

Minutes
Regular Board Meeting
Glen Ellyn Village Board of Trustees
Monday, February 23, 2015

Call to Order

Village President Demos called the meeting to order at 7:04 p.m.

Roll Call

Upon roll call by Village Clerk Galvin, Village President Demos and Trustees Burket, Clark, Elliott, Ladesic, McGinley and O'Shea answered "Present".

In Attendance: Village Clerk Galvin, Village Manager Franz, Assistant Village Manager Stonitsch, Village Attorney Mathews, Finance Director Coyle, Public Works Director Hansen, Director of Planning and Development Hulseberg, Police Chief Norton and Professional Engineer Minix.

Pledge of Allegiance:

President Demos asked Ms. Celia Rodee, Children's Resource Center Board Member and Spellapalooza Co-Chair to lead the Pledge of Allegiance.

Members of the reigning Spelling Champions Team, B.A.M.!, Jill Foucre, and Sue Kowalski announced that the Glen Ellyn Children's Resource Center's 7th Annual Spellapalooza will take place on Friday, February 27, 2015. Chief Norton is the Master of Ceremonies, Village President Demos is a referee and Glenbard West Football Coach is one of the judges. This year there are 16 teams. They were joined by Joyce Hothan, Executive Director of the Children's Resource Center. Ms. Hothan stated the Children's Resource Center offers cost free enrichment and after school care for children in need.

Audience Participation:

Mr. Kenneth Kloss, 350 Ridgewood, Glen Ellyn addressed the Board regarding the proposed OPUS development at the Giesche site. Mr. Kloss suggested the Board work with the entire block so as not to affect the neighbors negatively. The St. Petronille's members will require 2 turns to exit the parking structure. Support the restaurants now so that parking is not hidden.

Mr. Kloss asked that other architectural styles be considered such as those in Carmel, Indiana and Santa Barbara, California. The sight lines will be lost forever, they are looking at 59'2" next to Santa Fe; do not forget to review the recommendations in the Master Plan. Mr. Kloss supports the efforts of the administration and the Architectural Review Commission but OPUS requires more guidance.

Village Recognition:

1. The Public Works Department received much recognition from the community for their snow removal efforts in response to the recent blizzard, with appreciation for how clean the streets were when compared to neighboring communities, going above-and-beyond in helping residents in various situations, and providing exceptionally quick response times in "getting the job done."
2. An email was sent to thank Sergeant Joseph Baki, Officer Manny Berger and Officer Luke Elmore for graciously assisting a motorist who was stuck in the snow in a parking lot to get her moving along.
3. St. James the Apostle Church sent a letter to thank the Police Department for their generous donation to its 2014 Not So Trivial Trivia Night fundraiser, which benefits students now and in the future.
4. A resident called to thank Officer Manny Berger for being a tremendous help and displaying a great attitude while assisting him with a disabled vehicle on Roosevelt Road.
5. The Roselle Police Department sent a letter of recognition to Sergeant Joseph Baki, Officer Craig Holstead, Officer Ryan Cusack and Officer Mallory Scholpp for their professionalism, caring attitude and patience during a training event for high school teachers.
6. The Wheaton Police Department sent a letter to express appreciation for the professional assistance provided by Officer Brent Pacyga and Officer Carrie Nemchock in an inter-agency matter.
7. Sergeant Kurt Vavra and Officer Kevin Riggle received a letter from the Carol Stream Police Department in recognition of their professionalism, astute observation, dedication to duty and invaluable cooperation during the course of an inter-agency matter.
8. The Bloomingdale Police Department sent a letter to recognize the hard work, dedication, professionalism and determination of Detective James Monson and Detective Kyle Duffie as evidenced throughout an inter-agency investigation.
9. The Village would like to thank Student Commissioner Emily M. Davis for her service on the Historic Preservation Commission.
10. The Village Board and Management Team congratulate the following employees who have celebrated an anniversary as a Village employee:

Peter Nowick	Police Department	15 Years
Jerry Hampel	Police Department	10 Years
Carol Olsen	Public Works Department	10 Years

Agenda Item F. - Consent Agenda:

The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below: (Village Manager Franz)

1. February 9, 2015 Regular Meeting Minutes.
2. Total Expenditures (Payroll and Vouchers) - \$1,179,420.90. The vouchers have been reviewed by Trustee Burket and Manager Franz prior to this meeting, and are consistent with the Village's purchasing policy.
3. Approve the recommendation of Village President Alexander W. Demos that Thomas G. Pulver be appointed to the Environmental Commission for a term ending May 31, 2017.
4. Waive Sections 10-4-3(B) (Promotional Activities) and 4-5-8(B) (Signs) of the Village Code and approve the Park District's 2K15 Fun Run Event on Saturday, August 1, 2015 from 7:00 a.m. until 11:00 a.m. at Panfish Park.
5. Waive competitive bidding for a single source purchase which is an authorized exception in the purchasing policy and approve the purchase of four (4) BigBelly Refuse and Recycling Stations and associated materials, from BigBelly of Newton, Massachusetts, in the amount of \$33,650, to be expensed to the Solid Waste Fund.
6. Approve the award of a contract for bond counsel services to Chapman and Cutler, LLP, of Chicago, Illinois, in an amount not to exceed \$14,000, to be expensed to the Debt Service Fund.
7. Ordinance No. 6302, An Ordinance of the Village of Glen Ellyn Regarding the Sale of Municipal Property for Redevelopment .
8. Authorize the execution of a two-year intergovernmental agreement (October 1, 2014 through December 31, 2016) with the City of Naperville and the Ride DuPage to Work Partners, in order to facilitate the Village's continued participation in the Ride DuPage to Work transportation program.
9. Approve a change order of the snow hauling contract for FY2013-14 and FY2014- 15, awarded to Marcott Enterprises, Inc., of Villa Park, Illinois, for an amount not to exceed \$30,000, for the second year of a two-year contract, to be expensed to the General Fund.
10. Authorize the execution of an intergovernmental agreement between the Forest Preserve District of DuPage County and the Village of Glen Ellyn that allows the Village to purchase alternative fuels from the District.

Trustee McGinley inquired about Item 9. She asked if the Downtown Alliance was responsible for the snow hauling. Manager Franz responded this is for the removal of snow from the CBD and not for sidewalk snow removal.

A motion was made by Trustee Burket and seconded by Trustee Elliott approve the following items including Payroll and Vouchers totaling \$1,179,420.90.

Upon roll call, Trustees Burket, Clark, Elliott, Ladesic, McGinley and O'Shea voted "Aye." Motion carried.

Agenda Item G. Operation of Vendor Carts: (Presented by Planning and Development Director Hulseberg)

The proposed regulations have been developed with input from the Village Attorney, Administration, and the Police Departments. Among other things, the proposed vendor cart regulations would allow up to 3 vendor cart licenses to be issued in the C5A and C5B central business district each year. The proposed application fee is \$250 per license and would include the cost of up to 2 background checks. The current cost for each additional background check would be \$50 if needed. The regulations address issues such as insurance, liability, maintenance, trash, and clear pathways for pedestrians and public safety.

As required in the past, applicants would be asked to submit a dimensioned site plan identifying the proposed location of the vendor cart in proximity to buildings, structures and vehicular access drives. Each applicant would be required to obtain a valid Health Department permit. A new requirement, for the operator and his/her employees to undergo a fingerprint based criminal background check by the Glen Ellyn Police Department, has been added. This is similar to the existing requirement for peddlers (e.g.; ice cream trucks). The Planning and Development Director may request additional materials if needed to evaluate the request. As is currently the case, previously approved applications would be reviewed by the Village Manager and new applications would need Village Board approval.

Trustee Burket asked about the importance of background checks. Chief Norton responded sidewalk vendors have a high appeal to children and this is to protect the kids and to ensure the vendors have no criminal background. Trustee O'Shea commented that the candy store has a high appeal to kids and asked if the owners undergo a background check. Chief Norton responded no but if it were up to him he would.

Trustee O'Shea asked Mr. Eric Anderson, owner of Sunset Slush if he operated on public or private property. Mr. Anderson responded mostly private, some public. Mr. Anderson stated they want to hire kids. Six were hired last year and they have had inquiries from ten more for this year already. Furthermore, they are adding a cart in Wheaton. There may be crossover at both locations. Mr. Anderson does not have a problem with background checks for adults but he would hate this to be cost prohibitive and not hire kids.

Trustee McGinley commented asked if there are 3-10 employees about the cost. Chief Norton responded the Ordinance includes the first two background checks. Trustee O'Shea responded there is high turnover with teens. Trustee Burket said he is fingerprinted as a Lacrosse coach. Trustee Elliott commented he is ok with anyone over the age of 18 or 21 undergoing a background check but it seems heavy handed to

finger print teens or high school students. Trustee O'Shea commented it is Trustee Burket's choice to coach and be subjected to Illinois laws regarding background checks. Trustee O'Shea is ok with only including those who are 18 or 21 years old and agrees it seems heavy handed to fingerprint minors.

Chief Norton responded they are not trying to make money by fingerprinting everyone as proposed. Trustee McGinley commented that she is a business owner and as a business owner she is also checking references. Chief Norton responded that not all business owners operate that way. Trustee McGinley stated that business expenses add up. Trustee Clark stated he agrees with his fellow Trustees who believe this is heavy handed and he cannot rationalize finger printing juveniles and cannot see the necessity. The vendor carts are a good way to employ kids.

Chief Norton responded that in this instance we have an opportunity to regulate to some degree. Trustee McGinley responded we also have recourse as well. Trustee McGinley suggested amending the proposed Ordinance to \$150 and \$50 per background check. President Demos asked for a consensus from the Board. Consensus was reached that background checks would only be conducted on anyone over 18 years of age.

A motion was made by Trustee McGinley and seconded by Trustee Clark to approve Ordinance No. 6301-VC, An Ordinance Amending the Glen Ellyn Village Code and Sign Code to Allow the Operation of Vendor Carts in the Village of Glen Ellyn. The motion was amended to a fee of \$150 from \$250 and to charge \$50 per background check. Background checks will only be required from anyone who has not yet reached 18 years of age.

Upon roll call, Trustees Clark, Elliott, Ladesic, McGinley and O'Shea voted "Aye." Trustee Burket voted No. Motion carried

Agenda Item H. Elm-Cottage-Geneva Connectors Improvement Project Construction Contract Award: (Public Works Director Hansen)

The Elm-Cottage-Geneva Connectors Improvements Project will include a combination of roadway resurfacing and reconstruction involving approximately 6,000 feet of streets and alleys on the north side of the Village including Elm between Western and Main; Cottage between Western and Pleasant; Prairie between Oak and Geneva; Pleasant between Elm and Geneva; Euclid between Oak and Geneva; Highland between Elm and Geneva; and two dead-end alley segments north and south of Oak Street between Pleasant and Euclid

Proposed underground improvements include new water main and services on Prairie between Oak and Elm and on Pleasant between Elm and Geneva; replacement of sanitary sewer service lines on Cottage, Prairie and Pleasant; and various storm sewer upgrades including the alley segment north of Oak. A significant amount of sanitary sewer on Prairie between Oak and Elm was found to be deficient and needs to be replaced. New sidewalk will be provided on all corridors where gaps exist, including most of the Elm-Geneva connector streets, and on three blocks along Geneva Road. The Geneva Road sidewalk is

being constructed at the request of the Capital Improvements Commission, with DuPage County cost participation. The project lead design consultant was URS Corporation.

The revised project was issued for bid in late January 2015. Bids were received on February 11, 2015 with six contractors participating. The low bid of \$2,437,686 was again submitted by A Lamp Contractors. The alley component of the Lamp bid was about \$84,000.

As noted last year during the analysis of the May 2014 bid results, A Lamp is an established contracting firm with a mixed history of project performance in the relatively distant past here in Glen Ellyn. The company has a reputation for competent workmanship but sometimes exhibits a lack of project administrative and scheduling prowess. Recent reference checks are somewhat encouraging. Lamp can perform the work but an additional burden may be placed on the resident engineer.

An item-by-item comparison of the two Lamp bids does not reveal that an increase in costs for particular categories of work - such as concrete items for example - is a determining factor. Most items increased by 10 -15 % or so for roadway, storm sewer and water main components and 20 - 40% in the sanitary sewer elements. As shown later in this memorandum, all the contractors that bid both times showed greater than anticipated cost increases.

Consideration of Project Re-bidding - Rebidding of the project again is not recommended. Both the 2014 Chidester-Elm-Lenox-Linden and Elm-Cottage-Geneva Connectors projects have been bid twice, with the second bid resulting in 10-15% higher costs.

Contractor References - As stated during the recap of the first bid, A Lamp performed a number of projects in the Village in the 2002-2003 timeframe that were very similar in scope to the ElmCottage-GC project, including Maple-Linden Phase II, Newton-Anthony-Cottage and North Taylor Basin Phase II. The projects were reasonably performed for the most part, with a major stumble occurring during the Taylor Basin work when Lamp erroneously accessed the Ada Harmon preserve area north of Crescent Court and destroyed valuable habitat. The damage claims were eventually settled, but for the balance of the decade, A Lamp did not bid Glen Ellyn projects. They have bid our projects since about the 2010 timeframe on a semi-regular basis.

As part of the low bid contractor vetting process in 2014, references were contacted regarding the work performance of A Lamp, including Lombard, Skokie and Bensenville. In general, the A Lamp work product is acceptable but somewhat variable depending on the job circumstances and personnel. A common theme reported was a general lack of job organization, administrative oversight and effective scheduling.

References checked in 2015 were actually very encouraging regarding the recent performance of A Lamp. Contacts included Libertyville, Skokie, Bloomingdale and Downers Grove. All reported recent, regular and quite favorable experiences with A Lamp on a variety of assignments.

We are currently interviewing candidates for the Senior Civil Engineer position and expect to have the position filled in about a month. At that time, the Engineering Division will finalize a strategy to

implement consultant cost savings, including how best to fill construction oversight and upcoming design assignments. The Elm-Cottage-Geneva Connectors Improvements is the first of three major jobs that will bid this year. The Crescent Boulevard Reconstruction and Glenwood-Arbor-Ridgewood Improvements projects will be bid in March and April, all for construction this year. It is anticipated that we will fill the lead resident engineer role on at least one of these projects this year to save on consulting engineering fees.

Trustee McGinley asked about the increase and the added alley component of the project. Trustee Ladesic would like to mandate additional oversight with this contractor. Engineer Minix responded they will require additional oversight with scheduling and management of the project.

Trustee McGinley stated there are a lot of major projects approaching. Do we have the bandwidth to babysit this contractor, and she would prefer to see the second low bidder; Swallow Construction be awarded. Engineer Minix responded they are already interviewing for a Senior Civil Engineer, they will help to manage these projects. Trustee Elliott responded the difference in low bid and 2nd place is \$200,000. He cannot believe the greater cost of additional supervision is \$200,000. Trustee McGinley stated she will not support awarding this contract to A-Lamp.

Manager Franz commented there will be more flexibility with additional staff. If they spend the additional \$225,000 that contractor may also require additional oversight. They made mistakes 12 years ago but we have checked references and believe they are capable. President Demos commented that last year this was a robust industry and as expected, prices were higher in the spring. Although fuel costs are down, asphalt has increased. A-Lamp has state of the art equipment. Yes there were problems but they were a different company 12 years ago. Staff can always approach the Board if there are problems.

A motion was made by Trustee O'Shea and seconded by Trustee Clark to approve award of a contract to A Lamp Concrete Contractors, of Schaumburg, Illinois, for construction of the Elm-Cottage-Geneva Connectors Improvements Project in the amount of \$2,510,000 (including a 3% contingency), to be expensed to Water, Sanitary Sewer and Capital Project Funds.

Upon roll call, Trustees Burket, Clark, Elliott and O'Shea voted "Aye." Trustees Ladesic and McGinley voted No. Motion carried.

Agenda Item I. - Reminders

1. A Village Board Meeting is scheduled for Monday, March 9, 2015 at 7:00PM in the Galligan Board Room of the Glen Ellyn Civic Center.
2. A Village Board Workshop is scheduled for Monday, March 16, 2015 at 7:00PM in Room 301 of the Glen Ellyn Civic Center.

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Adjournment:

At 8:19 p.m. a motion was made by Trustee Elliott and seconded by Trustee Burket to adjourn. Motion carried.

Respectfully submitted,

Catherine Galvin,
Village Clerk