

**MINUTES
CITY OF ST. CHARLES, IL
GOVERNMENT SERVICES COMMITTEE MEETING
MONDAY, APRIL 22, 2013, 7:00 P.M.**

Members Present: Chairman Stellato, Aldr. Monken, Aldr. Carrignan, Aldr. Payleitner, Aldr. Turner, Aldr. Rogina, Aldr. Martin, Aldr. Krieger, Aldr. Lewis

Members Absent: Aldr. Bessner

Others Present: Brian Townsend, City Administrator; Donald DeWitte, Mayor; Mark Koenen, Director of Public Works; James Bernahl, Public Works Engineering Manager; John Lamb, Environmental Services Manager; Peter Suhr, Public Services Manager; Tom Bruhl Electric Services Manager; James Lamkin, Police Chief; Joseph Schelstreet, Acting Fire Chief

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

2. Roll Call

K. Dobbs:

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

3.a. Electric Reliability Report.

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

3.b. EAB Control Efforts.

Aldr. Stellato: We have two citizens who would like to speak about EAB. Please approach and state your name and address.

**Kathy McGinley, 1901 Jeanette Avenue.
Kelly Collins, 1419 Walnut Hill Avenue.**

Aldr. Stellato: I understand you wanted to talk about the Tree Commission minutes?

Ms. Collins: Not too long ago, the City took out virtually every tree on Walnut Hill Avenue. Having lived there since 2002, many of these trees were not dead and I was horrified. I was wondering why they were removed since my son and daughter-in-law had an ash in their backyard that looked like it was going to die and it came back the following year. It seems the City didn't give the trees a chance at all. It looks like I live in a cornfield and it's horrible.

Mr. Suhr: I would like to provide you with a brief update on the EAB, and we will be talking about this as another item on the agenda as well. We started with 5,400 ash trees that the City maintained in public right-of-way, of which we have been analyzing since 2008 when the Emerald Ash Borer was first discovered in St. Charles. Approximately a year and a half ago, this Committee and the City Council approved a bonded project to remove and replace 3,000 of those trees. At that time, we presented the facts that suggested Emerald Ash Borer is here and growing.

City Council approved the project to remove and replace 3,000 trees. Since that time, we have removed 2,000 of the 3,000 trees to date and we are seeking approval for the last 1,000 tonight as part of another agenda item. The focus of that program was always to remove the worst condition trees and only to remove trees that were dead according to our standards and our professional arborists' opinion.

I'm surprised to hear this tonight. We can certainly look into the details of Walnut Hill specifically, but our policy has always been to remove a tree only if it's gotten to the point where salvage is no longer a consideration.

Aldr. Stellato: If a resident wanted to keep a tree in their parkway, they do have the right to treat it and try to save it....

Ms. Collins: We never received anything like that in the mail.

Aldr. Stellato: Please let me finish – but the arborist that we hired would make a determination about whether or not that was even possible. There are trees that can survive, but believe me, I have the same amount of trees coming down in my neighborhood as well and they all have pink or purple dots on them which means they are dying or already dead.

According to the arborist, some of those trees cannot be saved. Even though you might be able to save one here or there, there are some that have already been determined to be dead. The good news is we were able to find a funding source to be able to replace the trees quickly; before we found the funding source, we were looking at five to ten years to be able to replace the trees. But now, because of the money left from the Red Gate Bridge Project, we are able to do all the trees and will be done by 2014.

Aldr. Lewis: Where is Walnut Hill?

Ms. Collins: One block from Division and 7th.

Ms. McGinley: I just wanted to say that it's very concerning. The house across the street from me at 1814 Jeanette had two Ash trees. We closed on our house on August 24, 2011 and I noticed the purple dots that same day. I was very, very upset because one of the reasons we bought in St. Charles was because of these tree lined streets. 1814 Jeanette had two Ash trees; one looked really bad and one looked just fine. Both chopped down. I called and talked to someone at the City and they tried to explain it to me and I didn't understand. There is another one up the street from me with a pink dot and it looks like it's budding just fine. I'm also concerned about trees that haven't been replaced. Some addresses such as 1803 Jeannette and 1911 Jeanette had trees cut down a couple years ago and some were replanted, but a couple in their yard weren't replanted. I know the residents have the option of saying they want a tree – which I think is totally insane. It is detrimental to our property values. If the city is going to cut down a tree, the City should replant.

Aldr. Stellato: I didn't know they had an option in the parkway, because that is City property.

Mr. Suhr: There is no option for that. We have had very few requests to not replant and usually we will meet with the homeowner and convince them otherwise. I'm not saying we haven't done that in the past, but that is certainly something we do not suggest doing.

On the administrative side of this, when we have been informed the tree has been infected with EAB, we send a letter to the resident adjacent to the property. So the letter goes out and a purple dot is placed on the tree. Once the tree is scheduled for removal, the purple dot is changed to a pink dot and a second letter is send to the resident as well. There is usually two forms of communication directly with that homeowner, so again, I'm a little surprised that some of these people aren't getting that notice and I will certainly look into that on these specific addresses.

Ms. McGinley: 1803 and 1911 Jeanette did not replace their trees and I know other neighbors are upset about it too.

Aldr. Stellato: They may be on the schedule to be replaced. You and Peter can talk off line.

3.c. Tree Commission Minutes – Information only.

3.d. Presentation to provide update on the April 18, 2013 rain event – Information only.

Aldr. Stellato: I wanted to tell staff what a great job they did during the rain event; you all did a tremendous job. You went over and above. Mark, you said you had some photographs and I would like you to share those with us, because the photos will show that one of the hardest hit areas was the 7th Avenue Creek area.

Mr. Koenen: Thank you very much. Staff and I put together some photos from the event last Thursday, as well as some statistical information.

Power Point presentation by Mark Koenen.

Aldr. Rogina: Thursday morning, I stopped by the State Street Creek. I thought it would be overflowing, but the opposite was turning. It was churning like mad, but was within its banks because Public Works had done some maintenance. The residents were ecstatic about that.

With regard to Dean Street; I received an e-mail from a resident complaining of grey water backing up in his basement. What would cause that? I know the State Street Creek takes all the water from the west side, just about. What is happening there?

Mr. Koenen: I know John Lamb of Environmental Services had a conversation with that gentleman earlier today and they are going to meet in the field to do some diagnostic work to understand what that means. Grey water generally tells me someone believes their sanitary sewer was backing up. When you get a big rain event, there are situations where rain water gets into the sanitary sewer system and causes that back up. We have people who sometimes have foundation drains or sump pumps tied to it. But we need to do some diagnostic work to see what can or cannot be done on that.

John Lamb also hosts a program that deals with sanitary sewer back up where we offer financial assistance to help the homeowner solve that problem so it does not back up in their basement. That is a way we are part of the solution to try and assist them on a one on one basis.

Aldr. Lewis: Can you give me a really brief explanation of 100 year flood? I think there is a misconception that it's only going to flood every 100 years and here we are five years later in a 100 year floodplain.

Mr. Koenen: I have to acknowledge that I don't particularly care for the connotation of a 100 year event. In the engineering world, a 100 year event means there is a 1% chance of that storm occurring any given year. It's not that it's only going to happen every 100 years; it means there is a 1% chance that it can happen every year.

Aldr. Payleitner: We talked briefly about a garbage pick up for flood victims. Have we made any progress?

Mr. Koenen: John Lamb of Environmental Services has been having a conversation that started Friday afternoon with Advanced Disposal, our refuse and recycling carrier, to coordinate when we can host a Flood Debris Collection Program. As people are inquiring about it, we are taking their information so we can call them once we have a designated date. We will also do Public Relations on it, but we will reach back out to the folks who have called us.

Aldr. Payleitner: Is that what you are advising us to do if residents come to us? Tell them to contact Public Works?

Mr. Koenen: Yes. You can also recommend they watch the website. We will be posting information once the specifics have been determined. But it will be for flood debris material only.

Aldr. Turner: You said all the property along 7th Avenue Creek is private. Has anyone approached you about buying property?

Mr. Koenen: We met with those residents about a year ago, and at that time we had a casual conversation about interest to have the City acquire lands. But it was just an exchange of the concept; nothing has developed above and beyond that. Jim Bernahl has also received inquiries from realtors about flood issues in that neighborhood and he has spoken openly about what we have seen out there and where we think the floodplain may move, but no one has come to us asking to make a deal happen.

Aldr. Turner: In the past, people from The Timbers have complained about sewer back up and we helped them out with the 50/50 program. Did we get any complaints from The Timbers this time?

Mr. Koenen: No, we didn't. That was the program I talked about relative to the Dean Street situation.

Aldr. Rogina: I was in the area of 8th and Illinois and met with a number of neighbors who said to me that if we would pay their mortgage off they want to leave. I was taken aback, but I guess that goes to the point if the City is interested in acquiring property, there is probably some conversation to be had.

Chairman Stellato: When do you think we will hear from FEMA?

Mr. Koenen: We had thought there would be a public information meeting last year, but with Hurricane Sandy and its effects, our project is not a priority at this point. I would like to think it will happen in 2013. Jim reached out again to FEMA today and they are aware of what happened in the Chicago area. We will keep you up to speed, but we are pushing as much as we can.

4.a Recommendation to approve a Construction Service Agreement and Resolution for the 2013 Street Rehabilitation Project.

James Bernahl presented. This is a recommendation to approve a Construction Service Agreement and Resolution for the 2013 Annual Street Rehabilitation Program. The City prepared contracts with IDOT, and we previously presented street locations to you. On Thursday, April 18, staff opened five bids received for this project. The Engineers Estimate for this project was \$1,525,000. The low bidder for the project was Plote Construction with a low bid of \$1,352,713.88.

Staff has reviewed references and makes the recommendation to award the contract to Plote Construction in an amount not to exceed \$1,352,713.88.

Staff also recommends approval of the standard IDOT Resolution that allows the City to utilize Motor Fuel Tax Dollars that we collect.

No further discussion.

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

4.b. Presentation to provide Update on IL Route 64 Projects – Information only.

James Bernahl presented: I wish I had better news to report, but progress has been slowed the last two weeks due to excessive rain. The contractor is eager to get started on installing new roadways at the intersection of Kautz and Smith. Half of the road should have been done, but the delay has been unavoidable.

The weather looks good over the coming weeks, so you should see paving activities taking place. They have worked near the intersection of Dunham and Il Rt. 64 paving the west side and they will be switching to the east side. They continue removing from 7th Avenue heading east, crushing roadway and doing storm sewer work.

No further discussion.

4.c. Recommendation to approve a Resolution Authorizing the Execution of a Parking Easement Agreement with BMO Harris Bank, N.A.

Mark Koenen presented. This is an agreement for the parking lot which is along Illinois between Riverside and Second Avenue behind River Rock House. For your information, we have come to terms on a ten year agreement with BMO Harris Bank to extend that lease.

The last time I was in front of you we talked about rights of first refusal to purchase and rights to make first offers. That has all been dropped from the language at this time and we have both agreed that we are committed to having parking at that location for at least ten years. I also want to point out there is some conversation in the agreement about whether the City of St. Charles should chose to provide payment for parking at that location. Quite frankly, I think we are dealing with people who park in downtown Chicago, so they were concerned about that. There is language in the document that if the City ever chooses to require payment for parking, we would talk to the bank about how that plays out for their tenants. We will have that conversation when the need arises.

Staff recommends approval of the document as drafted.

No further discussion.

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

4.d. Recommendation to approve Fiscal Commitment to the Ride in Kane Program for Fiscal Year 2013-2014.

Mark Koenen presented. This is an annual item where we talk about commitments for funding the Ride in Kane Program. The information is in your packet regarding the budget sum to assist seniors as well as special needs people.

Staff recommends approval of the fiscal commitment for the Ride in Kane Program.

No further discussion.

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

4.e. Recommendation to award contract for Cable Injection Services to Novinium.

Tom Bruhl presented. This is for a cable injection services contract with Novinium. In 2011 we went to the two vendors who provide this service. Novinium was the low bidder and they offered us a three year deal where each year the price decreased if we continued using them. Due to the reduced costs and our efficiencies in production, we have reduced our cost per foot from \$7.59 in our first year to \$4.44 in the current year.

Novinium has been a great vendor to work with and they are performing just as expected. Cable injection is about half the cost of replacing cable with directional boring and it causes far less landscape damage which is very important to residents.

The attachment shows the list of subdivisions and as you can see we are working through the highest priority. The targeted areas for this fiscal year are found on the third page which would be Royal Fox, Kehoe's Heath Park and the Wildwood Estates.

Staff recommends approval to award contract to Novinium for Cable Injection Services.

No further discussion.

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

4.f. Recommendation to waive the formal bid process and award contract to Archon Construction for Directional Boring Services.

Tom Bruhl presented. At the places where we cannot inject cable because there are too many splices or the cable is not the right type, we have to actually push a pipe underground and replace cable.

Archon offered us an extension from their previous bid. I ran the numbers through the proposed quantities and even with their 3% increase they are still lower than the next lowest bidder from 2011.

Staff recommends waiving the bid process and award contract to Archon for Directional Boring Services in an amount not to exceed \$320,000.

No further discussion.

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

4.g. Recommendation to award contract for Overhead Reconstruction Projects to PieperLine Line Construction.

Tom Bruhl presented. We went out for bid last year; we had four bidders submit pricing. The lowest hourly rate was submitted by PieperLine Line Construction. They have successfully completed the project on IL Rt. 25 to the Red Gate Bridge and subsequent project on the southeast side. We are very happy with their performance. Rebuilding overhead is a component to improving reliability and storm hardening. They have offered to extend their price with a very small increase; the increase is \$6 per crew hour - \$388.98 to \$395.99 per hour to go with the IBEW rate increase that became effective in March.

Staff recommends approval to award a contract to PieperLine Line Construction for overhead reconstruction projects in an amount not to exceed \$126,717.

Aldr. Turner: What area do you plan on working in this year?

Mr. Bruhl: Fifth Place off 7th Avenue. We believe a large part of that area is 40-50 years old and has never been touched.

No further discussion.

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

4.h. Recommendation to approve replacement of the retaining walls along IL Rt. 64 between 7th Street and 10th Street.

Peter Suhr presented. The concrete retaining walls that are adjacent to IL Rt. 64 between Third Street and 14th Street were installed over a decade ago. Over the years, snow and salt from plowing Main Street has caused the area to deteriorate large sections of the retaining wall to the point of failure.

Last year we replaced the worst sections between 11th and 14th Street. This year we are proposing to continue the project and replace three sections of the wall between 7th and 10th Street. Staff has budgeted and is recommending complete removal and replacement of the walls to match the same design that was installed last year.

We received three proposals and are proposing to continue services with the same contractor that did the initial work on the project. Staff recommends approval of the proposal from Pedersen in an amount of \$45,180.

Aldr. Payleitner: I drove by there today; this is all school property, right?

Mr. Suhr: It is adjacent to the school, yes. That is the largest section and then there is a section just east of that and also near the ice cream shop across the street as well.

No further discussion.

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

4.i. Recommendation to approve contractual services for Ash Tree Removal Services to Skyline Tree Service.

Peter Suhr presented. This item is seeking continuation of our Emerald Ash Borer removal program. We anticipate that by the end of May, we will have removed the first 2,000 of 3,000 Ash trees recommended for removal and replacement as part of the \$2.5 million bond issued last year.

In 2008, the City had over 5,400 Ash trees. By the end of April, we will have removed a total of 3,600 City wide, which represents 2/3 of the Ash tree population.

All of them except for a small amount in the CMD have been replaced and we are currently planting over 700 trees as part of the spring planting program this year. Similar

to the first and second 1,000 trees removed, this third phase is to remove the final 1,000 Ash trees starting in May. All of the trees recommended for removal are in poor condition and ready to come down.

As part of a competitive bid process, Skyline Tree Services has prepared a lump sum fee of \$500,000 to remove the next 1,000 trees. Skyline has met the expectations set forth in their contract and has agreed to hold their pricing for this third phase. Considering Skyline's proposal is within the approved budgeted amount for Ash removals, City Staff recommends approval of award of contract to Skyline Tree Services.

No further discussion.

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

4.j. Recommendation to waive the bid proposal and award Contractual Services for Tree Trimming and Stump Removal Services to Skyline Tree Service.

Peter Suhr presented. Last year, City Staff solicited vendors to assist with tree trimming, stump removal and tree removal services. A request for proposal for these services was issued to six separate contractors. Proposers will be compensated on an hourly basis.

To clarify, these services will help supplement our in-house Forest Program, mainly for trimming and stump grinding. It is not related to the EAB issue we just talked about.

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 approval of the contract to Skyline Services for tree trimming and stump grinding services.

Aldr. Lewis: Didn't we just buy a stump grinder a couple of weeks ago?

Mr. Suhr: Yes, we did. City staff does a lot of stump grinding in-house as well. We utilize this service as a supplement to that program.

Aldr. Lewis: So we have one stump grinder?

Mr. Suhr: We have one and we will be replacing it this year.

Aldr. Lewis: So this is in addition to what we do because we can't do it all?

Mr. Suhr: That is correct, especially when we are dealing with 700 trees in a particular season; it gets taxing on our staff. I would say we do the majority of them, we do over 80% of the stump grinding services in-house.

No further discussion.

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

4.k. Recommendation to approve Municipal Building Exterior Improvements Project.

Chairman Stellato: I need to recuse myself from this item because the architect that has worked for our firm just joined this particular firm about a month ago, so because of that, I'm going to turn this over to Vice-Chairman Bill Turner.

Peter Suhr presented. As part of an ongoing commitment to maintain City owned facilities, last year Public Services concluded an existing condition analysis of the Municipal Building. The analysis was performed by the local Architectural and Construction Management firm of the Prairie Forge Group. The analysis was a study of the building's exterior shell and resulted in identifying significant deficiencies requiring repairs to keep the structure weather tight.

The primary goal of the project moving forward was to provide solutions and to keep this building weather tight for years to come. With recommendation from Staff, City Council approved Prairie Forge Group in August 2012 to move forward with the design, specification letting, construction letting and also construction administration of the project to provide solutions to the deficiencies identified in that analysis. The project has been designed; bids were opened and we are prepared for construction.

Tonight, Staff recommends approval to move forward with this project. Before doing so, we would like to take this opportunity to review the project scope and schedule with you, in addition a brief review of what can be expected during construction, the favorable review from the Historic Commission and final review of the budget and bid results found in your packet as well.

Anticipating favorable approval from City Council, the construction project is scheduled to start the week of May 6 and will be complete in approximately six months. The project will include complete removal and replacement of several roofing systems. The brick facades on the east side of the building, including the elevations nearest Riverside Drive will be repaired as needed; we are talking the red brick on the old City Hall Building that was constructed in 1892 and also the elevation next to that which is the south annex which was built in the 1920's. Repairs will also be made to the blond brick wall constructed in 1940 which is just outside the windows adjacent to the checkerboard parking lot. I will have renderings to show you in a minute.

We are also proposing window replacement at the old City Hall and Annex Buildings and various door replacements around the building. The canopy over the Plaza along the river will be repaired and painted. There are several painting and caulking projects in the

scope of the project in various locations around the building and also minimal stone and marble repairs. The cupola on top of the old City Hall building will be replaced in kind and we are also proposing lighting enhancements around the building and on the tower as well.

Besides aesthetic enhancements that you will soon see on the east elevation, the general look and shape of the building will not change. This is truly a large scale maintenance project, not a redesign of the building. We try to maintain the exterior façade as best we can. We will do our best to replace materials in kind to what currently exists on the building.

Presentation by Peter Suhr.

As expected with any construction project, especially one of this scope with masonry and roofing projects in particular, it will be loud and dusty at times and inconveniences will certainly be realized. The southeast parking lot, also known as the Checkerboard Lot will be closed for the duration of the project. That includes the entrance into the main lobby area. A construction fence will be placed around the perimeter of the area and will be used as staging for the contractors to set up cranes and store materials. All other entrances to the building will remain open. The north entrance from the main parking lot will be considered the primary entrance to the facility. We will include short term parking that will be very close to that entrance for visitors.

At various times during construction there will be partial closures of the sidewalk and the concrete plaza by the river. Scaffolding will need to be installed for some of the brick work; therefore, some of the sidewalks will be closed. Even though there will be some inconveniences, the building will be open as usual for normal business and normal working hours. Staff will continue to work within the building; meetings will not be disrupted and visitors will have access as usual. Our goal is to provide the least amount of disruption possible.

Staff will be sending various types of notification throughout the project and will keep an updated project report on the City website. Last, but certainly not least, safety is our top priority. It is our goal to keep the building safe, and the occupants of this building and visitors as safe as possible.

As I mentioned earlier, we have met with the Historic Commission on several occasions and have ultimately received their Certificate of Appropriateness and full support of the project. However, we felt it necessary to inform you of one condition that the Historic Commission suggests, despite our recommendation. That condition relates to the blonde brick wall. Our submittal to them included a complete removal of the brick façade with a weather tight fluid membrane applied to the subsurface once that brick was removed, and then a complete reconstruction of the brick wall with like material. We anticipate about 40% of the brick in that wall to be failing and needing to be removed and replaced. The Historic Commission would prefer, instead of a complete removal (and I've noted their condition here) that the east brick of the Municipal Center be repaired only. No full

demo. Replace, repair with salvage brick and like, in kind materials. So it's really a question of total replacement or a restoration project for that particular wall. At the end of the day, both solutions get us to a weather tight resolution which is consistent with the goals of the project and therefore something that City staff can support. A benefit to the Historic Commission's recommendation to the repair in lieu of replace is a savings of about \$20,000, but perhaps a negative to some is that the wall will look like a repair once complete. You will certainly have new bricks next to old bricks in certain areas and we will match the tone of the bricks as best we can, but there will absolutely be a tone difference there.

The project budget and anticipated costs approximately a year ago was \$1.5 million, which was included in the Fiscal Year 13/14 budget. The bidding environment for this type of project is still very strong and favorable for us; there were four bid packages released, each of which received multiple bids, and were competitive as well. This resulted in a total project cost of \$1,354,897.00; nearly \$150,000 below anticipated costs. I realize that number is not reflected in your packet, but we just received these numbers and confirmed bids.

For all the reasons we just discussed, staff recommends continued approval of the Municipal Building Exterior Improvements Project, based on the project budget summary and the total project cost of \$1,354,897.

Aldr. Lewis: This is a big price tag, and I understand these repairs need to be done. How long before we would be faced with having to do repairs again?

Mr. Suhr: That would be difficult to determine, but this is a 15 to 25 year solution.

Aldr. Lewis: Will there be things put in place so we can save for this as we go along, or is the next Council in 20 years going to be faced with an even bigger price tag?

Mr. Koenen: Yes, there will. Brian Townsend, Chris Minick and I are having that same conversation the first week of May. We will be addressing a long term maintenance plan for our Municipal facilities and we are going to have a plan that begins to lay them out over 10 years. We are going to anticipate the expense and plan accordingly.

Aldr. Krieger: It seems to me like every time we turn around we are repairing the Municipal Center. While I agree it probably needs to be done, it just seems like its one project after another. Having said that, does this project cost include replacing the entire wall out here?

Mr. Suhr: The cost identified on this side does include the \$20,000 for replacement of the wall.

Aldr. Krieger: I would prefer to see the entire wall replaced. If you get different color bricks it's going to look like an afterthought.

Aldr. Martin: How is this going to affect River Fest and Scarecrow Fest?

Mr. Suhr: It certainly will, to some extent. I know activities that take place in the Checkerboard lot have been relocated. There will be some inconveniences, but we have been working diligently with the team members for all of the special events that occur around this building and have certainly identified that to them as they have come through for their approval process for the past year.

Aldr. Rogina: I agree with Aldr. Krieger about the brick in front. Secondly, the numbers we see in our packet; is that the contractor's fee?

Mr. Suhr: There are general conditions in there, that's the general contractor fee. There is also a contingency; on a project like this we do hold a contingency. Once we tear off the roof, we know there are going to be some issues to deal with. All of that is built into the project. At the end of the day, we are hoping to give some more money back after this project is complete. But we do anticipate unforeseen conditions.

Aldr. Carrigan: I agree with Aldr. Krieger with regard to the new wall. It's worth the investment to replace it and make sure it matches.

Aldr. Lewis: Did they give a reason as to why they wanted it patched rather than the whole wall repaired?

Mr. Suhr: I think they would prefer restoration rather than a rebuild on a historic building like this. I think that is their biggest reason. The 40% mark of brick that we anticipate removed is certainly a best guess at this point. We have had several professional teams come out and analyses done on the brick and that is what we are anticipating. But if only 20% of the brick needs to be replaced once we get out there on scaffolding and test each one of the brick, then only 20% of the façade would be replaced. I think in all fairness they struggled with that percentage to some degree.

Mayor DeWitte: I heard some comments about replacing the entire wall with blonde brick; I couldn't agree more. I think matching 75 year old brick will be virtually impossible. The Historic Preservation Commission is a recommending body only, so if there is a consensus on the Council to do the complete wall replacement, I would suggest it is appropriate that you make the motion to override the Historic Preservation Commission regarding repairing instead of replacing and approve the motion that way.

Aldr. Rogina: That was not a unanimous vote by the Historic Commission, was it?

Mr. Suhr: It wasn't an official vote. I was present at that meeting and they took a vote to see where the group was and it was a three to three tie vote and the chairman decided not to vote at that time.

Aldr. Turner: I agree with Aldr. Krieger; I think matching the brick is not going to look good, but I also don't think it would be as structurally sound as it would be if we replaced

the entire wall itself. We are dealing with tax payer money here and we are looking for a long term solution instead of something that may fail prematurely because we are matching new with the old. I would prefer to have all new brick on the façade.

Aldr. Carrigan: I will make a motion for approval with the condition that the wall be a new wall and not a refurbished wall.

Aldr. Monken: Second.

Aldr. Rogina: The motion that is on the table is the \$1,354,897.

Mr. Suhr: That is correct; that reflects those dollars.

Aldr. Rogina: And we have the note in the motion that we should override Historic Commission?

Aldr. Turner: Tina, please call a roll.

Tina Nilles:

Monken: Yes

Carrigan: Yes

Payleitner: Yes

Stellato: Recused

Turner: Chairman

Rogina: Yes

Martin: Yes

Krieger: Yes

Lewis: Yes

No further discussion.

Aldr. Turner: At this point, Chairman Stellato is rejoining the Committee.

Motioned by Aldr. Carrigan, seconded by Aldr. Monken. Approved by roll call vote.

Motion carried.

4.l. Recommendation to waive bid procedure and award HVAC Preventative Maintenance Inspection Contract with Service Mechanical.

Peter Suhr presented. Over the last ten years, Service Mechanical has provided heating, venting and cooling services for our City facilities. In Fiscal Year 08/09 Council

awarded Service Mechanical an agreement to maintain our mechanical systems. Building on the success of that program, Staff recommends continuing with Service Mechanical for another fiscal year. Service Mechanical has agreed to hold their pricing for a fourth consecutive year.

Staff recommends approval of a contract with Service Mechanical in an amount not to exceed \$72,564.

No further discussion.

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

4.m. Recommendation to award contracts to DeMar Tree Service for an amount not to exceed \$86,500 and Skyline Tree Service for an amount not to exceed \$86,500 for Electric Line Tree Trimming Services.

Tom Bruhl presented. Another part of our overhead reliability project is to continue tree trimming, mostly in backyards, but some in parkways. We went out to bid and received two acceptable bids. The City has used both vendors; Skyline and Demar with positive results in the past. Bid prices were extremely close and it just depended on what equipment they might have to field to figure out which one would have a less expensive hourly rate.

With that, Staff is proposing to split the work between the two vendors. We would use the one that has a better price for the equipment that is needed and we also would have the flexibility if one was busy we could use the other.

Staff recommends awarding contracts to Demar Tree Service for an amount not to exceed \$86,500 and Skyline Tree Service for an amount not to exceed \$86,500 for electric line tree trimming services.

Aldr. Lewis: Is it going to be hard to keep track of two different companies?

Mr. Bruhl: It is done with an Excel spreadsheet and as the invoices come in we just keep deducting how much we have used from each service.

Aldr. Lewis: And you expect to use the total amount from each service?

Mr. Bruhl: Yes.

Aldr. Lewis: Is this something the City does at all?

Mr. Bruhl: Typically not. Our crew rate is much more expensive than the contractors; so we are not efficient in that manner. In an emergency situation, we will since we are

onsite already and we need to clear the tree to get service back up, but generally the tree trimmers are more cost effective than our line crew.

No further discussion.

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

5.a. Recommendation to approve street closures for St. Charles Knights of Columbus Fall Classic 5K Run.

Chief Lamkin presented. This is the second year for this event. The Knights of Columbus have asked to use a similar route to what they used last year, which we were able to accommodate without a lot of consequence. I have Jim Webb here to talk about the event.

Jim Webb, 32 Horne Street, St. Charles, IL. We are doing exactly the same as we did last year. Last year it was great and went off without a problem. It was approximately 45 minutes maximum that we were on the streets.

Chief Lamkin: As a Not for Profit, they have also asked under the Special Events Policy that the City share in the costs at 50% participation, which is primarily for Public Works.

Staff recommends approval.

Aldr. Lewis: Are there any other street closures that weekend?

Chief Lamkin: No, I don't believe so. Scarecrow is the next weekend.

No further discussion.

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

5.b. Recommendation to approve street closure, Class E2 Liquor License and use of amplification equipment for the Heritage Center Pig Roast.

Aldr. Payleitner: Mr. Chairman, due to my position on the Heritage Center Executive Board, I will have to recuse myself from discussion of this item.

Chief Lamkin presented. This is our third annual event, although this year the event is expanded. With that expansion, there became a use of additional space. There is also a Class E Liquor License to have The Office be able to serve beer and wine. They are also

planning on having slightly amplified music during the event. Natalie is here to talk to you about the event.

Natalie Gasek, 328 Chalmer Street, Geneva, IL 60134. I believe most of you are familiar with the Heritage Center. This is the third annual St. Charles Heritage Celebration. Our previous two events were held first at Hotel Baker and second at Royal Fox Country Club. The ticket price for those events was \$125 per person. We saw significant decrease in people attending the event so we were looking to do something at a less expensive ticket price and at the museum so folks coming to the event could see exactly what they are supporting and the museum itself.

Because of this, we are looking to do a pig roast on the museum site.

Aldr. Martin: I would request the motion be divided into two; one for approval of the event and the second for the liquor license.

Aldr. Lewis: Are there any other events going on that weekend?

Chief Lamkin: I do not believe that we have anything else that weekend. The other things is that since they are a Not for Profit, they were asking for a 50% cost share. Most of the costs are related to Public Works.

Chairman Stellato: We need a motion to approve the event without liquor.

Aldr. Carrignan: Second.

Chairman Stellato: Please call a roll to approve the event, street closures and amplification only.

T. Nilles:

Monken: Yes

Carrignan: Yes

Payleitner: Recused

Turner: Yes

Rogina: Yes

Martin: Yes

Krieger: Yes

Lewis: Yes

Chairman Stellato: Now we need a motion to approve liquor at this event.

Motioned by Aldr. Rogina, seconded by Aldr. Turner.

Chairman Stellato: Please call a roll.

T. Nilles:

Monken: Yes

Carrignan: Yes

Payleitner: Recused

Turner: Yes

Rogina: Yes

Martin: No

Krieger: Yes

Lewis: Yes

No further discussion.

Motioned by Aldr. Rogina, seconded by Aldr. Turner. Approved by roll call vote.

Motion carried.

5.c. Recommendation to approve street closures for Annual Farmers Market June through October.

Chairman Stellato: Please let the record reflect Aldr. Payleitner has returned to the meeting.

Chief Lamkin presented. This request is similar to the request we have had for the past several years. This request is for the use of North 4th Avenue between Main and Cedar on Fridays. This has never posed any issues for us.

Staff recommends approval of street closures.

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

No further discussion.

5.d. Discussion of Liquor License questions from March Government Services Committee and recommendation to provide direction to the City Administrator, Chief of Police and City Attorney.

Chief Lamkin presented. At the March Government Services Committee we had a discussion regarding activities related to Downtown bars. As a takeaway, we had several questions to review further. Mayor DeWitte, Brian Townsend, Attorney Tom Goode and myself had discussions to provide answers to those questions.

After I go over this documentation, we were hoping for discussion and direction to proceed.

The first question was to establish a greater distinction between the restaurant and tavern licenses. We have provided information in your packet so you can see that distinction. There are possible ways of doing that; one way is to have periodic or annual review of receipts and the percentages of food receipts vs. alcohol receipts. There is also the possibility of restricting bar seating vs. having more seats available for restaurants.

We did have a discussion last year about having the kitchen stay open longer to have more food available. We decided after 11:00 pm those who serve food should still have a limited menu, but we did not require that the full kitchen had to stay open the entire period.

The next question that was raised was the possibility of having a three to seven member liquor commission as opposed to a Liquor Commissioner as we have it now. That liquor commission does exist in other communities. The simple answer is yes, it is possible. It would have to be determined by Council what that would look like.

The next question related to having an overall earlier close time with those who wish to stay open later be allowed to apply for a late service permit. Specific parameters can certainly be put on that in terms of doing business while operating. Similar to what we have today, even with a late night permit process, it goes through the same due process. You still have to have some level of progressive discipline. On the surface it is possible to change the code, but to remove the ability to do that – it's not that simple. There has to be cause and a certain level of process to follow.

The next question was since we normally do our license renewals as of May 1, whether or not we would be able to grant a short term extension. The Council could certainly do that if the desire was to do revisions to existing code and have those revisions passed and put into place going into the 13/14 year. There would be administrative tasks necessary to put that into place, but it is possible.

The next question related to whether or not there could be more stringent education requirements for managers. I have done research on that; in talking to bar operators, there is a core part of personnel that is fairly consistent from year to year on renewals. But there is also a good deal of turnover. We could require Bassett Training every year. There is another similar type of program called TIPS. If we require annual training, one year we could do Bassett Training and the next year we do TIPS Training. Both programs are taught a little differently; they both have a common purpose, but with different curriculum. In either case it would require the training to be annual.

The final question was regarding our nuisance ordinances for fighting, public intoxication and public urination to address the problems in the bars and whether or not we can elevate the fines higher than they are. For example, the fighting ordinance is set at \$500. That ordinance could max out at \$750. I went back to the beginning of 2012 and ran a

list of all the violators for those three categories. What I can tell you is with those three categories, the fines we have in place are apparently enough that we don't have repeat offenders. Only a few names came up more than once; what I draw from that is the people who received citations get the message because they don't do it again. I'm reasonably comfortable with the fines we have in place, because they are very effective. If it became such that we had repeat offenders, we could make a change if necessary.

At this time I would like to open it up for discussion and direction going forward.

Aldr. Carrigan: The interest in separate between taverns and restaurants; because of wine and the balance of the check, it would skew almost every restaurant into a bar category. If there is a way to differentiate bottles of wine from other alcohol, I think there is merit to that process. But it would predicated on how to differentiate bottles of wine, food and other liquor?

Secondly, in reference to the liquor commission, I would defer to the new Council.

I think a late night service permit is a privilege; it's not a given. Having two of them adds value to that license and I would definitely look at having no more than two and everyone else has to close at 1:00 a.m. Interest in short term licenses, I don't think we need that right now. Interest in training, I like having two different training; it gives different perspective. I think you answered our questions on the fines, from your perspective it seems like they are doing a good job and I will defer to that.

Aldr. Turner: I like the idea of a late service permit. I don't think I would want to assign a cost to that, I would just offer it on good behavior to the owner of the establishment. I think we should have a liquor commission, I'm leery of having citizens on it, but I have to think about the makeup of the commission.

Aldr. Rogina: I want to commend the Chief and Brian and whoever else was involved in putting the packet together because it was thorough. From my perspective I wouldn't want to overhaul a lot of the work that has been done in respect to classifications and things of that nature.

What is the end result here? Changing the picture of our bars. Our licensees are fine; they are all good people. I don't want them to think we don't like them, I just don't like the activity. It seems to me we can categorize a bar from a restaurant simply by the following definition: if you apply for a midnight license, you are in one category. If you apply for a 2:00 a.m. license, you are in the other category. The 2:00 category is the one we want to pay special attention to. I think a 2:00 license is a bar, and a midnight license is a restaurant. I'm not interested in a middle ground; it's either midnight or 2:00 a.m.

I support the liquor commission, I think we should get citizens involved; I'm convinced we will get good people. I would like to have an alderman on that committee and I would like to sit on that committee as Mayor. Having said that, I'm not too worried about three good citizens being part of it. The question comes up on the liquor

commission. Are they just trying the cases or are they reviewing at the end or do we want City Council to review at the end of a given year? We talked about that review – we talked about the 2:00 a.m. late night license. Who is going to review on an annual basis? Should that be Council, or should it be the liquor commission? I believe it should be the Council. I'm not opposed to kicking the punishment up to \$750.

Trying to change the face of Downtown, this will get people thinking about the effort to do just that. If we can work between us and the licensees, it will happen.

Aldr. Martin: I agree in essence with Ray. I think that we should step back for a month, let Ray take leadership and see what our new aldermen have to say about the petition. My position has not changed one bit.

Aldr. Krieger: I think the late night license should have an additional fee; I think they should be treated as a separate issue. I'm in favor of the liquor commission. I think the more training the bartenders have, the better they will be able to adjust to whatever is going on. I'm not clear on the bar/restaurant issue so I will look into that some more. My last question would be do we have more in town or out of town offenders?

Chief Lamkin: Based on my review and what I see on reports, it is more out of town people.

Aldr. Krieger: That just supports our reputation. People come here to have a good time.

Chief Lamkin: People come here to have a good time, but I think also after they recognize after they have had too good a time and have a citation in their pocket, they won't have quite as good a time next time.

Aldr. Lewis: I'm sorry I missed the discussion last month, but I think what you presented today filled me in very well. To your first question, establishing greater distinction between the two; I really like the idea to limit bar type seating to a smaller percentage. I also like the idea of stronger Bassett Training. I'm not quite sure if someone comes to the establishment and they are already Bassett trained, do they have to be trained by St. Charles or is wherever they got the training is fine? I went online today and for \$14.95, I can become Bassett trained. I can take the course online and print my certificate as soon as I'm done. If I did this would I be able to come work in a bar? Does this qualify?

Chief Lamkin: The Bassett program is not unique to any city, so anyone can have certification that is valid. I'm aware they have an online course, whether or not we wanted to take the avenue that we weren't going to take online courses and they had to sit in a classroom, but depending on your view of that, there is probably some value to a classroom vs. online. We can say whether we want them to be more current as a new employee.

Aldr. Lewis: If we think is going to solve the problem of over serving, then hiring trained, qualified servers and door men will help solve that problem. I'm concerned if you can just sign up for a class and then go get a job that maybe the training isn't as extensive as it should be.

Chief Lamkin: There is always going to be a certain amount of subjectivity with any of the server positions. I think that regardless of how much training we do, there is still going to be subjectivity on the part of the person doing the serving.

Aldr. Lewis: Does every server and bartender have to be Bassett trained?

Chief Lamkin: If that's what we chose to do. If we are going to put different provisions in place and we believe that is important, that is probably the best way we should go.

Aldr. Lewis: We don't have that now?

Chief Lamkin: It is written in our code that way now.

Aldr. Lewis: There is no way we check that?

Chief Lamkin: We have not randomly gone out there and done compliance checks because in part they are required to have it. One of the things we looked at in code was that we needed to that they not only need to have the Bassett Certificate, but it needs to be on the premises when the person is working. If we walked in and did an inspection, approached a server and asked them to show us their Bassett Certificate, that would help. We went through the code and it is not that way at the moment.

Aldr. Lewis: I like that. As for the liquor commission, I do have concerns. Part of my concern is that it is two elected officials and three appointed. Its adjudication. When citizens start handing out punishment to businesses, I think that is going in the wrong direction.

Chairman Stellato: We have not established the size of the commission; you are stating that's what you think it might be?

Aldr. Lewis: If it's two elected and three appointed.

Aldr. Martin: It would be my understanding the commission would not have authority, that the authority rests in the liquor commissioner.

Aldr. Lewis: So it would be advisory, they couldn't vote.

Chairman Stellato: We haven't decided that yet.

Mr. Townsend: It will be up to you whether you chose to make them a recommending body like all of our other advisory commissions or whether you give them the ability to

hand out punishments and issue licenses, it can be done. That's up to Council to decide. I believe we said in the materials that is one of the key issues that needs to be decided; how much authority are they going to have?

Aldr. Lewis: And how will this help solve the problem in cleaning up the bars?

Chairman Stellato: One thing is clear tonight; we are not going to make any decisions, we are just doing research and having discussions. Thank you for the research we have gotten so far.

Aldr. Rogina: What percentage of licensees that have been cited have 2:00 a.m. licenses?

Chief Lamkin: Everyone now has 2:00 a.m. licenses. We changed that so they all have that today. Package stores would be earlier.

David Amundson, 500 Cedar Street. I think it is absolutely critical to get a good definition between a bar and a restaurant. I think you could quickly determine for yourselves; I've tried to FOIA the tax receipts and they will only release them aggregated, which is fair, but I think you all have the ability to check the records yourself and you could look at them to decide. Currently we have four C Class Licenses in our Downtown area, but if you talk to the 20 somethings on the street we have a whole lot more bars than that, so we clearly have a disconnect between what we say is a B Class License and what is a C Class License and how they actually function. Perception is reality.

We don't have a problem with bars, as much as we have a problem with too many bars in our Downtown specifically. I haven't heard anything here tonight to address that problem. At the end of the day we are saying that we don't have a problem with having too many bars in our Downtown and that is a problem of our own creation if I understand history correctly. I strongly advocate for establishing a Downtown District, then limit the number of bars in the District to fewer than we already have. Let market forces even it out. It would be a long road, but that's my opinion.

Aldr. Rogina: I agree with a lot of what you said, but if they key is establishing an inventory of bars and restaurants, then we say it's either 12:00 a.m. or 2:00 a.m. As Aldr. Krieger suggested, maybe we charge for the 2:00 a.m. license.

Mr. Amundson: In rebuttal, I would say what would prevent the groups from leaving the 12:00 a.m. establishments and migrating to the 2:00 a.m. establishments? We are still encouraging them to come Downtown. We haven't changed the atmosphere or the dynamic of the Downtown.

Chairman Stellato: Chief, thank you for the research, good job. Anything else for us?

Chief Lamkin: Going forward, do you want this to come back in 60-90 days?

Aldr. Rogina: Let's bring it back for discussion in 30 days. In the interim we will work with staff.

No further discussion.

6.a. Recommendation to approve an Ordinance Authorizing Power Cost Adjustment as part of the electric rate structure.

Tom Bruhl presented. This item is to talk about a Power Cost Adjustment addition to the Ordinance for electric rates. I'm going to define what the Power Cost Adjustment is, and going forward it will be referred to as the PCA. I will explain the purpose for the PCA, explain the goals and provide a proposed structure for implementing a PCA.

Power Point Presentation by Tom Bruhl.

Staff recommends to implement PCA to electric rates using the proposed methodology that is in the Ordinance and do it on a quarterly basis to smooth out the bumps.

Aldr. Krieger: How does this differ from the smart meters we have been hearing about in other suburbs?

Mr. Bruhl: Smart meters are a component by which the utilities are hoping to do real time pricing, whereby you will pay the price at the time that you use the power. If you decide to turn your power on at 4:00 p.m. on 100 degree day, power costs may be \$.05 per kilowatt hour and you are going to pay that. That is the ultimate in risk avoidance. Smart meters are a method where utilities are absolving themselves of all risk and just passing on the real time costs.

Unfortunately for us we are always a month behind, so we charge our customers on fixed rates on an annual basis and then if monthly power costs go up or down, we don't adjust our rates on a monthly basis. The PCA is a mechanism to either credit or collect whatever we may be short or long in terms of power cost.

Aldr. Krieger: So the risk to the consumer is higher with the smart meter as opposed to the PCA.

Mr. Bruhl: Absolutely. You are paying for the power at the time you are using it. Some people are market savvy and watch the prices per hour and use that to determine whether to limit consumption. In the real world we haven't seen that penetrate the market very deeply because most people don't want to manage whether they are turning on lights or not depending on the cost of power.

No further discussion.

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

6.b. Recommendation to approve Ordinances authorizing changes in rates for the Electric, Water and Wastewater Utilities for the City of St. Charles.

Chris Minick presented. Enclosed in your packet tonight are Ordinances to establish rate changes and rate structure changes for the three major utilities of the City. The Electric Utility, the Water Utility and the Wastewater Utility. The Ordinances and the projections that are presented tonight are consistent with the budget document and the amounts in the presentation that took place at last week's City Council meeting and the budget document that was ultimately approved during that particular meeting last week.

Tonight I would like to go through discussion of past utility trends and what we have experienced and talk over some of the Rate Study recommendations and findings that aren't related to the Power Cost Adjustment; we will discuss some current trends that we see developing in the utility funds, the recommended rate structure for the three utilities this evening and we will briefly talk over the conclusions and then I will be happy to receive any comments or questions that the Committee may have.

Power Point presentation by Chris Minick.

Aldr. Lewis: In the Ordinance when you talk about the surcharge, it says "unless the customer has an electric service agreement with the City that was in existence prior to May 6 that provides for a different additional charge". I don't understand that.

Mr. Minick: If there are existing agreements and I don't know that there are any related to electric service, but I'm familiar with some with Wastewater. If we already have an agreement with an individual for a location outside of the City, we cannot supersede that agreement by imposing the charge via an ordinance. We would need to honor that agreement.

Aldr. Lewis: I'm still confused. What kind of agreement would be put in place? I don't understand why there would be a special agreement.

Mr. Koenen: Most recently we entered into an agreement with the River Grange Subdivision. They have agreed to pay us an additional 30% of whatever the rates are that the citizens of the City of St. Charles pays. River Grange Subdivision is outside the City north of Red Gate.

Mr. Minick: So we do have that one particular agreement where that would apply.

Chairman Stellato: They are grandfather in?

Mr. Minick: Yes.

Aldr. Carrignan: A year ago we decided this was the path we wanted to take to make sure we had a sustainable utility fund and we are taking the right steps. The PCA makes a great deal of sense. We now start taking that risk and putting on all of us rather than the City gambling and absorbing risk. It makes a great deal of sense to me and we are on the right path. With that, I make a motion for approval.

Chairman Stellato: Tina, please call a roll.

T. Nilles:

Monken: Yes

Carrignan: Yes

Payleitner: Yes

Turner: Yes

Rogina: Yes

Martin: No

Krieger: Yes

Lewis: Yes

No further discussion.

Motioned by Aldr. Carrignan, seconded by Aldr. Turner. Approved by roll call vote.

Motion carried.

7. Additional business

Aldr. Carrignan: The odds are that this is my last night at Government Services and I wanted to say that our City is in our great hands. I am very proud to have served with all of you and your staffs. Great job!

Aldr. Monken: I couldn't say it any better than Alderman Carrignan just did, but I would like to say that it has been an honor and privilege to work with all of you and as I've said I know why we are number one in the nation to raise a family and it's because of the quality of public services for families to grow up in.

8. Adjournment

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