

**AGENDA
CITY OF ST. CHARLES, IL
GOVERNMENT SERVICES COMMITTEE MEETING
WILLIAM TURNER, CHAIRMAN**

**MONDAY, NOVEMBER 28, 2016, 7:00 P.M
CITY COUNCIL CHAMBERS
2 E. MAIN STREET, ST. CHARLES, IL 60174**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. ADMINISTRATIVE**
 - a. Electric Reliability Report – Information only.
 - b. Active River Project Update – Information only.
 - c. Tree Commission Minutes – Information only.
- 4. PUBLIC WORKS DEPARTMENT**
 - a. Discussion of 2016 Leaf Program Continuation.
 - b. Presentation to Consider Closing Walkway Path through Lots 5, 6, 13 and 14 of the Fox Glade Subdivision.
 - c. Recommendation to approve Subsidy to the Homeowners Sewer Assistance Policy for the Homeowners at 1242 South 11th Street.
 - d. Recommendation to approve Illinois Department of Transportation Resolution Regarding Non-Routine Maintenance Work Within the State Right of Way for 2017 and 2018.
 - e. Recommendation to approve a Resolution for Kane County Community Development Fund Grant application.
 - f. Recommendation to award the Bid for Pole Testing to Osmose Utility Services, Inc.
 - g. Recommendation to Waive the Formal Bid Procedure and award Purchase Order to Archon Construction for Landscape Restoration Services.
 - h. Presentation of Completed Water Tower Project.

5. POLICE DEPARTMENT

- a. Recommendation to approve Modifications to Fees Related to Towing and to Amend Ordinance Title 10 – Vehicles and Traffic, Section 10.58 – Towing Services.

6. EXECUTIVE SESSION

- Personnel – 5 ILCS 120/2(c)(1)
- Pending Litigation – 5 ILCS 120/2(c)(11)
- Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
- Property Acquisition – 5 ILCS 120/2(c)(5)
- Collective Bargaining – 5 ILCS 120/2(c)(2)
- Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

7. ADDITIONAL ITEMS FROM MAYOR, COUNCIL, STAFF OR CITIZENS

8. ADJOURNMENT

ADA Compliance

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the ADA Coordinator, Jennifer McMahon, at least 48 hours in advance of the scheduled meeting. The ADA Coordinator can be reached in person at 2 East Main Street, St. Charles, IL, via telephone at 630 377 4446 or 800 526 0844 (TDD), or via e-mail at jmcmahon@stcharlesil.gov. Every effort will be made to allow for meeting participation. Notices of this meeting were posted consistent with the requirements of 5 ILCS 120/1 et seq. (Open Meetings Act).



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 3.a

Title: Electric Reliability Report – Information Only

Presenter: Tom Bruhl

Meeting: Government Services Committee

Date: November 28, 2016

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

For information only.

Attachments *(please list):*

*October 2016 Outage Report

Recommendation/Suggested Action *(briefly explain):*

For information only.

**City of St. Charles
October 2016 Outages**

OUTAGE No.	DATE	TIME OFF	TIME ON (Min)	AREA AFFECTED	CIRCUIT No.	CAUSE/RESPONSE	NO. OF CUST.	OUTAGE MINUTES	MAJOR CATEGORY	SUB CATEGORY
1	10/1/2016	7:30 a.m.	105	600 Industrial Dr	514	Cut-over from overhead to underground feed	1	105	Scheduled	SCMEU
2	10/8/2016	10:36 a.m.	0	Randall Rd, Rt 38, Main St, 14th St, Prairie, 19th St, Fairview, Harvest Hills, Renaux, IYC, west side, Costco, Meijer, Lowes	56931	Loss of ComEd 56931 / OA/RA on 56931. Patrolled and found snapped guy wire from vehicle contact. Suspect farm implement caught guy wire, causing pole to move and phases to slap together.	3205	0	ComEd	56931
3	10/8/2016	1:32 p.m.	0	Sub 5, Swift, Wallace, Tyler, Illinois, W Main, Production, Industrial	11167	Loss of ComEd 11167 OA/RA / Loss of ComEd feed 11167 / None taken - patrolled City facilities. ComEd patrolled line, could not find conclusive evidence as to what caused the outage.	629	0	ComEd	11167
4	10/10/2016	7:45 p.m.	60	207 DeBruyne	222	Bad split bolt connection / Replaced service connections	1	60	Equipment	Connector
5	10/10/2016	1:00 p.m.	60	207, 211, 214 & 215 DeBruyne	222	Secondary sleeve failed / Replaced sleeve, restoring power	4	240	Equipment	Connector
6	10/11/2016	11:40 a.m.	120	1640 W Main St	222	Outage / Connections burned up at pole / Repaired service calbe & replaced connector	1	120	Equipment	Service
7	10/16/2016	10:43 p.m.	73	Fox Chase, Quarterhorse, Thoroughbred Cir, Triple Crown Ct	334	1 Phase cable fault / Isolated bad cable, switch through normal	40	2,920	Equipment	Cable
8	10/17/2016	7:15 p.m.	25	1400 block of South 2nd St	331	Lost 120v leg of single phase transformer / Tree fell down burning service on the ground / Replaced transformer	9	225	Weather	Wind
9	10/21/2016	5:40 a.m.	108	1850 & 1880 Lincoln Hwy	614	Shut off power / City outage / Replaced transformer & restored power	2	216	Scheduled	SCMEU
10	10/22/2016	7:52 a.m.	7	Part of Keim Trail & Winners Cup	334	City / Operator error / Misread map	36	252	Utility Error	n/a
11	10/31/2016	2:38 p.m.	12	317 Illinois St	333	Shut off power / Cut service over to new cables / restored power	6	72	Scheduled	SCMEU
						Total of Interrupted Minutes		4,210		
						Total SAIDI*		0.273		
						Total of ComEd Interrupted Minutes		0		
						Total SAIDI without ComEd		0.273		
						*System Average Interruption Duration Index (SAIDI)				



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 3.b

Title: Active River Project Update – Information Only

Presenter: Chris Adesso

Meeting: Government Services Committee

Date: November 28, 2016

Proposed Cost: \$ N/A

Budgeted Amount: \$ N/A

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

The Active River Task Force wishes to provide the Council Committee updates on the status of topics pertaining to the Active River Project/Concept. The Task Force offers the attached information to the Committee. A member of the Task Force will be available at each of the Government Services Committee meetings to respond to any questions or comments that the Council Committee may have.

Attachments *(please list):*

* October 3, 2016 - Task Force Meeting Minutes

Recommendation/Suggested Action *(briefly explain):*

None – For information only.

**MINUTES
ACTIVE RIVER TASK FORCE MEETING
ST. CHARLES
JOHN RABCHUK, CHAIRMAN
OCTOBER 3, 2016**

Members Present: Chair. John Rabchuk, Chris Adesso, Trish Beckjord, Rick Brems, Holly Cabel, Jim Enck

Members Absent: Chris Bong, Monica Meyers, John Wessel

Others Present: Isabel Soderlind

Visitors Present: Tom Anderson, Tony Zehnder

1. Call to Order

The meeting was convened by John Rabchuk at 8:04 a.m.

2. Minutes Review and Approval

Motion was made to accept and place on file the minutes of the August 22, 2016 Active River Task Force meeting minutes.

Motion by Trish Beckjord, second by Rick Brems to accept and place the minutes on file.

Voice vote: unanimous; Nays – None; Absent: Chris Bong, Monica Meyers, John Wessel

Motion carried at 8:09 a.m.

3. Member Organization Updates

A. Update on St Charles Park District Related Active River Projects

i. Boy Scout Island:

The first stage concept plan was received and shared with the St. Charles Park District Board. Holly Cabel shared the first draft of the Concept Plan. This included:

1. Increased and improved parking flow
2. A two car staging area
3. Additional shelter locations
4. Boat slips areas

The concept plan presented by the engineers does not include the creation of an island, as had been planned. Instead a culvert would be added to create the flow into the lagoon area. This is just the first concept draft plan and there may be an opportunity to create some floating gardens in the lagoon in the future. The plans still needs to be presented to the Illinois Department of Natural Resources (IDNR) & Army Corps of Engineers (ACOE).

The Park District continues to budget monies toward items related to the Active River Project in next year's fiscal budget. The Park District proposes shoreline improvements along the golf course and the implementation plan of Boy Scout Island.

Some of the activities will include switching from canoe rentals to kayak rentals, implementing docks for these activities and the floating gardens/islands in the lagoon.

B. City

i. Kinetic Sculpture Project

Tom Anderson mentioned he forwarded an email from Whitaker to everyone last night. Whittaker is currently working with a structural engineer to understand the wind loading of the sculptures, which will determine the spacing and foundation requirements for the sculpture. The email also included a 360 degree view of the sculptures in their new location. Chris Adesso mentioned the City would move forward on this project once this information was determined.

John Rabchuk stated the River Corridor has mailed the deposit for the sculptures.

Seating: The sculptures will be set on the narrower portion of the lot which leaves space for seating in the broader area of the parcel as part of a future project. Metal benches and/or Adirondack chairs will be considered for this space and planned for in the future. The seating will be determined at a later date and the city can install them. Chris Adesso mentioned the City currently had four permanent Adirondack chairs behind the mayor's office that were nice heavy recycled material. He invited the committee members to take a look at them and to consider them for the site. To offset the cost of the seating, John Rabchuk mentioned the possibility of "selling" memorial benches. The River Corridor has been successful in this endeavor. John Rabchuk has also contacted the Downtown Partnership regarding the creation of a similar program for Adirondack chairs. He however has not heard from them yet.

Tom Anderson mentioned there was a Cottonwood tree near the designated area that had many dead branches. The tree is located on Carroll Tower property and needed to be trimmed or possibly removed. The recommendations would be made to Carroll Towers. If the landscaping project came under budget, the ARP could consider paying for a replacement tree.

Press Release: John Rabchuk prepared a press release back in August, which was reviewed and edited by this group. John was holding on to the draft until this item was formally approved by Council that evening. The press release includes Tom Anderson's donation and grant monies received, etc. John will email Tom Anderson a copy of the press release for his review. Tom also suggested submitting historical photos of his grandfather standing at this identical site with the press release.

Landscaping: The type and height of the lights will be taken into consideration while designing the landscaping surrounding the sculptures. Chris Adesso mentioned the City will manage the landscaping portion of this project. Initially, mulch will be installed around the sculptures. Once the exact positioning of the sculptures and foundation is

determined, the lighting consultant will determine the actual placement of the lights. WBK's landscape architect will then draw up the landscape design with special consideration towards a sustainable landscape, keeping it simple

- ii. Council Approval of the Intergovernmental Agreement for the Engineering Feasibility Study set for October 3, 2016

The Intergovernmental Agreement for the Engineering Feasibility Study, funded between the River Corridor, St. Charles Park District and the City of St. Charles, will be formally approved by the City Council at tonight's Council meeting. John Rabchuk mentioned he would not be able to attend. Jim Enck mentioned he would represent the Active River Project at the meeting to address any possible questions.

- iii. Consideration of Active River related projects in the Five-Year Capital budget

John Rabchuk stated that he had a conversation with the Mayor recently. In their discussion, the Mayor mentioned his recent visits through several "active river" cities and noticed the positive results these active river projects had made on the vibrancy and improvement of their downtown areas. The Mayor did state that he would like to receive the results of the feasibility study before completely endorsing the project.

John Rabchuk inquired on how the group could start initiating some of the ARP plans in the City's Five to Ten year plan.

Chris Adesso mentioned that there are some Active River related projects already in the City's current Four-Year Capital Plan. Currently there is the State Street Creek and 7th Avenue Creek Watershed and Stormwater Master Plan, which are related to the Active River Project. These projects will assess the water quality feeding into the river and determine any stormwater related capital projects needed on the two tributaries to the river. Chris was not aware of any other capital projects, but welcomed John to contact the city staff to discuss next steps, the Phase I Engineering study.

John Rabchuk would like to start planning for the next steps i.e., after the Feasibility Study is completed. The study should be completed by May-June and presented to Council by early summer. Depending on the results of the feasibility study, the City may initiate discussions with IDNR ACOE, but John recommended this group begin discussions with private foundations. Funds will be needed for a full Phase I. The discussion of this group should then turn to: (1) determining the next project(s) on the list; (2) preparing marketing materials; and (3) fundraising for this project. Third party fundraising i.e., Columbus, Georgia, is a great model and Rick Brems has this information. The group would also like to consider a professional fundraising group to raise the monies necessary for this project.

John Rabchuk would like to continue giving updates and presentations to Kiwanis, Rotary, VFW and other similar groups to keep the momentum going. Willowgate HOA is also interested in a presentation regarding the Active River Project. The information can include grants received, the feasibility study being conducted, etc. The group should consider updating presentation materials, videos and PowerPoint presentations.

John proposed meeting only once a month, on the first Monday of the month, until the Feasibility Study is completed. Due to the construction at the Baker Community Center, the November and December meetings will be held at Pottawatomie Park Community Center for November/December. The meetings will then move back to the Baker Community Center beginning January 2017. Meetings will focus on setting up a timeline moving forward. Rick Brems will present the information from Columbus, Georgia at the November meeting. The group agreed, they needed to take this time to prepare and plan ahead for the next steps which can include: (1) determining next project(s); (2) fundraising; and (3) updating presentation materials to various groups.

C. River Corridor Foundation

- i. Bob Leonard Walkway landscaping & furnishings project is currently out for bid. It is anticipated the bid process will be completed by early November 2016.
- ii. Discuss potential projects that may qualify for Community Foundation and/or Riverboat Grants in 2017.
- iii. “Rhythm on the River” Fundraiser
The River Corridor is holding their fundraiser “Rhythm on the River” on October 29, 2016, at the Arcada Theatre. The music of Crosby, Stills, Nash & Young cover band will be featured. The River Corridor have donated monies towards the sculptures and landscaping of the Bob Leonard Walk. Checks can be written to the Rotary or the River Corridor. Credit card payments will be accepted at the door.

4. Marketing, Publicity and Community Outreach

- A. Chamber of Commerce Legislative Luncheon: Wednesday, October 19th, 11:00 AM at Royal Fox Country Club.
- B. Willowgate Homeowners Association: John Rabchuk recently ran into a member on the Willowgate Homeowners Association. The Willowgate HOA may be interested in a presentation regarding the Active River Project. This will be determined in the near future.

5. Other

- A. John Rabchuk will email the press release draft to all the group members. He would like everyone to review it one more time before it is released.
- B. Trish Beckjord suggested researching Army Corp of Engineers (ACOE) or federal grants to see if any of these Active River project(s) would qualify for grant monies. She wondered if anyone, or someone they knew of, would be knowledgeable to assist the group with these types of grant applications.
- C. John Rabchuk and John Wessel (St. Charles Park District) will be the points of contact for the Feasibility Study.
- D. John Rabchuk also requested an outline of suggestions from Chris Adesso on the next steps from a City/Engineering perspective.

6. Adjournment

The next meeting is scheduled for November 7, at 8:00 a.m. at the Pottawatomie Park Community Center.

Motion by Trish Beckjord to adjourn the meeting, second by Holly Cabel.

Voice vote: unanimous; Nays – None Absent: Chris Bong, Monica Meyers, John Wessel

-Motion carried at 9:10 a.m.



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 3.c

Title: Tree Commission Minutes – Information only

Presenter: AJ Reineking

Meeting: Government Services Committee

Date: November 28, 2016

Proposed Cost: \$ N/A

Budgeted Amount: \$ N/A

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

A duty of the Tree Commission is to advise and consult with the Government Services Committee. September 8, 2016 and October 20, 2016 Tree Commission meeting minutes are attached.

Attachments *(please list):*

* Tree Commission Minutes – September and October 2016 meeting minutes

Recommendation/Suggested Action *(briefly explain):*

For information only.

**MINUTES
CITY OF ST. CHARLES
TREE COMMISSION MEETING
RALPH GRATHOFF, CHAIRMAN
SEPTEMBER 8, 2016**

Members Present: Chair. Ralph Grathoff, Valerie Blaine, Kathleen Brens, Jon Duerr, Raymond Hauser, Pam Otto, Caroline Wilfong, Ron Ziegler

Members Absent: Suzi Myers

Others Present: Chris Adesso, Jeremy Craft, Marcelline D'Argento, AJ Reineking, Lisa Vielbig

Visitors Present: n/a

1. Call to Order & Pledge of Allegiance

The meeting was convened by Chair. Grathoff at 7:05 p.m.

2. Introductions of Visitors: n/a

3. Minutes Review and Approval

Motion to accept and place on file the minutes of the July 14, 2016 Tree Commission meeting. Motion made by Comm. Duerr second by Comm. Blaine to accept and place the minutes on file [as amended]. Voice vote: unanimous; nays – none; absent Comm. Myers. Motion carried at 7:10 p.m.

4. Old Business

A. Update on the Urban Forestry Management Plan

Mr. Reineking reported the Urban Forestry Management Plan (“UFMP”) will be finalized in the next two (2) weeks with Comm. Blaine’s comments. The UFMP will then be presented to the to the City of St. Charles’ (“City”) Government Services Committee (“GSC”) at the November 2016 meeting. Chair. Grathoff stated the draft UFMP could be discussed with the Batavia Tree Commission and Geneva Natural Resources Committee at the joint meeting in October 2016.

B. Update on Three Maple Trees at Kehoe Drive and Horne Street

Mr. Craft reported the Maple trees were trimmed and inspected. Two of the trees were cracked and have since been removed. One of the Maple trees is still standing. The City would like to replant one of the two sites where the trees were removed, but will discuss replanting with the resident. The City also restored the parkway at this location and grass is now growing. Additional Maple trees on the south side of Horne Street were also pruned.

C. Update on Langum Park Restoration

Comm. Otto reported assistance with restoration may be provided through boy scouts’ volunteer hours. Mr. Adesso indicated there may be resources in the City’s forestry budget to utilize for removal of invasive species such as Buckthorn and Honeysuckle, and for stump treatment. This work could be scheduled to benefit from winter pricing, and staff will make an assessment of the budget this winter. Comm. Otto indicated scout volunteers could assist with trail maintenance instead of restoration.

D. Update on Natural Resources Commission

Mr. Adesso presented the new mission statement to the GSC at the August 2016 meeting. The GSC supports the reorganization of the Tree Commission into a Natural Resources Commission. Mr. Adesso suggested after the completion of the UFMP, revisions to the City Code regarding a Natural Resources Commission could be drafted for review by the Tree Commission. The scope of the Natural Resources Commission will continue to include trees as well as green infrastructure initiatives, education, composting and other natural resources-related issues.

E. Woods of Fox Glen / Outlot B – Unauthorized Tree Removal / Restoration

Chair. Grathoff received a letter dated July 26, 2016 from Douglas Hancock, a resident of Wayne, IL. The letter is regarding “approximately ten acres [of property]... worked on for restoration.” The property is located in the Woods of Fox Glen and is owned by the City. Mr. Adesso stated the Mayor, City Administrator and City attorney are in contact with Mr. Hancock with regard to this issue. However, since Mr. Hancock’s letter was directed to Chair. Grathoff, the Tree Commission has an opportunity to comment for the record/minutes.

Comms. Blaine, Brens, Duerr, Grathoff, Hauser, Otto, Wilfong and Ziegler commented on this issue. The overall consensus of the Commissioners was: the rationale and intention with regard to restoration may have been good; however, a person/entity cannot make unauthorized changes to the property of another person/entity; the City was not consulted, nor was permission requested from the City to undertake the restoration of the City-owned property; Mr. Hancock’s actions were unacceptable.

5. New Business

A. News or Concerns from Public Works

- i. Fall Planting 2016** – Mr. Craft reported planting sites are being prepared for fall 2016 planting. Approximately 125 trees will be planted this fall.
- ii. Tree Trimming** – Mr. Craft reported City-wide trimming will be done during the winter months.

B. News or Concerns from Tree Commission

- i. Norway Maples Preliminary Discussion** – Comm. Duerr stated some of the Norway Maples planted in the 1970’s may be from wild stock, and the City should consider removing these types of trees. Norway Maples have an outward growth pattern and should be limbed up to a minimum of ten feet. Comm. Ziegler stated Maples, in general, should be aggressively pruned starting at 10 – 12 years. Mr. Craft agreed with the Commissioners and reported the City has started to remove Norway Maples; 50 – 60 have been removed already in the southwest quadrant of the City. The UFMP also addresses the reduction of Norway Maples in the City’s parkways.

Comm. Ziegler asked how many Ash trees are left in the City. Mr. Craft stated there are 100 – 150 Ash trees remaining.

- ii. Recommendation to Ban Honeybee-Keeping Within City Limits** – Comm. Otto reported the City’s Planning and Development Committee is considering a ban on honeybee-keeping. The ban is based upon an interpretation that residential honeybee-keeping may be considered agricultural use of residential property. The issue of residential honeybee-keeping originated [in part] from a dispute between two residents: one resident with an unleashed dog and another resident/neighbor with honeybees that do not stay on his property. Comm. Otto stated the Park District supports pollinators and it’s important to distinguish between wasps and other stinging insects and honeybees. Comm. Otto would like the aldermen to receive additional, accurate information about honeybees before making a decision to completely ban honeybee-keeping within the City. Mr. Adesso explained that anyone can attend a public meeting. He indicated the Commissioners

may attend and encourage other residents to attend the next Planning and Development Committee meeting on Monday night [September 12, 2016 at 7:00 p.m.].

The Commissioners also discussed: the impact of anti-mosquito and broad-spectrum spraying on bees, butterflies, birds and other insect populations; the benefit of insects as pollinators for agriculture; whether honeybees are considered to be livestock; the negative impact of eradicating coyotes; sudden [bee] colony collapse; and the need for further study on honeybee-keeping. Comm. Otto noted the City of Chicago has bee hives on the roof of its city hall, but other municipalities may also be moving toward banning bee-keeping.

Mr. Adesso explained that if the Tree Commissioners are interested in expressing their opinions, they can submit statements to the GSC before the City makes a decision to amend its ordinances to ban honeybee-keeping. The Tree Commissioners may also contact their aldermen.

6. Committee Reports

- A. **Education Committee** – Comm. Myers absent
- B. **Langum Park Clean-Up** – Please see 4.C. above.

7. Communications

A. Approval of Public Services Division Tree Activity Reports for July and August 2016

Motion to accept and place on file the above-referenced reports. Motion made by Comm. Otto second by Comm. Brens to accept and place on file the reports as presented. Voice vote: unanimous; nays – none; absent Comm. Myers. Motion carried at 8:05 p.m.

B. Electric Division Tree Activity Reports

Reports not available for review at this time.

8. Additional Items from Commissioners

A. Commissioners

Comm. Ziegler praised Comm. Otto's efforts with regard to the honeybee issue.

B. City Staff

Mr. Reineking confirmed plans for the October 20, 2016, joint meeting of the Batavia and St. Charles Tree Commissions and Geneva Natural Resources Committee. The meeting will begin at 5:30 p.m. at Creek Bend Nature Center and will include food and beverages. Ms. D'Argento will coordinate the invitations and responses. Comm. Blaine suggested an "Oaktober" Oak awareness presentation as a topic for the joint meeting; the Commissioners concurred.

Mr. Reineking informed the Commissioners the Park District requested advance notification for the City's 2017 Arbor Day event. The Commissioners agreed to again use Lincoln Park as the location for Arbor Day 2017. City staff will notify the Park District.

9. Adjournment

Motion by Comm. Brens to adjourn the meeting, second by Comm. Blaine. Voice vote: unanimous; nays – none; absent Comm. Myers. Motion carried at 8:20 p.m.

**MINUTES
JOINT MEETING
St. Charles Tree Commission
Batavia Tree Commission
Geneva Natural Resources Committee
October 20, 2016**

Note: These Minutes are not a verbatim transcription of statements made during this meeting. The Minutes are intended to provide an official record of meeting actions and an overview of topics discussed. Prior to the call to order, a light dinner was served to all present beginning at 5:30 p.m.

St. Charles Tree Commission

Members Present: Chair. Ralph Grathoff, Valerie Blaine, Kathy Brens, Raymond Hauser, Suzy Myers, Pam Otto, Ron Ziegler

Members Absent: Jon Duerr, Caroline Wilfong

Others Present: Jeremy Craft, AJ Reineking, Lisa Vielbig

Visitors Present: Phil Graf and Steve Lane of Graf Tree Care

Batavia Tree Commission

Members Present: Chair. Scott Haines, John Higgins, Gary Holm, Bob Lootens, Frank Saupp, Kevin Summers, Kathy Vranek

Members Absent: None

Geneva Natural Resources Committee

Members Present: Chair. Jay Womack, Tom Dickinson, Laura Jennison, Steve Matravers

Members Absent: Jeanine McMillen

1. Call to Order

The meeting was convened by Chair. Grathoff at 6:05 p.m. at Creek Bend Nature Center, 37W700 Dean Street, St. Charles, IL.

2. Introductions

Mr. Reineking asked all present to introduce themselves.

3. Background and History of Creek Bend Nature Center

Comm. Blaine offered a brief background of the facility, as well as some of the services/programs available. She also encouraged a group tour of the facility. Chair. Grathoff thanked Comm. Blaine for hosting the meeting at such a beautiful location.

4. Presentation on Urban Forestry

Comm. Blaine discussed the *Big Tree* program that was created for Kane County. The goal of this program is to get people outdoors to look at trees. Kane County provides training on how to measure trees, with each tree receiving a point value based on its measurements. Each species will then have a 'champion' tree based on those measurements. Trees can be on private or public property.

Comm. Blaine presented a video outlining Urban Forestry within Kane County over the years. Included in the presentation was information regarding:

- The effects on trees by outside forces
- Different types of wooded communities:
 - Forests – \geq 80% canopy cover. East side of the Fox River has more of this type of community as fires were stopped by the river.
 - Woodlands – Plant communities with 30-80% canopy cover. Woodlands are becoming more difficult to find.
 - Savannahs – Plant communities with 10-30% canopy cover. Very few original savannahs remain.
- The importance of soil quality on trees. Often what you don't see is even more important than what you do see when it comes to trees.
- Forest area changes in Illinois. From 1962 to 1985, the wooded area increased due to an increase of trees planted in urban areas.
- Invasive species are preventing rejuvenation of Oak woodlands. Invasive species are categorized as plants not originally in the area and not part of the ecosystem. Another problem for the Oaks is White Tail Deer that eat Oak seedlings.
- Oak woodlands are in great danger of extinction. There are restoration projects in place in Kane County. Annually 2,000-8,000 Oak whips and 1,500-2,000 potted Oaks are planted.

5. St. Charles Urban Forestry Management Plan

Mr. Lane discussed the progress being made on the Urban Forestry Management Plan.

- Goals – Working with the City of St. Charles Tree Commission to determine the City's goals with regard to Urban Forestry. Intent for the document to be for both the City and the public to understand why work is being done, and how it relates to City ordinances.
- This is a fluid document that can be changed as necessary.
- Tree diversity breeds stability.
- Constant management of tree inventory.
- Risk management.
- Incentive planting on private property a possibility?

Mr. Graf discussed the issue of canopy cover and how it's shortage. As trees grow to 18" DBH and greater, the benefits of the trees are increased exponentially. Also discussed was the importance of caring for trees (training) when they are young to increase the chances of longevity.

6. Adjournment

Meeting was adjourned at 7:52 p.m.



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 4.a

Title: Discussion of 2016 Leaf Program Continuation
Presenter: AJ Reineking

Meeting: Government Services Committee Date: November 28, 2016

Proposed Cost: Budgeted Amount: Not Budgeted:

Executive Summary *(if not budgeted please explain):*

The City’s leaf collection program begins on the fourth Monday in October and generally concludes by Thanksgiving Day. For the last eight years the program has followed the same collection schedule within that timeframe. Programmatically, this calendar range has been mostly effective to predict the weather and subsequent leaf fall.

This year we have two significant factors working against us in that (1) Thanksgiving is early, and (2) the region has experienced unseasonably mild temperatures with very limited frosts until recent weeks.

As a result, as the leaf collection program has progressed, we’ve seen a shift in the collection volume. Where normally the first collection is very large, this year the third collection was the largest. Leading up to and following the last programmed collection, the Public Works Department has received many resident calls inquiring about what will be done with the leaves that are lingering in trees.

Staff has engaged in discussions with Kramer Tree Specialists, Inc. to determine options to continue the leaf vacuum program into December. Their proposal for a daily unit price is attached with a not to exceed cap of \$107,161, which is reflective of one round at their current contractual rate. However, based on the pace at which the previous collection cycles were completed, we anticipate an actual cost between \$69,000 and \$96,600.

In addition, Advanced Disposal is also preparing a proposal for a bagged leaf collection program through the month of December.

The Public Works staff will continue to collect and compile information through Monday and will provide the most recent update pertaining to resident inquiries, leaf piles, and weather forecasts for your consideration.

Attachments *(please list):*

Kramer Tree Specialists Proposal

Recommendation/Suggested Action *(briefly explain):*

Action regarding the continuation of the 2016 Leaf Program is the City Council’s discretion.



Kramer Tree Specialists, Inc.

300 Charles Court

West Chicago, IL 60185

Office: (630) 293-5444 www.kramertree.com Fax: (630) 293-7667



Page 1

Commercial Proposal Tree Maintenance

November 22, 2016

Proposal For:

City of St. Charles
2 E. Main Street
St. Charles, IL 60174-1984

Home:
Office: 377-4405
Mobile:
Fax: 513-7442

accountspayable@stcharlesil.gov

Proposal #: 376796

Customer #: 3256

Proposal Date: 11/22/2016

Proposal Status: Issued

KTS Certified Arborist:

Office Account

bmeyers@kramertree.com

Cell Phone:

Payment Terms: Net 30

Please initial the box next to the line item you wish to Authorize, then return All pages of the signed Proposal via Email or Fax.

<u>Item #</u>	<u>Plant Species</u>	<u>Qty</u>	<u>Service Recommended</u>	<u>Condition</u>	<u>DBH</u>	<u>Item Charge</u>
<input type="checkbox"/> 1	Leaves		Municipal Leaf Removal			\$107,161.00

Notes:

Service: Supplemental leaf collection for 2016:

This additional leaf collection is separate from the leaf collection contract. It will begin on November 30, 2016. Crews will make one pass through the city of St. Charles. The cost per crew per day is \$ 3,450.00 and the total cost is not to exceed one-third of the city's annual cost for the leaf collection (\$107,161.00). AJ Reinking and Tim Peters will determine the number of crews and dates.

Payment Due In Full within 30 days of receipt of Invoice

Payment via cash, check or credit card accepted



To Authorize this Proposal...

So that we may schedule this work, please return a signed copy of this Proposal via mail or fax, or you may email your Certified Arborist with your authorization.

This Proposal is valid for 30 days.

Authorized By: _____

Date: _____

Proposal #: 376796

THIS PROPOSAL INCLUDES ONLY A VISUAL INSPECTION OF ACCESSIBLE COMPONENTS OF THE TREES TO DETERMINE THE SCOPE OF THE WORK REQUESTED, AND SHALL NOT BE CONSIDERED A TREE RISK EVALUATION.

Kramer Tree Specialists can not be responsible for unmarked underground utilities, structures, sprinkler systems, etc. that may be damaged in the work process. Above listed work includes all hauling, disposal, and rake clean-up of debris-unless otherwise noted.

Certificate of Insurance available upon request





AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 4.b

Title: Presentation to Consider Closing Walkway Path through Lots 5,6,13 and 14 of the Fox Glade Subdivision

Presenter: Peter Suhr

Meeting: Government Services Committee

Date: November 28, 2016

Proposed Cost: \$0.0

Budgeted Amount: \$0.0

Not Budgeted:

Executive Summary (if not budgeted please explain):

City Staff will be facilitating our third consecutive conversation at a Government Services Committee meeting in regard to a request to close the walkway path near Fox Glade Ct. More specifically, the four property owners who provided the initial request reside at 1309, 1227, 1228 and 1310 Fox Glade Ct. and respectively on lots 5, 6, 13 and 14 of the Fox Glade PUD Subdivision Unit No. 1 final plat.

At our last Government Services meeting in October, the committee asked staff to complete the following tasks in preparation for further discussion this month:

- Hold a meeting with property owners and representatives from The Oaks and try to facilitate a discussion by both parties to compromise on a solution.
- Contact all residents on Fox Glade Ct. and seek input from them.
- Prepare a Resolution for vacating the walkway easement for consideration in November.

Staff has completed the tasks assigned and is prepared to continue the discussion. In brief the following is a summary of our findings:

- Staff met with the property owners and representatives of The Oaks on Nov. 9th as requested. While the dialog was engaging and several compromised solutions were discussed, the two parties could not come to a compromised solution. The homeowners remain firm in their position to close the walkway and The Oaks remain firm in their position to keep it open.
- While staff did not directly contact all of the residents on Fox Glade Ct. we did receive a petition from all residents on Fox Glade Ct. with signatures in support of closing the walkway. We also received a similar signed petition from The Oaks residents identifying that most residents of that subdivision are in support of the walkway remaining open.
- Please see attached Resolution authorizing the vacation of the walkway easement for your consideration.

Attachments (please list):

*Resolution Authorizing the Vacation of a Walkway Easement In Fox Glade P.U.D. Subdivision, Unit 1 *Homeowner Petitions

Recommendation/Suggested Action (briefly explain):

None

City of St. Charles Illinois
RESOLUTION NO. 2016-_____

**A Resolution Authorizing the Vacation of a Walkway Easement In
Fox Glade P.U.D. Subdivision, Unit 1**

WHEREAS, the City of St. Charles approved a subdivision known as Fox Glade P.U.D. Subdivision, Unit 1 on August 4, 1969; and

WHEREAS, the Fox Glade P.U.D. Subdivision, Unit 1 was recorded at the Office of the Kane County Recorder on September 25, 1969 as Document No. 1149771; and

WHEREAS, a walkway easement was created in the Fox Glade P.U.D. Subdivision, Unit 1 across portions of Lot 5, Lot 6, Lot 13 and Lot 14 of that Subdivision; and

WHEREAS, the City of St. Charles constructed and continues to maintain a sidewalk on the walkway easement; and

WHEREAS, the City of St. Charles authorized and recorded four (4) indemnity letters with respect to Lot 5, Lot 6, Lot 13 and Lot 14 of that subdivision on February 13, 2013 as Document Nos. 2013K011816, 2013K011817, 2013K011818, and 2013K011819; and

WHEREAS, the City Council has determined that it is in the best interest of the City to vacate the walkway easement along Lot 5, Lot 6, Lot 13 and Lot 14 in said Subdivision, to remove the sidewalk and grade and seed the affected area and to release the indemnity agreements described herein.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois as follows:

Section 1. That the City of St. Charles does hereby vacate the walkway easement, created in the Plat described herein.

Section 2. That the City of St. Charles shall take any and all action necessary to vacate said walkway easement and to prepare and record any and all documents that may be necessary for that purpose.

Section 3. That the City of St. Charles shall remove the sidewalk from the easement and will grade and seed the affected area and will release the indemnity agreements created in the documents referenced herein.

Section 4. That the City Clerk is directed to record a duly certified copy of this Resolution in the Office of Recorder of Deeds of Kane County, Illinois.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval pursuant to law.

PRESENTED to the City Council of the City of St. Charles, Illinois this ____ day of _____, 2016.

PASSED by the City Council of the City of St. Charles, Illinois, this ____ day of _____, 2016.

APPROVED BY THE Mayor of the City of St. Charles, Illinois this ____ day of _____, 2016.

MAYOR

CITY CLERK

COUNCIL VOTE:

Ayes: _____

Nays: _____

Absent: _____

Walkway Easment
Oaks Petition
Summary

Unit	Street	Signed	Sunbirds	Vacant	NO	Not Home	Notes
	# of Units >	66	2	4	1	2	75
	% to Total >	88.0%	2.7%	5.3%	1.3%	2.7%	100.0%
14	White Oak Circle	1					
15	White Oak Circle	1					
16	White Oak Circle	1					
17	White Oak Circle	1					
18	White Oak Circle				1		Always says no
19	White Oak Circle	1					
20	White Oak Circle	1					
21	White Oak Circle	1					
22	White Oak Circle			1			Not moved in yet
24	White Oak Circle	1					
25	White Oak Circle	1					
26	White Oak Circle	1					
27	White Oak Circle	1					
28	White Oak Circle	1					
30	White Oak Circle	1					
31	White Oak Circle	1					
32	White Oak Circle	1					
33	White Oak Circle	1					
34	White Oak Circle	1					
35	White Oak Circle	1					
36	White Oak Circle	1					
37	White Oak Circle	1					
38	White Oak Circle	1					
39	White Oak Circle	1					
40	White Oak Circle	1					
41	White Oak Circle	1					
42	White Oak Circle	1					
43	White Oak Circle	1					
44	White Oak Circle	1					
45	White Oak Circle	1					
46	White Oak Circle	1					
48	White Oak Circle	1					
49	White Oak Circle	1					
50	White Oak Circle	1					
51	White Oak Circle	1					
52	White Oak Circle	1					
53	White Oak Circle	1					
54	White Oak Circle					1	
55	White Oak Circle	1					
56	White Oak Circle	1					
57	White Oak Circle					1	

Walkway Easment
Oaks Petition
Summary

Unit	Street	Signed	Sunbirds	Vacant	NO	Not Home	Notes
	# of Units >	66	2	4	1	2	75
	% to Total >	88.0%	2.7%	5.3%	1.3%	2.7%	100.0%
58	White Oak Circle	1					
59	White Oak Circle	1					
60	White Oak Circle	1					
61	White Oak Circle			1			In assisted living
62	White Oak Circle	1					
63	White Oak Circle			1			Being flipped
64	White Oak Circle	1					
65	White Oak Circle	1					
66	White Oak Circle	1					
67	White Oak Circle	1					
68	White Oak Circle	1					
69	White Oak Circle	1					
70	White Oak Circle	1					
71	White Oak Circle	1					
72	White Oak Circle	1					
73	White Oak Circle	1					
74	White Oak Circle	1					
75	White Oak Circle	1					
76	White Oak Circle	1					
77	White Oak Circle	1					
78	White Oak Circle			1			Death
79	White Oak Circle	1					
80	White Oak Circle		1				In Arizona already
81	White Oak Circle	1					
82	White Oak Circle	1					
84	White Oak Circle	1					
85	White Oak Circle	1					
86	White Oak Circle	1					
8	Roosevelt Street	1					
10	Roosevelt Street	1					
12	Roosevelt Street	1					
14	Roosevelt Street	1					
16	Roosevelt Street	1					
18	Roosevelt Street		1				In Florida already

6JB
14-30

PETITION IN SUPPORT OF THE RETENTION OF THE WALKWAY EASMENT

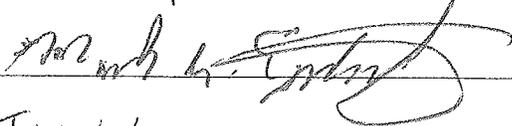
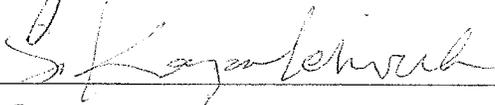
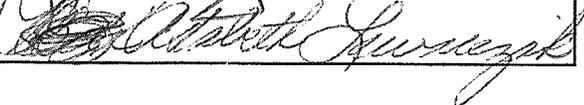


The undersigned affirm that we are owners and/or residents of The Oaks of St. Charles. It is our desire that the walkway between The Oaks and Ash Street through the Fox Glade subdivision remains open. The walkway provides all residents (including non-Oaks residents) easy and safe accessibility to surrounding communities. It is the shortest route for students to attend the Davis school or to reach the closest school bus stop. It has served the community well for over forty years and also provides the only feasible emergency egress/ingress in case The Oaks' main entrance is unusable.

Common Address		Print Name	Signature
#	Street		
28	White Oak Circle	EUGENE J. BELMONT	Eugene J. Belmont
27	White Oak Circle	VERNA E WILSON	Verna E. Wilson
24	White Oak Circle	DEB AWE	Deborah Awe
25	White Oak Circle	JAMES GRASSO	James Grasso
26	White Oak Circle	Signed Below	
21	White Oak Circle	VIRGINIA K. SCATTERDAY	Virginia K. Scatterday
20	White Oak Circle	Rune Jansen	Rune Jansen
19	White Oak Circle	MARILYN KAISER	Marilyn Kaiser
18	White Oak Circle		
17	White Oak Circle	Debbie Zottner	Debbie Zottner
16	White Oak Circle	John Resmussen	John Resmussen
15	White Oak Circle	JEFF GARY	Jeff Gary
14	White Oak Circle	Kristina Landahl	Kristina Landahl
13	White Oak Circle	Jennifer Crossen	Jennifer Crossen
30	White Oak Circle	Colleen Busby	Colleen Busby

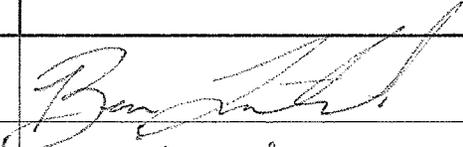
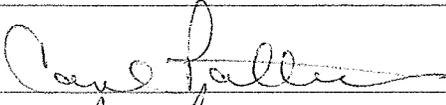
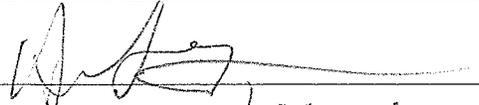
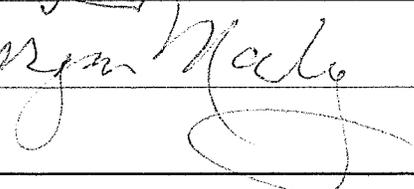
PETITION IN SUPPORT OF THE RETENTION OF THE WALKWAY EASMENT

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Common Address		Print Name	Signature
#	Street		
37	White Oak Circle	Cindy Lund	
35	White Oak Circle		MARK A. EDRIE
34	White Oak Circle	JOAN Luencioni	Joan Luencioni
33	White Oak Circle	Stephanie Kopalchick	
32	White Oak Circle	Judy Rice	SANDY RICE
38	White Oak Circle	C. Bison	C. BISON
40	White Oak Circle	Rafael Zuniga	RAFAEL ZUNIGA
42	White Oak Circle	Eola G. Gans	Eola Gans
39	White Oak Circle	John Burke	
36	White Oak Circle	Marshall Balding	Marshall Balding
41	White Oak Circle	Ruth K. Fischer	Ruth Fischer
43	White Oak Circle	Donald F. Brod	Donald F. Brod
31	White Oak Circle	DIANE HELKER	Diane Helker
44	White Oak Circle	John Thornhill	
45	White Oak Circle	Adabeth Lawniczak	

PETITION IN SUPPORT OF THE RETENTION OF THE WALKWAY EASMENT

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Command Address		Print Name	Signature
#	Street		
46	White Oak Circle	BEN LUSTED	
48	White Oak Circle	Jennifer Fraser	Jennifer Fraser
49	White Oak Circle	Elizabeth Richards	
50	White Oak Circle	Peggy S. Wright	Peggy S. Wright
51	White Oak Circle	BARBARA CAMPBELL	Barbara Campbell
52	White Oak Circle	Deborah A. Flatley	Deborah A. Flatley
53	White Oak Circle	Deborah D. Howerton	Deborah D. Howerton
54	White Oak Circle		
55	White Oak Circle	Candy Melita Candy Melita	Candy Melita
56	White Oak Circle	Jenise Woodard	Jenise Woodard
57	White Oak Circle		
58	White Oak Circle	CAROL PATTERSON	
59	White Oak Circle	Heidi Schmidt	
60	White Oak Circle	VIRGINIA MALONEY	Virginia Maloney
61	White Oak Circle	Vacant	

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Common Address		Print Name	Signature
#	Street		
62	White Oak Circle	MAY SWANSON	May Swanson
64	White Oak Circle	FRANK ESPOSITO	Frank Esposito
66	White Oak Circle	JO ANN HOPPE	Jo Ann Hoppe
65	White Oak Circle	DOUG D'AVICO	Doug D'Avico
67	White Oak Circle	Jeremy Hulse	Jeremy Hulse
68	White Oak Circle	Rebecca DANIELS	Rebecca Daniels
69	White Oak Circle	Mary Kay Sharp-Kochler	Mary Kay Sharp-Kochler
	White Oak Circle		

PETITION IN SUPPORT OF THE RETENTION OF THE WALKWAY EASMENT

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Common Address		Print Name	Signature
#	Street		
70	White Oak Circle	JAMES B BACHMAN	<i>[Signature]</i>
71	White Oak Circle	BECKY BUCHHOLZ KENT BUCHHOLZ	<i>[Signature]</i> <i>[Signature]</i>
72	White Oak Circle	LUIS BUSH	<i>[Signature]</i>
73	White Oak Circle	MARLELO	<i>[Signature]</i>
74	White Oak Circle	Eri Turnquist	<i>[Signature]</i>
74	White Oak Circle	John R. DeBates	<i>[Signature]</i>
76	White Oak Circle	JACKIE BREEN	<i>[Signature]</i>
76	White Oak Circle	DAN BREEN	<i>[Signature]</i>
77	White Oak Circle	WILLIAM KRUCZYNSKI Wm J. Kruczynski LAURIE KRUCZYNSKI	<i>[Signature]</i> <i>[Signature]</i>
79	White Oak Circle	Sherry Miller Mike Miller	<i>[Signature]</i> <i>[Signature]</i>
80	White Oak Circle	ROGER DEAN DIGNA DEAN	<i>[Signature]</i> <i>[Signature]</i>
85	White Oak Circle	ROBERT A. RAUCCI Beverly Raucci	<i>[Signature]</i> <i>[Signature]</i>
86	White Oak Circle	PAMELA TILBROOK P Roger W. Tilbrook	<i>[Signature]</i> <i>[Signature]</i>
75	White Oak Circle	ROBERT L. BRUBAKER Marilyn G. James	<i>[Signature]</i> <i>[Signature]</i>
81	White Oak Circle	KRISTY ESPARZA TRISTAN ESPARZA	<i>[Signature]</i> <i>[Signature]</i>

PETITION IN SUPPORT OF THE RETENTION OF THE WALKWAY EASMENT

The undersigned affirm that we are owners and/or residents of The Oaks of St. Charles. It is our desire that the walkway between The Oaks and Ash Street through the Fox Glade subdivision remains open. The walkway provides all residents (including non-Oaks residents) easy and safe accessibility to surrounding communities. It is the shortest route for students to attend the Davis school or to reach the closest school bus stop. It has served the community well for over forty years and also provides the only feasible emergency egress/ingress in case The Oaks' main entrance is unusable.

Common Address		Print Name	Signature
#	Street		
8	Roosevelt Street	MARIJO KUSICIEL	<i>Marijo Kusiciel</i>
10	Roosevelt Street	Johanna Roady	<i>Johanna Roady</i>
12	Roosevelt Street	STANLEY F. LEMAIRE	<i>Stanley F. Lemaire</i>
14	Roosevelt Street	Paul D. Schennum	<i>Paul D. Schennum</i>
16	Roosevelt Street	Norm Miller	<i>Norm Miller</i>
18	Roosevelt Street		



Good Call Plumbing
707 Herra St. Suite H
Elburn, IL 60119
(630)365-6500
GoodCallPlumbing@yahoo.com

ESTIMATE

ADDRESS

Michael & Tavia Cohen
1242 South 11th Street
St. Charles, IL 60174

ESTIMATE # 2231

DATE 10/21/2016

EXPIRATION DATE 11/21/2016

CUSTOMER PHONE

773-750-3417

DATE	ACTIVITY	AMOUNT
09/01/2016	<p>Services Good Call Plumbing proposes to perform the following:</p> <p>Job #1: Overhead Sewer System 1- 30" ejector pit with 2" cover 1- 2" check valve/ball valve combo 1- 2" ejector pump (Zoeller Cast Iron M264) - Camera lines to determine where pit goes - Camera main line to see condition of line - Intercept line and install new ejector pump for bathroom, floor drain and laundry - Run 2" drain from pit into stack approximately 5ft above floor - Re-pipe portion of stack in 4" pipe w/ new 4" clean out - Run 2" vent from pit to bathroom vent in basement - Bust floor as needed to remove backflow device - Install new 4" floor clean out - Supply new electrical circuit for new ejector pump - Supply high water alarm for ejector pit - Includes floor bust and patch</p> <p>*** Job #1 Cost = \$5,390</p> <p>Job #2: Sillcock Work 3- Woodford outside frost proof sillcocks - Replace existing sillcock on rear of house - Run line and add additional sillcock on north side of house - Cut access hole to sillcock on front of house - Install new sillcock in front of house - Install access panel for future access - Rebuild Kohler toilet in powder room</p> <p>*** Job #2 Cost = \$845</p> <p>Job #3: Outside Clean Out - Dig up section of yard to access sewer line - Cut in new 6" clean out - Landscaping to be replaced by others</p> <p>*** Job #3 Cost = \$2,250</p> <p>Job #4: Sewer Line Work - Jet main sewer line to clear roots and debris</p> <p>*** Job #4 Cost = \$350</p>	0.00

Please feel free to call your Good Call Plumbing representative to discuss this estimate. We appreciate you giving us the opportunity to serve you!

TOTAL

\$0.00

Accepted By

Accepted Date



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 4.d

Title: Recommendation to approve Illinois Department of Transportation Resolution Regarding Non-Routine Maintenance Work Within the State Right-of-Way for 2017 and 2018

Presenter: Karen Young

Meeting: Government Services Committee

Date: November 28, 2016

Proposed Cost: n/a

Budgeted Amount: n/a

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

The City is required every two years to furnish IDOT with a resolution that permits the city to perform work within the state right-of-way. City work may include construction, operations and maintenance of driveways and street returns (intersection curb and pavement work), water mains, sanitary and storm sewers, street lights, traffic signals, sidewalk, landscaping, etc. This relates to planned and emergency tasks.

The resolution requires the City to follow the IDOT permit conditions and hold the State of Illinois harmless for damages resulting from accidents or reasons relating to the performance of work.

Attachments *(please list):*

*Resolution

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve Illinois Department of Transportation Resolution regarding non-routine maintenance work within the State Right-of-Way.

City of St. Charles, Illinois
Resolution No. _____

**A Resolution Regarding Non-Routine Maintenance Work Within the
State Right of Way for 2017 and 2018**

**Presented & Passed by the
City Council on _____**

WHEREAS, the City of St. Charles, hereinafter referred to as MUNICIPALITY, located in the Counties of Kane and DuPage, State of Illinois, desires to undertake, in the years of 2017 and 2018, the location, construction, operation and maintenance of driveways and street returns, water mains, sanitary and storm sewers, street light, traffic signals, sidewalk, landscaping, etc., on State highways, within said MUNICIPALITY, which by law and/or agreement come under the jurisdiction and control of the Department of Transportation of the State of Illinois hereinafter referred to as Department, and,

WHEREAS, an individual working permit must be obtained from the Department prior to any of the aforesaid installations being constructed either by the MUNICIPALITY or by a private person or firm under contract and supervision of the MUNICIPALITY.

NOW THEREFORE, be it resolved by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois:

FIRST: That MUNICIPALITY hereby pledges its good faith and guarantees that all work shall be performed in accordance with conditions of the permit to be granted by the Department, and to hold State of Illinois harmless during the prosecution of such work, and assume all liability for damages to person or property due to accidents or otherwise by reason of the work which is to be performed under the provision of said permit.

SECOND: That all authorized officials of the MUNICIPALITY are hereby instructed and authorized to sign said working permit on behalf of the MUNICIPALITY.

PRESENTED to the City Council of the City of St. Charles, Illinois, this _____ day of _____ 2016.

PASSED by the City Council of the City of St. Charles, Illinois, this _____ day of _____ 2016.

APPROVED by the Mayor of the City of St. Charles, Illinois, this _____ day of _____ 2016.

Resolution No. _____

Page 2

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 4.e

Title:

Recommendation to Approve Resolution Authorizing Application to Kane County Community Development Funds

Presenter:

Karen Young

Meeting: Government Services Committee

Date: November 28, 2016

Proposed Cost: \$952,548

Budgeted Amount: \$952,548

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

Each year Kane County offers grant programs to help improve the quality of life within Kane County. The City of St. Charles successfully received funding in the past from the Kane County Community Development Grant Program to assist with various projects in the community. Staff is proposing to submit an application for Kane County Riverboat Grant funding for the Fellows Street, S. 13th Street and S. 14th Street (See attached location map).

This project includes resurfacing of the roadway and all associated repairs to the curbs, sidewalks and utilities at the following locations:

- Fellows Street (Horne Street to S. 13th Street)
- S. 13th Street (Fellows Street to S. 12th Street)
- S. 14th Street (Prairie Street to IL Route 38)

In addition to the typical utility maintenance repairs the City is proposing to replace the watermain at the Fellows Street and S. 13th Street location.

The City will be requesting \$220,000 in grant funding, with the overall project cost of \$952,548. The projects selected for this submittal meet the grant funding requirements and are currently proposed to be completed as part of the FY17/18 budget. It is anticipated that project awarded funding will be notification in January/February 2017.

As part of the application submittal Kane County requires approval of the attached resolution to authorize the grant application and to allow staff to execute all documents upon receipt of grant monies.

Attachments *(please list):*

*Location Map *Resolution

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve a Resolution Authorizing Application to Kane County Community Development Grant and the City Administrator to be authorized to execute all necessary documents.



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Publication Date: November 14, 2016
 Data Source: City of St. Charles, Illinois
 Kane County, Illinois
 DuPage County, Illinois
 Projection: Transverse Mercator
 Coordinate System: Illinois State Plane East
 North American Datum 1983
 Request # 1224



- Fellows Street & S 13th Street Improvements
- S 14th Street Improvements (100% City Funded)
- S 14th Street Improvements

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City of St. Charles, Illinois
Resolution No. _____

**A Resolution Authorizing Application for Kane County Community
Development Funds and Execution of all Necessary Documents**

**Presented & Passed by the
City Council on _____**

WHEREAS, the City of St. Charles has determined that it is in its best interests to submit an application for Kane County Community Development Funds for the 2017 Roadway and Utility Improvements on Fellows Street, S. 13th Street and S. 14th Street, and;

WHEREAS, said project will include roadway and utility improvements on Fellows Street, S. 13th Street and S. 14th Street, and;

WHEREAS, the Kane County Board must approve said application and will require the City of St. Charles to execute a Funding Agreement and other necessary documents upon approval.

NOW THEREFORE, be it resolved by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, as follows:

SECTION ONE: That Mark Koenen, City Administrator, is hereby authorized to execute an application for Kane County Community Development Funds, a Funding Agreement and other necessary documents upon approval of the application by the Kane County Board, and any requests for payment and documentation required to be submitted by the City of St. Charles to Kane County requesting the dispersal of funds.

SECTION TWO: That any changes to the above-stated project description must be approved by the City of St. Charles.

SECTION THREE: This Resolution shall be in full force and effect upon its passage and approval.

PRESENTED to the City Council of the City of St. Charles, Illinois, this _____ day of _____ 2016.

PASSED by the City Council of the City of St. Charles, Illinois, this _____ day of _____ 2016.

APPROVED by the Mayor of the City of St. Charles, Illinois, this _____ day of _____ 2016.

Resolution No. _____

Page 2

Ray P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 4.f

Title:

Recommendation Award the Bid for Pole Testing to Osmose Utility Services, Inc.

Presenter:

Tom Bruhl

Meeting: Government Services Committee

Date: November 28, 2016

Proposed Cost: \$104,074

Budgeted Amount: \$ 150,000

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

The City of St. Charles combined efforts with the City of Naperville to create a joint bid for pole testing of the wood poles in both cities. By increasing the volume of poles for bid, it is believed that the best unit cost pricing could be obtained.

Naperville bid the work through their purchasing process and received three bids.

The lowest bid was Osmose Utility Services, which successfully performed the work for St. Charles the in 2006. Pricing was significantly lower than estimated and budgeted.

The city-wide pole testing would take place in calendar 2017.

Attachments *(please list):*

*Bid Tabulation

Recommendation/Suggested Action *(briefly explain):*

Recommendation to award the bid for pole testing to Osmose Utility Services, Inc. in the amount of \$104,074.

Osмосe

Item	Qty	Cost		Max Qty	Max Cost
Treated Pole	2134	37.57	\$ 80,174.38	2134	\$ 80,174.38
Rejected Pole	150	18.79	\$ 2,818.50	300	\$ 5,637.00
Reported Pole	200	9.02	\$ 1,804.00	400	\$ 3,608.00
Danger Pole	20	18.79	\$ 375.80	100	\$ 1,879.00
Internal Ant Treatment	200	15.03	\$ 3,006.00	200	\$ 3,006.00
Internal Termite Treatment	175	15.03	\$ 2,630.25	200	\$ 3,006.00
Rock Backfill	200	15.03	\$ 3,006.00	300	\$ 4,509.00
External Groundline Treatment	50	22.54	\$ 1,127.00	100	\$ 2,254.00
			\$ 94,941.93		\$ 104,073.38

Mi-Tech

Item	Qty	Cost		Max Qty	Max Cost
Treated Pole	2134	37.22	\$ 79,427.48	2134	\$ 79,427.48
Rejected Pole	150	16.55	\$ 2,482.50	300	\$ 4,965.00
Reported Pole	200	12.05	\$ 2,410.00	400	\$ 4,820.00
Danger Pole	20	14.15	\$ 283.00	100	\$ 1,415.00
Internal Ant Treatment	200	19.75	\$ 3,950.00	200	\$ 3,950.00
Internal Termite Treatment	175	19.75	\$ 3,456.25	200	\$ 3,950.00
Rock Backfill	200	16	\$ 3,200.00	300	\$ 4,800.00
External Groundline Treatment	50	26.6	\$ 1,330.00	100	\$ 2,660.00
			\$ 96,539.23		\$ 105,987.48

Alamon Utility Services

Item	Qty	Cost		Max Qty	Max Cost
Treated Pole	2134	112	\$ 239,008.00	2134	\$ 239,008.00
Rejected Pole	150	35	\$ 5,250.00	300	\$ 10,500.00
Reported Pole	200	18	\$ 3,600.00	400	\$ 7,200.00
Danger Pole	20	15	\$ 300.00	100	\$ 1,500.00
Internal Ant Treatment	200	17	\$ 3,400.00	200	\$ 3,400.00
Internal Termite Treatment	175	17	\$ 2,975.00	200	\$ 3,400.00
Rock Backfill	200	28	\$ 5,600.00	300	\$ 8,400.00
External Groundline Treatment	50	55	\$ 2,750.00	100	\$ 5,500.00
			\$ 262,883.00		\$ 278,908.00

Alamon Utility Services - Alternate

Item	Qty	Cost		Max Qty	Max Cost
Resistograph Inspection	2134	48	\$ 102,432.00	2134	\$ 102,432.00
Internal Fumigant	533	43	\$ 22,919.00	600	\$ 25,800.00
External Treatment	853	95	\$ 81,035.00	900	\$ 85,500.00
Reported Pole	200	18	\$ 3,600.00	400	\$ 7,200.00
Danger Pole	20	15	\$ 300.00	100	\$ 1,500.00
Internal Ant Treatment	200	17	\$ 3,400.00	200	\$ 3,400.00
Internal Termite Treatment	175	17	\$ 2,975.00	200	\$ 3,400.00
			\$ 216,661.00		\$ 229,232.00



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 4.g

Title:

Recommendation to Waive the Formal Bid Procedure and Award Purchase Order to Archon Construction for Landscape Restoration Services

Presenter:

Tom Bruhl

Meeting: Government Services Committee

Date: November 28, 2016

Proposed Cost: \$60,000

Budgeted Amount: \$ 80,000

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

A regular part of utility operations involves digging. After the digging, the quality of the landscape restoration has the most significant impact on the customer experience.

In early 2016, the City changed our restoration process to improve customer service by using a landscape crew coordinated with our directional boring contractor for their excavations. Archon, our directional boring contractor did the excavation work, and then performed the landscape restoration all within a very short timeframe leading to improved customer service.

For standard grass area restoration, the City received a \$3.95/square foot restoration rate from Archon. This rate was evaluated as competitive compared to historical landscape unit costs and with recent bids where restoration was part of the bid. The work performed by Archon has been of high quality and was completed much faster than we have historically been able to achieve when the City had to correspond with a third party after the digging was done.

The Archon restoration purchase orders issued for restoration in this fiscal year has exceeded the \$25,000 threshold.

Attachments *(please list):*

*Bid Waiver *Archon Quotation

Recommendation/Suggested Action *(briefly explain):*

Recommendation to waive the formal bid procedure and award purchase order to Archon Construction for Landscape Restoration Services in the amount of \$ 60,000.

REQUEST FOR WAIVING BID PROCEDURE

We request the City Council to waive the bid procedure and accept the quotation (requiring two-thirds City Council vote) submitted by:

Archon Construction
563 S. Route 53
Addison, IL 60101-4211

For the purchase of: Restoration Services

At a cost not to exceed: \$60,000

Reason for the request to waive the bid procedure: Archon has been successfully coordinating restoration services with their excavations. Such has been validated as competitively priced, of high quality, and has been well received by our customers.

Other Quotations Received: None

Date: 11/28/16

Requested by: T. Bruhl

Department Director: _____

Purchasing Manager: _____

Committee Chairman: _____

THIS REQUEST FORM MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING COMMITTEE APPROVAL FOR WAIVING OF THE BID PROCEDURE. REQUESTS FORWARDED DIRECTLY TO THE CITY COUNCIL (AND BYPASSING COMMITTEE) MUST BE SIGNED BY ALL PARTIES PRIOR TO REQUESTING CITY COUNCIL APPROVAL. SUCH REQUESTS ARE TO BE OF AN EMERGENCY NATURE WHERE TIME IS OF THE ESSENCE.



ARCHON CONSTRUCTION CO., INC.

UTILITY CONTRACTORS

"A CERTIFIED Woman's Business Enterprise"

"An Equal Opportunity Employer"

October 31st, 2016

Thomas Bruhl
Electric Services Manager
2 E. Main Street, St. Charles, IL 60174-1984
P: [630.377.4407](tel:630.377.4407) | E: tbruhl@stcharlesil.gov

Tom,
The prices for restoration are as follows:

Seed restoration: Clean, compact soil, smooth disturbed area, and seed in 4" of black dirt with blanket.
up to 600 sq.ft. - \$3.95
over 600 sq.ft. - \$3.45

Time & Material Rate for non-standard restorations:
Crew rate per hour - \$290.85

Sincerely,
Don Loizzo
General Manager



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 4.h

Title: Presentation of Completed Red Gate Water Tower Project

Presenter: Tim Wilson

Meeting: Government Services Committee

Date: November 28, 2016

Proposed Cost: \$ N/A

Budgeted Amount: \$

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

The Red Gate Water Tower construction started with design in 2013. The \$3.7 million dollar project has been successfully completed; the new tower holds 1.5 million gallons of water and is fully operational.

The presentation will provide a quick overview of the tower construction, including the project success and benefits the new tower brings to the City.

Attachments *(please list):*

None

Recommendation/Suggested Action *(briefly explain):*

For information only.



Memo

Date: 9/8/2016
To: Chief Keegan
From: Ofc. B. Devol #339
CC: D.C. Kintz, Cmdr. Mahan, Traffic File
Re: Annual Review of Tow Fees

The traffic unit has conducted an annual review of the fees related to towing as required under ordinance 10.58.200.

The review was conducted by comparing the current fee schedule to fee schedules of several surrounding municipalities. Input was also sought from the three agencies currently on our tow roster.

Fee schedules were reviewed from the following municipalities:

Geneva, Batavia, West Chicago, Elburn, Winfield, Wheaton, and South Elgin.

Our tow fees were found to be fairly consistent with those of surrounding municipalities except for fees related to the following services:

1. Standard Tow

Average Rate = \$142.27

St. Charles Rate \$140.00

2. 12,000-40,000 Tow

Average Rate = \$163.33

St. Charles Rate = \$150.00

3. 40,000+ Tow

Average Rate = \$266.25

St. Charles Rate = \$250.00

4. Clean Up (removal of debris in the roadway combined with the use of necessary oil-dry substance)

Average Rate = \$37.33

St. Charles Rate = \$30.00

5. Mileage

A. In Town:

Average Rate = \$2.73/mile

St. Charles Rate = \$2.50/mile

B. Out of town:

Average Rate = \$3.83/mile

St. Charles Rate = \$3.50/mile

6. Winching or other special handling charges

Average minimum rate = \$80.00

St. Charles Rate is \$125/hr. and shall be measured in 30-minute increments. Therefore the minimum rate is \$62.50

*It should be noted that changes to the current fee schedule were last made during the **2012** fiscal year.

Based on those findings I recommend the following changes to the fee roster be considered:

- Standard Tow fee be increased to \$145.00 (standard), \$160.00 (12k-40k), and \$260.00 (40k+)
- Clean up fee be increased to \$40.00
- Service fee be increased to \$65.00
- Mileage rate be increased to \$3.00/mile (in town) and \$4.00/mile (out of town)
- Winching/Special handling charge to change to flat rate of \$75.00 (eliminating timed increment language)

BD #339

2016 Annual Tow Fee Review
Summary of Recommended Changes

Current fees were found to be consistent with the other municipalities, with the following recommended changes:

1. Standard tow fee to be increased from \$140.00 to \$145.00;
2. Tow fee for vehicles with a weight between 12,000 and 40,000 lbs. to be increased from \$150.00 to \$160.00;
3. Tow fee for vehicles with a weight over 40,000 lbs. to be increased from \$250.00 to \$260.00;
4. Clean up fee (removal of debris combined with use of oil-dry type substance) to be increased from \$30.00 to \$40.00;
5. Mileage rates to be increased to from \$2.50/mile in town and \$3.50/mile out of town to \$3.00 and \$4.00/mile, respectively;
6. Special handling charges (such as vehicle rollover) to be changed to a flat rate of \$75.00 rather than the current hourly rate of \$125.00/ hour billable in thirty (30) minute increments.

Public Act 099-0438

625 ILCS 5/4-203 (f) 9.5 NEW *Effective Date: 1/1/2016*

✧ **Removal of motor vehicles or other vehicles; towing or hauling away**

- *Tow driver will not move a commercial vehicle unless told to by PD:*

9.5 Except as authorized by a law enforcement officer, no towing service shall engage in the removal of a commercial motor vehicle that requires a commercial driver's license to operate by operating the vehicle under its own power on a highway.

625 ILCS 5/4-203.5 NEW *Effective Date: 1/1/2016*

✧ **Tow Rotation List**

- *Every PD must keep a tow rotation list:*

(a) Each law enforcement agency whose duties include the patrol of highways in this State shall maintain a tow rotation list which shall be used by law enforcement officers authorizing the tow of a vehicle within the jurisdiction of the law enforcement agency. To ensure adequate response time, a law enforcement agency may maintain multiple tow rotation lists, with each tow rotation list covering tows authorized in different geographic locations within the jurisdiction of the law enforcement agency. A towing service may be included on more than one tow rotation list.

- *Tow companies can apply to PD to be on rotation list:*

(b) Any towing service operating within the jurisdiction of a law enforcement agency may submit an application in a form and manner prescribed by the law enforcement agency for inclusion on the law enforcement agency's tow rotation list. The towing service does not need to be located within the jurisdiction of the law enforcement agency. To be included on a tow rotation list the towing service must meet the following requirements:

- *For list, tow company required to possess license to tow:*

(1) possess a license permitting the towing service to operate in every unit of local government in the law enforcement agency's jurisdiction that requires a license for the operation of a towing service;

- *For list, tow company owner and drivers may be fingerprinted for criminal check:*

(2) if required by the law enforcement agency for inclusion on that law enforcement agency's tow rotation list, each owner of the towing service and each person operating a vehicle on behalf of the towing service shall submit his or her fingerprints to the Department of State Police in the form and manner prescribed by the Department of State Police. These fingerprints should be transmitted through a live scan fingerprint vendor licensed by the Department of Financial and Professional Regulation. These fingerprints shall be checked against the fingerprint records now and hereafter filed in the Department of State Police and Federal Bureau of Investigation criminal history records databases. The Department of State Police shall charge a fee for conducting the criminal history record check, which shall be deposited in the State Police Services Fund and shall not exceed the actual cost of the State and national criminal history record check. The Department of State Police shall furnish, pursuant to positive identification, all Illinois conviction information to the law enforcement agency maintaining the tow rotation list and shall forward the national criminal history record information to the law enforcement agency maintaining the tow rotation list. A person may not own a towing service or operate a vehicle on behalf of a towing service included on a tow rotation list if that person has been convicted during the 5 years preceding the application of a criminal offense involving one or more of the following:

 - (A) bodily injury or attempt to inflict bodily injury to another person;
 - (B) theft of property or attempted theft of property; or
 - (C) sexual assault or attempted sexual assault of any kind;
- *For list, tow company drivers must have proper DL classification:*

(3) each person operating a vehicle on behalf of the towing service must be classified for the type of towing operation he or she shall be performing and the vehicle he or she shall be operating;
- *For list, tow company must have proper insurance:*

(4) possess and maintain the following insurance in addition to any other insurance required by law:

 - (A) comprehensive automobile liability insurance with a minimum combined single limit coverage of \$1,000,000;

(B) commercial general liability insurance with limits of not less than \$1,000,000 per occurrence, \$100,000 minimum garage keepers legal liability insurance, and \$100,000 minimum on-hook coverage or cargo insurance; and

(C) a worker's compensation policy covering every person operating a tow truck on behalf of the towing service, if required under current law;

- *For list, tow company must have secure vehicle storage:*

(5) possess a secure parking lot used for short-term vehicle storage after a vehicle is towed that is open during business hours and is equipped with security features as required by the law enforcement agency;
- *For list, tow company must have valid vehicle registrations:*

(6) utilize only vehicles that possess a valid vehicle registration, display a valid Illinois license plate in accordance with Section 5-202 of this Code, and comply with the weight requirements of this Code;
- *For list, tow company drivers must have training as required per law:*

(7) every person operating a towing or recovery vehicle on behalf of the towing service must have completed a Traffic Incident Management Training Program approved by the Department of Transportation;
- *For list, tow company must have ICC authority:*

(8) hold a valid authority issued to it by the Illinois Commerce Commission;
- *For list, tow company must comply with all laws:*

(9) comply with all other applicable federal, State, and local laws; and
- *For list, tow company must comply with PD requirements:*

(10) Comply with any additional requirements the applicable law enforcement agency deems necessary. The law enforcement agency may select which towing services meeting the requirements of this subsection (b) shall be included on a tow rotation list. The law enforcement agency may choose to have only one towing service on its tow rotation list. Complaints regarding the process for inclusion on a tow rotation list or the use of a tow rotation list may be referred in writing to the head of the law enforcement agency administering that tow rotation list. The head of the law enforcement agency shall make the final determination as to which qualified towing services shall be included on a tow rotation list, and shall not be held liable for the exclusion of any towing service from a tow rotation list.

- *PD to call for tow from next on rotation list:*

(c) Whenever a law enforcement officer initiates a tow of a vehicle, the officer shall contact his or her law enforcement agency and inform the agency that a tow has been authorized. The law enforcement agency shall then select a towing service from the law enforcement agency's tow rotation list corresponding to the geographical area where the tow was authorized, and shall contact that towing service directly by phone, computer, or similar means. Towing services shall be contacted in the order listed on the appropriate tow rotation list, at which point the towing service shall be placed at the end of that tow rotation list. In the event a listed towing service is not available, the next listed towing service on that tow rotation list shall be contacted.
- *PD may deviate from next tow company on rotation list as needed:*

(d) A law enforcement agency may deviate from the order listed on a tow rotation list if the towing service next on that tow rotation list is, in the judgment of the authorizing officer or the law enforcement agency making the selection, incapable of or not properly equipped for handling a specific task related to the tow that requires special skills or equipment. A deviation from the order listed on the tow rotation list for this reason shall not cause a loss of rotation turn by the towing service determined to be incapable or not properly equipped for handling the request.
- *PD may deviate from next tow company on rotation list in emergency:*

(e) In the event of an emergency a law enforcement officer or agency, taking into account the safety and location of the situation, may deviate from the order of the tow rotation list and obtain towing service from any source deemed appropriate.
- *PD may comply with vehicle owner request for different tow company:*

(f) If the owner or operator of a disabled vehicle is present at the scene of the disabled vehicle, is not under arrest, and does not abandon his or her vehicle, and in the law enforcement officer's opinion the disabled vehicle is not impeding or obstructing traffic, illegally parked, or posing a security or safety risk, the law enforcement officer shall allow the owner of the vehicle to specify a towing service to relocate the disabled vehicle. If the owner chooses not to specify a towing service, the law enforcement agency shall select a towing service for the vehicle as provided in subsection (c) of this Section.

- PD will tell tow company to leave scene if they weren't called:
(g) If a tow operator is present or arrives where a tow is needed and it has not been requested by the law enforcement agency or the owner or operator, the law enforcement officer, unless acting under Section 11-1431 of this Code, shall advise the tow operator to leave the scene.
- Only applies to under 1 million population:
(h) Nothing contained in this Section shall apply to a law enforcement agency having jurisdiction solely over a municipality with a population over 1,000,000.

625 ILCS 5/11-1431 (b) NEW *Effective Date: 1/1/2016*

⌘ **Solicitations at accident or disablement scene prohibited**

- Penalties for soliciting tows:
(b) A person who violates this Section is guilty of a business offense and shall be required to pay a fine of more than \$500, but not more than \$1,000. A person convicted of violating this Section shall also have his or her driver's license, permit, or privileges suspended for 3 months. After the expiration of the 3 month suspension, the person's driver's license, permit, or privileges shall not be reinstated until he or she has paid a reinstatement fee of \$100. If a person violates this Section while his or her driver's license, permit, or privileges are suspended under this subsection (b), his or her driver's license, permit, or privileges shall be suspended for an additional 6 months, and shall not be reinstated after the expiration of the 6 month suspension until he or she pays a reinstatement fee of \$100.

625 ILCS 5/18a-300 (9) AMENDED & (20) NEW *Effective Date: 1/1/2016*

⌘ **Commercial Vehicle Relocators - unlawful practices**

▪ *Allow CDL driver to disconnect vehicle upon payment:*

(9) To remove a vehicle when the owner or operator of the vehicle is present or arrives at the vehicle location at any time prior to the completion of removal, and is willing and able to remove the vehicle immediately , except for vehicles that require a commercial driver's license to operate. Vehicles that require a commercial driver's license to operate shall be disconnected from the tow truck and the owner or operator shall be allowed to remove the vehicle without interference upon the payment of a reasonable service fee of not more than one-half of the posted rate of the towing service per tow vehicle on the scene and up to a maximum of 2 tow vehicles as provided in paragraph 6 of subsection (f) of Section 4-203 of this Code, for which a receipt shall be given;

▪ *Must have police authorization to drive CDL required vehicle:*

(20) To engage in the removal of a commercial motor vehicle that requires a commercial driver's license to operate by operating the vehicle under its own power on a highway without authorization by a law enforcement officer.

625 ILCS 5/18d-153 AMENDED *Effective Date: 1/1/2016*

⌘ **Misrepresentation of affiliation**

▪ *Tow company/driver may not falsely claim to be on PD tow rotation list:*

Sec. 18d-153. Misrepresentation of affiliation. It shall be unlawful for any tower to misrepresent an affiliation with the State, a unit of local government, an insurance company, a private club, or any other entity, or falsely claim to be included on a law enforcement agency's tow rotation list maintained under Section 4-203.5 of this Code, for the purpose of securing a business transaction with a vehicle owner or operator.

City of St. Charles, Illinois
Ordinance No. 2016-M- _____

**An Ordinance Amending Title 10 “Vehicles and Traffic”,
Chapter 10.58 “Towing Services”, Section 10.58.040 “Selection and
Designation of Towing Services”, Section 10.58.060 “Business Operation”,
Section 10.58.100 “Roster Fee”, Section 10.58.140 “Assignment”, Section
10.58.180 “Dispatching Requirements”, Section 10.58.200 “Fees”, 10.58.280
“Insurance”, 10.58.420 “Failure to Provide Services – Penalty” of the St.
Charles Municipal Code**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES,
KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:**

SECTION ONE: That Title 10 “Vehicles and Traffic” Chapter 10.58 “Towing Services” Section 10.58.040 “Selection and designation of towing services”, of the St. Charles Municipal Code, be and is hereby amended as follows:

- B. ~~Roster-Tow Rotation List~~ - All firms selected and designated to provide towing services hereunder shall be listed on a ~~roster- Tow Rotation List~~ to be kept by the Police Department. Said ~~roster- Tow Rotation List~~ of towing firms shall, at all reasonable times, be open to public inspection.
- C. Eligibility - Any firm shall become eligible to be listed on the ~~roster- Tow Rotation List~~ and participate in the assignment of service calls by the Police Department if it maintains its principal place of business ~~in the City of St. Charles or is within the subdivision control- within five (5) miles of the corporate~~ limits of the City of St. Charles.

SECTION TWO: That Title 10 “Vehicles and Traffic” Chapter 10.58 “Towing Services” Section 10.58.060 “Business operation”, of the St. Charles Municipal Code, be and is hereby amended as follows:

- A. Business Location and Storage Lot:
 - 1. Primary business location - List location of primary business operation, including dimensions and types of facilities available.
 - 2. Storage lot - List location of storage lot(s), zoning classifications, dimensions thereof, relationship to primary business operation, proof of ownership or signed lease agreement, valid for one year, and the type of protection at said lot(s).
 - 3. Minimum business and storage lot requirements:
 - a. Business and storage: The business and storage lot must be within five (5) miles of the corporate limits of the City of St. Charles and must be a reasonable distance from public transportation and the storage lot; must be in close proximity to the place of business; and the storage area, if not located within a building, must be located in an M-1 Manufacturing

District or have the right to the use of the subject property consistent with permitted uses of an M-1 District; provided, that if said area is located on a premise where an already existing principal use authorizes the storage of cars and trucks in the open as accessory to said principal use, the storage lot must have adequate storage space (at least fifty (50) feet by one hundred (100) feet or equivalent area) to accommodate thirty (30) cars either under cover or well fenced. The firm must exercise ordinary care in keeping stored vehicles and contents safe from pilfering as may be required by a bailee or as otherwise required by law.

SECTION THREE: That Title 10 “Vehicles and Traffic” Chapter 10.58 “Towing Services” Section 10.58.100 “Roster fee”, of the St. Charles Municipal Code, be and is hereby amended as follows:

10.58.100—~~Roster~~ [Tow Rotation List](#) fee

- A. All firms listed on the ~~roster~~ [Tow Rotation List](#) shall pay the city of St. Charles a fee in the amount of \$25 for each year, starting May 1 and ending the following April 30, said firm is listed on said ~~roster~~ [Tow Rotation List](#).

SECTION FOUR: That Title 10 “Vehicles and Traffic” Chapter 10.58 “Towing Services” Section 10.58.140 “Assignment”, of the St. Charles Municipal Code, be and is hereby amended as follows:

The Chief of Police may, at his discretion, and upon consent of the City Council Government Services Committee, assign a towing service to operate in conjunction with those firms already on the ~~towing roster~~ [Tow Rotation List](#), in the event that those firms are not available to respond to police or other City Departments’ request for service as outlined in Section 10.58.180 of this chapter.

This towing service shall meet all the requirements set forth in this chapter and have made application and been inspected to insure compliance.

Any firm listed on the ~~roster~~ [Tow Rotation List](#) shall not assign its position in the schedule to other towing concerns, without the written consent of the Chief of Police.

SECTION FIVE: That Title 10 “Vehicles and Traffic” Chapter 10.58 “Towing Services” Section 10.58.180 “Dispatching requirements”, of the St. Charles Municipal Code, be and is hereby amended as follows:

- B. When it becomes evident that there will be more than a 20-minute delay in responding to a request for towing service, the tow car company concerned shall advise the Police Department of this delay. At that time the Police Department reserves the right to request the services of the next towing service on the ~~towing schedule for service~~ [Tow Rotation List](#).

- C. Towing units shall be dispatched from the place of business, or a reasonable distance from the place of business, as determine by the Police Department. The Police Department ~~may, from time to time, establish a policy with regard to~~ shall provide for the distribution of requests for towing service among ~~the successful applicants, provided that said policy is fair and equitable to~~ all firms listed on the ~~roster~~ Tow Rotation List. Dispatching from the Tow Rotation List shall be done in accordance with the requirements outlined in the Illinois Vehicle Code, 625 ILCS 5/4-203.5.

SECTION SIX: That Title 10 “Vehicles and Traffic” Chapter 10.58 “Towing Services” Section 10.58.200 “Fees”, of the St. Charles Municipal Code, be and is hereby amended as follows:

- A. Towing – the maximum fee which may be charged by any towing operation for removing a vehicle from the street in response to a police call shall be as follows:
1. For the towing of any vehicle, for the total gross weight up to 12,000 pounds: a flat rate of one hundred forty ~~five~~ dollars (\$14~~50~~.00).
 2. For any service call where no tow is involved: sixty-five dollars (\$65.00).
 3. All out-of-town mileage charges shall not exceed ~~three-four~~ dollars ~~and fifty cents~~ (~~\$3.50~~~~4.00~~) per mile.
 4. For vehicles with a weight between 12,000 and 40,000: one hundred ~~fifty-sixty~~ dollars (\$1~~65~~~~0.00~~).
 5. Any and all vehicles with a weight over 40,000 pounds: two hundred ~~fifty-sixty~~ dollars (~~\$265~~~~0.00~~).
 6. Recovery fee: for vehicles with a combined weight of 26,000 pounds and under, the fee shall be no more than one hundred fifty dollars (\$150.00) per hour. For vehicles over 26,000 and where goods need to be secured, a recovery fee not in excess of one hundred eighty-five (\$185.00) per hour.
 7. Charges of thirty dollars (\$30.00) per hour will be charged to cage brakes and/or removing the drive shaft, if necessary, for the removal of a disabled vehicle.
 8. Where a lowboy trailer is required to haul away a vehicle, the rate shall not exceed more than two hundred fifty dollars (\$250.00) per hour.
 9. ~~The maximum fee which may be charged for~~ ~~Special handling charges shall be a flat rate of seventy five dollars (\$75.00). at a rate not to exceed one hundred twenty five (\$125.00) per hour and shall be measured in 30 minute increments.~~ Special handling charges shall include, but not be limited to the following:
 - a. Vehicle rollover;
 - b. Vehicle impacted in a building or other structure;
 - c. Vehicle in river or other body of water;
 - d. Vehicle off the roadway requiring the use of a power winch for retrieval;
 - e. Motorcycle or other vehicle requiring special handling considerations.
 10. Miscellaneous rates.
 11. Police vehicles for the City of St. Charles will be towed at the rate of fifty dollars (\$50.00) per hour.
 12. Removal of abandoned vehicles from city streets to City vehicle impound lot will be towed at the rate of fifty dollars (\$50.00) per vehicle.

13. Snow tow removal or snow relocation shall be charged at the rate of one hundred dollars (\$100.00) per hour.
14. Standby time shall be charged at the rate of fifty-five dollars (\$55.00) per hour, up to a maximum of two (2) hours.
15. Any time a firm is required to respond out of the corporate limits of the city to recover a vehicle for the Police Department, time shall be charged at the rate of seventy dollars (\$70.00) per hour plus mileage.
16. Removal of debris in the roadway combined with the use of necessary oil-dry type substance shall charge at a rate of ~~thirty~~ forty dollars (~~\$34~~0.00) per incident.

SECTION SEVEN: That Title 10 “Vehicles and Traffic” Chapter 10.58 “Towing Services” Section 10.58.280 “Insurance”, of the St. Charles Municipal Code, be and is hereby amended as follows:

Each firm listed on said ~~firm roster~~ Tow Rotation List shall have in full force and effect during the period said firm remains on said ~~roster~~ Tow Rotation List, ~~public liability, property damage and fire and theft insurance coverage. Proof of said coverage shall not be less than that specified by Chapter 625 of the Illinois Compiled Statutes, Paragraph 5/12-606, Sub paragraph (d). The following insurance, in addition to any other insurance, are required by law:~~

- A. Comprehensive automobile liability insurance with a minimum combined single limit coverage of \$1,000,000;
- B. Commercial general liability insurance with limits of not less than \$1,000,000 per occurrence, \$100,000 minimum garage keepers legal liability insurance, and \$100,000 minimum on-hook coverage or cargo insurance; and
- C. A worker’s compensation policy covering every person operating a tow truck on behalf of the towing service, if required under current law.

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SECTION EIGHT: That Title 10 “Vehicles and Traffic” Chapter 10.58 “Towing Services” Section 10.58.420 “Failure to provide services - Penalty”, of the St. Charles Municipal Code, be and is hereby amended as follows:

Any person, firm, or corporation whose name is placed on the ~~roster~~ Tow Rotation List maintained by the Chief of Police for calls for the providing of towing services who fails to provide such services in the manner provided by this chapter may be removed from the ~~roster~~ Tow Rotation List and may not be reinstated for a period of one year following removal.

SECTION NINE:

That, after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council of the City of St. Charles, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

SECTION TEN: This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this ____ day of _____, 2016.

PASSED by the City Council of the City of St. Charles, Illinois this ____ day of _____, 2016.

APPROVED by the Mayor of the City of St. Charles, Illinois, this ____ day of _____, 2016.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes : _____

Nays : _____

Absent : _____