

MINUTES
VILLAGE OF ELBURN BOARD OF TRUSTEES
JUNE 15, 2020

Board Members Present: President Jeff Walter, Trustees: Ken Anderson, Sue Filek (via ZOOM), Bill Grabarek (via ZOOM), Chris Mondri, Patricia Schuberg, Matt Wilson

Board Members Absent:

Staff Members Present: Village Administrator John Nevenhoven; Finance Director Doug Elder, Village Attorney Bill Thomas, Police Chief Nick Sikora; Building Commissioner Tom Brennan; Public Works Supt Phil VanBogaert; Village Engineer Julie Morrison

Others Present: Residents LeRoy Herra; Bruce Aderman, Jason from Fehr Graham; Julie Bartelson; Deryk Bryja and family; Julie Bartelson, Mary Hansen; Shodeen reps Dave Patzelt & Bob Skidmore; space needs planner Dean Roberts

1. Call to Order – Village President Jeff Walter called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance – Trustee Anderson led the assembly in the Pledge of Allegiance.
3. Roll Call – A roll call ensued.
4. Public Comment, Awards & Presentations
 - a. Mayor Walter stated a comment was received from Laura Dempsey inquiring about the Crown Development and encouraged the Village of Elburn to deny the plan. Mayor Walter said the Village has received nothing from Crown Development and there is no plan to consider.
 - b. Peter Cocerod submitted a public comment stating he is opposed to the Crown Development.
 - c. Alissa Wolf submitted public comment regarding the Black Lives Matter rally held on Sunday, June 7, and believes the rally should have been held at Heritage Park vs. Veteran’s Park.
5. Omnibus Agenda (Omnibus Vote) – All items listed with an asterisk (*) are considered to be routine by the Village Board or were recommended unanimously by the Committee of the Whole and will be enacted by one motion. There will be no separate discussion on these items unless a Board Member or citizen so requests in which event the item will be removed from the Omnibus (Consent) Agenda and considered in its normal sequence on the Agenda.

*Minutes

**Village Board Minutes June 1, 2020*

**Committee of the Whole June 1, 2020*

**Risk & Resilience Assessment PSA with Fehr Graham*

A motion was made by Trustee Mondri and seconded by Trustee Schuberg to approve the Omnibus Agenda. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondri, Schuberg, Wilson. Nays: None. Motion carried.

6. Mayor
 - a. Chief Sikora introduced new police officer Deryk Bryja. Bryja will replace Officer Janito who is on permanent medical disability. Mayor Walter performed the swearing of oath.
 - b. Mayor Walter thanked the Police Department, Public works, Village Admin Nevenhoven for their help with the Black Lives Matter rally held last week. For the record, the rally organizers were not forced to move and it ended up at a better location. The event went very smooth and quiet. A protest march occurred yesterday in Blackberry Creek with approximately 20 participants.
 - c. Mayor Walter read aloud an email from resident Bruce William complimenting the work and service of employee Jacob Petrik from Public Works.
 - d. The birthday parades are over now that things are getting back to normal. Mayor Walter thanked the Police Department and Public Works for their participation.

- e. The ECDC will sponsor monthly farmers markets starting July 25 through October. They will be held at the First Street/North Street parking lot.
 - f. The ECDC is sponsoring a food truck rodeo on June 27 from noon to 5:00pm at the First Street/North Street parking lot.
 - g. Eddie Gaedel's is hosting a Back Alley Bash on June 26 and 27.
 - h. The new Obscurity restaurant/brewery opens July 1.
7. Village Attorney – Attorney Thomas reported the Governor has signed SB2135 which went into effect right away. One of the items enacted is the ability to conduct remote meetings.
8. Village Clerk – No report
9. Village Engineer – Village Engineer, Julie Morrison, reported the IDOT letting occurred last Friday for the Anderson Road Extension project and Geneva Construction is the assumed winner. Mid-August is the estimated start date. The Blackberry Creek HOA wants to put up monuments on both sides of the road. It was asked if they should they be involved in a pre-construction meeting or after the fact when the road is built. Morrison said after the fact.
10. Administration
- a. Discuss and Consider Approval of the Payment Allocation of the Elburn Station Community Park – Village Admin Nevenhoven presented. Last Tuesday, the Blackberry Township Board met and decided they would not participate/fund above their original commitment of 1/3 of \$400K. Therefore, expenditures above \$800K will be shared between the Village and Shodeen. At the previous meeting, the Board stated they wanted to be involved before any additional funds are expended on this project. As it currently stands, the project is at least \$181,673 over the \$800,000 budget which means the Village and Shodeen will have to cover an additional \$90,836.50 each for a total of \$224,169. The project cost includes playground equipment but no contingencies. Nothing has been submitted to IDNR yet since we were waiting on a decision from Blackberry Township. Nevenhoven asked for direction from the Board. Discussion ensued that it will be hard to come up with another \$90K (plus unforeseen contingencies) given the fact that all department budgets have been cut due to reduction of revenue due to COVID. If we were further down the economic recovery road, it would be easier to make predictions. Shodeen rep Patzelt stated Shodeen is the Village's partner and disagrees with the amount of anticipated overage. Nonetheless, Shodeen agrees to split the cost with the Village no matter what the overage. Patzelt suggested some of the alternates included in the bid package be eliminated for further cost savings. Nevenhoven stated some of the alternates should not be eliminated because they include underground drains which are critical for longevity and maintenance of the park. Nevenhoven said the Board previously voted to move forward with the park and the cost overage based on three equal partners. Nevenhoven asked for direction from the Board to either forward with the additional spending or cancel the project. No motion was made. There was consensus on the Board to move forward with the project but stay on budget at \$800,000.
 - b. Discuss and Approve Easement Agreement with Obscurity, 113 W North Street – A motion to approve was made by Schuberg and seconded by Wilson. A roll call vote ensued. Ayes: Anderson, Filek, Mond, Schuberg, Wilson (Grabarek lost connection to ZOOM). Nays: None. Motion carried.
11. Building and Zoning – No report
12. Finance Department
- a. Discuss the Treasurer's Report for Month Ending April 30, 2020 – Finance Director Elder presented and stated the figures do not include auditor changes. The Village is on a four month rotation for sales tax and income tax. April and May sales tax took a 25% hit compared to the same month last year. Income tax took a 51% hit in April and 13% in May. The Board made the right decision to defer headcount increases and capital expenditures. Financial experts are saying we are officially in a recession with a sustained negative economic impact and slower than expected recovery.
 - b. Discuss the Treasurer's Report for Month Ending May 31, 2020 – Elder presented the report.

- c. Discuss Expense and Revenue Report for Month Ending April 30, 2020 – Elder presented and stated this is the last month of FY2020. Mayor Walter commended department heads for their budget management not only in last fiscal year but for the current situation. Elder stated we won't know for certain what revenues will be for another two to four months. Sales tax, income tax and property tax are the three large revenue streams for the Village.
 - d. Discuss Expense and Revenue Report for Month ending May 31, 2020 – Elder presented the report.
13. Police Department
- a. Discuss and Approve Ordinance 2020-16 Sale of Personal Property – Various Equipment and Vehicles – A motion to approve was made by Mondy and seconded by Wilson. Chief Sikora stated many of the items from the Police Department are out of date or broken and includes the old CSO vehicle which has been taken out of service. Public Works also has an out of service pickup truck and a no longer used V-Box salt spreader. There are no plans at this time to replace the two vehicles on the list. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondy, Schuberg, Wilson. Nays: None. Motion carried.
 - b. Chief Sikora reported on the following: 1) A new full time officer (Deryk Bryja) was sworn in earlier this evening; 2) We had 100% compliance with the latest retail tobacco check; 3) Officer Terek is back at the training academy for two final weeks of training followed by the remainder of his field training. We anticipate Officer Terek will be in the rotation starting in August; 4) The oldest patrol vehicle has been transitioned to the new CSO vehicle. The graphics on the vehicle were donated by Stick It Graphics from here in town.
14. Public Works Department
- a. Discuss and Approve Ordinance 2020-15 Sale of Personal Property – Excess Black Dirt – A motion was made by Schuberg and seconded by Filek. Public Works Supt VanBogaert presented and stated EEI prepared a topo of the hill and it is estimated it consists of approximately 20,721 CY. VanBogaert said pricing would be \$6-\$10/CY and would be on the honor system. Some of the dirt will be kept for use by Public Works. When asked, Engineer Morrison stated this will not impact the Anderson Road Extension project. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondy, Schuberg, Wilson. Nays: None. Motion carried.
 - b. Discuss and Approve Bid from Custom Concrete - \$21,900 – VanBogaert presented. While West Suburban Concrete is not the low bidder (by \$1,300), the quality of their product is better and they will be able to complete the job in a more timely fashion. There was consensus from the Board to approve the bid from West Suburban Concrete due to the reasons discussed. A motion to approve was made by Schuberg and seconded by Wilson. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondy, Schuberg, Wilson. Nays: None. Motion carried.
 - c. Discuss and Approve SSES Phase 2 PSA from EEI, Inc. for \$185,000 – VanBogaert presented the bid which came in under budget, however, there could be additional cost for heavy jetting that may have to be hired out. This is the last piece of research in order for EEI to put together the entire plan including costs, etc. VanBogaert and Engineer Morrison do not anticipate any cost overruns. A motion to approve was made by Anderson and seconded by Filek. The Village, EEI and the company completing the research will communicate with residents to keep them informed—especially for the smoke testing. Police and Fire Departments will be made aware of the timelines. There was consensus it would be a good idea to give forewarning to all residents of the testing including benefits of same. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mondy, Schuberg, Wilson. Nays: None. Motion carried.
 - d. Discuss and Approve Construction Engineering Agreement for Anderson Road with EEI, Inc. for \$98,782.84 – A motion to approve was made by Schuberg and seconded by Anderson. The Board asked what could possibly cause a cost overrun. Engineer Morrison stated the full contract is \$169K and bids came in under estimates. A change to the access road at Well #5 may occur but because of proximity, cost savings will be realized. While there could be a construction change order, no engineering overruns are foreseen. The Village has to outlay all funds and then be reimbursed which usually takes a pretty long time, however, the funds are secured federal funds. Trustee Anderson noted engineering is 17% of the total project cost vs. the typical 10%. Morrison said with an IDOT project there is a lot of paperwork, coordination and effort. The Board was in agreement that we have to stay on top of this and do whatever we can to prevent engineer overruns and construction change orders. Trustee Wilson said he is not comfortable with this

amount for the size of the project and thought we were getting more bids. It was discussed that the Village did a Request for Qualification (RFQ) for this project and only two firms responded. It is too late for additional bids at this time and it is important to keep the project on schedule. EEI staff has a lot of time and experience in this project and it has not been an easy one. The Village will recoup some of the funds back from the federal government. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mond, Schuberg. Nays: Wilson. Motion carried. There was further discussion that this type of job would be a good one to obtain bids. It was recommended the Village conduct an RFQ for future project bidding.

15. Bills

- a. Approve the Bills List – A motion was made by Trustee Grabarek and seconded by Trustee Wilson to approve the bills for Monday, June 15, 2020 for \$127,159.60. A roll call vote ensued. Ayes: Anderson, Filek, Grabarek, Mond, Schuberg, Wilson. Nays: None. Motion carried.

16. Other Business – None

17. Adjourn - Trustee Mond motioned to adjourn the meeting at 8:39 p.m. with Trustee Wilson seconding the motion. The motion passed by a unanimous voice vote.

Respectfully Submitted,



Diane McQuilkin
Village Clerk