

**MINUTES
CITY OF ST. CHARLES, IL
GOVERNMENT SERVICES COMMITTEE MEETING
MONDAY, APRIL 23, 2012, 7:05 P.M.**

Members Present: Chairman Stellato, Vice-Chairman Turner, Aldr. Monken, Aldr. Payleitner, Aldr. Rogina, Aldr. Martin, Aldr. Krieger, Aldr. Bessner, Aldr. Lewis

Members Absent: Aldr. Carrignan

Also Present: Mayor DeWitte, M. Koenen, R. Gallas, J. Lamb, P. Suhr, G. Amburgey, T. Bruhl, Chris Minick

1. Meeting called to order at 7:00 p.m.

2. Roll Call

K. Dobbs:

Stellato: Present
Monken: Present
Carrignan: Absent
Payleitner: Present
Turner: Present
Rogina: Present
Martin: Present
Krieger: Present
Bessner: Present
Lewis: Present

3.a. Electric Reliability Report, March 2012

Information only.

3.b. Tree Commission Minutes

Information only.

**4.a Recommendation to Approve Ordinance Amending Title 10 “Vehicles and Traffic”
Section 10.04.022 Seizure Impoundment**

Chief Lamkin presented. The present ordinance providing for seizure and impoundment of motor vehicles used in connection with illegal activity was approved by City Council in 2009. It provided for charging an impound fee for several driving offenses, drug offenses, weapons offenses, alcohol offenses, and sound amplification from a motor vehicle. This has been an effective tool in limiting the ability for certain offenders to be on the road with their vehicles, unless they posted the impound fee of \$500.00. The city ordinance mirrored what the state law allowed at the time.

In 2011, effective January 2012, the Illinois legislature approved a change to the impound law. This change was reviewed with city attorney Tom Good who has revised the ordinance to be in line with the 2012 impound law. The new law removed provisions for fleeing and eluding, street racing, illegal transportation of alcohol, and illegal operation of sound system amplification as offenses where impounds are authorized.

The original ordinance has been very effective and the revised ordinance is expected to continue to be an effective enforcement measure.

No further discussion.

Motioned by Aldr. Monken, seconded by Aldr. Rogina. Approved unanimously by voice vote. Motion carried.

4.b. Recommendation to Approve Ordinance Amending Title 5 “Business Licenses and Regulations” Chapter 5.36 “Solicitors”

Chief Lamkin presented. We have an existing Solicitor Ordinance which is effective, but not as effective as what we would like. Throughout the year we get quite a few complaints about solicitors. When solicitors come into town, they’ll stop in and provide a registration with us, but we don’t have much authority in the existing ordinance, nor do we charge a fee. When we do a background check it involves personnel time, so from our standpoint, to update the Ordinance with the proposed revisions gives us some greater parameters to review who is going door to door in our neighborhoods, it will allow us to charge a fee to cover some of our own costs while still allowing businesses who want to come to St. Charles to still be able to pursue door to door activities, but gives the Police better control in terms of public safety for the neighborhoods.

Aldr. Rogina: Chief, from a citizen's standpoint, if they do not want solicitors, is their only recourse to have a sign on the door? In other words, is a solicitor allowed to walk on someone's property until they see a sign? When do they become a trespasser?

Chief Lamkin: Under the law, you become a trespasser when the person who has authority over the property that you are on has told you to vacate the property. The "No Trespassers" sign is a visual mechanism for anyone approaching your home to know immediately you don't want solicitors without you having to recite that to them. The other way is that you can answer the door and tell them no thank you, and at that point they are required to leave. What it does is it serves notice because under the criminal trespass law you have to serve notice to a person before you can sign a complaint against them.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Bessner. Approved unanimously by voice vote. **Motion carried.**

5.a. Presentation to Provide Update on Proposed IL Route 64 Projects – Information only

James Bernahl presented. Il Rt. 64 and Oak Street; notification signs have been put out that work will be commencing May 1. City crews have been diligent in relocating our electric equipment and that is complete. Currently we are working with AT&T to get their permit authorized because they need to relocate equipment so there is a hold-up on things as we wait. The contractor is ready to go and as of today, we are still on schedule, unless something changes in the future.

Aldr. Bessner: That's a two month time frame, roughly?

Mr. Bernahl: Yes, right now we anticipate completion in mid-July, unless there is a delay.

Aldr. Krieger: Can we impose any sort of fine to AT&T or anyone who delays the actual construction? That project has been ongoing for years.

Mr. Bernahl: We do our due diligence with them to provide them with the plans and specifications and I'm not aware of any action that we can take. Our contact with AT&T has been very good; they've done their test hole digging and they are finalizing plans right now. But to answer your question, not that I'm aware of, unless they are blatantly not moving forward.

Project update for 7th Avenue to IL Rt. 59; Staff has been attending the weekly meetings and we are providing updates on the city webpage. That project is moving along. You'll

see a lot of private utility companies out there, AT&T, Nicor, they are working to relocate their infrastructure right now and they are all on track. We have a weekly meeting with IDOT, both with the contractor and also with the utilities to make sure we are pushing them along. IDOT is the lead on this project. You will see a lot of Nicor work taking place on the east side of town near Pheasant Run. In the Kautz Road area, Comcast is relocating cable as well. City Electric crews have relocated all our items. I envision that work to start at 7th Avenue with the watermain relocation so there will be some lane closures while they are diverting things back and forth; they will start on the north, push people to the south, then vice versa as they move down. They'll focus primarily on the south side of the road moving from west to east. I think we've got a good start, and our infrastructure is ready for them to tap on to.

No further discussion.

5.b. Presentation to Review Parkway Improvement Guidelines

James Bernahl presented. This item is in regard to the proposed Parkway Improvement Policy Ordinance. Staff has had discussions regarding plantings in the parkway as to how we maintain them, what is considered an obstacle, and concerns. As we started to talk about this, we realized that with the current city codes, it was more than just plantings, we were also taking about other items; i.e. service sidewalks, sprinklers, brick pavers, etc. After the presentation this evening, staff is looking for direction from Council on proposed parkway improvements overall.

Powerpoint presentation by Jim Bernahl.

Mr. Bernahl: Staff is looking for direction from Council in regard to whether this is something we should continue focusing on? If so, staff will analyze the best procedure for presenting this, whether it's an ordinance change, creating a policy or a culmination of both, and then coming back in June or July to present our findings.

Aldr. Stellato: For clarification, if I wanted to put in a brick mailbox stand, I would have to come in and get a permit; but if I wanted to plant natural planting that was going to be four feet tall, I wouldn't need a permit to do that.

Mr. Bernahl: Currently, that's correct.

Aldr. Stellato: Yet both of them pose potential safety hazards.

Mr. Bernahl: That is correct.

Aldr. Lewis: Do you have incidents where you have to go out and take up sidewalks now? Has it been a problem if somebody puts plantings or mailboxes in the Right of Way? Do you have knock them down or dig them up?

Mr. Bernahl: Sometimes, yes. The way the ordinance stands now, we would not be responsible for replanting exactly what the homeowner had planted in the right-of-way, we would put turf back.

Aldr. Lewis: Do the homeowners understand that?

Mr. Bernahl: Some do. It depends on when they purchase the property. It's very common with brick paver driveway aprons. For example, people who purchase a home with a brick paver driveway and don't realize that when the city needs to do work, they are responsible for restoring that and we get into the discussion of what is considered a specialty item.

Aldr. Bessner: This would just be for the future, not for what is presently there? Meaning, would there be a grandfather clause?

Mr. Bernahl : I think what we would probably do is set up either a policy or ordinance. That is what we want to look at; what would be best for the city. That would be a discussion point, whether to set a grandfather clause or move forward as we currently do now.

Aldr. Rogina: Do you find there are complaints from fellow neighbors about a given resident whose parkway may or may not be considered a nuisance?

Mr. Bernahl: I believe there have been concerns in the past, and that is what prompted some of this. But there are concerns with public safety as well, so we think it is important to clarify the concerns and hazards.

Chairman Stellato: So the questions are should you move forward, and are there any hot issues that we have to address?

Mr. Bernahl: Yes, we want to know if this is something that the Council feels we should continue investigating to develop a guideline and policy to help the residents clearly understand what their roles are, and help improve upon the Ordinance we currently have. We could come back in June or July and present what we found.

Chairman Stellato: Do you need a motion to that effect? To direct staff to move forward with investigation?

Mr. Bernahl: Yes.

Aldr. Monken: I make a motion.

Aldr. Rogina: I'll second that.

Aldr. Krieger: Can we include a limitation on height of plants on the corners of parkways?

Mr. Bernahl: I think we currently do, based on site restrictions. There are some items in the city code that does talk about that; I believe it's 32 inches if I'm not mistaken.

No further discussion.

Motioned by Aldr. Monken, seconded by Aldr. Rogina. Approved unanimously by voice vote. **Motion carried.**

5.c. Update of Engineering Design/Inspection Guidelines

James Bernahl presented. This is the annual update of the Engineering Design/Inspection Policy Manual. We promised we would come back annually to give you any updates. A copy of the updates are in your packet, and most of them are very minor changes to text.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Monken. Approved unanimously by voice vote. **Motion carried.**

WALK ON ITEM – Not on agenda

Recommendation to approve Nicor Invoice for Red Gate Bridge Project

Mr. Bernahl: This item is not on your agenda. This is something we have been working with Nicor on for the Red Gate Bridge project. They are currently relocating some of their utilities along IL Rt. 31, south of Red Gate Road on the east side. During the original design, it was anticipated that Nicor would have to relocate some of their apparatus, which they did, but as Nicor investigated further, there was an old easement that was bought was IDOT widened their right-of-way that left their existing infrastructure in that spot. For that reason, the city would be required to pay to relocate. We have been working closely with them and got the price down to what we consider to be acceptable.

Staff recommends authorizing to pay the Nicor invoice in the amount of approximately \$55,000 with monies that currently exist in the Red Gate Bridge fund.

Chairman Stellato: This is a budgeted item?

Mr. Bernahl: Yes, it is budgeted and we have monies available.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Bessner. Approved unanimously by voice vote. **Motion carried.**

5.d. Recommendation of Improvements to Address Present Traffic Impacts along Red Gate Road at St. Charles North High School (Red Gate Bridge)

Mark Koenen presented. This is an extension from a conversation that we had at the February Government Services Committee meeting. At that time, we were speaking about traffic entrance and exists from St. Charles North High School as well as the Rivers Edge Subdivision on the north side of Red Gate Road. The direction from the Committee at the February meeting was for City Staff to work with D303 representatives toward a solution in terms of how we can enhance access into the high school today as well as in the future.

Brian Townsend has been meeting with the Superintendent from D303, and this is where we are at this point. I should describe this as a “one step at a time” proposal. The first step would be to add left turn lanes on Red Gate Road as you approach St. Charles North High School or as you approach the entrance into Rivers Edge Subdivision. There is a left turn lane there for those proceeding westbound and proceeding south into the high school, and it’s basically striped out on the opposite side, but we would freshen up those markings and add a bonafide left turn lane for east and northbound movements. That work would be completed this summer before school opened this fall.

D303 has accepted the proposal from the city that talked about improvements to the High School parking lot. This is the exhibit you saw in your packet back in February that shows some improvements at the entrance off Red Gate Road. Right now, you can pull in off Red Gate Road and you have a choice to make, basically four or five different driveways you can use at the north end of their campus (just south of the entrance roadway from Red Gate Road). The proposal is that all the lanes but one lane would be entrance lanes (there would only be one exit). In the morning when we have a surge of students and faculty approaching the high school, hopefully motorists can enter on a free flowing capacity as opposed to people trying to make the decision of which way to turn.

D303 has been very progressive in approaching this issue. Last week they initiated some of these revisions. They put bollards to limit the movement where the islands are to give directional sense of where traffic should be flowing when they enter the high school. They also have "no entrance" signs and some pavement marking. There is additional work that the District is planning to do, however. They intend to do serious parking lot renovations this summer. When that work is completed, they will finish the signage as well as the pavement marking to enhance better movement in the parking lot.

When that work is completed, the St. Charles Police Department, along with PW Engineering and District 303 staff will take a look at how this has impacted traffic movements into the high school. In fall 2012, we will have some sense if the queue length along Red Gate Road for all the motorists in the morning trying to make the right turn into the high school. Has the queue length shortened, or if in fact the duration of that queue length is shorter.

Aldr. Bessner: I was out there this weekend and I did see that. What I noticed was that it not only directs traffic to a round turn, but it also prevents a straightaway of any sort in that intersection, meaning there is no way cars can be cruising through there too fast.

Mr. Koenen: Did you feel it appears to be an enhancement of safety?

Aldr. Bessner: By all means, yes.

Mr. Koenen: The District and the City are working together to try to come up with a solution that is the right pace for making these improvements without spending money until we actually know what the needs really are.

No further discussion.

Motioned by Aldr. Carrigan, seconded by Aldr. Turner. Approved unanimously by voice vote. **Motion carried.**

5.e. Recommendation to Award Contract for 2012 MFT Program

James Bernahl presented. This is our annual program, and I'm here to share the results with you. On April 19, staff opened bids. We had seven companies provide bids. The Engineers estimate was \$1.37 million.

ALamp Concrete Contractors was the apparent low bidder with a bid of \$1.27 million. They have done work for us in the past, specifically on the east side in the commercial district.

City Staff has checked references and we make the recommendation to award the contract to ALamp Concrete Contractors.

No further discussion.

Motioned by Aldr. Carrigan, seconded by Aldr. Turner. Approved unanimously by voice vote. **Motion carried.**

5.f. Recommendation to Award 2012 Concrete Roadway Replacement Contract

James Bernahl presented. This is for South 4th Street from Prairie to Horne. There is a map in your packet. On April 12, staff opened bids. We had six companies provide bids. The Engineers estimate was \$466,000.

ALamp Concrete Contractors was the apparent low bidder with a bid of \$392,622.

City Staff has checked references and we make the recommendation to award the contract to ALamp Concrete Contractors.

No further discussion.

Motioned by Aldr. Bessner, seconded by Aldr. Monken. Approved unanimously by voice vote. **Motion carried.**

5.g. Recommendation to Approve Lease with Harris Bank BMO for Parking Lot B (northwest corner of Walnut and Illinois Ave)

Mark Koenen presented. This deals with the parking lot along Second Avenue between Illinois and Walnut Avenue. That parking lot has three separate parcels, the City of St. Charles owns two parcels and BMO Harris Bank owns one of the parcels. The bank parcel is right in the middle. The city has a lease with them, and the lease expires as of the end of this month. City staff had sent BMO Harris an updated lease with an extension on this for ten years. A draft of that lease is in your packet.

BMO Harris has expressed to me that we would not be ready for a lease to be renewed again in a timely fashion, so BMO Harris sent me a request to extend the term of the lease until the end of July 2012, which is another 90 days to allow final conversations regarding parking. There is a copy of the one page amendment to the original lease agreement on your desks for your information.

This evening, rather than approving the draft lease, I would request you make a recommendation to take the amendment of the past ten year lease to City Council for

approval so we can extend the lease for another 90 days and allow enough time for Harris and the city to finalize conversations about parking at this location.

No further discussion.

Motioned by Aldr. Krieger, seconded by Aldr. Turner. Approved unanimously by voice vote. **Motion carried.**

5.h. Recommendation to Approve Documents for Land Donation at 807 Illinois Avenue

James Bernahl presented. This is a follow-up to a conversation we have previously in regard to the property located at 807 Illinois Avenue. This property falls within the current floodplain. Wells Fargo approached the city about donating this property to the city. We have investigated the property, along with Wells Fargo. We anticipate when the new Floodplain maps come out, this property will be encumbered 100%. This is a good opportunity for us to do some enhancements for the 7th Avenue Creek as we move forward to provide additional relief for that area.

Huff & Huff was hired by Wells Fargo to do an environmental investigation of the property. There are no hazards noted. To demo the property, disconnect, re-grade and stabilize the land, we are looking between \$20,000 and \$25,000 to be budgeted for that.

Staff recommends accepting the proposal.

No further discussion.

Motioned by Aldr. Krieger, seconded by Aldr. Turner. Approved unanimously by voice vote. **Motion carried.**

5.i. Recommendation to Approve IDOT Highway Safety Improvement Program

James Bernahl presented. This is a recommendation to approve an agreement with IDOT as part of the Highway Safety Improvement Program grant. This is for the upgrade replacement of the traffic signals along IL Rt. 64 from 7th Street to 7th Avenue. This will be upgrading to LED's and installing pedestrian countdown signals, a total enhancement of the system. This goes along with the IL Rt. 64 work IDOT is doing. As you recall, the city received a CMAQ grant a few years back for an interconnect to be installed so all the traffic signals will be interconnected, primarily all the way through St. Charles to Kautz Road. We will also have new emergency vehicle pre-emptive system (EVP) for our safety officers.

As part of that, with the standard agreement we have in place, the City is responsible for a certain portion of that maintenance cost so staff recommends to approve the agreement for \$55,822.15.

Aldr. Rogina: As I read the addendum, the city is really paying for less than 10% of the cost of these signals. Most of it is federal funding and some state funding?

Mr. Bernahl: That's correct. It's a great enhancement for the Downtown area. We expect this to take place this summer, concurrent with the other projects.

Aldr. Bessner: It will be done this year?

Mr. Bernahl: It is projected (IDOT) to be completed this year.

No further discussion.

Motioned by Aldr. Krieger, seconded by Aldr. Bessner. Approved unanimously by voice vote. **Motion carried.**

5.j. Recommendation to Approve Policy Regarding "Sidewalk, Approach Type"

Peter Suhr presented. You may recall in February 2012, staff presented information in regard to service or approach type walks that are located in the public right-of-way and extend between the curb and the public sidewalk. These walks are considered private and therefore we discussed maintenance responsibilities, legal precedence, ADA requirements and considerations and also costs. Based on the direction we received from the Committee in February, Staff has prepared a Service Sidewalk Policy which is provided in your packet. I would like to point out a few key objects of the policy.

The policy states the city continues to follow our current ordinance, which specifically states that it is the responsibility of the owner adjacent to the service sidewalk to repair and maintain that sidewalk, because they are private owners of that walk. In addition, the city would remove – not install – but remove those existing sidewalks at the city's expense under the following conditions.

- If they are requested to be removed by the immediately adjacent property owner, or
- When they sidewalk approach walk is in poor condition, or
- The City damages that sidewalk due to construction around the area

As a reminder, of the 989 service walks we inventories, 50 of those received a poor rating. If we were to remove those and replace them with turf, it would be about \$6,500, so that's the magnitude of scope for this first phase.

Another objective of the policy is if the property owner elects to repair or maintain that service sidewalk, they are eligible to do so at their own expense. That property owner would be required to execute a City's right-of-way permit and record it with the county.

Staff recommends approval of the Service Sidewalk Policy.

Aldr. Rogina: If a service walk is in poor condition, I think I heard you say it is still the obligation of the land owner to notify the city if they want it removed?

Mr. Suhr: They will receive a letter from us stating that it is in poor condition and that will execute an option for them. They can decide to maintain that on their own dime or they can have the city remove the sidewalk on the city's dime and replace it with turf.

Aldr. Lewis: In regard to driveways, I think it was mentioned before that the part of the driveway that's in the right-of-way that has somehow replaced these service walks. But this doesn't have anything to do with that, right. We aren't going to start asking people to replace that portion of their driveway, are we?

Mr. Suhr: No. This is just the service walks. We identified about 1,000 walks in the city.

Aldr. Lewis: What do you do about the sections of the driveway that would be bad in the parkway?

Mr. Bernahl: We've looked at this before. The ownership of the driveway aprons are the homeowners responsibility. Because this was considered a separate private walkway issue, we are just dealing with the non-conforming. An apron is not considered a public pedestrian access route.

Aldr. Lewis: So it will be up to the homeowner if he wants to replace his driveway or not. The city is not going to make them.

Mr. Bernahl: Correct.

No further discussion.

Motioned by Aldr. Krieger, seconded by Aldr. Rogina. Approved unanimously by voice vote. **Motion carried.**

5.k. Recommendation to Approve Contractual Services for Tree Trimming, Tree Removal & Stump Removal Services with Skyline Tree Services

Peter Suhr presented. City staff solicited vendors to assist with tree trimming and stump removal services. A request for proposal for these services was issued to six separate contractors. Proposers will be compensated based on an hourly rate for these services. To clarify, the services we are discussing tonight will help supplement our in-house forestry program mainly for tree trimming and stump removal. It is not necessarily related to recent discussions regarding EAB removals. For the ash tree removals, we are seeking a separate contract, most like a lump sum agreement which will be presented to this Committee in the near future.

Of the six responses, our current vendor, Skyline Tree Services provided the most cost effective proposal and was the most qualified vendor based on the requirements of the RFP. The results of the RFP are in your packet.

Staff recommends waiving the bids and approval of a contract to Skyline Services for tree trimming and stump grinding services.

No further discussion.

Motioned by Aldr. Bessner, seconded by Aldr. Krieger. Approved unanimously by voice vote. **Motion carried.**

5.l. Recommendation to Award Contract to DuKane for Custodial Services

Peter Suhr presented. DuKane Services has provided janitorial needs to the City of St. Charles for over 17 years. In that time, the services have been excellent. Even though city staff was pleased with DuKane, we felt obligated to test the market in these conditions before recommending continued service with them. Staff solicited a request for proposal to four separate vendors; we received three responses back. The results of those RFP's are in your packet as well.

Of the three responses, DuKane provided the most cost effective solution proposal and was the most qualified vendor based on the requirements of the RFP. DuKane's proposal is about \$24,000 less than it was last year. Staff recommends waiving bids and approval of contract to DuKane Services for janitorial services in an amount not to exceed \$248,000.00.

No further discussion.

Motioned by Aldr. Monken, seconded by Aldr. Rogina. Approved unanimously by voice vote. **Motion carried.**

5.m. Recommendation to Approve Contract with Kramer Tree Service for Brush Collection

Peter Suhr presented. This year's brush pickup program started on April 16 on the east side and it started today, April 23 on the west side. Similar to last year, pick up will run once per month from April to November. East side pick-up is always on the third week of the month and west side pick-up on the fourth week of the month. The website has been updated to reflect the most recent information and specifics about the program.

The City of St. Charles has used Kramer Tree Specialists for brush pick-up for over 12 years. Because of their exceptional service and competitive pricing, Kramer was awarded a new three year contract last year, so this is the second year of that agreement.

Staff recommends waiving bids and approval of residential brush pick up contract with Kramer Tree Specialists in the amount of \$140,000.00.

No further discussion.

Motioned by Aldr. Krieger, seconded by Aldr. Monken. Approved unanimously by voice vote. **Motion carried.**

5.n. Recommendation to Approve Contract with Kramer Tree Service for Leaf Collection

Peter Suhr presented. Similar to brush pick-up program, Kramer Tree Services contract for leaf collection also expired last year. They were also awarded a new three year agreement. This is the second of that three year agreement. Starting in October, Kramer will provide four separate collection cycles throughout the city, just as they have done in the past.

Staff recommends waiving bids and approval of leaf collection services contract with Kramer Tree Specialists in the amount of \$238,000.00.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Krieger. Approved unanimously by voice vote. **Motion carried.**

5.o. Recommendation to Approve Agreement with Service Mechanical

Peter Suhr presented. Over the last nine years, Service Mechanical has provided heating, ventilation and cooling system services for the city's facilities. In FY 08/09 Council awarded Service Mechanical an agreement to maintain mechanical systems in

our buildings. Building on that successful program, staff recommends continuing with Service Mechanical for one more fiscal year. Service Mechanical has agreed to hold their pricing for the third year in a row. Staff recommends waiving bids and approval of the contract from Service Mechanical in an amount not to exceed \$45,000.00.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Bessner. Approved unanimously by voice vote. **Motion carried.**

5.p. Recommendation to Approve Water Meter Fees and Revised Ordinance Language for 13.16.150 Meters – Required - Rates

John Lamb presented. This is a recommendation to approve Water Meter Fees and revise Ordinance language. Our current water meter fees do not cover our actual costs as are demonstrated here in the summary. The fees have not been increased since 1990 and prices on the meters have increased significantly since that time.

Along with these fees, Staff recommends changing the Ordinance language for the section applying to meter fees. Instead of listing costs for each meter as we've done in the past, we would have the following language stated in the Ordinance whereby the consumer pays for the fees based on the cost to the city plus 15%.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Bessner. Approved unanimously by voice vote. **Motion carried.**

5.q. Recommendation to Approve Ordinance and License Agreement regarding Refuse/Recycling for Alibi Bar and Grill

John Lamb presented. Alibi Bar and Grill requires a License Agreement for refuse enclosure to be placed on the city right-of-way. There currently are two other license agreements for these type of enclosures in the city, one is at the Arcada and the other one is at Pi Pizza. The enclosure will be located on the right-of-way along the Cedar Street sidewalk on the north side of the building. At that location, the sidewalk is approximately 10 feet wide and the enclosure is about four feet. We stipulate in the License Agreement what space can be used and that the enclosure plans will be reviewed by City Staff, and that Alibi is responsible for paying all enclosure costs and future maintenance.

Staff recommends approval of the License Agreement along with the Resolution.

Aldr. Rogina: The design will be the same as the previous ones?

Mr. Lamb: Similar. It will probably be a little larger. They have been working with their refuse company on the size of the enclosure that they would need for their container.

Aldr. Lewis: How often is refuse picked up from downtown facilities?

Mr. Lamb: The only commercial entities the city is involved with are on Walnut and First Street. All other commercial businesses in town have their own refuse company agreements. Typically a restaurant will have refuse picked up every day except Sunday.

No further discussion.

Motioned by Aldr. Monken, seconded by Aldr. Turner. Approved unanimously by voice vote. **Motion carried.**

5.r. Recommendation to Approve Change Order for Wells 3 & 4 Radium Removal Project Construction Engineering and Budget Addition for Costs

John Lamb presented. This is a change order for the Radium Removal Project Construction Engineering. Due to construction delays with this project, EEI, the consulting engineer, has requested a contract amendment in the amount of \$60,000 to cover time from last November to April 30, 2012. The original contract was for a construction period of 12 months and we are beyond that, unfortunately. The city has required EEI services through the completion of the project due to punchlist items and other issues. These costs are eligible for the IEPA loan agreement.

Staff recommends approval of Change Order No. 30 and the Resolution approving same.

No further discussion.

Motioned by Aldr. Monken, seconded by Aldr. Turner. Approved unanimously by voice vote. **Motion carried.**

5.s. Recommendation to Approve Little Woods School Demolition Costs

John Lamb presented. During the demolition of the Little Woods School site, an underground storage tank was discovered on site. There were no records of this tank being on site prior to the purchase of the property. Once the tank was discovered, we retained our consultant, Hygieneering, who was already on site, to evaluate this situation. Once it was determined that the tank contained contaminated fuel oil, the cost of the project increased to \$49,000. Staff contacted the school district in February and made them aware of the discovery and asked them to share in the cost of the

removal, since this was not anticipated. We asked them to split the cost over the \$18,000 we originally budgeted, which they agreed to, in the amount of \$15,284.00.

Staff recommends approval of the use of Hygieneering on this project and approval to waive the bids since Hygieneering was already on site, and they are experts in that field.

Chairman Stellato: So the estimated cost total is \$49,000 but we are getting some back?

Mr. Lamb: That is correct, we'll be getting \$15,284 back.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Bessner. Approved unanimously by voice vote. **Motion carried.**

5.t. ComEd Reliability and Maintenance Issues – Information only

Glynn Amburgey presented. Once again, we have a positive report regarding ComEd reliability this quarter. We have had no sustained outages for almost a year now. In the last quarter, we have four momentary outages and all of those were relevant to storms with the exception of one that was an animal contact.

In our monthly meetings with ComEd, we continue to discuss improvements that can be made to their system, in particular with lightning protection and additional protection along the Peck Road corridor. We have also talked with them about what future improvements we would like to see, specifically in the northern part of the city in conjunction with the Red Gate Bridge where we are considering the addition of a new LDC concept, similar to what we have in front of the RR Donnelly facility on Kirk Road which will improve the reliability in that area. ComEd is receptive to the idea. We are also discussing the possibility of bringing another circuit into that location as well. We are receiving very good responses from ComEd and we are very pleased with our relationship at this point in time.

Aldr. Turner: If we bring another line into that LDC, does that free up anything to help out Peck Road?

Mr. Amburgey: No. This particular installation would be assisting the area north of town. Specifically, the issues we have there are radial feeds going up both sides of the river. When we have outages, for example, last fall, we had an outage along Rt. 25 and we had customers out for an extended period of time because we have no alternate feed. With the construction of the Red Gate Bridge, we are going to be tying those two circuits together across the river and that will give us the capability to loop the systems.

However, we are short on capacity, so this new installation will give us better flexibility in how we tie those two circuits together across the river. Reliability will see significant improvement in that area.

On the Peck Road side, additional lightning arrestor improvements have been completed; we hope have some impact from that, but that remains to be seen.

No further discussion.

5.u. Recommendation to Approve Easement for Culvers Restaurant

Glynn Amburgey presented. The new Culvers Restaurant has opened on East Main Street. Part of that project required additional easement for the electric facilities.

Staff recommends approval of the easement.

No further discussion.

Motioned by Aldr. Bessner, seconded by Aldr. Rogina. Approved unanimously by voice vote. **Motion carried.**

5.v. Recommendation to Approve an Ordinance Authorizing a new Electric Rate – Primary Metered Rate 9

Glynn Amburgey presented. Several months ago, we met with one of our largest industrial customers who questioned our policy to not credit customers for primary metered installations. Basically the concept here is when you have a normal metering point, it will be located on the customer side of the transformer. The metering and our rates are based on what happens on the customer side of the transformer. When you move the meter to the primary side of the transformer, in other words, the transformer is now between the meter and the customer service, there are losses through that transformer that we are basically charging the customer for in our rate structure, but the customer is actually the one who is paying that cost when its primary metered.

We recognize that in the industry as a whole, a separate rate for primary metering that reduces the cost by the losses in the transformer is appropriate.

City staff has created a new rate that we are calling “Rate 9”. Rate 9 would be opened up to those large industrial customers who are currently under Rate 7 who also have metering on the primary side of the transformer.

Chairman Stellato: Batavia and Geneva do this?

Mr. Amburgey: Yes, they have very similar rates. As a matter of fact, we are one of the few utilities in the country who doesn't have a separate metering for this.

Chairman Stellato: To stay competitive, we need to do this, correct?

Mr. Amburgey: Yes.

No further discussion.

Motioned by Aldr. Turner, seconded by Aldr. Bessner. Approved unanimously by voice vote. **Motion carried.**

5.w. Recommendation to Approve Fiscal Commitment to the Ride in Kane Program for Fiscal Year 2012-2013

Richard Gallas presented. Each year, the Ride in Kane Program requires a letter of commitment from each of the program participants in order to secure grant funding from the Federal Government so the program can continue.

Staff recommends authorizing the Mayor to execute the commitment letter on behalf of of the City of St. Charles.

No further discussion.

Motioned by Aldr. Monken, seconded by Aldr. Turner. Approved unanimously by voice vote. **Motion carried.**

6. Additional Business

None.

7. Motion to go into Executive Session

Motion by Aldr. Monken, seconded by Aldr. Bessner. No additional discussion. Approved unanimously by voice vote. **Motion carried.**

K. Dobbs:

Stellato: Yes

Monken: Yes

Payleitner: Yes

Turner: Yes

Rogina: Yes

Martin: Yes

Krieger: Yes

Bessner: Yes

Lewis: Yes

8. Adjournment of Executive Session

Motion by Aldr. Monken, seconded by Aldr. Martin. No additional discussion. Approved unanimously by voice vote. **Motion carried.**

9. Adjournment of Government Services Meeting

Meeting adjourned at 8:00 p.m.

Motion by Aldr. Monken, seconded by Aldr. Rogina. No additional discussion. Approved unanimously by voice vote. **Motion carried.**