



**Village of Algonquin
Minutes of the Committee of the Whole Meeting
Held in Village Board Room
December 12, 2017**

AGENDA ITEM 1: Roll Call to Establish a Quorum

Present: Trustees Debby Sosine, Janis Jasper, Jerry Glogowski, Laura Brehmer, Jim Steigert and President Schmitt. A quorum was established.

Absent: John Spella

Staff Present: Village Manager Tim Schloneger; Senior Planner, Ben Mason; Public Works Director, Bob Mitchard; Police Sergeant, Jim Sowizrol; Village Clerk, Jerry Kautz; Village Attorney, Kelly Cahill; and Village Engineer, Mike Kerr was also in attendance.

Trustee Jasper, Chairperson, called the Committee of the Whole meeting to order at 7:30 p.m.

AGENDA ITEM 2: Audience Participation

- Mr. Donald Purn, 1662 Edgewood, Algonquin, asked if the Downtown Streetscape Plan would involve discussion of the Mineral Springs in Towne Park.
Mr. Mitchard replied that it would be included in the discussions before the final plan.
- Ms. Pamela Perrott, 910 Susan Court, Algonquin, brought up concerns about drainage and retention behind her home.
Mr. Mitchard responded that this situation will be corrected during the work included in Item 5-D on tonight's agenda.
Also, she is concerned regarding speeding on Teri Lane in her Riverwoods subdivision.
This matter will be addressed by Sergeant Sowizrol.

AGENDA ITEM 3: Community Development

Mr. Mason Reporting:

A. Case Number 2015-12; 202 N. Main - Request for Residential Special Use Extension

Mr. Robert Pogorzelski has submitted a request for an extension to a Special Use Permit that was originally issued in 2013 for residential dwelling units at 202 N. Main Street. The property is zoned B-1 Business and is located in the village's Old Town District north of the intersection with Front Street. The petitioner was originally before the Village Board in fall 2013, to request the use of both the first floor and second floor of the structure as residential. Residential use of commercially-zoned buildings Downtown is only allowed by right on the second floor and attached is a copy of Ordinance 2013-O-54 that granted the Special Use Permit to allow residential apartments on both the first and second floors. The property owner subsequently petitioned and was granted by the Board a two-year extension of the Special Use Permit in Fall 2015. Due to limited interest in the building for commercial/office purposes given the challenging economic climate, the village agreed to allow for continued residential use of the first floor with the condition that the request come back before the Board prior to January 1, 2018 to re-evaluate the matter. The ongoing slow economic recovery and numerous other available commercial storefront vacancies in the core downtown area – south of Algonquin Road – would appear to provide a compelling reason and sufficient cause to grant another extension. In light of the improved property maintenance conditions at the subject property, Staff recommends a five-year extension to the special use permit, with the following conditions:

- The Special Use shall be extended for an additional five years, until January 1, 2023.
- The Special Use shall terminate automatically when/if one (1) property maintenance violation results in a citation issued through the Village's Administrative Adjudication Court prior to January 1, 2023.
- The property owner shall be required to petition the Village Board to request an extension of the Special Use Permit beyond January 1, 2023.
- If at any time the Special Use is terminated due to failure to comply with any of the conditions of approval, the first floor shall be required to be vacated for two (2) years from the date of termination, before a new residential Special Use request shall be considered by the Village Board.

During discussion, it was asked if any code violations are pending on this property. Mr. Mason confirmed there are none at this time.

Consensus of the Committee of the Whole was to move this on to the Board for approval.

AGENDA ITEM 4: Administration

Attorney Cahill reporting:

A. Consider a Resolution Adopting an Anti-Harassment Policy

The Governor signed Public Act 100-0554 into law on November 16, 2017 which went into effect immediately and requires all governmental entities to enact a sexual harassment policy with certain provisions on retaliation and filing of false claims. This policy must be enacted by January 15, 2018. While the Village already has a sexual harassment policy in place, the new law requires additional language. This new policy should be incorporated into the Village's personnel manual.

Following some clarification, the consensus of the Committee was to pass this item on to the Board for approval

AGENDA ITEM 5: Public Works and Safety

Bob Mitchard reporting:

A. Consider an Agreement with Martam Construction for the Cumberland Parkway Storm Sewer Revision Project

On November 7th, the Public Works Department issued the Request for Proposal to 5 contractors that are capable of conducting the proposed work (Berger, Copenhagen, Kresmary, Martam, RA Mancini). Each bid was reviewed to ensure conformance with the bid specifications (certification, security, cost, etc.). Per the bid requirements all firms submitted a cost based on 13 line items. This project has an above average cost spread, as there is 44% cost difference from the max and min bids received. The low bid was 21% lower than the average, which required that I look into individual line items. In comparing each line item vs. the Engineers Estimate the only cost that stuck out was the Traffic Control item, as it was some 300% more than estimated. However, it is customary for contractors to put their profit and overhead into this item as it is a lump sum and is paid for incrementally. As this was the only abnormality, Staff is confident that the low bid pricing is appropriate.

The project has an engineer's estimate of cost of \$32,275.00. The low bid is \$7,125.00 higher than estimated, however as mentioned in the analysis this is likely the profit and OH number, and considering the small amount of the contract and the fact that the project does not have a line item for mobilization, Staff is confident that the low bid is a very reasonable price for the project. This project was not budgeted, as the project was a result of change order work that occurred on the Cumberland Pkwy/Copper Oaks Ph. 2 Roadway program that was completed earlier this year, in addition to an overall drainage study of the east side stormwater drainage basin to assess the need for in-line flow restrictors to protect downstream properties. As such, Public Works is suggesting transferring 40K to cover the project from the Street Improvement Capital Fund –Woods Creek Restoration (04900300-45593) project. The Woods Creek project was nearly completed in the last fiscal year and as such over half of the 600K budgeted for that project is surplus. The Village has worked with Martam Construction previously (most recently on the Manchester Lakes Outfall Revision). They are a very capable firm and highly recommended. It is for those reasons and the analysis conducted that Staff recommends Martam Construction for award in the amount of \$39,400.00 for the subject project contract.

During discussion, Trustee Brehmer asked if the Woods Creek Project is complete. Mr. Mitchard replied that project is complete.

Consensus of the Committee of the Whole was to pass this item on to the Board for approval.

B. Consider an Agreement with Sensus FlexNet AMI System for Management, Meters, and Installation of Residential and Commercial Water Meters

Throughout the last 12 months, staff has had many meetings with Sensus and Metron Farnier regarding the Water Meter Replacement Program. A one-year pilot program was implemented with Metron Farnier, installing meters in various village owned buildings and resident homes for testing. Unfortunately, staff was unsatisfied with the field test results. Also, throughout the study we encountered weak cellular reception for half the meters and not reading as they should.

As for Sensus Meters, which we have currently and been in place for the last 22 years, we can read finals on demand and do not have to get a reading that is 24 hours behind. Sensus Iperls are a mag meter with no moving parts, which have less to go wrong and beneficial with our mineralized water. The supplier has also agreed to own, provide and install, maintain and warrantee all the Flexnet radio hardware and antennas to auto-read the entire town. This represents about \$200,000 dollar negotiated savings to the Village of

Algonquin, not including the annual savings to maintain and manage this equipment to be mounted on our water towers and antennae towers. Much of the meter reading equipment that has recently been installed by our staff is backwardly compatible with this reading technology, so we will not have to return to every home in the system to change meters, only to install smart-point radios to broadcast readings to the towers. Many of the smartpoints are installed on the exterior of the homes. Metron is at a total of \$5,412,465.00 and Sensus is at a total of \$4,071,020.00. Leaving a cost difference of \$1,341,445.00. Staff recommends Sensus FlexNet AMI System. Funding for this project will come out of the Water/Sewer Improvement - 43370 account, and currently has \$400,000.00 budgeted for this current fiscal year. During discussion it was noted that the lifetime of this product is 20 years. Also, this is a multi-year project with the completion scheduled at the end of the third year.

The Committee of the Whole consensus is to take action on this item at the next Board meeting.

C. Consider an Agreement with Midwest Salt for Water Softener Salt

Bids were opened on December 1, 2017 for the purchase of water softener for calendar years 2018 and 2019. The Village participated in a joint bid for this material through the McHenry County Municipal Purchasing Initiative, which was led by the City of Woodstock. The joint bid included the communities of Algonquin, Cary and Woodstock. Only one valid bid was received for this material purchase. Midwest Salt out of West Chicago, IL was the low bidder using the delivery method that is required by the Village of Algonquin per our plant configuration, which is a truck with a controlled flow slotted tailgate. Algonquin uses an average of 80 tons of softener salt in a calendar year. The price per ton for 2018 is \$106.00 and for 2019 is \$111.00. This is much cheaper than the current vendor that we use who charges \$139.00 per ton. Money was budgeted for this in the Water Operating Fund.

The Committee of the Whole consensus was to move on to the Board for approval.

D. Consider an Agreement with HR Green for Phase 1 Design Engineering Services for the Souwanas Creek Reach 2 Improvement

Request for Proposal for the Souwanas Creek Reach 2 Improvement (VoA17-09-14A) project in the Village of Algonquin. This proposal was sent only to HR Green. HR Green responded with a bid of 69,888.00. HR Green had a handful of alterations to the insurance requirements, but nothing to significant. The Village has made these modifications on previous project with this consultant. The consultant made note of one alteration they made on the proposal. They have suggested moving the Easement & ROW Acquisition Documentation scope to Ph. 2 services, and have only put a fee in for some Draft work on this scope. HR Green was sent this request exclusively as they are the lead consultant on the adjacent Village roadway project (Scott, Souwanas, & Schuett) which involves the replacement of the existing CMP that takes Souwanas Creek under Souwanas Drive. As part of the roadway project they were required to utilize Applied Ecological Solutions to work on the change the discharge angle of the creek from the proposed culvert. The Souwanas Creek Reach 2 project will continue that work and thus keep this project team together. This project also includes potential off road multi-use path routes from Souwanas Drive. As noted above the Souwanas Drive project is headed up by HR Green whom is already working on the starting and end points of the Souwanas Drive multi-use path. The Village budgeted \$70,000.00 in the Streets Capital Improvement fund code 04900300 – 42232 for this project. The proposal comes in at just under this budgeted amount. Staff recommends, HR Green be considered for this project in the amount not to exceed \$69,888.00.

Following some clarification, consensus of the Committee of the Whole was to pass this item on to the Board for approval.

E. Consider an Agreement with Christopher Burke Engineering for the Downtown Streetscape and Utility Work; Design-Build Services

Village Engineer gave a presentation on the aspects and timing of this project.

The contract is about \$500,000 dollars higher than originally discussed due to some scope changes during our initial review that added some utility work to the project, some changes and enhancement to site furnishings and electrical and lighting work, extensions to the project limits on S. Main Street and W. Washington Street, and minor other modifications. The design-build concept is a recommendation to bring this project in on-time, within budget, and within the high expectation of the Board of Trustees, stakeholders, and our residents and businesses. Burke, LLC will be handling all design, bidding, contractor selection (with our approval), project construction management, and PR communications and marketing (through a third party vendor) under the Guaranteed Maximum Price of \$9,091,653. An owner's allowance of \$500,000 is also included, but will only be expended should there be significant changes in the project scope that would

add work task to the job. The most attractive part of this delivery method is the fact that the Village of Algonquin, as owner will be teaming with Burke, LLC and the contractors to deliver a quality project. In traditional design-bid-build delivery, the Village would be attempting to manage, at least, five separate contracts and five different contractors and their sub-contractors in this very tight and restrictive construction site. The design-build option allows us to funnel all construction contracts and related activities through Burke, LLC, making to overall management of the contract much more streamlined, comprehensive and coordinated. Any construction savings realized through the design-build team effort will be shared equally between Burke, LLC and the Village of Algonquin, as owner. Currently, in the Capital Improvement Budgets, we have \$2,150,000 budgeted in the Street Improvement Fund for streetscape related improvements including dry utility lowering, storm sewer work, and street construction; and in the Water and Sewer Improvement Fund there is \$1,500,000 for water main replacement and \$1,300,000 for sanitary sewer upgrades included for the downtown work. The remainder of the work will be budgeted in the FY 2018/2019 budget year in order to complete the work in Stage 1A.

Recommendation by Staff is to approve the contract with Burke, LLC in the amount of \$9,091,653.00. Work will begin as soon as the contract is approved and bids for services can be collected and considered by Burke, LLC. The contract is expected to be completed on, or before, December 15, 2018. It was noted that the Creek Bridge project is separate from this project but will be done at the same time. Federal funding is available for the bridge.

Following some discussion, it was the consensus to move on to the Board for approval

AGENDA ITEM 6: Executive Session

None

AGENDA ITEM 7: Other Business

None

AGENDA ITEM 8: Adjournment

There being no further business, the Committee of the Whole meeting was adjourned at 8:40 p.m.

Submitted: Jerry Kautz, Village Clerk