

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Approved with changes 09/05/13

MINUTES

INFRASTRUCTURE COMMITTEE RESCHEDULED MEETING July 11, 2013 - 7:00 P.M.

1. **Call to Order, Roll Call, and Establishment of a Quorum.** Chairman Beifuss called the meeting to order at 7:00 P.M. Roll call found Aldermen John Banas, James Beifuss, Al Hallett, Sandy Dimas^(left at 7:55 P.M.), Mark Edwalds, Don Earley and John Smith present.

Also in attendance were City Administrator Michael Guttman, Public Works Director Robert Flatter, and Administrative Secretary Michelle Baldino.

Others in attendance were Mr. John Bowman and Mr. Tom Getz of CH2M Hill/OMI, and residents of the Nor-Oaks Subdivision including: Jeff and Janette Liebling, Paula and Rodney Barrington, Dick and Diane Norwood, Wayne Bradley, Ray Pagnozzi, Mike Giese, and Mark Gable.

2. **Approval of Minutes.**

A. **Infrastructure Committee Minutes of June 6, 2013.** Alderman Dimas made a motion to approve the Infrastructure Committee Minutes of June 6, 2013, seconded by Alderman Smith. **Voting Yea: Aldermen Dimas, Smith, Banas, Beifuss, Earley, Edwalds, and Hallett. Voting Nay: 0.**

3. **Public Participation / Presentations.** None.

Without objection from the Committee, Chairman Beifuss moved up Item 5.A. on the Agenda.

5. **Items for Discussion.**

A. **Nor Oaks Court.** Mr. Flatter stated that Nor Oaks Court is located off of Arbor Avenue between National Street and Hawthorne Lane. The subdivision was platted in 1986 and developed as a private subdivision. Although the City was never approached to accept the utilities (water main and sanitary sewer), the City has been maintaining them. Mr. Flatter explained that the subdivision does not have a dedicated right-of-way or storm sewer system, has culverts under driveways, and no curb and gutter. There are eight homes, nine lots, and a Homeowner's Association no longer exists. The detention pond (stormwater management) is part of the vacant lot and not a separate outlot.

In September of 2012, residents of Nor Oaks Subdivision approached the City asking for the City to take over maintenance responsibility of the roadway and street lighting. Mr. Flatter stated that there is one individual homeowner that currently plows the roadway and the street is at the point where it is going to need repairs/resurfacing. Staff is seeking direction on how to proceed. Should the City accept the

public improvements? If so, individual property owners will have to deed over to the City a portion of the 66' easement in order for the City to assume ownership. Should the City require that the property owners recreate a Homeowners' Association for future maintenance and ownership of the detention pond? If the City takes ownership of the right-of-way, staff questioned if the property owners should be responsible to bring all street lights to working conditions and/or should a special assessment be made to the individual property owners in order to defray improvement costs from other taxpayers. Mr. Flatter explained that another option would be to create a special service area for future maintenance.

Mr. Jeff Liebling, 681 Nor Oaks Court addressed the Committee and stated that the desire to get the roadway dedicated to the City *to create a public right-of-way* was a result of a wind storm that knocked over trees, blocking the entire street. They realized then that there was no support from the City to help give them access to their street. He went on to say that the issues are with the street showing signs of age and the street lights, and each property owner on Nor Oaks pays the same amount of taxes as all residents receiving City services. Mr. Liebling also said that in the past the City never pursued following through on requirements of a Homeowners' Association and 30 years have now gone by. He does not feel that the residents there should be required to recreate an association because the only issues they are having are with the street.

Mr. Mike Giese, 661 Nor Oaks Court stated that he is the individual that plows the street in the winter and just very recently found out that the association owned the street with the individual homeowners having responsibility. He said that with the exception of the street deteriorating, there have not been any other issues within this subdivision.

Mr. Flatter explained about the City's Stormwater management detention requirements. The City policy now is to require that Stormwater management be placed in an outlot that ties the facility to a Homeowners' Association or a single ownership, determining maintenance responsibility. The subdivision does not have storm sewers and the City does not maintain culverts and ditches. The aspect of the Stormwater management triggers the question of the creation of an association. Mr. Liebling stated that on the plat, there is language regarding a detention easement that he believes states that the owner of this lot has a responsibility to maintain it and if they fail to do so then the City could pass along associated maintenance costs to the property owners on the street. Mr. Flatter informed Committee that this is typical easement language that gives the City the ability, but the City typically does not maintain Stormwater management facilities.

Mr. Guttman informed Committee that through legal guidance, it is determined that there is a legal mechanism for homeowners to transfer the right-of-way to the City and he asked for guidance from the Committee on how to proceed. Chairman Beifuss opened up discussion to the Committee.

Alderman Edwalds asked what the cost to the City would be to bring the street up to code. Mr. Flatter stated that an estimate to overlay the street with full depth patching would be \$150,000.00 and a reconstruction to bring the streets to City standards may cost anywhere from \$600,000 to \$1,000,000.

Alderman Smith asked the residents if they receive any kind of tax break, which they responded no and then asked if any of the current residents that live there now were living there back in 1983 when the subdivision and homeowners' association were established. The answer is no. Alderman Smith pointed out that they have inherited this situation.

Chairman Beifuss summarized that in order to get to the point where the City can take over maintenance responsibilities; each individual property owner will have to deed over a portion of their private property. As far as the Stormwater detention, several of the Aldermen feel that a Homeowners' Association should be reestablished in order to take care of future maintenance responsibilities. According to Mr. Flatter, the Stormwater management facility seems to be functioning, and should not be a concern and the City could accept the infrastructure without acceptance of the Stormwater management facility.

After discussion, staff was directed to work with the homeowners to have them deed over the 66' right-of-way to the City. The City will then take over the maintenance responsibilities of the right-of-way and street lights and budget for improvements for future years. At this time, there was no direction given for the reestablishment of a Homeowners' Association.

4. Items for Consent.

A. Resolution No. 13-R-0053 – Contract Award – CH2M Hill/OMI (OMI) for Professional Services Related to the Reconditioning of Primary Clarifier Tank #1 at the City's Regional Wastewater Treatment Plant. Mr. Flatter gave a brief summary regarding the project stating that by continuing to upgrade and maintain the wastewater plant, there is reduced risk of emergency repairs. He stated that the City will realize a significant cost savings by having OMI perform this work in that there will not be a need for engineering design and bid document preparation, which would cost approximately \$25,000.00. Mr. Flatter also informed Committee that OMI uses a competitive bidding process when procuring parts and also uses in-house labor.

Alderman Smith made a motion to approve Resolution No. 13-R-0053, seconded by Alderman Banas. Voting Yea: Aldermen Smith, Banas, Beifuss, Earley, Edwalds, and Hallett. Voting Nay: 0.

6. Unfinished Business.

A. Alderman Earley asked for an update on any items that have been carried over from previous agendas from the Infrastructure Committee using the Metra Commuter Station platform work as an example. Mr. Flatter said that the curb policy, which was discussed at the June meeting, was one of the items still pending, and that staff would investigate and provide an update at a future meeting.

B. Chairman Beifuss asked why there were barricades placed at the stairway at the Metra station. Mr. Flatter stated that he was unaware and would investigate.

C. Chairman Beifuss asked for a status update on the Main Street Stairway Project. Mr. Flatter informed him that the Historical Commission has approved the sample for the railing and that the project completion date is targeted for mid-August.

D. Chairman Beifuss asked for a status update regarding the Fremont Street Parking Lot Project. Mr. Flatter informed him that the project was completed today with the exception of landscape mulch and is now open for use.

7. New Business.

A. Alderman Hallett stated that there were trees removed at 402 Sherman in April and that there is still stump residue and broken sidewalk. Mr. Flatter stated that staff will look into the situation.

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

9. **Adjournment.** At 8:22 P.M., Alderman Banas made a motion to adjourn seconded by Alderman Smith. Motion was approved by voice vote.

Respectfully submitted,

Michelle Baldino
Administrative Secretary