

MINUTES
VILLAGE OF ELBURN COMMITTEE OF THE WHOLE (COW)
FEBRUARY 18, 2020

Board Members Present: President Trustees: Ken Anderson, Bill Grabarek, Chris Mondri, Matt Wilson

Board Members Absent: Jeff Walter, Sue Filek, Patricia Schuberg

Staff Members Present: Village Administrator John Nevenhoven; Finance Director Doug Elder, Village Attorney Bill Thomas, Police Chief Nick Sikora; Building Commissioner Tom Brennan; Village Engineers Julie Morrison & Colleen Jaltuch

Others Present: Resident LeRoy Herra; Angela Randall, Lydia Gay, Dorothy Carlson, James Huguelet, Jason Mann, Tony Basile, Lynda Flowers, Peter & Donna Baughman, Judie Childress, John Keen, Fred Morelli, Carol Molitor, Tom & Diane Slosar, Dolf Schaschwary, Bruce Aderman, Elburn Herald Reporter Susan O'Neill

1. Call to Order – Mayor Pro-Tem Anderson called the meeting to order at 8:00 PM.
2. Roll Call – A roll call ensued.
3. Public Comment – Bruce Aderman invited everyone to partake in the annual St. Gall's Church turkey dinner on March 15 from noon to 3:00pm.
4. Discussion:
 - a. Anderson Road Engineering Change Order #1 – Village Engineers Julie Morrison and Colleen Jaltuch were present. Morrison discussed timing in Change Order #1. Moving forward, Morrison assured the Village will be better informed with changes in scope and cost increases. Regarding scope, when preparing for Phase II, IDOT threw us for a loop when they came in wanting a re-do of Phase I (which was completed 10 years ago). This was not anticipated and was out of the norm. As the project moved forward, EEI would submit revisions based on IDOT comments, only to result in yet another round of review with additional comments/changes. It was a moving target and was very unfortunate IDOT put EEI and the Village through this. EEI will continue to do what IDOT asks in order to get the project out to bid.

Jaltuch went through each change item and explained in detail the background and actions taken for each.

It was pointed out the Phase II contract specifies any work done outside the phase would be a separate agreement. Jaltuch replied EEI initially thought they could absorb the costs and/or the attorney would handle. In hindsight, Jaltuch said EEI should have stopped and created a separate agreement—how much the scope grew was not anticipated and thought it could be accommodated in the Phase II contract.

Regarding the Phase I requests, Wilson asked how much Village staff was in the loop for the additional scope and costs. Wilson said it sounds like EEI did a lot of work anticipating receiving reimbursement without receiving direction from staff. Morrison, who only recently became involved with Village projects due to Dave Burroughs' retirement, was not first-hand involved in earlier discussions. Morrison said the scope and additional work was conveyed to staff but cost was not. Nevenhoven said Village staff knew at every step when there was an additional hurdle but does not recall seeing anything addressing additional cost. Morrison admitted there was a

lack of communication as far as additional cost but there also was an urgency to keep moving on the project for fear of losing the funding.

Some of the items were discussed in more detail such as why we kept going for the next letting when we didn't own the land, and \$7,000 (which is excessive) for two public meetings. As far as the lettings, Jaltuch said EEI knew Village Attorneys were in the process of acquisitions and not being prepared for each letting would delay the process if acquisitions were complete. For the public meetings, exhibits needed to be prepared and EEI staff attended each meeting.

Jaltuch said although we have now missed the March letting, we have heard funding is guaranteed. However, if there is no IDOT funding available for this fiscal year, we may need to wait for the November letting which is a new fiscal year for IDOT.

Temp Chairman Anderson said he was hoping to see a budget showing all expenditures to date and what we anticipate the final cost for the Village. Anderson would like Village staff and EEI to meet and negotiate what costs can be eliminated from the \$74,000 Change Order #1. There was consensus from the Board that we do want this project completed because the extension of Anderson Road is in everyone's best interests. Morrison said the \$74,000 is already a reduction from costs incurred by EEI—but the door is always open and EEI is willing to have discussions with staff before this comes back to the Village Board. Morrison reiterated communication will be dealt with differently if a project spins out of control again.

- b. Anderson Road Engineering Change Order #2 – Morrison said for Change Order #2 (Noise Analysis), she added "not to exceed \$5,000" for engineering. Change Order #2 is required and is solely related to Phase I.
- c. FY21 Streets Budget – Nevenhoven presented in the absence of Supt. VanBogaert. The following comments were made:
 - For streets lights, let's go to 2 or 3 standard poles and heads so there can be some cost savings.
 - Thryselius Road will be curb and gutter, not a rural cross road. There will be cost-share for the work done on Thryselius.
 - Trustee Mondri inquired about increasing Public Works Laborer salaries by incentives/scales. Nevenhoven said we can look into something for successful completion of licensing.
 - It was asked how many acres Public Works mows within the Village. Rather than just SSAs and Metra, it was suggested we outsource all mowing in order to better utilize staff skills. This would relieve the purchase of mowers. Obtaining proposals vs. going out for bid would be easier for staff to manage.
 - An additional Laborer will be added next fiscal year. There was consensus from the Board this is a good idea with the growth Elburn is experiencing.
 - Risk and Resiliency (for water only) is an unfunded mandate from the Federal Government.

Elder said as with all department budgets at this point, this is preliminary and may change before the final budget comes to the Board.

- d. Cannabis Dispensary and Processing – A question was previously raised on this topic and Building Commissioner Brennan gathered some information for the Board's review. Brennan highlighted the information and how it implies to the Village's current Zoning Ordinance. Brennan averages one call a week from the public on this topic and they are usually out-of-state inquiries. For dispensaries, the Village requires a Special Use which creates a public process for land use. Should the Village require a Special Use for this use as well in order to create a public process? Brennan stated agriculture is a permitted use in all zoning districts. Attorney Thomas highlighted some of the State requirements as far as number of growing sites allowed. Thomas stated the Village Zoning Ordinance can be amended to provide the same vetting process as dispensaries. This is for discussion only at this point and no action will be taken tonight.

5. Other Business – None

6. Adjourn – Trustee Mondri moved to adjourn the meeting at 9:08 p.m. The motion was seconded by Trustee Wilson and passed by a unanimous voice vote.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Diane McQuilkin". The signature is written in black ink and is positioned above the printed name and title.

Diane McQuilkin
Village Clerk