior to the hearing. A quorum of the Commission was present at the hearing in which subject Application and documentation materials were reviewed and all persons who desired to testify were heard.

#### **III. APPLICANT'S REQUEST**

The Petitioner requested an amendment to their special use permit for a recycling facility in the I-1 General Industrial zoning district. The requested amendment would allow the recycling of "white goods" at their facility.

#### **IV. PUBLIC SUPPORT AND/OR OBJECTIONS**

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

## V. CONCLUSIONS

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

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

During the public hearing, the Plan Commission was presented testimony that the Applicant's facility violated the maximum noise level permitted by Section 13.3-5 of the Zoning Ordinance and generated unacceptable levels of vibration and dust. The testimony also documented violations of the original special use permit, specifically the prohibition on accepting appliances and "white goods" and leaving material uncovered and uncontained overnight. The Plan Commission concluded that granting relief (i.e. removing the prohibition on "white goods") would be inappropriate until the violations of the Zoning Ordinance and the original special use permit were corrected.

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

The petition requests the expansion of a special use that has been previously approved for this property. There have been complaints about noise and vibration emanating from the subject property that are disruptive to some adjacent properties. The proposed amendment to allow the recycling of white goods would not likely increase noise or vibration at the facility, but the testimony presented during the public hearing argued that the current facility's negative externalities may be detrimental to the values of nearby properties. The Plan Commission concluded that expanding the facility's operation would be inappropriate until the externalities are addressed.

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

The proposed amendment would not likely result in any observable changes that might dominate the immediately adjacent industrial neighborhood, provided that all materials are stored within an enclosure or a building as required by the original special use permit. However, the testimony presented during the public hearing indicates that materials possibly had not always been enclosed or covered overnight as required by the special use permit. The Plan Commission concludes that granting the requested amendment to the special use permit would not be consistent until the Applicant demonstrates compliance with the original special use permit conditions.

**4. Adequate utility services exist or will be provided.**

Power and phone service are available at the site, but the property is not presently served by public water or sewer.

**5. The use is consistent with good planning practice, and will conform to the regulations of the district in which it is located.**

The proposed amendment does not have an impact on planning practice, as it would provide relief from one conditional of approval that accompanied the original special use permit for the recycling facility. The proposed unit is generally consistent with good planning practice as it grants an existing business the flexibility to adjust the business' operations to meet current market demands. The addition of white goods provides the community an option for disposing and/or recycling large household appliances.



However, the Plan Commission concluded that it would not be consistent with good planning practice to expand a special use that is found to be in violation of the Zoning Ordinance or the original special use permit.

**6. The use is essential or desirable to preserve and promote the public health, safety and welfare of the citizens of Gilberts.**

The use is not essential to the preservation and promotion of public health and safety, though the recycling center processes materials that are otherwise deposited in landfills. Conditional upon the proper removal of “white goods components,” the recycling of appliances does not have a distinguishable impact on public health and safety.

**VII. DETERMINATION AND RECOMMENDATION**

NOW, THEREFORE, BE IT RESOLVED, that the Plan Commission of the Village of Gilberts **does not find in favor of the request and does not recommend** to the Village Board that Tink’s Ink LLC and Elgin Recycling’s requested amendment to their special use permit to allow the recycling of “white goods” at their facility at 46 East End Drive, Gilberts, IL, be approved.

Recommendation to deny the request affirmed by the Plan Commission of the Village of Gilberts, Illinois, this 8<sup>th</sup> day of December 2010, by a vote of 6 ayes, 0 nays, 3 absent.

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Doug Hagen, Chairman

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87 Galligan Road  
Gilberts, IL 60136  
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NOT APPROVED MINUTES

## Call to Order

Chairman Hagen called the meeting to order at 7:00 p.m.

## Roll Call/Establish Quorum

Roll call: Members present: Commissioners McHone, Borgardt, del Vecchio, and Hacker, and Chairman Hagen. Vice Chairperson Davidowski arrived at 7:02 p.m. Also present were ex-officio Biver and Administrator Keller. For members of the audience please see the attached list.

Not present were Commissioners Fatigato, Zoerhoff, Sullivan and ex-officios Brown and Mills.

## Approval of Minutes

A motion was made by Commissioner Borgardt and seconded by Commissioner del Vecchio to approve the minutes from November 10, 2010. Vote: 4-ayes

(Commissioners McHone, del Vecchio, and Hacker, and Chairman Hagen). 0-nays. 1-abstain (Commissioner Borgardt). Vice Chairperson Davidowski wasn't present at this time.

A brief clarification was made regarding the detached garages that were referenced on page 5, the second paragraph under Communications.

## New Business

**Public Hearing: Amending a Special Use Permit for Elgin Recycling-Continued from November 10, 2010**

A motion was made by Commissioner Sullivan and seconded by Commissioner del Vecchio to reopen the public hearing. Vote: 6-ayes (Commissioners McHone, Borgardt, del Vecchio, and Hacker, Vice Chairperson Davidowski and Chairman Hagen). 0-nays. 0-abstain. Motion carried.

Mark Schuster, attorney from SBFKS&V located in Elgin, IL, stated that he had a number of witnesses and exhibits that he was going to be presenting before the Plan Commission. He proceeded to call the first witness to the podium.

William Dettmer, CBO of International Codes Consultants and Inspections, Incorporated, stated that he has been working for the company for 16 years, and he has been in the line of business for 40 years. He has measured sound levels approximately 100 to 200 times. He measured the sound levels emitted from 46 East End Drive on December 6 and December 7. On each of these two dates, Mr. Dettmer tested the noise level on two

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occasions. The equipment was previously used and had been calibrated in October 2010. The readings were done on December 6, 2010 from 10:00 a.m. – 10:30 a.m. and then again from 1:35 p.m. – 2:20 p.m. On December 7, 2010 readings were done from 10:30 p.m. – 11:30 p.m., and again on the same day from 1:00 p.m. – 2:00 p.m. Mr. Mark Schuster proceeded to distribute a summary of Mr. Dettmer's findings to the Plan Commission, which for the record is labeled Exhibit 1. According to his findings, Mr. Dettmer stated that on the 4 separate occasions that he did the readings, he found that there were several violations to the Village Code in relation to the section relevant to the sound. He did review the Village Code before taking the readings. He proceeded to explain to the Plan Commission how he interpreted the Village Code. Mr. Dettmer explained Section 13.3-5 Noise from the Village Code. He stated that he started with 74 decibels as the Village Code baseline. Using 13.3-5, 2 "Table Corrections," he proceeded to add 5, subtract 5, and subtract another 5. After those calculations, he determined that the new baseline was 69 decibels.

The following are the results of the readings:

- 1<sup>st</sup> Reading – 5 out of 7 were above the allowed limit
- 2<sup>nd</sup> Reading – 10 out of 10 were above the allowed limit
- 3<sup>rd</sup> Reading – 12 out of 15 were above the allowed limit
- 4<sup>th</sup> Reading – 30 out of 34 were above the allowed limit

Mr. Dettmer stated that during one of the tests he felt the ground shake.

He then explained where he was standing while recording the tests. He was approximately 5 feet from the fence line on the south side of the commercial building. All of the readings were done from the same spot.

Mr. Schuster stated for the record that out of the 66 total readings, 57 were above the limit.

Commissioner McHone questioned whether the device used measured the sound in the air or from the ground. Mr. Dettmer's response was in the air. He restated that he felt the ground shake, but he didn't have a device to measure the sound waves through the ground. His main goal was to deal with the sound in the air.

Mr. Dettmer explained again how he used the table from section 2 under 13.5-5 Noise to determine the baseline for the sound level. He added that all of the recordings were taken once the meter stopped moving, and he wasn't between two structures when he took the measurements. Administrator Keller added that Village staff do not have the expertise demonstrated by Mr. Dettmer.

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When asked by Vice Chairperson Davidowski, Mr. Dettmer informed the Plan Commission that he teaches building inspectors how to use the testing equipment. There aren't any regulations on where to stand while taking the tests, and for these readings the buildings were low structures, a fence was present, and there were low wind speeds at the recording times.

Mr. Dettmer added that the Village refers to the American Standard Association in the Code, but the year isn't referred to. If the Village did refer to a year, then he would have been required to refer to that year while interpreting the law.

Chairman Hagen asked Mr. Dettmer whether he spoke with Chief Building Inspector Swedberg. The response was no. He did read his memo regarding the noise tests. Chairman Hagen added that he felt Chief Building Inspector Swedberg's results were significantly lower. Mr. Dettmer stated that there could have been a difference due to the date of the tests, the conditions, and the times they were taken. Mr. Schuster said that he didn't find the results significantly different. He said that Mr. Swedberg's readings ranged from 60.2 decibels to 79.4 decibels.

The baseline will always be 69 decibels for Elgin Recycling.

Administrator Keller asked Mr. Dettmer if the noises coming out of the business were typical of other businesses in industrial areas. The response was yes. When asked if he felt the Village's Code was out dated, Mr. Dettmer said he felt it could use some improvement.

Ben Anstett of Geneva, IL took a video surveillance. The still photos he took from the video were entered as exhibits. Exhibit 2, Group A, a set of 38 pictures, was distributed to the Plan Commission. Below some of the pictures were comments written by Mr. Anstett. He proceeded to explain what was happening in a few of the photos. Photo # 31 shows a white semi truck blocking the driveway to Mr. Tim Polk's property. Photo # 12 shows a school bus being delivered for recycling.

Mr. Anstett stated that he completed 10 days of observations. If trucks couldn't enter the facility right away, they would park on East End Drive. They would sit anywhere from a few seconds to several minutes. One truck parked on East End Drive for 30 minutes. Many drivers would let their trucks idle. The driver would enter Elgin Recycling, go back to the truck, and then drive into Elgin Recycling. According to the original special use granted to Elgin Recycling, vehicles are supposed to wait on Elgin Recycling's property, not on Village streets. If someone were to complain, the complaint would go to the police department or to the building inspector.

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Mr. Anstett added that there was photo evidence of cranes picking up "white goods."

Next, Exhibit 2, Group B was distributed to the Plan Commission. He worked 40 hours over a 10 day period to gather these photos. The original special use states that all material must be placed inside overnight or in covered roll off containers. Photo #10 shows a roll off container that can be seen from Mr. Polk's property, and the salvage was left uncovered. Mr. Anstett stated that he waited until no one was working in the yard before he took the photos, and he did have a night vision camera. A few of the Plan Commissioners commented on how multiple photos had the same date and time labeled on them. Mr. Anstett said that he remained stationary while he scanned the yard with the camera. Any still photos that were taken from the recorded video within a minute would have the same time labeled in the corner.

Then Exhibit 2, Group 3 was distributed to the Plan Commission. Photo #1 shows a truck that was dismantled inside the scrap yard of Elgin Recycling. The process took over 40 minutes. Photo #8 shows Elgin Recycling taking in a refrigerator. Photo # 14 and 30 show water heaters being taken in. The crane would pick up the product, and then drop it. Dust would fly in the air and float onto Mr. Polk's property. Photo # 19 shows an industrial air conditioning unit. Mr. Anstett tried to measure the amount of dust that settled onto Mr. Polk's property. He laid a tarp on the ground. However, it got wet due to the weather, so the dust and debris couldn't be measured.

He added that employees began working in the yard before 6 a.m. He said that he also felt the ground shake at times.

Tim Polk, the contract purchaser for the property to the north of Elgin Recycling, stated that he purchased a meter to complete sound readings. He completed the tests on December 6 and 7, 2010. He stood in the same spot as Chief Building Inspector Swedberg did while taking readings. The device used was bought from Radio Shack, and it's the only one they carry. The readings he took on December 6, 2010 ranged between 75 and 90 decibels. The readings he took on December 7, 2010 ranged between 78 to 86 decibels. He took photos as well showing open debris on the yard, open debris over night, trucks parked on East End Drive, a vehicle blocking the driveway to Mr. Polk's shopping Center, and torches cutting a metal trailer apart in the yard. He added that it was his opinion that Mr. Dettmer stood 25-30 feet from the fence, not 5 feet as Mr. Dettmer thought.

Mr. Polk stated that he never noticed Elgin Recycling taking in "white goods" until he viewed Exhibit 2, Groups A, B, and C. He added that dust is constantly in the air. He has 9 tenants in his buildings, and he has received noise and vibration complaints from them. Mr. Polk has observed noise and vibrations as well. He added that a few of

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Chief Building Inspector Swedberg's readings show that Elgin Recycling is in violation of the noise ordinance.

Richard House of Geneva, IL made observations at Elgin Recycling before the start of the Plan Commission. He pulled into the main entrance of Elgin Recycling. A truck went around him, dumped a large load. Then a claw proceeded to pick up the debris. He was then informed that he needed to remove himself from the property. When asked, Mr. House stated that he thought the property was paved. There was a cement area for weighing trucks. Mr. Polk added that he was unsure whether the property was paved.

Mr. Schuster informed the Plan Commission that they could deny the petition to amend the special use. Once Elgin Recycling complies with the original special use, then Elgin Recycling could repetition to amend the special use.

Commissioner del Vecchio asked Mr. Polk whether Elgin Recycling was in business when he purchased his property. The response was no. Mr. Polk is concerned that his tenants may not renew their leases. He added that he follows the Village Code, and he would appreciate if other businesses did as well.

In Mr. House's opinion Elgin Recycling is a processing plant, not a recycling plant because they are tearing apart vehicles. Administrator Keller stated that the Village doesn't have a way to distinguish between a recycling plant and a processing plant. He added that the Village doesn't have a definition of a recycling center either. The original special use granted to Elgin Recycling was consistent with a previous special use granted to another recycling center in the Village.

Mr. Schuster said that at a previous meeting, Mr. Conroy stated that crushing wasn't being done outside of the building. It is Mr. Schuster's opinion that crushing is occurring outside.

Steven Schutt, owner of Tessendorf Mechanical on Center Drive, stated his concern for ground pollution, if vehicle engines are being torn apart. He said that there should be special containers to hold the oil, and he is concerned that the proper steps aren't being taken to remove the oil.

Mr. Schuster stated that there hasn't been any evidence of an adequate plan ever being put in place for proper containment of oil and "white good" components.

Commissioner Hacker asked if anyone witnessed leaking of fluids during the observation. The response was no.

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**A motion was made by Commissioner Borgardt and seconded by Commissioner McHone to close the public hearing.** Vote: 6-ayes. (Commissioners McHone, Borgardt, del Vecchio, and Hacker, Vice Chairperson Davidowski and Chairman Hagen). 0-nays. 0-abstain. Motion carried.

Commissioner Borgardt and McHone feel that Elgin Recycling has been in violation of the Village Code and their original special use.

Commissioner Hacker stated his concern for Elgin Recycling not being in compliance with their original special use and his concern for the noise.

Commissioner del Vecchio stated that she feels the Village should look into the hours of operation, if any oil or gas is being spilled, the trucks parking on East End Drive, and the noise.

Vice Chairperson Davidowski questioned how it is known that "white goods" have been properly removed.

**A motion was made by Commissioner Hacker and seconded by Vice Chairperson Davidowski to recommend to the Village Board denial of the amendment to the special use permit for Elgin Recycling.** Vote: 6-ayes. (Commissioners McHone, Borgardt, del Vecchio, and Hacker, Vice Chairperson Davidowski and Chairman Hagen). 0-nays. 0-abstain. Motion carried.

## Old Business

There wasn't any old business to report.

## Communications

Attorney Tappendorf and Administrator Keller will be hosting a training session available to the Plan Commission members in late May or early June.

## Adjournment

There being no further business to discuss, **a motion was made by Commissioner Borgardt and seconded by Commissioner McHone to adjourn the meeting at 8:42 p.m.** Unanimous Voice Vote: all ayes. Motion carried.

Respectfully submitted,

Karen Danca, Recording Secretary

SIGN IN SHEET  
(Please Print)

PC

12/8/2010

Name

Address

Telephone #

Stonelli 13590 Gr. Meadows Ct, Huntley 847-669-7702

Bob Canoy Elgin Rocking (847) 812-6182

DAN BROWN 115 Charleston Ln, Gilberts (847) 551-1899

Barbara DETMER P.O. Box 729 Oswego, IL 60543-0729 630-551-4224

William A. DETMER P.O. Box 729 Oswego, IL 60543-0729 630-551-4224

STEVE SCHULTZ 152541 HANCOCK ST IN HANCOCK IL 815 417 1355

Tim Polk P.O. Box 642 ELBRIDGE IL 60119 630-702-6160

Ben Anstett 1770 S. Randall RD A150, Geneva IL 888-365-3940

RICHARD HOUSE 1770 S RANDALL RD H A150 GENEVA IL 888 365-3940

MARK SCHUSTER 1250 Lincoln Ave ELGIN 847-742-8800



Approved 12/8/10

**Village of Gilberts  
Plan Commission  
Meeting Minutes  
87 Galligan Road  
Gilberts, IL 60136  
November 10, 2010**

**Call to Order**

Chairman Hagen called the meeting to order at 7:02 p.m.

**Roll Call/Establish Quorum**

Roll call: Members present: Commissioners Zoerhoff, Sullivan, Hacker, and del Vecchio, and Chairman Hagen. Also present were ex-officios Biver and Mills, and Administrator Keller. For members of the audience please see the attached list.

Vice Chairperson Davidowski arrived at 7:22 p.m.

Not present were Commissioners McHone, Fatigato, and Borgardt and ex-officio Brown.

**Approval of Minutes**

**A motion was made by Commissioner Zoerhoff and seconded by Commissioner del Vecchio to approve the minutes from August 25, 2010 as amended.**

Commissioner Hacker was not present during the meeting. This will be updated on the minutes.

Vote: 5 ayes (Commissioners del Vecchio, Sullivan, Zoerhoff, Hacker, and Chairman Hagen). 0 nays. 0 abstain. Motion carried.

**New Business**

**Public Hearing: Amending a Special Use Permit for Elgin Recycling**

**A motion was made by Commissioner Sullivan and seconded by Commissioner Zoerhoff to open the public hearing.** Vote: all ayes by voice vote. Motion carried.

Administrator Keller gave a brief overview of the special use permit Elgin Recycling was asking for. Elgin Recycling would like to accept "white goods" subject to the "white goods" being removed before acceptance.

The conditions of approval were restated in a more organized list. No changes were made from the original approval of the 2008 special use permit. However, an additional new condition number 14 was added which includes the acceptance of "white goods."

Plan Commission  
Meeting Minutes  
November 10, 2010  
Page 2

There have been a few noise complaints since the operation of the plant. Village staff have been out to the plant approximately five (5) times in response to the complaints. Even though complaints were received, there haven't been any violations in the zoning code.

Staff recommend approval of the special use permit.

Commissioner del Vecchio questioned the location of West End Recycling compared to Elgin Recycling.

Kathy Tonelli owner of property in the industrial park stated that she is working toward turning the property into retail. She is shocked that the Village would grant a recycling plant permission to operate directly behind the location where the Village wants retail shops. She stated that she has invested a great amount of money in the Village. She questioned who would be policing the noise and the contaminants. She added that it is her opinion that a recycling plant doesn't belong a block away from Route 72. She stated that the business is large, and it's not entirely enclosed.

Robert Conroy, owner of Elgin Recycling, stated that the plant recycles scrap metal. When it is dumped onto the ground, it can get noisy. However, he feels that there are other noisy businesses in the Village.

Ms. Tonelli added that she thought the Village was trying to change its image.

Mr. Conroy stated that the zoning would have to be changed to not allow for industrial. He said that there is not any crushing occurring on the outside of the building. His building is a 30,000 square foot metal building.

Administrator Keller said that the frontage along Route 72 is evolving towards retail. Unfortunately, the property behind the frontage is still zoned industrial. He restated that there aren't any violations of the code occurring, and the noise is occurring in an area that is zoned industrial.

Mr. Conroy stated that he is willing to work with his neighbors. He did speak with a tenant in one of the buildings, and he is willing to work with that tenant in keeping the noise down during certain times of the day. He added that recycling is good for the community, and it saves energy.

Tim Polk, owner of buildings located on East Higgins Road, stated that the recycling plant is a nuisance. He invested in Gilberts in 2004. He bought property in hopes of

transitioning it into retail. He stated his concern for construction trucks, which can lead to the ground vibrating, dust, and metal noises. There are customers and workers entering and exiting the businesses in the buildings he owns, and he is concerned for the negative affect the noise and dust has on them.

Mr. Polk added that the plant is operating past 6:00 p.m. And that on June 11, 2008 Mr. Conroy stated that the recyclables would not be stored outside, but Mr. Polk feels that they are. He stated that Elgin Recycling accepts engines and auto parts, and it is his opinion that it is a junk yard. If he would've known that Elgin Recycling was coming into the Village in 2008, he would have tried to stop them.

He then discussed the strategic planning workshop that he attended with Administrator Keller in the spring of 2008.

Mr. Polk added that West End Recycling is located at the end of the road. He feels that is the proper place for a recycling plant, as opposed to being so close to Route 72. He added that he would like for the Plan Commission to revoke the original special use permit granted in June of 2008 and not permit the acceptance of "white goods."

When asked by Commissioner del Vecchio whether his tenants have lost business due to Elgin Recycling, Mr. Polk responded that he was unsure.

Mr. Polk stated that one of the conditions for the special use permit was that material would not be stored overnight unless it is stored in a covered roll-off container or in an enclosed truck.

Mr. Conroy responded by stating that he recently poured concrete on his property. He is waiting for that to dry. Until then, bins cannot be placed outside. He added that the convenient store receives business from his employees, and he is not aware of any dust in the air.

Mr. Polk said that he would like to see a higher end coffee shop in his building. He doesn't think customers would want to sit in a coffee shop with the amount of noise that comes from Elgin Recycling. He feels that Elgin Recycling is diminishing the value of his property, and he is concerned about any ground contamination that may be occurring.

Administrator Keller explained the notification procedure for the industrial park.

Mr. Polk stated that the recycling center will prevent growth in the Village. Road conditions will worsen with the truck traffic, and he won't be able to get a food facility in

the building because of the dust. He wants the Village to grow, and he has invested a large portion of his finances in the Village. He added that he cannot create a long term partnership with his tenants. He's a stake holder in the Village, and he can't provide services to the community with Elgin Recycling located behind his buildings.

He feels that there will be an increase in traffic, an increase in the amount of dust in the air, and an increase in noise if the Village would allow the acceptance of "white goods."

Administrator Keller informed the Plan Commissioners that some of the complaints stated at the meeting weren't brought before staff at an earlier date. He asked Mr. Polk to write out his concerns.

Vice Chairperson Davidowski stated her concern for recycling occurring outside of the building. She was reassured that the recycling activities are occurring inside the building.

A discussion continued regarding how the Village measures noise levels. West End Recycling is a smaller plant. The Village hasn't received any complaints regarding their noise, so the decibel levels haven't been read.

Mr. Conroy said that the dust might have occurred when the concrete was poured. He added that he did make the fence higher than required. His is twelve (12) feet tall.

Mr. Polk stated that he was able to see the dust from under the lights, so it can't be seen during the daylight. He saw it before coming to the Plan Commission meeting held tonight. He said the employees were cutting metal.

Vice Chairperson Davidowski asked if the Village has a definition for the processing of recyclable goods. Administrator Keller said that the Code doesn't get into that level of definement.

The commissioners would like for Village staff to verify that Elgin Recycling is in compliance with the terms stated in their original special use permit before granting the request for the new special use permit. Administrator Keller will provide the Commissioners with a definition of a recycling center for the next meeting.

**A motion was made by Commissioner Sullivan and seconded by Commissioner Hacker to continue the public hearing to the next regularly scheduled Plan Commission meeting on December 8, 2010. Vote: all ayes. Motion carried.**

Plan Commission  
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November 10, 2010  
Page 5

**Old Business**

There wasn't any old business to report.

**Communication**

The Plan Commission will be working on changing the notification requirements on the public hearing. They can do this at the next meeting.

Detached garages were discussed.

The Village didn't receive the grant from Kane County to update the zoning code. The Village is trying to figure out a way to start the updating this next fiscal year.

**Adjournment**

There being no further business to discuss, a motion was made by Commissioner Sullivan and seconded by Commissioner Zoerhoff to adjourn the meeting at 8:11 p.m. Unanimous Voice Vote: all ayes. Motion carried.

Respectfully submitted,

Karen Danca, Recording Secretary

**SIGN IN SHEET**  
(Please Print)

Pan Commission

11/10/2010

Name

Address

Telephone #

Robert Conway

(847) 741-4100

Kathy Tonelli

(847) 669-7700

Tim Polk

630-702-6160

**ORDINANCE  
VILLAGE OF GILBERTS  
Special Use Ordinance for a Recycling Center  
(Elgin Recycling, Inc. 46 East End Drive)**

WHEREAS, Petition for a Special Use Permit had been presented to the Village of Gilberts ("Village") by the contract purchaser, Robert Conroy, ("Petitioner" or "Applicant") of the property commonly known as 46 East End Drive, Gilberts, Kane County and legally described on Exhibit A attached hereto and made a part hereof ("Subject Property"); and

WHEREAS, the Subject Property is zoned I -1, General Industrial District by the Zoning Ordinance of the Village of Gilberts; and

WHEREAS, the Zoning Ordinance of the Village provides recycling centers is a Social Use in the I-1 District; and

WHEREAS, the application for a Special Use Permit to permit a recycling center was referred to the Plan Commission which held a public hearing on June 11, 2008 after all proper notice in accordance with Village ordinances and state statutes and the Plan Commission has made its findings of fact that the Applicant has met the standards for a Special Use and made a recommendation of approval to the Corporate Authorities:

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

Section 1. The Corporate Authorities hereby find that the facts and statements contained in the preamble of this Ordinance are true.

Section 2. A Special Use Permit is hereby granted to the Applicant and to the Subject Property to permit a recycling center subject to the conditions set forth on Exhibit B

attached hereto and made a part hereof and said Special Use herein granted shall run with the land and shall be assigned to, be binding upon and to the benefit of the owner, its successors and assigns.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law. This ordinance shall be published in pamphlet form.

Passed this 17th day of June, 2008 by roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Bruce Erbeck	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
Trustee Guy Zambetti	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
Trustee Ronald Mengarelli	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
Trustee Patricia Mierisch	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
Trustee Gordon Mueller	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
Trustee Jesse Garcia	<u>      </u>	<u>✓</u>	<u>      </u>	<u>      </u>
President Thomas J. Wajda	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

APPROVED THIS 19th DAY OF JUNE 2008



Thomas J. Wajda  
Village President

(SEAL)

ATTEST:

  
Village Clerk Darlene Mueller

Published:

6/19/08



**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**Subject Property**

Lot 8 (except the North 214.86 feet and also except the East 66 feet thereof) in Gilberts Industrial District Unit No. 3 being a Subdivision of part of the Southwest Quarter of Section 24, Township 42 North, Range 7 East of the Third Principal Meridian, according to the Plat thereof, recorded November 20, 1972 as Document No. 1246672 in Kane County, Illinois.

PIN Number: 02-24-300-047

The property is commonly known as 46 East End Drive, Gilberts, IL 60136.

**EXHIBIT B**  
**CONDITIONS FOR SPECIAL USE PERMIT**

1. Chief Building Inspector John Swedberg Memo dated June 6, 2008 (attached).
2. Rolf C. Campbell & Associates Memo dated June 2, 2008 written by Planning Consultant Joseph E. Duffy (attached).
3. Additional condition as follows:  
"No outside overnight storage of material except for materials stored in covered roll-off containers or in an enclosed truck will be permitted."

## MEMORANDUM Planning Commission

Date: June 6, 2008

To: Peter Cullotta, Planning Commission Chairman  
Planning Commissioners

Cc: Ray Keller, Village Administrator

From: John Swedberg, Chief Building Inspector

Subject: 64 East End Drive – Special Use

---

The Building Dept. would like to emphasis a couple of comments made by Mr. Joe Duffy of Rolf Campbell & Associates and add a few comments of our own concerning the Special Use request of Elgin Recycling.

- The Building Dept agrees that bi-annual inspections of a property awarded a Special Use is critical to the Village's zoning enforcement policy. Without an occasional look from the Village it could be easy for an entity to conduct business beyond the scope of a Special Use. Both the Planning Commission and the Village Board should expect that the "special permission" that was allowed to operate beyond the matter of right in our Zoning Ordinance, is to be held to a higher standard and thus subject to an assurance of conformity.
- As with all new and existing structures, strict conformance to the Village's adopted building codes and regulation.
- That no "white goods" be allow to be taken in, dropped off or handled at this facility.
- Wet cell batteries shall not be allowed at this facility.
- Roll off containers shall be tarpped when loaded while in transit or in storage.
- Roll off containers shall be stored only behind slatted fenced areas or inside the building.
- That no outside wood "chipping" occurs outside and no outside storage of wood "chips" or dust.

## ROLF C. CAMPBELL & ASSOCIATES, Inc.

101 Waukegan Road – Suite 1000  
Lake Bluff, Illinois 60044  
Phone: (847) 735-1000 Fax (847) 735-1010

To: Peter Cullotta, Plan Commission Chairman and Plan Commissioners  
of the Village of Gilberts

From: Joseph E. Duffy, Planning Consultant  
Rolf C. Campbell & Associates, Inc.

Date: June 6, 2008

RE: 46 East End Drive - A Special Use Request For A Recycling Center  
For The Purchasing And Processing Of Recyclable Materials For  
Shipping To Mills, Filed By Owner Of Record Of The Property,  
Robert Conroy Of Tink's Ink, LLC, 660 Schiller Street, Elgin, IL  
60123

	<u>Zoning Designation:</u>	<u>Future Land Use Designation:</u>
Site	I-1 General Industrial District	Office, Research, Business Park
North:	I-1 General Industrial District	Office, Research, Business Park
South:	I-1 General Industrial District	Office, Research, Business Park
West:	I-1 General Industrial District	Office, Research, Business Park
East:	P Conservancy District	Commercial

Special Use is being requested for a Recycling Center. There is a thirty thousand square foot existing building and a proposed nine thousand square foot building. Seventeen hundred square feet of the existing building will be used for office space. The remaining existing space as well as the proposed addition will be used for processing and warehousing material. There is a proposed fenced area to be used for parking and equipment storage. The hours of operation will be Monday through Friday from 8:00 A.M. to 5:00 P.M. and Saturday from 8:00 A.M. to 1:00 P.M. There are approximately twenty-five existing parking spaces on the south side of the property and a proposed ten to fifteen spaces in the new lot.

The site consists of 2.177 acres. On approximately one acre of the southern portion of the site is an existing 30,000 sq. ft. building and approximately 25 parking spaces. North of the existing building is another approximate one acre site and is part of the overall development of the proposed Recycling Center located at 46 East End Drive. The site has a For Sale sign in the front yard of East End Drive and the building appears vacant.

Zoning Map (Figure 1) and an Aerial Photograph (Figure 2) are included on pages 2 and 3.

A memo dated June 2, 2008 from Baxter & Woodman Consulting Engineer, Ed Kanthack is attached and should be part of the review for consideration of action of the Special Use request.

46 East End Drive  
Gilberts, IL

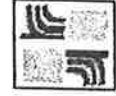
Figure 1

Legend Zoning Exhibit & Location Map

# Village of Gilberts, Illinois Zoning Map

**Legend**

VILLAGE LIMITS	ZONING DISTRICT
[Pattern]	A-1 AGRICULTURAL DISTRICT
[Pattern]	R-1 RESIDENCE DISTRICT (10,000 S.F. MIN.)
[Pattern]	R-2 RESIDENCE DISTRICT (10,000 S.F. MIN.)
[Pattern]	R-2a RESIDENCE DISTRICT (10,000 S.F. MIN.)
[Pattern]	R-3 RESIDENCE DISTRICT (10,000 S.F. MIN.)
[Pattern]	R-3a RESIDENCE DISTRICT (10,000 S.F. MIN.)
[Pattern]	R-4 RESIDENCE DISTRICT (10,000 S.F. MIN.)
[Pattern]	R-5 RESIDENCE DISTRICT (10,000 S.F. MIN.)
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Rolf C. Campbell & Associates, Inc.  
101 Waukegan Rd., Suite 1000  
Lake Bluff, Illinois 60044  
(847) 735-1000 FAX: (847) 735-1010

Subject  
Site

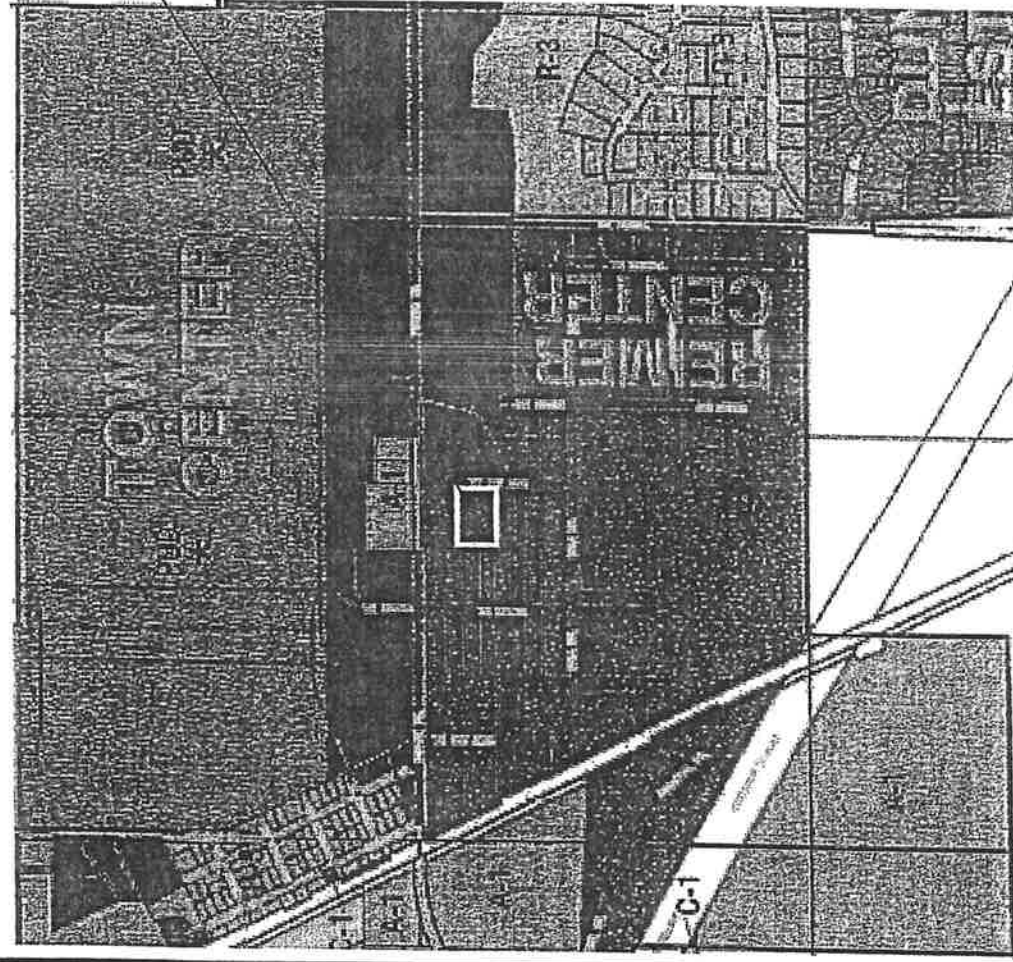
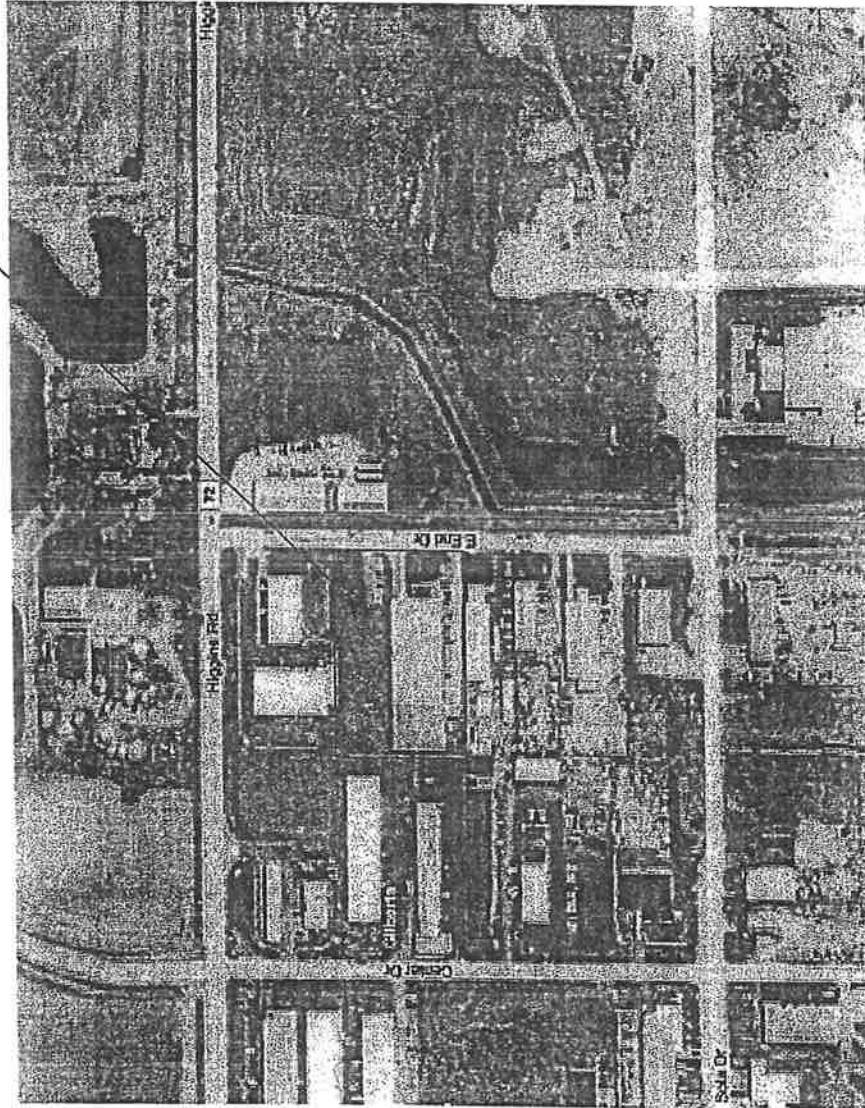


Figure 2

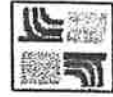
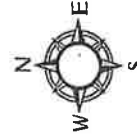
46 East End Drive  
Gilberts, IL

Subject  
Site

Legend      Aerial Photograph Exhibit



Source: Microsoft Virtual Earth Photo,  
5/27/2008



Rolf C. Campbell & Associates, Inc.  
101 Waukegan Rd., Suite 1000  
Lake Bluff, Illinois 60044  
(847) 735-1000 FAX: (847) 735-1010

The Village of Gilberts' Zoning Ordinance was referred to when reviewing the proposal of a Special Use for a Recycling Center.

#### Article 9: I-1 General Industrial District standards

##### Special Uses

Special Uses are enumerated and are allowed in the I-1 General Industrial District only in accordance with Article 15, Administration and Enforcement, Section 15.10.

- Industrial and Manufacturing Uses, Recycling Centers are classified as a Special Use.

The applicant has not clearly indicated in the Special Use Application, the Recycling Center's activities. The applicant needs to describe in more detail the Recycling Center and its function for the collection, processing, and distribution for the manufacture of new products at mills. What percent of this material will go to a landfill, and what percent will be recycled? When are these recyclable materials expected to be prepared for distribution to mills for processing? It appears based on the application narrative that this Recycling Center falls into the category of a Materials Recovery Facility and is a special type of transfer station which separates and processes and consolidates recyclable material for distribution to mills for processing. Please clarify. This transfer station/facility appears to require review and sign off for Construction and Operation Permits from the IEPA.

##### Site and Structure Provisions

- Lot area requirements - no minimum lot area requirements
- Minimum lot width – 100 feet The lot width is approximately 250 feet in width.
- Maximum lot coverage for all principal and accessory buildings shall not exceed 45% of the total area of the lot Existing and proposed building lot coverage (for all principal and accessory buildings) will be 43.9%.
- Maximum floor area ratio for all principal and accessory buildings shall not exceed 60 % of the total area of the lot. Floor area ratio is currently 43.9%.
- Maximum building height is not to exceed 45 feet in height. The existing and proposed building height is unknown.

##### Minimum Yard Requirements

- Front – Building shall be set back a minimum of 30 feet, plus one additional foot back for every 1 foot increase in building height over 16 feet in building height. The front wall of the existing building is approximately 50 feet from the front lot line of East End Drive. The height of the existing and proposed building is unknown. The proposed building to the north is set back from the property line approximately 260 feet. The fence height is unknown the set back is approximately 85 feet from the front property line.
  - Parking – All off street parking shall be set back from the front lot line, abutting a dedicated feet a minimum of 25 feet. Parking is setback beyond the 25 feet. One handicapped space is designated near the front entrance. Additional handicapped spaces (per State of Illinois requirements) may be necessary. Access to the southern portion of the site would be from an existing drive. Article 12 – Landscaping and Screening requires a perimeter landscape buffer at various locations of an industrial site.
- Interior Side Yards – Building shall be set back a minimum of 15 feet
  - Parking – No interior set back will be required. The existing building south wall is set back approximately 40 feet. The proposed building to the north is set back from the property line approximately 20 feet. Article 12 – Landscaping and Screening requires a perimeter landscape buffer at various locations of an industrial site.

- Rear Yards – Building shall be set back a minimum of 15 feet. For the existing building, the rear yard set back is approximately 9 feet. For the proposed building on the northern lot, the rear yard set back is approximately 15 feet.
  - Parking – No rear set back will be required. Article 12 – Landscaping and Screening requires a perimeter landscape buffer at various locations of an industrial site.

Outdoor Storage Areas allowed in the I-1 Zoning District shall be effectively screened and enclosed to a minimum height of six feet by a reasonably secured solid fence, wall, or other comparable barrier to conceal such areas from adjacent zoning lots and from public rights-of-way. All such areas shall be graded to prevent the accumulation of surface water and be provided with a permanent, durable, dustless surface. This area of the site to be paved is located on the northern portion of the lot with approximately 15,000 square feet of surface area paved with asphalt. This area is setback approximately 85 feet from the front property line. Access to the northern portion of the lot will be provided by a paved 85 feet (in length) x 30 feet (width) access drive from East End Drive.

#### Landscaping and Screening

All uses shall conform with the applicable requirements for landscaping and screening set forth in Article 12, Landscaping and Screening.

- A Landscape Plan will need to be submitted for review. Landscaping buffer along the perimeter of an industrial site will need to be reviewed and evaluated.

#### Off –Street Parking and Loading

All uses shall conform with the applicable requirements for off-street parking and loading set forth in Article 11, Off-Street Parking and Loading.

- For Industrial and Manufacturing Uses –
  - Manufacturing, Processing, Assembly and Packaging Uses - Two parking spaces shall be provided for each 1,000 square feet of net floor area.
  - Warehousing and Distribution Uses, one parking space shall be provided for each 1,000 square feet of net floor area. The applicant has indicated that approximately 25 parking spaces exist on the southern (+/-) one acre and an additional ten to 15 parking spaces are planned for the northern (+/-) one acre.

#### Performance Standards

- All uses shall conform to the performance standards set forth in Article 13, Performance Standards.

#### Signs

- All uses shall conform to the applicable requirements for signs set forth in the Village of Gilberts Sign Ordinance.

Village Staff recommends approval of this Special Use for 46 East End Drive - A Special Use Request For A Recycling Center For The Purchasing And Processing Of Recyclable Materials For Shipping To Mills, Filed By Owner Of Record Of The Property, Robert Conroy Of Tink's Ink, LLC, 660 Schiller Street, Elgin, IL 60123 - contingent upon the applicant meeting all the criteria of the Village Codes and Zoning Ordinance. Further, that the applicant can address all items to the satisfaction of the Plan Commission and Village Board including any additional issues that may arise during the Public Hearing process. The following conditions should be considered part of the review and recommendation of this Special Use for the Recycling Center.



Article 15, Administration and Enforcement – Findings of Fact that the Plan Commission is to determine regarding the Special Use Request for a Recycling Center proposed at 46 East End Drive.

Once the Plan Commission is satisfied that they have heard all relevant facts, they shall recommend to the Village Board that the Special Use Permit be approved or denied. Alternatively, the Plan Commission may approve the Special Use Permit with conditions. Such conditions may include, but are not limited to, one or more of the following: size, height, and location of proposed buildings and structures; landscaping and screening; parking and loading areas; signage; traffic flow and access requirements; lighting; hours of operation; open-space areas; drainage and storm water facilities; or architectural and engineering features. These conditions shall be in addition to any regulations contained in the underlying zoning district or other applicable regulations of the Village. In making their recommendation, the Plan Commission shall consider and adopt findings in each of the following:

- The proposed Special Use complies with all provisions of the applicable district regulations.
  - The applicant must submit a more detailed narrative that addresses the various items indicated in the staff report.
- The proposed Special Use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large.
  - The applicant has not demonstrated in the application that the Special Use will not be unreasonably detrimental to the value of the property or the welfare at large. The applicant must submit a more detailed narrative.
- The location and size of the Special Use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the Special Use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the Special Use will so dominate the immediate neighborhood, consideration shall be given to:
  - The location, nature and height of buildings, structures, walls and fences on the site; and
  - The nature and extent of proposed landscaping and screening on the proposed site.
  - The applicant has not submitted enough detail information to adequately address these items.
- Adequate utility, drainage and other such necessary facilities have been or will be provided.
  - The applicant has not submitted enough detailed engineering information to adequately access this item.
- The proposed use, where such developments and uses are deemed consistent with good planning practice, or can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the Village of Gilberts.
  - The applicant must submit a more detailed narrative that addresses the various items indicated in the staff report.

Conditions to be considered while reviewing and making recommendation on this Recycling Center/Special Use request.

- The specific types of vehicles to be used to bring what type of waste from what source to the Recycling Center where the materials are then sorted and reprocessed and loaded onto what type of vehicle for transport from the Site to where?
- Approximately what number of vehicles (i.e. trucks) are used in the operation and approximately how many other vehicles will make up the operation?
- Proper staging of vehicles arriving to unload and departing loaded or unloaded from the site can not be staged on the Public ROW, and must be managed with an onsite staging area for all vehicles.
- The recyclable materials are primarily what? Approximately what % of the materials brought to the Site is recycled and how is the remaining percentage of material handled?
- What is the on site process for recycling materials into a form more usable material which is then distributed to mills, as referenced in the applicant's application?
- The Site Plan indicates that a fence is to be constructed. A determination needs to be made that it will be properly screened at all times.
- No asphalt, concrete and regulated hazardous wastes.
- A holder of the Special Use Permit shall comply with the noise level requirements of the Village of Gilberts Code, Article 13 in all respects, as measured at the property line.
- No burning shall occur on the Site.
- No outside overnight storage of materials.
- All materials outside of the building shall be removed from the Site each day and all doors to the building shut down and secured.
- The Village shall be authorized to inspect the site, without prior notification, at least two times annually.
- All Zoning and Engineering issues shall be adequately addressed.
- The Petitioner shall submit to the Village Board a plan for odor, noise, dust control, debris and litter control for approval and thereafter comply with the approved plan.
- The Petitioner shall provide to the Village proof from the appropriate fire department personnel of a satisfactory inspection which ensures that no extraordinary fire or other hazards exist on the site.
- The Petitioner shall comply with all Illinois Environmental Protection Agency (IEPA) and Illinois Pollution Control Board rules and regulations at all times.
- Petitioner shall provide to the Village copies of all necessary and required permits from the IEPA and the Illinois Pollution Control.
- Petitioner acknowledges and agrees that the Village has an exclusive contract for recycling with a solid waste provider and Petitioner will not interfere with said exclusive contract or subsequent exclusive contract as long as one is in effect.

**5B**

07-2011

## VILLAGE OF GILBERTS

### RESOLUTION

#### **A RESOLUTION AUTHORIZING THE RELEASE OF J.S. RIEMER, INC. DEVELOPER'S SUBDIVISION SURETY BOND FOR THE SUBJECT PROJECT, AND REPLACING IT WITH A ONE-YEAR WARRANTEE OR MAINTENANCE BOND**

**WHEREAS, J.S. Riemer, Inc.,** ("Developer"), is the Developer of Riemer Center Sewer Extension, and the Village has received a letter from its Consulting Engineers, Baxter and Woodman, that the sanitary sewer improvements have been constructed and installed in conformance with the approved plans and specifications and in accordance with good engineering and construction practice; and

**WHEREAS,** the Developer has submitted an International Fidelity Insurance Company Surety Bond No. 0424384 in the amount of \$276,100.00, which Bond was submitted to the Village. Upon recommendation of the Consulting Engineers, Baxter & Woodman and Village Board approval the bond will be replaced by a One-year Maintenance Bond of a value not less than \$92,371.40; and

**WHEREAS,** the Maintenance Bond will serve as warranty for the materials and workmanship of the completed work and this Warranty is to commence on the date of said acceptance of the Project and end one year after; and upon the Village's final verification of the satisfactory condition of all improvements within the Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS, KANE COUNTY, ILLINOIS,** as follows:

**Section 1:** The Village authorizes the release of a Maintenance Bond, No. 0424384, which had been posted by and on behalf of the J.S. Riemer, Inc., to guarantee the successful completion of the sanitary improvements located within the Riemer Center. Upon receipt of a One-year Maintenance Bond of a value not less than \$92,371.40. Based on Baxter and Woodman's analysis of the amount of reduction and their recommendation for a new Bond value identified in the attached (Exhibit A).

**Section 2:** This Resolution shall be in full force and effect from and after passage and approval in accordance with 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 Pete Cullotta	_____	_____	_____	_____
Trustee Bruce Erbeck	_____	_____	_____	_____
Trustee Nancy Farrell	_____	_____	_____	_____
Trustee Patricia Mierisch	_____	_____	_____	_____
Trustee Guy Zambetti	_____	_____	_____	_____
President Rick Zirk	_____	_____	_____	_____

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2011

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

ATTEST: \_\_\_\_\_  
Debra Meadows, Village Clerk

# **Exhibit “A”**



January 13, 2011

President and Board of Trustees  
Village of Gilberts  
87 Galligan Road  
Gilberts, Illinois 60136

Attention: Ray Keller, Village Administrator

**SUBDIVISION ONE-YEAR WARRANTEE RECOMMENDATION**  
***Subject: Village of Gilberts - Riemer Center Sewer Extension***

Dear President and Trustees:

In accordance with a request by John Swedberg, we have completed a review of Ms. Alison Voltz's request, on behalf of JS Riemer, Inc., to release the Developer's subdivision surety, Bond No 03988249, for the subject Project, and replace it with a One-year Warrantee or Maintenance Bond. The following is our summary of construction costs for the project improvements:

<b>Description</b>	<b>Original Value</b>	<b>Value of Work Remaining</b>	<b>Guarantee Value</b>	<b>One-Year Warrantee Value</b>
Sanitary Sewer Improvements	\$ 806,939.00	\$0.00	\$0.00	\$80,693.90
Restoration	\$ 80,775.00	\$0.00	\$0.00	\$ 8,077.50
Engineering	\$ 36,000.00	\$0.00	\$0.00	\$ 3,600.00
Total	\$ 923,714.00	\$0.00	\$0.00	\$92,371.40
Contingency Value	\$ 230,928.50			
Total	\$1,154,642.50	\$0.00	\$0.00	\$92,371.40
<b>New Surety Value</b>	<b>\$ 92,371.40</b>			

- Guarantee Value = 125% of the Value of Remaining Work for estimated items.
- One-year Warrantee Value = (Original Value - Value of Work Remaining ) x 10%.
- Contingency Value = 25% for Engineer's Opinion of Probable Cost (EOPC) Values.



**President and Board of Trustees  
Village of Gilberts**

**January 13, 2011  
051118 • Page 2**

- New Surety Value = the Sum of the Totals for (Guarantee Value) + (One-year Warrantee Value).

We have made regular inspections of the improvements made during the progress of construction for the Riemer Center Sewer Extension. To the best of our knowledge, the completed improvements have been constructed and installed in conformance with the approved plans and specifications and in accordance with good engineering and construction practice.

We recommend that the Village of Gilberts approve release of the current surety, Bond No. 03988249, for the Riemer Center Sewer Extension and replace it with a One-year Maintenance Bond of a value not less than \$92,371.40. Based on the above analysis, the following is a summary of our opinion of the amount of reduction and our recommendation for a new Bond value.

The Maintenance Bond will serve as warranty for the materials and workmanship of the completed work and this Warranty is to commence on the date of said acceptance of the Project and end one year after; and upon the Village's final verification of the satisfactory condition of all improvements within the Project.

Please advise should you have any questions.

Very truly yours,

**BAXTER & WOODMAN, INC.  
CONSULTING ENGINEERS**

**William C. Blecke, P.E.  
WCB/FJT:py**

**C: John Swedberg, Chief Building Inspector  
Ms. Debra Meadows, Village Clerk**



# **J.S. RIEMER, INC.**

## **SITE CONTRACTORS**

January 13, 2011

Mr. Ray Keller  
Village of Gilberts  
87 Galligan Road  
Gilberts, IL

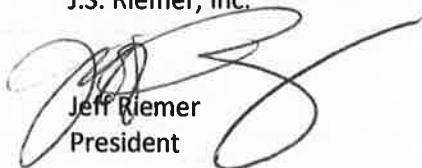
RE: Riemer Center Sanitary Bond

Dear Mr. Keller:

We have received the Final Approval letters from Baxter and Woodman dated November 10, 2010. As you are aware, this work was completed in June of 2007, as per the attached letter from Frank Tanzillo with, the exception of a few small punch list items, the record drawings, and the televising tapes. The amount of punch list work remaining after installation in 2007 was less than \$20,000. Shortly after that time we had the sewers televised at a cost of \$12,000 and delivered the tapes over to the village. In the process of the village moving between buildings the tapes were misplaced. As you are aware, we re-taped the sewers at a much higher cost because of the contamination, that being \$23,393.18. I have attached the invoices for your review showing that this work was completed in June of 2007 and that the retaping was done in 2010. During this time the sanitary was put into service with businesses connecting and using the system.

We have gone to great lengths and spent a lot of time and money on proper installation of this sewer system. We would like to request a letter from the Village to present to our bonding company pertinent to a completion of June of 2007 release of the bond for \$1,010,614 as of 2007.

Sincerely  
J.S. Riemer, Inc.



Jeff Riemer  
President

cc. Jim Sukowski, DS&P Insurance Services  
Frank Tanzillo, Baxter and Woodman

**5C**

**RESOLUTION 06-2011**

**AUTHORIZING AN ENGINEERING SERVICES  
WORK ORDER WITH BAXTER & WOODMAN  
FOR GILBERTS GLEN STORM SEWER  
REPLACEMENT AND DETENTION POND  
RESTORATION**

**BE IT RESOLVED** by the President and the 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 authorize an engineering services work order with Baxter & Woodman for Gilberts Glen Storm Sewer Replacement and Detention Pond Restoration for an amount not to exceed \$17,500.00, a copy of which is hereto attached as Exhibit "A."

**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 February 2011, by a roll call vote as follows:

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

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011

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

ATTEST: \_\_\_\_\_  
Debra Meadows, Village Clerk

Exhibit "A"

**VILLAGE OF GILBERTS, ILLINOIS**  
**Gilberts Glen Storm Sewer Replacement and Detention Pond Restoration**  
**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 and permitting of 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 design 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 design 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. 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 \$17,500.

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 storm sewer replacement. 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 hydrology and hydraulic conditions throughout the tributary drainage area. Identify analysis methodology for pipe sizing, overland relief (swale sizing) and pond storage and restoration. Document and provide to the Village the maximum storm event that can be conveyed and also the maximum storm event stored in the pond for Village concurrence.
4. **DESIGN** - Prepare design drawings and specifications sufficient in detail to allow the selected construction contractor to install the replacement storm sewer to the established line and grade, regrade and restore the overland swale, reconstruct the detention pond outlet structure and restore 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.

**5D**

**RESOLUTION 07-2011**

**AUTHORIZING AN ENGINEERING SERVICES  
WORK ORDER WITH BAXTER & WOODMAN  
FOR BINNIE ROAD RECONSTRUCTION AND  
DRAINAGE IMPROVEMENTS**

**BE IT RESOLVED** by the President and the 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 authorize an engineering services work order with Baxter & Woodman for Binnie Road Reconstruction and Drainage Improvements, a copy of which is hereto attached as Exhibit "A", for an amount not to exceed \$22,500.00.

**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 February 2011, by a roll call vote as follows:

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

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011

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

ATTEST: \_\_\_\_\_  
Debra Meadows, Village Clerk

# Exhibit "A"

## VILLAGE OF GILBERTS, ILLINOIS Binnie Road Reconstruction and Drainage Improvements 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 repairs/replacement of drain tiles/culverts and overland flows to restore historic conveyance conditions along with the reconstruction 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. **DRAINAGE DESIGN** – Provide survey of existing and proposed subsurface tile and overland swale improvements and control structure/weir modifications to mitigate existing downstream backwater conditions.
6. **EASEMENTS** - Obtain access to various private industry properties needed to complete drainage improvements outside of the Binnie ROW


**6A**

# 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 05-11

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

**FROM:** Ray Keller, Village Administrator 

**DATE:** January 21, 2011

**RE:** Vehicle Sticker Elimination and Garbage Contract Revenues

---

The pending garbage contract with MDC for garbage removal services provides a unique opportunity for the Village to eliminate vehicle stickers while keeping residents' garbage costs stable. The savings between what residents now pay and the cost of MDC's services would be sufficient to replace vehicle stickers with an equivalent revenue stream for the road fund. The garbage contract will also generate additional funds that can be applied to capital equipment replacement or other Village priority. The Village will realize additional savings as MDC will provide toilets and handwashing stations at community events and Village parks.

At the February 1, 2011 meeting, Staff will request the Board's feedback and direction on the management of the revenues associated with the pending MDC garbage contract. Please let me know prior to the meeting if additional information or alternative scenarios will be needed.

### Garbage Rates and Costs

Under the current garbage services contract, residents pay \$22.77 per month. Under the pending MDC contract, the cost for garbage/recycling services will be reduced to \$17.85 per household, yielding a net difference of \$4.92 per month. The Village could opt to pass along this savings directly to residents, leaving all other charges, programs, etc. intact.

A second option would be to maintain the current cost to residents and use the difference between revenues and costs to replace vehicle stickers to fund the road improvement program. In this scenario, the monthly garbage fee paid by residents would be based on the actual cost of MDC's services, plus a \$5.00 service charge, rounded up to the next whole dollar. This approach would result in a first year monthly bill of \$23, a net increase of \$0.23 monthly and \$2.76 annually. Residents' monthly costs would then be set as follows, effective May 1 of each new fiscal year:

FY 2013:	\$24	FY 2015:	\$25
FY 2014:	\$24	FY 2016:	\$26

The attached table shows the proposed monthly rates paid by residents, the projected costs for MDC services, the projected net totals, and the recommended use of the positive fund balances over the five-year contract period. The projections are based on an estimated 2160 occupied dwelling units and conservatively assume that there will be no net growth in the number of new customers over the five year period. Staff also provided a table comparing the historical rate changes (30.9% monthly rate increase over previous five-year period) to the proposed rate structure (13% monthly rate increase over next five-year period).

The garbage revenues would be collected into a “public services fund,” which would be tracked separately from the general fund. From the revenues collected, the Village would pay MDC for their services and retain the balance. The balance in the public services fund could then be transferred to the road improvement fund or expended directly on other public infrastructure or services, subject to the Board’s direction.

### **Vehicle Stickers Replacement**

Staff recommend using 80% of the projected net balance as an alternative revenue source for the road improvement fund and 20% for administrative costs. The net proceeds from the public services fund would allow the Village to eliminate the vehicle sticker program without negatively impacting the road improvement fund. Please refer to the breakdown for the proposed allocation of net public service revenues to the road program and administrative costs.

Based on the projected revenues and costs, the proposed approach would set aside \$92,383 (80% of net revenue) for the road improvement fund in the first year. This amount would be a net increase of \$18,783 over the \$71,700.50 collected from vehicle stickers to date. The annual contribution to the road improvement fund would increase to over \$106,000 by FY 2016, yielding an extra \$120,287 going to the road improvement fund over a five-year period.

Staff recommend reserving 20% of the projected net balance for administrative costs, such as software upgrades and licenses, computers and a share of administrative staff time. The proposed approach could relieve the general and enterprise funds of administrative costs by \$22,000-\$26,000 annually over the five year period.

The proposed elimination of the vehicle stickers would have additional benefits:

- In 2008, Staff estimated that the vehicle sticker program requires approximately \$30,000 in staff time, including police department hours applied to vehicle sticker enforcement. The elimination of the vehicle sticker program would free staff time to work on other Village activities and priorities. The addition of approximately 120 new garbage-only bills (i.e. households who are not currently charged for public water and/or sewer) is expected to require a modest increase in staff time.
- The elimination of the vehicle sticker program would have a positive impact on the Village’s community policing efforts, as the Police Department would no longer be responsible for enforcing vehicle stickers. The Police Department would be able to devote additional hours to policing efforts, rather than be forced to serve as a sticker revenue collection agency.

- Eliminating vehicle stickers would have a positive impact on the Village's businesses, which would no longer be required to buy a sticker for each vehicle. The Village would replace the revenues from vehicle stickers with net revenue from the garbage contract that includes only residential customers. Nonresidential users will be free to enter into their own negotiated arrangements for garbage services and will not have to purchase Village vehicle stickers.

If the Board concurs with this approach, Staff will prepare an ordinance establishing the monthly residential garbage rate. This ordinance would then be enacted at the same time as the approval of the contract with MDC.

#### **Additional Garbage Contract Revenues and Benefits**

As required in our request for proposals for waste removal services, the pending five-year contract with MDC Environmental will yield additional benefits for the Village:

- **Cart Rental Fee:** The new contract will reduce the rental rate for extra carts from \$5.49 to \$1.25, which would be passed on to residents at cost.
- **Franchise Fee:** MDC will pay a 5% franchise fee back to the Village, which is included in the contractor's rate. Assuming 2,160 households to be served, the Village will receive the following:
 

▪ FY 2012: \$23,134	• FY 2015: \$25,279
▪ FY 2013: \$23,828	• FY 2016: \$26,037
▪ FY 2014: \$24,542	

Staff recommend dedicating this revenue stream toward the Capital Equipment Fund, a special fund for replacing vehicles and large depreciable equipment. However, Staff recommend not using the first year's revenue until it is collected and then applied to the following fiscal year (i.e. revenue collected in FY 2012 is not used for vehicle purchases, etc. until FY 2013). This approach puts the revenue stream ahead of the replacement schedule, allowing the Village to spend a known amount of cash on hand instead of making a purchase in anticipation of projected revenue.

- **Community Events and Parks:** MDC will provide refuse toters, portable toilets and hand washing stations for the Easter Egg Hunt, Community Days and the Fall Bonfire. They will also provide toters, toilets and washing stations at Waitcus, Memorial and Town Center Parks from April 1 through October 31 to accommodate the YMCA's, the Grizzlies' and the Renegades' programs. This benefit will save the Village approximately \$3,500, based on last year's rental costs.
- **Recycling Proceeds:** The RFP called for the contractor to share 50% of its gross profits from the sale of recyclable material collected in the Village. According to both Allied and MDC, the recyclable materials market has been severely depressed for the past couple of years, resulting in net losses for this service (i.e. cost of hauling/disposal > revenue from sale of materials). Until the recycling proceeds produce a profit, Staff recommend not counting on this revenue stream. MDC will be required to provide bimonthly reports on

the amount of recycling material collected from Gilberts and the proceeds from their sale, allowing the Village to monitor the situation.

When the recycling program begins turning a profit, Staff recommend directing the revenue to the general fund to replenish the reserve before allocating it to another program or use.

### **Additional Steps**

In addition to preparing a contract with MDC for Board approval, Staff will begin working on the following complementary program elements:

- **Priority for paying Village bills:** Staff will prepare an ordinance establishing a priority order for how Village-related bills and fees are paid. With this approach, any money paid to the Village will be applied to sewer and water bills only after all other fines, fees or garbage bills are paid. This reserves the Village's ability to turn off water and/or lien property for unpaid water bills as a mechanism to compel payment for other services or fines owed to the Village.
- **Waste haulers license:** Staff are working on a proposal to institute a license permitting waste haulers to serve nonresidential customers. Other communities have instituted this type of license to track and oversee waste haulers' operations that would otherwise be beyond the Village's control should a problem arise (e.g. loose garbage not picked up, etc.). The fees for this annual license would generate additional revenues for the public services fund. Staff will report on this proposed license, including comparable license fees from other communities, at the February 1 Board meeting.

*Please contact me with any questions or comments.*

**Village of Gilberts**  
**Proposed Garbage Rates and Vehicle Sticker Replacement**

<i>Effective Date</i>	<u>FY 2012</u> <u>5/1/2011</u>	<u>FY 2013</u> <u>5/1/2012</u>	<u>FY 2014</u> <u>5/1/2013</u>	<u>FY 2015</u> <u>5/1/2014</u>	<u>FY 2016</u> <u>5/1/2015</u>
MDC Monthly Contract Rate (Proposed)	\$ 17.85 \$	18.39 \$	18.94 \$	19.51 \$	20.09 \$
Village of Gilberts service charge	\$ 5.00 \$	5.00 \$	5.00 \$	5.00 \$	5.00 \$
MDC + service charge	\$ 22.85 \$	23.39 \$	23.94 \$	24.51 \$	25.09 \$
<b>Residents pay monthly (rounded up)</b>	<b>\$ 23.00 \$</b>	<b>24.00 \$</b>	<b>24.00 \$</b>	<b>25.00 \$</b>	<b>26.00 \$</b>
<b>total annual revenue</b>	<b>\$ 596,160.00 \$</b>	<b>622,080.00 \$</b>	<b>622,080.00 \$</b>	<b>648,000.00 \$</b>	<b>673,920.00 \$</b>
garbage cost paid to MDC	\$ (462,672) \$	(476,552) \$	(490,849) \$	(505,574) \$	(520,741) \$
assumed receivable/loss 3%	\$ (17,885) \$	(18,662) \$	(18,662) \$	(19,440) \$	(20,218) \$
<b>annual net total</b>	<b>\$ 115,603 \$</b>	<b>126,865 \$</b>	<b>112,569 \$</b>	<b>122,986 \$</b>	<b>132,961 \$</b>
<b>Recommendation:</b>					
road fund (vehicle sticker replacement) 80%	\$ 92,483 \$	101,492 \$	90,055 \$	98,389 \$	106,369 \$
admin costs (computers, staffing, etc.) 20%	\$ 23,121 \$	25,373 \$	22,514 \$	24,597 \$	26,592 \$
<b>franchise (5% from MDC)</b>	<b>\$ 23,134 \$</b>	<b>23,828 \$</b>	<b>24,542 \$</b>	<b>25,279 \$</b>	<b>26,037 \$</b>
for equipment replacement fund					
Assumes 2160 households					
Assumes 3% receivable or uncollectable					

# Village of Gilberts

## Historical vs. Proposed Garbage Rates

Effective Date:	Historical - ARC/Allied					Proposed Village Rates				
	5/1/2006	5/1/2007	5/1/2008	5/1/2009	5/1/2010	5/1/2011	5/1/2012	5/1/2013	5/1/2014	5/1/2015
Residential rate (monthly)	\$ 17.40	\$ 19.14	\$ 21.14	\$ 20.88	\$ 22.77	\$ 23.00	\$ 24.00	\$ 24.00	\$ 25.00	\$ 26.00
Extra Cart Rental (monthly)	\$ 4.19	\$ 4.61	\$ 5.09	\$ 5.03	\$ 5.49	\$ 1.25	\$ 1.25	\$ 1.25	\$ 1.25	\$ 1.25
\$ monthly rate change from previous year		\$ 1.74	\$ 2.00	\$ (0.26)	\$ 1.89	\$ 0.23	\$ 1.00	\$ -	\$ 1.00	\$ 1.00
% monthly rate change from previous year		10.0%	10.4%	-1.2%	9.1%	1.0%	4.3%	0.0%	4.2%	4.0%
\$ annual cost per household	\$ 208.80	\$ 229.68	\$ 253.68	\$ 250.56	\$ 273.24	\$ 276.00	\$ 288.00	\$ 288.00	\$ 300.00	\$ 312.00
\$ annual cost change per household		\$ 20.88	\$ 24.00	\$ (3.12)	\$ 22.68	\$ 2.76	\$ 12.00	\$ -	\$ 12.00	\$ 12.00
\$ Change in monthly cost per household - Compares Year 1 to Year 5 of contract period				\$ 5.37					\$ 3.00	
% Change in monthly cost per household - Compares Year 1 to Year 5 of contract period				30.9%						13.0%
% Change in annual cost per household - Compares Year 1 to Year 5 of contract period					\$ 64.44					\$ 36.00



**6B**

# DRAFT

Ordinance No. \_\_\_\_-2011

**AN ORDINANCE ADDING A NEW SECTION TO  
THE VILLAGE OF GILBERTS' CODE SECTION 12.5  
"COLLECTION OF FINES, WASTE HAULING, TAP-  
ON, WASTE WATER AND WATER 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 establish a protocol for the collection and distribution of waste hauling fees, tap-on fees, wastewater fees and water fees; 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.**     **Addition**     Section 12 for the Gilberts Village Code entitled "Revenue and Finance" is amended to add the following new Section 12.5 for the protocol for the collection and distribution of waste hauling fees, tap-on fees, wastewater fees and water fees as follows:

**12.5.1 Protocol for collection and distribution of fines, waste hauling, tap-on, wastewater and water fee payments**

12.5.2 Any payment received by the Village from a resident who is remitting payment for any billable public services the payment will be applied as follows:

1. The residents' payment will be applied first to any outstanding fines owed to the Village.
2. Any remaining remittance amount then would be applied to any outstanding waste hauling fees.
3. Any remaining remittance amount then would be applied to any outstanding tap-on fees.
4. Any remaining remittance amount then would be applied to any outstanding wastewater fees.
5. Any remaining remittance amount then would be applied to any outstanding water fees.

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**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.

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

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

	<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

(SEAL)

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

ATTEST: \_\_\_\_\_  
Village Clerk, Debra Meadows

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

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## DRAFT

### Village of Gilberts Nonresidential Refuse Collection License

#### **Section XX.XX Licenses for Nonresidential Refuse Collection.**

A. License Required. It shall be unlawful for any contractor to engage in the business of collection or disposal of garbage, refuse, ashes, or other waste (collectively, "solid waste") or recyclables without first obtaining a license from the village and paying the required fee.

B. Fee. The annual license fee shall be one thousand dollars (\$1000.00).

C. Application. Applications for licenses pursuant to this section shall be filed with the village clerk. No application shall be accepted unless accompanied by payment of the fee required for such license.

D. License Standards.

1. Every contractor seeking a license shall agree to indemnify, save, and keep harmless the village from any and all loss, cost, damage, expense, or liability whatsoever related to the services provided by such contractor, and shall properly execute an agreement so providing in a form acceptable to the village.

2. Every contractor seeking a license shall furnish and maintain insurance for general liability, motor vehicle liability, and other coverage in amounts established by the village manager and in forms satisfactory to the village. Copies of policies and certificates of such insurance shall be provided to the village as part of the application for such license.

3. Every contractor seeking a license shall provide evidence satisfactory to the village that such contractor is capable of providing the services for which a license is sought in a good, workmanlike, competent, and efficient manner in compliance with all applicable statutes, laws, codes, and regulations and without any adverse impacts on the village or any of its residents.

E. Contactor Service Standards.

1. No solid waste, landscape waste, or recyclables collection services shall commence before six a.m. on any day and such services shall not commence before eight a.m. in any given day in any commercial area that is located adjacent to residential developments.

2. No solid waste, landscape waste, or recyclables collection services shall be made on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas.

3. Each licensed contractor shall use only vehicles and equipment that are modern, neat, clean, and in a sanitary condition. All disposal equipment shall be watertight, and all containers shall be equipped with airtight covers.

## **DRAFT**

4. All services by all licensed contractors shall be performed in a clean and orderly fashion. No licensed contractor shall deposit, or permit to remain, any solid waste, landscape waste, or recyclables on any property except only as provided in this section or in any contract between the contractor and the village. Every licensed contractor shall replace all containers in their proper locations.

5. Each licensed contractor shall be solely and completely responsible for the safety of its personnel and equipment and of all persons and property affected by such contractor's services. All services shall be performed safely. All services shall be performed at the sole risk and cost of the contractor.

6. Each license contractor shall immediately repair all damage inflicted on any property by such contractor and shall restore such property to a condition equal to that existing before the damage was inflicted and satisfactory to the village.

7. No licensed contractor shall store any materials or equipment anywhere in the village except in accordance with all applicable laws, ordinances, rules, and regulations.

### **F. Recycling.**

1. A comprehensive recycling system plan shall be required of each licensed contractor, which plan shall include provisions for the exterior recyclable storage area. The exterior recyclable storage area shall be located in close proximity to the solid waste disposal area. In the event that there is insufficient area located near the solid waste disposal area, the licensed contractor shall submit to the village an alternative recycling plan for village review and approval.

G. Penalty. Any violation of any provision of the section shall be deemed a violation of this code and shall be grounds for the immediate revocation of any license issued pursuant to this section and for the imposition of any other penalty generally provided for violations of this code.

**6D**

# *Village of Gilberts*

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

January 27, 2011

Memo: BD11-004  
To: Village Board  
From: Ray Keller, Village Administrator  
By: John Swedberg, Chief Building Inspector  
Subject: Building Permit Fee Recommendations.

The Building Department Staff has been reviewing the building permit fees as they currently appear in Section 14 of the Village Code. As you are probably aware, Ordinance 06-38 installed a 5% multiplier to the permit fees beginning in 2006 through 2010. Comparing our fees with many of the surrounding communities, the Ordinance has actually kept the Village pretty much in line with fees. There are, however three substantial changes that we would like to recommend.

The first of these recommendations you reviewed a few weeks ago during a Workshop meeting. In order to streamline our residential single family detached (SFD) fees, we would recommend Section 14 reflect a change from the ala cart system of fees for SFD to a square feet base fee structure. This would reduce the complication of the Code Section and allow most anyone to open the webpage or the Code and figure their own fees with fairly close accuracy. The Building Department Staff recommends a fee of \$0.75 per square foot of the SFD structure. This is a slight increase over what we currently have on the books; however it will not have a multiplier built in for future years.

The second recommendation is to reduce the amount charge to residents in the form of an Application Deposit on miscellaneous or minor permits. This deposit fee was also increased on an annual basis through Ordinance 06-38 and has escalated over the years to \$193.00. This fee is probably the one most aggrieved by the residents. However, it does have some value. It helps eliminate trying to chase down re-inspection fees if the project has failed inspections and it is a "carrot" to help ensure the project does receive a final inspection. Building Staff recommend this amount be changed to \$60.00. This would allow for two failed inspections as this amount is the cost of two inspections.

Finally the third fee change is a housekeeping item. When the Village had B&F Technical Code Service staffing the Building Department, a plan review fee for miscellaneous permits was created to cover their time. This fee was also caught up in Ordinance 06-38 and has increased over the years to forty (\$40.00) dollars. The Village Code allows for a plan review fee when outside consultants are used. When the Village hired a public building inspector in 2005, this fee continued on with the permit and inspection fees. Staff has immediately stopped charging for plan review of miscellaneous permit.

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



Memo BD11-004 cont.

Jan. 27, 2011

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We have provided a breakout spreadsheet to show the recommended changes to Section 14 Village Fee Schedule of the Village Code and one housekeeping issue.

### Building Permit Fee Comparables

# 1	Ryland Model		Ryland Model		
<b>Residential</b>	"Hanover"	Compare	"Newcastle B"	Compare	
	3891 sq.ft.	\$ / sq.ft.	5928 sq.ft.	\$ / sq.ft.	
<b>Elburn</b>	<b>\$2,825.00</b>	<b>0.72</b>	<b>\$3,426.00</b>	<b>0.57</b>	Rate per 100 sf plus "ala carte" fees
<b>LITH</b>	<b>\$3,162.00</b>	<b>0.81</b>	<b>\$4,693.00</b>	<b>0.79</b>	Flat rate plus "ala carte"
<b>W. Dundee</b>	<b>\$3,325.00</b>	<b>0.85</b>	<b>\$3,325.00</b>	<b>0.56</b>	Rate per 100 sf plus "ala carte" fees
<b>Elgin</b>	<b>\$3,645.00</b>	<b>0.94</b>	<b>\$5,335.00</b>	<b>\$0.90</b>	Rate per sq.ft. plus minor fees
<b>DeKalb</b>	<b>\$4,360.00</b>	<b>\$0.89</b>	<b>\$4,756.00</b>	<b>\$0.80</b>	Square Foot Rate
<b>Gilberts</b>	<b>\$2,551.00</b>	<b>\$0.66</b>	<b>\$2,949.00</b>	<b>\$0.50</b>	Rate per 100 sf plus "ala carte" fees
<b>Averages</b>	<b>\$3,311.00</b>	<b>\$0.81</b>	<b>\$4,081.00</b>	<b>\$0.69</b>	Averages include Gilberts fees but
					GTC & Conservancy Fees not included
<b>GTC Fee</b>	<b>\$1,200.00</b>	<b>\$0.31</b>	<b>\$1,200.00</b>	<b>\$0.20</b>	Rate per Annexation Agreement
<b>Neumann</b>	<b>\$1,800.00</b>	<b>\$0.46</b>	<b>\$1,800.00</b>	<b>\$0.30</b>	Rate per Annexation Agreement
<b>Recommend.</b>	<b>\$2,918.00</b>	<b>\$0.75</b>	<b>\$4,446.00</b>	<b>\$0.75</b>	
<b>#2</b>					
<b>Misc. Deposit</b>	<b>\$193.00</b>				
<b>Recommend.</b>		<b>\$60.00</b>			For misc. permit applications
<b>#3</b>					
<b>Plan Review</b>	<b>\$40.00</b>				
<b>Recommend.</b>		<b>\$0.00</b>			Per Village Code