

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Approved 03/07/13

## MINUTES

### INFRASTRUCTURE COMMITTEE

February 7, 2013 - 7:00 P.M.

1. **Call to Order, Roll Call, and Establishment of a Quorum.** Chairman Dzierzanowski called the meeting to order at 7:00 P.M. Roll Call found Aldermen James Beifuss, Nanette Connelly, Nicholas Dzierzanowski, Alan Murphy, Russell Radkiewicz, James Smith and John Smith present.

Also in attendance were City Administrator Michael Guttman, Public Works Director Robert Flatter, Water Treatment Plant Supervisor Joe Munder, and Administrative Secretary Michelle Baldino.

Others in attendance were Mr. Ron Rysell, 451 Cranesbill, and, from the West Chicago Park District; Mr. Gary Major, Executive Director, and Mr. Jesse Feilx, Superintendent of Parks.

#### 2. Approval of Minutes.

A. **Infrastructure Committee Minutes of December 6, 2012.** Alderman Nanette Connelly made a motion to approve the Infrastructure Committee Minutes of December 6, 2012, seconded by Alderman John Smith. Alderman Beifuss stated that during the discussion of Item 5.A. regarding the options for the Plan of Operation and Governance for Municipal Aggregation for the Supply of Electricity, he recalled that there was more to the Committee's conversation on the Civic Contribution option and the Green Renewable Energy Option and suggested that the minutes be tabled until the tape of the meeting could be reviewed. Alderman Beifuss indicated that the minutes should be expanded to provide additional detail on the discussion. Chairman Dzierzanowski asked him what he specifically wanted included. Alderman Beifuss stated that there was detailed discussion on each member's opinion and that the tape should be reviewed so the minutes could be revised to make for a complete record, and he remembered that there were differences of opinion prior to the unanimous outcome. Alderman Connelly stated that the detail is not necessary, and the conclusion for the discussion has been entered into the minutes.

Alderman James Beifuss made a motion to table the Infrastructure Committee Meeting Minutes of December 6, 2012, seconded by Alderman James Smith. Voting Yea: Aldermen James Beifuss, James Smith, and John Smith. Voting Nay: Aldermen Nicholas Dzierzanowski, Nanette Connelly, Alan Murphy, and Russell Radkiewicz. Motion failed.

The original motion for approval of the December 6, 2012 Infrastructure Committee Meeting Minutes by Alderman Nanette Connelly, seconded by Alderman John Smith was then voted upon. Voting Yea: Aldermen Nanette Connelly, John Smith, Nicholas Dzierzanowski, Alan Murphy, and Russell Radkiewicz. Voting Nay: Aldermen James Beifuss and James Smith. Motion was approved.

### **3. Public Participation / Presentations.**

Mr. Ron Rysell, 451 Cranesbill, West Chicago, was present to provide the Committee with pictures (on his iPad) and information about the deteriorating curbs in the Forest Trails Subdivision. He said that there was some curb patching performed on the curb at his driveway apron, but it is deteriorating again and is in need of repair. He doesn't feel he can have his driveway apron replaced until the curb is replaced. Mr. Flatter stated that City staff performed test repairs at this address, with vinyl cement. The test repairs were conducted to measure staff's performance, cost, and longevity of the repaired area. He further stated that this issue was brought to the Committee's attention in December of 2011. At that time, staff approached the Committee to discuss adding a Curb Replacement Program to the Capital Improvement Budget. The Committee made a decision to table the discussion for re-evaluation at a future meeting.

Alderman John Smith stated that the City needs to establish a program so that the residents don't feel that they are being ignored or that the City is avoiding the circumstance. He understands that there are issues regarding funding that also need to be considered. Alderman Beifuss stated that curbs are typically patched/repared during the resurfacing program and asked staff about the timeframe for which the Forest Trails Subdivision falls for a resurfacing project. Mr. Flatter stated that the City would realize a significant cost savings if curbs were repaired as part of a resurfacing contract, but this subdivision's roadways are not scheduled for resurfacing within the next five-year Capital Improvement Budget.

Chairman Dzierzanowski asked if this program can be performed by City staff or will it need to be contracted out. Mr. Flatter stated that this type of work is to be considered specialty work and in order to be done the best way, and more cost efficiently, it will need to be contracted out. Mr. Guttman stated that City staff also repaired the curb across from 998 Willow Creek Drive. He stated that the repairs are functioning fine, but the aesthetics are poor. He further stated that the end of the year budget numbers should be ready to be reviewed prior to the next Committee meeting for consideration of implementing a program.

During discussion, the Committee agreed that a Curb Replacement Program should be considered for the entire City, but at this time, staff is directed to assess and prepare an engineering cost estimate for curb repairs in the Forest Trails Subdivision so that there is a base cost for evaluation. Alderman Beifuss also stated that there is a need for a rating system, such as the one the City has in place for its street program, so that the worst of the areas can be repaired first. Alderman Murphy said he would like to also see pictures of the work that has been done in-house compared to work done by a contractor.

### **5. Items for Discussion.**

Chairman Dzierzanowski asked for concurrence to move up item 5.A. on the agenda. The Committee agreed.

**A. Reimbursement for Tree Removal Services at Reed-Keppler Park.** Mr. Guttman stated that his memo to the Committee provided a history of the costs that were incurred after the July 2012 storm event for tree removal at Reed-Keppler Park, along with a copy of the City and Park District Intergovernmental Agreement and legal opinion. He said that back in July he was given unanimous direction from the City Council to aid the Park District by helping to pay for tree removal and cleanup costs and to later discuss the terms of reimbursement. At this time, after some negotiation, the Park District is willing to reimburse the City for a little more than 50% of the cost (\$35,000, which includes the cost of new trees), over a period of years. Mr. Guttman is seeking direction from the Committee on how to proceed.

Chairman Dzierzanowski recognized Mr. Gary Major, Executive Director of the West Chicago Park District. Mr. Major stated that he was in attendance to answer any questions the Committee may have. He further stated that this storm was a unique experience in that 196 trees fell and the City demanded that the park be cleaned up within a ten day period due to the scheduled Railroad Days event. He said that he was hoping to maintain a cooperative approach to this request.

Alderman Connelly stated that the City should be reimbursed for the total amount spent. She feels that the Park District has a larger tax base and the cleanup would have had to have been done either way. Chairman Dzierzanowski agreed that the total amount should be repaid over a period of time and/or provide the City with some in-kind services. He stated that the Park District is responsible. He questioned whether the Intergovernmental Agreement should be re-written to include a requirement for the Park District to pay a lease and have the City take over maintenance.

Mr. Major said that he feels this issue is heading down a legal route and he doesn't want to go down that route. He stated that the district size is irrelevant and that the City made it perfectly clear to the Park District that the park needed to be ready for Railroad Days. The Park District was prepared to do the work, but it would have taken much longer than the ten days required by the City. Mr. Major said it was not the Park District's decision to call in Contractors. Mr. Major further stated that an estimate of \$135,000 to \$150,000 was provided to Mr. Guttman back in July. Chairman Dzierzanowski agreed that he did not want a legal battle either. He would like to see something worked out so that the amount owed to the City is paid back over a length of time.

Alderman Beifuss asked if the Park District approached the City for the funds to remove the trees. Mr. Major said that they did not, as they were prepared to do the work within their own timeframe. Since there was only a ten day period in which to get the park cleaned up, they stated that they needed financial help. He further stated that Park District crew was out helping the City crew clear Fremont Street, in the spirit of cooperation. When asked how long it would have taken to do the work in-house, Mr. Major predicted approximately 6-8 weeks.

Alderman Radkiewicz stated that there are many old trees in the Park and this issue may come up again. He stated that the Intergovernmental Agreement should be re-written to add verbiage to specify responsibility for future events. Mr. Guttman replied that this is an issue that needs to be dealt with now, and not to speculate on what may happen. Alderman Beifuss asked if the Park District had contingencies within their budget to take care of these types of issues. He said that there needs to be dedicated funds. Chairman Dzierzanowski also questioned the Park District budget and funded items.

Mr. Major replied that they have a "break even" budget and the Park District is unable to raise any more money than what their fees bring in.

Mr. Guttman stated that the issue at hand is that the Park District is offering to pay a little over 50% of the cost of the tree removal and the planting of new trees, totaling \$35,000.00. He asked the Committee if this is acceptable, and if not, he is asking for guidance on how to proceed.

Alderman Beifuss said that he understands the unusual circumstance, but he doesn't agree with the offer. He would like to require that more money is paid back than what was offered. Alderman John Smith stated that he agrees that \$35,000 is not adequate, but is in agreement that the money can be paid back over a longer period of time. Chairman Dzierzanowski stated that with respect to the West Chicago tax payers, he would like the full amount repaid to the City. Alderman Radkiewicz stated that there needs to be more negotiation with more money paid back than what is offered. Alderman Murphy stated that what is being dealt with was due to an act of God and is a community-wide problem. He agrees with a long term payback and that something needs to be put in place for future events that clarify responsibility. He requested that there be more negotiation.

Mr. Guttman summarized, without any objections from the Committee, that the City agrees that in-kind services may be acceptable, and that he is directed to negotiate for less than the full amount, but more than what was offered along with non-cash contributions, and an extended time frame for payback.

#### **4. Items for Consent.**

Chairman Dzierzanowski asked Committee members if anyone wanted discussion on the Items for Consent. There was no discussion. **Alderman John Smith made a motion, seconded by Alderman Alan Murphy to recommend approval of:**

- A. Ordinance No. 13-O-0009 Authorizing the Disposal of Surplus Equipment Owned by the City of West Chicago;**
- B. Resolution No. 13-R-0011 – Contract Award – Procurement of Course and Fine Aggregate Materials Delivered for FY 2013;**
- C. Resolution No. 13-R-0012 – Contract Award – 2013 Parkway Tree Planting Program;**
- D. Resolution No. 13-R-0013 – Contract Award – 2013 Forestry Maintenance Program;**
- E. Resolution No. 13-R-0014 – Contract Award – 2013 Well No. 12 Well House Project; and**
- F. Resolution No. 13-R-0016 – Contract Amendment No. 1 & Final for Professional Engineering Services Associated with the Main Street Tunnel Northeast End Ramps and Stairway Rehabilitation Project.**

**Voting Yea: Aldermen John Smith, Alan Murphy, James Beifuss, Nanette Connelly, Nicholas Dzierzanowski, Russell Radkiewicz, and James Smith. Voting Nay: 0.**

#### **5. Items for Discussion.**

- A. Reimbursement for Tree Removal Services at Reed-Keppler Park. See above.**

**6. Unfinished Business.**

A. Chairman Dzierzanowski announced that there have been five (5) beavers trapped from the Cornerstone Lakes Ponds. He stated that a total of approximately 10-15 trees were taken by the beavers, mostly on Park District property. Soon after the discovery of the downed trees, City staff took a preventative measure by wrapping the bases of the parkway trees with a steel mesh.

B. Alderman Beifuss asked for an update regarding the Quiet Zone. Mr. Flatter informed Committee that the City has complied with all of the requirements, but the Federal Railroad Administration (FRA) out of Washington has yet to review and approve the submittal for the improvements made at the Hawthorne Lane Crossing, which they received from the City in July of 2011. Alderman Beifuss suggested that City staff reach out to Senator Peter Roskam for assistance in the approval process.

**7. New Business.** None.

**8. Reports from Staff.** None.

**9. Adjournment.** At 7:58 P.M., Alderman Nanette Connelly made a motion to adjourn seconded by Alderman John Smith. Motion was approved by voice vote.

Respectfully submitted,

Michelle Baldino  
Administrative Secretary