

## **PUBLIC SERVICES COMMITTEE**

*Minutes of Public Meeting*

*May 17, 2005*

Village of Downers Grove  
801 Burlington Avenue  
Ante Room

### **ROLL CALL:**

**PRESENT:** Commissioner Marilyn Schnell  
Commissioner William Waldack

**STAFF:** David H. Barber, P.E., Director of Public Works  
Mike Millette, P.E., Assistant Director of Public Works – Engineering  
Stan Balicki, Assistant Director of Public Works – Operations

**VISITORS:** David Matthies, 4622 Saratoga Ave.  
LuAnn Costello, 5910 Grand Ave.  
W.H. Brown, 1308 Gilbert Ave.  
Christine Fregeau, 1918 Elmore Ave.  
Jane Amorosi, 5742 Dearborn Parkway  
G.L. Goodman, 5834 Middaugh Ave.

**Commissioner Schnell** called the Public Services Committee meeting to order at 5:03 p.m.

### **APPROVAL OF STANDING COMMITTEE MEETING MINUTES**

March 15 and March 22, 2005 Minutes – were approved, as presented, on motion by Commissioner Waldack, seconded by Commissioner Schnell. Motion passed by voice vote of 2-0.

### **OLD BUSINESS**

Stormwater Master Plan – Commissioner Schnell began by stating that the Village Council's main concern with respect to the solicitation process for this project was that engineering firms located within Downers Grove were not included. Commissioner Schnell commented that staff addressed this concern at the last Public Services Committee meeting and asked if staff wanted a recommendation from the Committee to the Village Council to move forward with staff's recommendation to hire Clark Dietz for the project. Mr. Millette replied that was correct.

Mr. Barber said that he did respond to the concerns raised in Mr. Lavoie's letter and that he and Mr. Lavoie had spoken just recently. Mr. Barber explained to the Committee that he communicated to Mr. Lavoie that his firm not being included was not intended as a poor reflection on C.M. Lavoie & Associates. Further, Mr. Barber explained that he and Mr. Lavoie discussed the consultant selection process staff used and staff's reasoning for doing things the way they were done. Mr. Barber noted that staff still believes Clark Dietz best responded to the request staff prepared for the service.

Commissioner Schnell asked if staff wanted a motion to move this project forward and Mr. Barber replied that was correct. Mr. Barber stated that he believes this is an important project to move forward.

Commissioner Waldack made a motion to recommend to the Village Council to move forward with Clark Dietz as the consulting engineer for the Stormwater Master Plan Project. Motion passed by a voice vote of 2-0.

Commissioner Schnell commented that she would advise the Village Council of this recommendation in her report.

### **NEW BUSINESS**

Construction Contract Contingencies – Mr. Barber stated that staff is looking for direction and guidance from the Committee on this item. One issue with the use of construction contract contingencies is the Village's existing Purchasing Policy that talks about the Village Manager's purchasing authority up to \$15,000. On projects in excess of \$300,000, change orders need to be authorized by the Village Council per the existing policy. Also of importance is the Village Council's desire to know about contract changes as they occur. Thirdly, there is a need to keep construction projects moving.

Mr. Barber commented that he observed the discussion on this issue coming up during the construction of the parking deck as staff presented change orders to the Village Council for approval after the work was already finished. Mr. Barber noted that he is interested in better meeting all three of these needs within the scope of the Village's Purchasing Policy. On the parking deck project, for instance, Mr. Barber explained that the Village Council approved a \$500,000 contingency as part of the original bid award, but once contract changes in excess of \$15,000 occurred, every change was required to go before the Village Council for approval no matter how small. Mr. Barber stated that technically everything should come before the Village Council before it is authorized for construction, but that this is not practical from the standpoint of keeping projects moving. Mr. Barber said that delays in waiting for approval could cost money as well. He would like to see how the Village could keep projects moving while meeting the Village Council's needs and complying with the Village's Purchasing Policy.

Mr. Millette discussed some examples of how the need for change orders can occur, and the need for the field engineer to be able to make decisions. Mr. Millette commented that at times, waiting to make decisions could add costs to a project, as time is money for contractors. He explained that there is a delay factor as well as an inconvenience to the public factor, and that the Village's engineering staff tries to make good and rapid decisions when they encounter unforeseen circumstances in the field. As it stands now, Mr. Millette explained that field engineers consult with him or the Director of Public Works on situations to get direction. Mr. Millette noted that a true contract contingency can have advantages in that staff has latitude to fix problems as they arise while still reporting them to the Village Council. Further, he said that of all of last year's contracts, only two went over budget with those two projects being the Parking Deck and the Belmont Park Water Main. Mr. Millette closed by saying that he is interested in direction from the Committee on the use of contingencies.

Mr. Barber clarified that staff is not trying to withhold change orders from the Village Council. His bigger concern is keeping contractors moving, as he does not want to incur costs for delaying them. Mr. Barber noted that in some cases staff has come back to the Village Council after the fact and he has sensed that it is not the Village Council's main desire to see something after the fact for a rubber stamp. Mr. Barber stated that staff is trying to come up with a better way to meet the needs of the Village Council while getting work done.

Commissioner Schnell asked if staff is asking for a change in Village Policy such as raising the purchasing authority of the Director of Public Works or the Village Manager in the case of construction contracts and proposing to advise the Village Council of change orders via e-mail. Mr. Barber replied that raising purchasing authority is a possibility or as an alternative renewing the Village Manager's \$15,000 authority for each change order. Mr. Barber explained that staff mainly wants to meet the Village Council's communication need. Mr. Millette added that the Committee

might also want to consider that the Public Services Committee approves change orders up to a defined level.

Commissioner Schnell explained that the reason for the Village Council's comments on the Parking Deck change orders is the Village Council's perception that prior staff were playing with numbers and not keeping the Village Council advised of changes on other phases of the downtown infrastructure and streetscape work. She further described that the Parking Deck reporting process was a reaction to what had happened with previous downtown construction projects. Commissioner Schnell stated that monthly reports on all capital projects are worthwhile. Mr. Barber replied that staff does not want to get away from reporting.

Commissioner Waldack commented that he can understand the concept of renewing the Village Manager's \$15,000 purchasing authority for each change order, but he is not sure about raising the overall purchasing authority of the Director of Public Works or the Village Manager.

Commissioner Schnell closed discussion on this item stating that further review will be necessary. She suggested that next time staff prepare an overview of the alternatives in a table format showing the present policy as well, and how the policy might be followed in the case of a \$500,000 project, for example. Commissioner Schnell stated that her concern is to make sure the Village Council is kept involved and that any new process should stand the test of time regardless of the Village Council members or staff involved.

Water Rate Change and Projects – Mr. Barber began by stating that the DuPage Water Commission has lowered their water rates to municipalities by \$0.20 per 1,000 gallons beginning May 1, 2005. Staff has been reviewing the water system to determine the impact of this rate change. On average, Mr. Barber noted that the Village purchases 2.2 billion gallons of water per year from the DuPage Water Commission. This translates to an annual savings of about \$440,000 based on the rate change. There will also be a fixed fee associated with debt that will go up by a small amount, so the real savings is about \$435,000. Mr. Barber explained that the Commission charges the Village for each 1,000 gallons of water, but the Village's water customers are charged on the basis of 750 gallons. This translates to a \$0.15 rate reduction per 750 gallons. Mr. Barber noted that the existing rate the Village charges for water is \$2.80 per billing unit and that there is a minimum bill of one unit per month. Staff found that about 91% of the Village's water customers are single-family homes, but that they consume only 54% of the water the Village sells. The remaining 9% of the Village's water customers use the other 46% of the water sold. Mr. Barber described that the average single-family customer uses 8.7 units of water per month and has an average water bill of \$24.25. Passing along 100% of the savings from the Water Commission would result in a monthly savings to the average single-family homeowner of \$1.30.

Mr. Goodman asked about the level of participation in the Village's automatic payment system and if it can be promoted more. Mr. Barber replied that there is not a high use of the automated payment but there are some existing software limitations that will be addressed in the future. Mr. Barber stated that staff is looking at how to handle the rate reduction and that there are two projects proposed to be done using the full savings from the rate reduction. Mr. Barber explained that the first project involves advancing a water line replacement on Cornell Avenue south of the railroad tracks to accommodate new residential development. The second project is a computer model of the water system. The last water system review was completed several years ago and is now out of date. The computer model will use new technology to help identify system deficiencies and prioritize future capital needs. Mr. Barber stated that staff is asking for the Committee's input.

Commissioner Schnell asked if both projects would use up the \$435,000. Mr. Barber replied that was correct. Commissioner Schnell asked if there are sufficient reserves to pass along half of the savings and do both suggested projects. Mr. Barber replied that was correct.

Commissioner Waldack stated that his first reaction is to rebate half of the rate reduction to the Village's water customers and retain the other half, but still get both projects done. Commissioner Schnell stated that she agrees but is not sure what the rest of the Village Council's reaction will be. Commissioner Schnell stated that she believes this issue needs to be discussed at a Village Council Workshop Meeting.

Mr. Brown asked if water rates are structured so that the more is used, the less it costs. Mr. Barber replied that there is a single rate and that such declines in rates for greater use have fallen out of favor because of the cost to produce water. Mr. Brown replied that he is glad there is a single rate as water is a scarce resource.

Gilbert Avenue Sidewalk/Sidewalk Matrix – Mr. Barber began by summarizing the changes to the sidewalk matrix that were made based upon the direction given to staff at the recent Village Council discussion. Mr. Barber commented that one of the things he heard was that people wanted some stability to the matrix, and as such he is suggesting to set the first five years worth of projects provided the budget remains the same. Further annual updates to the matrix will only affect projects after the first five years.

Commissioner Schnell asked if setting the first five years of projects will allow staff to complete advance survey and design work for future year projects. Mr. Barber replied that was correct.

Commissioner Schnell asked how aggressively staff is pursuing the construction of sidewalk along Gilbert Avenue. Mr. Barber replied that staff is pursuing this very aggressively, and that he suggests using the contingency funds in this year's capital improvement plan for this. Mr. Barber added that a geotechnical engineer was at the site this week doing work, as there is a need to determine structural support for a retaining wall. The Gilbert Avenue roadway will likely be moved further to the north as part of this project with the sidewalk staying on the south side of the street. Mr. Barber described that there may need to be a railing between the sidewalk on the south side and the creek. Further, there will probably be a guardrail between the sidewalk and the street. Mr. Barber added that a surveyor will be doing work on the site soon and that drainage and stormwater issues will need to be addressed before bidding the project.

Commissioner Schnell asked if staff has applied for the required stormwater permits yet. Mr. Barber answered no, but staff is working on the application with a consultant. Commissioner Schnell commented that when sidewalk was constructed on Lee Avenue, the stormwater permit took months to obtain. She asked how long it would take to get this time. Mr. Barber replied that obtaining the stormwater permit would require a similar amount of time but that staff will push this with the goal of getting the project done this year.

Commissioner Schnell stated that she is trying to understand how the Gilbert Avenue sidewalk will get done this year when the Village still needs to coordinate with the Forest Preserve District, the Park District and obtain permits. Mr. Barber replied that the Gilbert Avenue sidewalk project needs to be bid separately from other sidewalk projects since there is so much street work involved. Commissioner Schnell asked how this project can realistically be bid in August and finished in time if the Village will not hear about stormwater permits until August. Mr. Millette answered that the sidewalk can still be finished if work is started as late as October 1.

Commissioner Schnell asked if all permitting and design on the project could be finished by August. Mr. Barber replied that staff is now looking at how to handle stormwater drainage and the retaining wall. He expects answers on these issues in the next few weeks with design not taking long after that.

Commissioner Schnell asked where the Village stands with the Park District and Forest Preserve District. Mr. Barber replied that he has spoken with Dan Cermak at the Park District but that the design of the project needs to be finished to help resolve outstanding issues. Mr. Millette added that two meetings have been held with the Forest Preserve District staff at a conceptual level and that the Village's sidewalk plans are consistent with their access and circulation plans.

Commissioner Schnell asked what the Village's liability is if the sidewalk is run to the parking lot on the west side of Gilbert Park. Mr. Barber replied that there are options to design the transition properly but that this is something that still needs to be worked out.

Mr. Goodman asked if the part of the sidewalk west of the bridge is now being actively designed. Mr. Barber replied that staff is looking at the design of a sidewalk from the western parking lot at Gilbert Park to Lee Avenue. Mr. Millette added that the part of the sidewalk from the parking lot to the bridge is more in the study phase while the part from the bridge to Lee Avenue is in design.

Status of Localized Poor Drainage Areas (LPDA's) – Mr. Barber began by stating that there are about 200 LPDA's in the Village. These areas are now shown on the Village's Intranet site and are readily available for discussions with residents and builders. Mr. Barber added that eventually this information would be on the Village web site.

Commissioner Schnell asked if the Village was eventually going to eliminate all LPDA's. Mr. Barber replied that LPDA's would be evaluated against a list of six criteria. Staff's intention is to discuss this issue with DuPage County, as there is no need to regulate all current LPDA's as floodplain. Mr. Barber reiterated that the LPDA digital map is now online and that the staff will be happy to work with people that come into the office to see it.

A resident asked about how this will affect drainage in neighborhoods with teardowns.

Mr. Matthies noted that he has a client right now that is affected by an LPDA. Whether or not the LPDA remains means the difference between a developable lot and a park. Mr. Barber noted that some areas would need to remain LPDA's unless major storm sewer improvements were completed but that staff is trying to eliminate or reduce as many possible.

## **PUBLIC COMMENTS**

### **ADJOURN**

Meeting adjourned at 6:30 p.m.

Respectfully submitted,  
(as transcribed from tape)

/s/ Stan Balicki  
Stan Balicki, Recording Secretary