

CITY OF BATAVIA
100 N. Island Avenue, Batavia, IL 60510
(630) 454-2000 <http://cityofbatavia.net>

Committee of the Whole Agenda

Tuesday, July 26, 2016
7:30 PM Council Chambers 1st Floor

1. Roll Call
2. Items Removed/Added/Changed
3. Matters From The Public (For Items NOT On Agenda)
4. Consent Agenda:

The consent agenda is made up of items recommended by city staff that require recommendation to the full City Council by the COW. This agenda is placed as a separate item on the COW agenda. The items on the consent agenda are usually minor items, already budgeted, standard non-policy activities or outgrowths of earlier meetings and are voted on as a "package" in the interest of saving time on non-controversial issues. However, any council member may, by simple request, have an item removed and placed on the "regular" agenda.

- a. Resolution 16-62-R: Accepting a Plat of Easement and Abrogation for Batavia Business Park – Lots 87/88 (DMR 7/11/16) CD
- b. Ordinance 16-42: Annexing Rear Parcels of 1321-1361 Chautauqua Street (SCB 7/19/16) CD
- c. Ordinance 16-45: Annexing Rear Parcel of 958 Millview Drive (SCB 7/19/16) CD
- d. Ordinance 16-44: Surplus Police Vehicles (GJS 07/15/16) CS
- e. Resolution 16-67-R: Approving contract with SAK Construction LLC for Tri-City Sanitary Sewer Lining Program in an amount not-to-exceed \$192,683.40(John Dillon 7/19/16) PU
- f. Resolution 16-68-R Bank Agency Resolution (LP 7/20/16) GS

Documents:

[RES 16-62-R EASEMENT-ABROGATION--BUSINESS PARK.PDF](#)
[ORD 16-42 CHAUTAUQUA REAR ANNEX.PDF](#)
[ORD 16-45 958 MILLVIEW REAR ANNEX .PDF](#)
[ORDINANCE 16-44 - SURPLUS VEHICLES PD.PDF](#)
[RESOLUTION 16-67-R.PDF](#)
[RES 16-68-R BANKING AGENCY RES.PDF](#)

5. PRESENTATION – Mike Young, RJN Group – Results Of 2015 East Side Flow Monitoring And Modeling Project
6. Resolution 16-66-R: Authorizing Task Order #21 With RJN Group For Sanitary Sewer Infiltration And Inflow Work For The Amount Not-To-Exceed \$58,450.00 (John Dillon 7/19/16) PU

Documents:

[RES 16-66-R SANITARY SEWER EVAL CHERRY PARK TASK ORDER 21.PDF](#)

7. Resolution 16-65-R: Approving Contract With National Power Rodding Corp. For Cleaning And Televising Of Main Street Sanitary Sewer In An Amount Not-To-Exceed \$39,519.90 (John Dillon 7/19/16) PU

Documents:

[RES 16-65-R AGRMT W NATIONAL POWER RODDING-MAIN ST.PDF](#)

8. Appointment Of FOIA Officer (LMN 7/21/16)

Documents:

[FOIA OFFICERS.PDF](#)

9. Continued Discussion: Implementing Contractor Registration (SCB 6/3/16) CS

Documents:

[CONTRACTOR REGISTRATION COMBINED REP2-2016.PDF](#)

10. Project Status
11. Other
12. EXECUTIVE SESSION: Land Acquisition
13. Adjournment

CITY OF BATAVIA

DATE: July 11, 2016
TO: Committee of the Whole – CD
FROM: Drew Rackow AICP, Planner
SUBJECT: Resolution 16-62-R: Accepting a Plat of Easement and Abrogation for Batavia Business Park – Lots 87/88

Background: Batavia Business Park is preparing plans to relocate an existing water line that is located on an easement between lots 87 and 88 in the Batavia Business Park. The water main currently crosses the two lots in a manner consistent with lot patterns of the original subdivision in 2000. Lots 87 and 88 are the result of a re-subdivision that occurred in 2002. The relocation would allow the use of the existing two parcels as one larger property for development. The attached plat authorizes the abrogation of the existing easements along the shared property line of lot 87 and 88 and the easement that crosses the center of the properties. Additionally it creates an easement at the south edge of lot 88. The attached Resolution would authorize the Mayor and Clerk to sign the plat.

The Engineering Division continues to work with the applicant for the proper permits for the relocation of the water main. Recording of the plat will not occur until the water main relocation has been completed.

Alternatives: The Committee may approve the Resolution as presented, or not approve the resolution.

Pros: Approval will remove an impediment that would otherwise prohibit the use of lots 87 and 88 as one larger industrial lot providing greater flexibility for development opportunities.

Cons: Staff has not identified any negatives with this proposed action.

Budget Impact: None

Staff Impact: None

Timeline for Actions: Committee action on Resolution 16-62-R will allow the Resolution to be placed on the August 1 City Council meeting for final action. This will facilitate the review of the water main relocation.

Recommendations: Staff recommends approval of Resolution 16-62-R as presented. Staff has placed this item on the COW Consent Agenda.

Attachment: Resolution 16-62-R Accepting a Plat of Easement and Abrogation for Batavia Business Park

c: Mayor and City Council
Department Heads
Stan Carlson, Batavia Land Venture
Press
File

**CITY OF BATAVIA, ILLINOIS
RESOLUTION 16-62-R**

RESOLUTION ACCEPTING PLAT OF EASEMENT AND ABROGATION

WHEREAS, Batavia Land Venture, LLC (“Owner”) owns properties that it is seeking to create a larger lot for development; and

WHEREAS, the City of Batavia (“City”) has determined that the existing water line present on the property is necessary for the operation of the City water system; and

WHEREAS, the Owner is desirous to relocate a water main to create a larger lot and eliminate the existing easements that present along the center of the two properties; and

WHEREAS, the Owner has submitted for City acceptance a Plat of Easement and Abrogation that would grant and establish said utility easements as shown and described in Exhibit “A” attached hereto; and

WHEREAS, the City desires to accept the easements as shown and described in Exhibit “A.”

WHEREAS, the City and Owner also desire to abrogate the existing easement to establish a larger buildable lot.

NOW, THEREFORE, be it resolved by the Mayor and the Council of the City of Batavia, Kane County and DuPage County, Illinois, as follows:

SECTION 1: The recitals set forth above are incorporated as if fully stated herein as a material term of this Resolution.

SECTION 2: The Plat of Easement and Abrogation that would grant and abrogate said utility easements as shown and described in Exhibit “A” attached hereto is hereby approved and accepted.

SECTION 3: This resolution shall become effective from and after its approval.

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this 1st day of August, 2016.

APPROVED by me as Mayor of said City of Batavia, Illinois, this 1st day of August, 2016.

Jeffery D. Schielke, Mayor

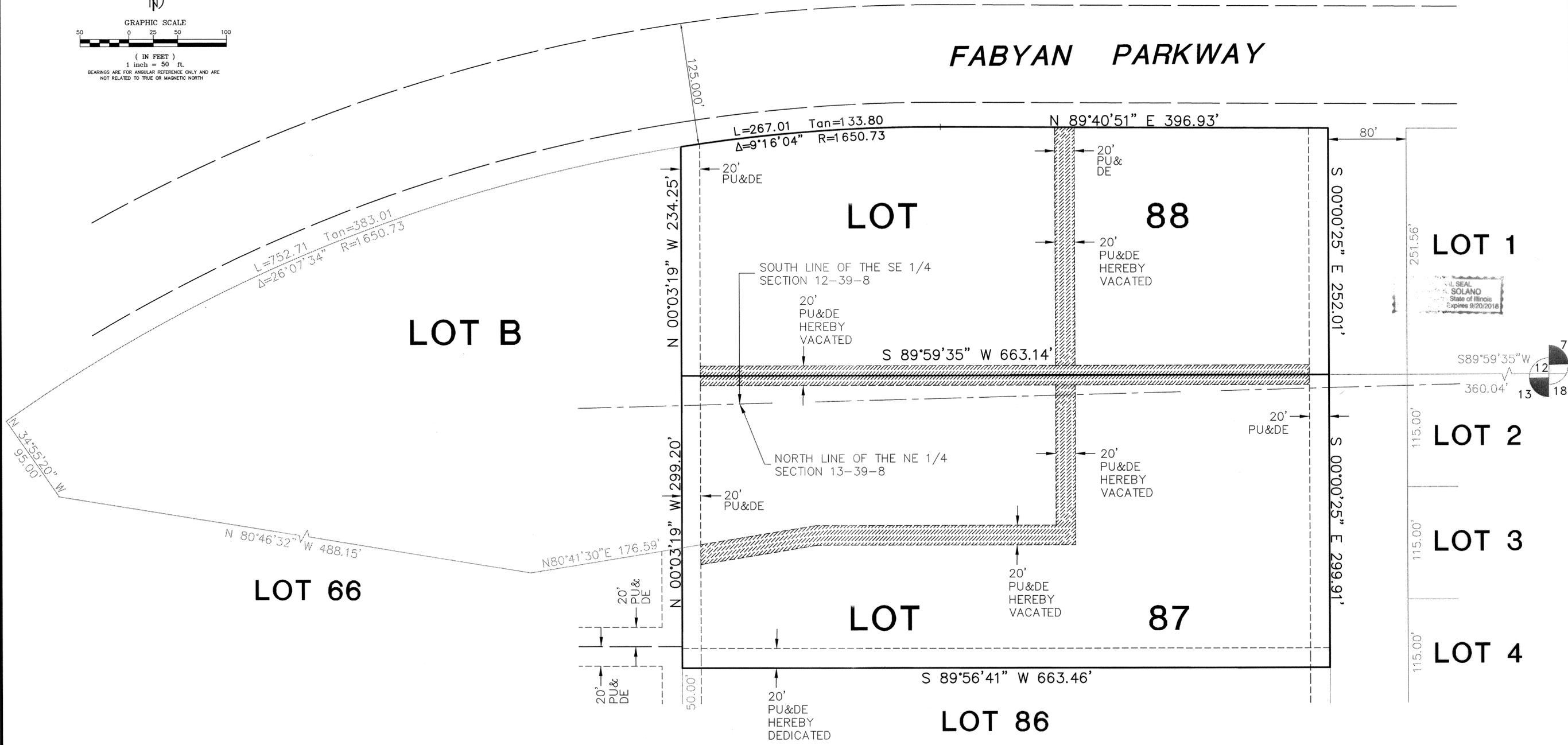
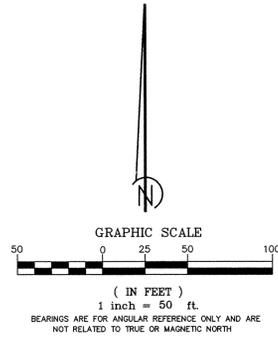
Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Fischer				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Atac				
6	Cerone					Russotto				
7	McFadden					Brown				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent	Abstentions					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

Christine Simkins, Deputy City Clerk

PLAT OF EASEMENT AND ABROGATION

BEING A RESUBDIVISION OF PART OF LOT B AND ALL OF LOTS 87 AND 88 IN BATAVIA BUSINESS PARK SUBDIVISION BEING PART OF THE SOUTHEAST QUARTER OF SECTION 12 AND PART OF THE EAST HALF OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN KANE COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED IN KANE COUNTY ON JUNE 30, 2000 AS DOCUMENT NO. 2000K052067.



LEGEND:
 PU = PUBLIC UTILITY
 DE = DRAINAGE EASEMENT
 = EXISTING EASEMENT PER DOCUMENT NOS. 2000K052067 & R2000099708

P.I.N. - 12-12-475-005

JLH Land Surveying Inc.
 Land Surveying
 7222 Courtwright Drive, Plainfield, Illinois 60586
 (815) 729-4000 E-Mail: www.jlhasurvey.com

DATE	REVISIONS
4/15/15	CLIENT COMMENTS
4/15/15	REVISE EASEMENT PROVISIONS
4/15/15	REVISE CERTIFICATES
4/21/15	REVISE CERTIFICATES
5/13/15	PER CITY OF BATAVIA REVIEW
6/17/15	REVISE OWNER'S CERTIFICATE

BATAVIA BUSINESS PARK
BATAVIA, ILLINOIS
BATAVIA LAND VENTURE, LLC

PROJ. NO.: JLH
 DRAWN BY: JAH
 CHECKED BY: JLH
 DATE: 4/15/2015
 SCALE: 1"=50'

SHEET
1 OF 2
 15-314-100

PLAT OF EASEMENT AND ABROGATION

BEING A RESUBDIVISION OF PART OF LOT B AND ALL OF LOTS 87 AND 88 IN BATAVIA BUSINESS PARK SUBDIVISION BEING PART OF THE SOUTHEAST QUARTER OF SECTION 12 AND PART OF THE EAST HALF OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN KANE COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED IN KANE COUNTY ON JUNE 30, 2000 AS DOCUMENT NO. 2000K052067.

OWNER'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE } S.S.

THIS IS TO CERTIFY THAT BATAVIA LAND VENTURE, AN ILLINOIS LIMITED LIABILITY COMPANY, IS THE OWNER OF THE PROPERTY DESCRIBED ON THE EASEMENT AND ABROGATION PLAT AND HAS CAUSED THE SAME TO BE SURVEYED AS INDICATED THEREON FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THE UNDERSIGNED HEREBY DEDICATES FOR PUBLIC USE THE AREAS ON THIS PLAT DESIGNATED AS PUBLIC STREETS, AND HEREBY ALSO RESERVES AND GRANTS EASEMENTS FOR THE INSTALLATION OF VARIOUS PUBLIC UTILITIES AS DESIGNATED AND AS STATED IN THE EASEMENT PROVISIONS STATED THEREON.

ALSO, TO THE BEST OF OUR KNOWLEDGE, THE SUBJECT PROPERTY LIES WHOLLY WITHIN THE GENEVA SCHOOL DISTRICT 304 AND THE WAUBONSEE COLLEGE DISTRICT 51.

DATED THIS 14th DAY OF October, A.D., 2015,
KAREN A. SOLANO FARRAR TRUST, MEMBER AND CHRISTOPHER L. COONEY, TRUSTEE, MEMBER
BY: [Signature] A MEMBER

NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF DUPAGE } S.S.

I, KAREN A. SOLANO, A NOTARY PUBLIC IN AND FOR THE COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT CHRISTOPHER L. COONEY, A MEMBER WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AS OWNER, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE SIGNED AND DELIVERED THIS INSTRUMENT AS HIS OWN FREE AND VOLUNTARY ACT AS OWNER FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 14th DAY OF October, A.D., 2015.

Karen A Solano
NOTARY PUBLIC



KANE COUNTY RECORDER CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE } S.S.

THIS INSTRUMENT _____ AS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KANE COUNTY, ILLINOIS, ON THE _____ DAY OF _____, A.D., 20____ AT _____ O'CLOCK _____M, AND WAS RECORDED IN BOOK _____ OF PLATS ON PAGE _____.

RECORDER OF DEEDS

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KENDALL } S.S.

WE, JLH LAND SURVEYING, INC., DO HEREBY DECLARE THAT THE FOLLOWING DESCRIBED PROPERTY HAS BEEN SURVEYED AND SUBDIVIDED AT AND UNDER THE DIRECTION OF THE UNDERSIGNED:

BEING A RESUBDIVISION OF PART OF LOT B AND ALL OF LOTS 87 AND 88 IN BATAVIA BUSINESS PARK SUBDIVISION BEING PART OF THE SOUTHEAST QUARTER OF SECTION 12 AND PART OF THE EAST HALF OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN KANE COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED IN KANE COUNTY ON JUNE 30, 2000 AS DOCUMENT NO. 2000K052067 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

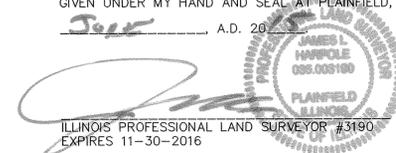
BEGINNING AT THE NORTHEAST CORNER OF LOT 88, IN SAID SUBDIVISION MENTIONED ABOVE; THENCE, SOUTH 00°00'25" EAST, 252.01 FEET; THENCE, SOUTH 00°00'25" EAST, 299.91 FEET; THENCE SOUTH 89°56'41" WEST, 663.46 FEET; THENCE, NORTH 00°03'19" WEST, 299.20 FEET; THENCE NORTH 00°03'19" WEST, 234.25 FEET; THENCE, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1650.73 FEET, AN ARC DISTANCE OF 267.01 FEET; THE CHORD HAVING A BEARING OF NORTH 09°16'04" EAST, AND A DISTANCE OF 266.72 FEET; THENCE NORTH 89°40'51" EAST, 396.93 FEET BACK TO THE POINT OF BEGINNING.

WE FURTHER DECLARE THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMAL PARTS THEREOF.

THE PROPERTY DESCRIBED HEREON IS SITUATED WITHIN THE LIMITS OF THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS.

WE FURTHER DECLARE THAT NO PART OF THE LAND HEREON DESCRIBED IS SITUATED WITHIN THE 100-YEAR FLOOD BOUNDARY AS SET FORTH BY THE NATIONAL FLOOD INSURANCE PROGRAM, CITY OF BATAVIA, ILLINOIS, COMMUNITY PANEL NUMBER 17089C0332H, WITH AN EFFECTIVE DATE OF AUGUST 3, 2009.

GIVEN UNDER MY HAND AND SEAL AT PLAINFIELD, ILLINOIS THIS 22 DAY OF July, A.D. 2015.



PUBLIC UTILITY AND DRAINAGE EASEMENT (PU&DE) PROVISIONS

ALL EASEMENTS FOR SERVING THE SUBDIVISION AND OTHER PROPERTY INDICATED AS PUBLIC UTILITY AND DRAINAGE EASEMENT (PU & DE) OR COMBINED DRAINAGE AND UTILITY EASEMENTS ON THIS PLAT ARE HEREBY RESERVED FOR, AND GRANTED TO THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, AND TO UTILITY COMPANIES INCLUDING, BUT NOT LIMITED TO, ILLINOIS BELL TELEPHONE COMPANY (AMERITECH), NORTHERN ILLINOIS GAS COMPANY (NICOR), AT&T CABLE SERVICES AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS JOINTLY AND SEVERALLY, TO INSTALL, OPERATE, MAINTAIN, RENEW, RELOCATE AND REMOVE, FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF GAS, WATER, ELECTRICITY AND SOUNDS AND SIGNALS, TOGETHER WITH STORMWATER, SANITARY SEWER AND ANY OTHER FACILITIES USED IN THE TRANSMISSION, DISTRIBUTION OR TRANSPORTATION OF ANY COMMODITY IN A LIQUID OR GASEOUS STATE IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY INDICATED AS COMMON AREA AND UTILITY ON THE PLAT AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON, OR AN ADJACENT LOTS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DOTTED LINES MARKED "PU & DE" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

EASEMENTS APPROVED AND ACCEPTED

ACCEPTED: [Signature] DATE: 6/22/15
AMERITECH

ACCEPTED: [Signature] DATE: 6/19/15
NORTHERN ILLINOIS GAS CO.

ACCEPTED: [Signature] DATE: _____
~~AT&T CABLE SERVICES~~

ACCEPTED: _____ DATE: _____
CITY OF BATAVIA ELECTRIC DEPARTMENT
ACCEPTED: [Signature] DATE: 7/9/16
Comer's Cable

NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF _____ } S.S.

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____ (TITLE), AND _____ (TITLE), WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE

THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THIS INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AS OWNERS FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, A.D., 20____.

NOTARY PUBLIC

MY COMMISSION EXPIRES ON _____ 20____.

BLANKET EASEMENT PROVISIONS

A BLANKET EASEMENT FOR ELECTRIC IS HEREBY GRANTED TO THE CITY OF BATAVIA ELECTRIC DEPARTMENT OVER ALL OF LOTS 87 AND 88, WHICH SHALL BE REDEFINED AFTER INSTALLATION.

CITY COUNCIL

STATE OF ILLINOIS }
COUNTY OF KANE } S.S.

MAYOR AND CITY COUNCIL OF THE CITY OF BATAVIA, ILLINOIS, HEREBY APPROVE THE FINAL PLAT OF BATAVIA BUSINESS PARK RESUBDIVISION, ATTACHED HERETO THIS _____ DAY OF _____, A.D., 20____.

MAYOR

CITY CLERK

MORTGAGEE'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF DuPage } S.S.

THIS IS TO CERTIFY THAT

WEST SUBURBAN BANK
IS THE MORTGAGEE OF PART OF THE PROPERTY DESCRIBED HEREON UNDER MORTGAGE DATED 5/11/15 AND THAT IT HEREBY ACKNOWLEDGES AND CONSENTS TO THE ATTACHED PLAT FOR THE USES AND PURPOSES THEREIN SET FORTH.

DATED AT LOMBARD, ILLINOIS, THIS 2nd DAY OF October, A.D. 2015.

BY: [Signature] Vice President

BY: [Signature] - I.P.

CITY ENGINEER

STATE OF ILLINOIS }
COUNTY OF KANE } S.S.

I, Lynn Burt, CITY ENGINEER OF THE CITY OF BATAVIA, ILLINOIS, HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE LAND IMPROVEMENTS DESCRIBED IN THE ANNEXED PLAT AND THE PLANS AND SPECIFICATIONS THEREOF MEET THE MINIMUM REQUIREMENTS OF SAID CITY.

DATED AT BATAVIA, ILLINOIS, THIS 14th DAY OF July, A.D. 2016.

[Signature]
CITY ENGINEER

JLH Land Surveying Inc.
7222 Courtwright Drive, Plainfield, Illinois 60586
(815) 729-4000 E-Mail: www.jlhsurvey.com

DATE	REVISIONS
4/15/15	CLIENT COMMENTS
4/16/15	REVISE EASEMENT PROVISIONS
4/16/15	REVISE CERTIFICATES
4/17/15	REVISE CITY OF BATAVIA REVIEW
4/17/15	REVISE OWNERS CERTIFICATE

BATAVIA BUSINESS PARK
BATAVIA, ILLINOIS
BATAVIA LAND VENTURE, LLC

PROJ. NO.: JLH
DRAWN BY: JAH
CHECKED BY: JLH
DATE: 4/15/2015
SCALE: 1"=50'

CITY OF BATAVIA

DATE: July 19, 2016
TO: Committee of the Whole-CD
FROM: Scott Buening, Community Development Director
SUBJECT: Ordinance 16-42 Annexing Rear Parcels of 1321-1361 Chautauqua Street

1. **Summary:** Annexation of Rear Parcels of 1321-1361 Chautauqua Street.
2. **Background:** The City received a petition to annex from one of the property owners along Chautauqua in response to a building permit for a fence. Staff reached out to the other property owners along Chautauqua to see if they wished to add their properties to this annexation at no charge. We received petitions to annex from 3 of the 5 property owners in response. Staff then had a plat of annexation prepared so the properties can be annexed. The properties will all be zoned R0 upon annexation and no rezoning is contemplated at this time, though this may be something the City pursues once all of the old railroad properties have been annexed.

The City Council will need to pass the attached Ordinance in order to annex the properties into the City limits.

3. **Alternatives, including no action if viable:**

- Annex the property
- Do not annex the property

- **Pros** Annexing the property will help the property owners with future permits, and will allow them to consolidate their ownership into a single parcel. The City will realize a very small increase in property taxes.
- **Cons** There are no cons associated with this proposal.
- **Budget Impact** The plat of annexation and recording costs will be approximately \$375.00.
- **Staffing Impact** No impact on staffing.

4. **Timeline for actions:** If the Ordinance is passed by the City Council, the annexation would be effective upon recording the Ordinance.
5. **Staff recommendation:** Staff recommends approval of Ordinance 16-42 Annexing Rear Parcels of 1321-1361 Chautauqua Street.

Attachments:

1. Ordinance 16-42 Annexing Rear Parcels of 1321-1361 Chautauqua Street.
2. Plat of Annexation.
3. Area Map.

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 16-42**

**AN ORDINANCE ANNEXING AND ZONING REAR YARDS OF 1321-1361
CHAUTAUQUA STREET TO
THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, ILLINOIS**

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
___ DAY OF _____, 2016**

Published in pamphlet form
by authority of the Mayor
and City Council of the City of Batavia,
Kane & DuPage Counties, Illinois,
This ___ day of _____, 2016

Prepared by:

City of Batavia
100 N. Island Ave.
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 16-42**

**AN ORDINANCE ANNEXING AND ZONING REAR YARDS OF 1321-1361
CHAUTAUQUA STREET TO
THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, ILLINOIS**

WHEREAS, the City of Batavia, Kane and DuPage Counties, Illinois (“City”), has received petitions to annex from the property owners of 1321-1361 Chautauqua Street the rear yard of said properties; and

WHEREAS, these parcels are part of an old railroad right-of-way and are currently unincorporated; and

WHEREAS, the properties are designated by PIN 12-28-426-044, 12-28-426-046, and 12-28-426-048 and are legally described in **EXHIBIT “A”** and the Plat of Annexation is attached as **EXHIBIT “B”** (“Territory”); and

WHEREAS, the said Territory is not within the corporate limits of any municipality but is contiguous to the City of Batavia; and

WHEREAS, the City is desirous of having this property annexed into the City of Batavia; and

WHEREAS, legal notices regarding the intention of the City to annex said Territory have been sent to all public bodies required to receive such notice by State Statute including the Fire District Trustees, the Township Supervisor, Clerk and Trustees and the Corporate Authorities of Kane County; and

WHEREAS, all petitions, documents, and other necessary legal requirements are in full compliance with the terms of said annexation, the Statutes of the State of Illinois, specifically 65 ILCS 5/7-1-8, and the requirements of the Batavia Municipal Code; and

WHEREAS, it is in the best interest of the City of Batavia that the Territory described and depicted in **EXHIBITS “A” and “B”** be annexed thereto and the territory be zoned R0 Single Family pursuant to the City of Batavia Municipal Code;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Batavia, Kane and DuPage Counties, Illinois as follows:

SECTION 1: That the Territory described as attached hereto on **EXHIBITS “A” and “B”** is hereby annexed to the City of Batavia, Kane and DuPage Counties, Illinois.

SECTION 2: That said Territory described as attached on **EXHIBITS “A” and “B”** is hereby zoned R0 Single Family, under the terms and conditions of the Batavia Municipal Code.

CITY OF BATAVIA, ILLINOIS ORDINANCE 16-42

SECTION 3: That the City Clerk is hereby directed to record with the Kane County Recorder and to file with the County Clerk a certified copy of this Ordinance, together with an accurate map of the Territory annexed appended to said Ordinance.

SECTION 4: That the official zoning map of the City of Batavia is hereby amended in conformance with the terms of this Ordinance.

SECTION 5: This Ordinance 16-42 shall be in full force and effect upon its passage, presentation and approval according to law.

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this ___ day of _____, 2016.

APPROVED by me as Mayor of said City of Batavia, Illinois, this ___ day of _____, 2016.

Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Fischer				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Thelin Atac				
6	Cerrone					Rusotto				
7	McFadden					Brown				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent	Abstention(s)					
Total holding office: Mayor and 14 aldermen										

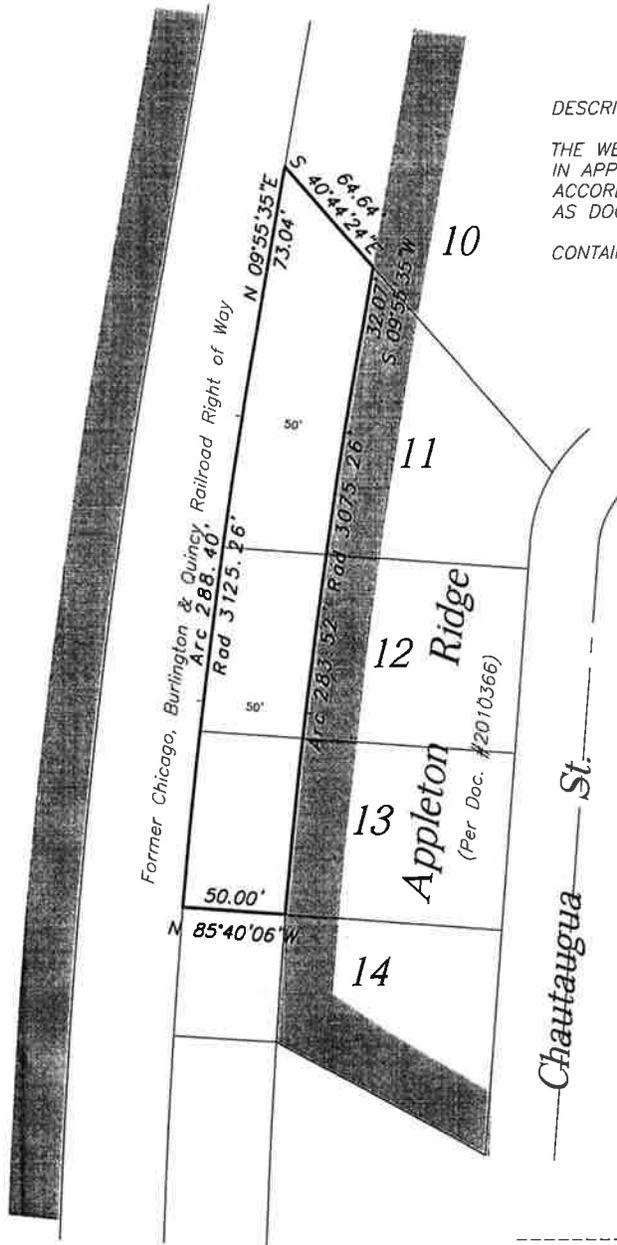
ATTEST:

_____, Deputy City Clerk

EXHIBIT A

THE WEST 50 FEET OF LOTS 11, 12 AND 13 IN APPLETON RIDGE, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NO. 2010366, CITY OF BATAVIA, KANE COUNTY, ILLINOIS.

MAP OF TERRITORY HEREBY ANNEXED TO THE CITY OF BATAVIA, ILLINOIS.



DESCRIPTION OF PROPERTY HEREBY ANNEXED:

THE WEST 50 FEET OF LOTS 11, 12, AND 13 IN APPLETON RIDGE, BATAVIA, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NO. 2010366.

CONTAINS 16,925 SQ. FT.

Parcel Numbers (PIN)

- 12-28-426-044
- 12-28-426-046
- 12-28-426-048

SCALE 1"=60'

====LEGEND====
 Boundary of property hereby annexed
 Indicates existing corporate limits

STATE OF ILLINOIS)
 COUNTY OF DEKALB)SS

THIS IS TO CERTIFY, THAT I, SHAWN R. VANKAMPEN, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710 HAVE PREPARED THE ATTACHED PLAT FOR ANNEXATION PURPOSES AND THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID ANNEXATION. ALL DISTANCES SHOWN IN FEET AND DECIMALS THEREOF.

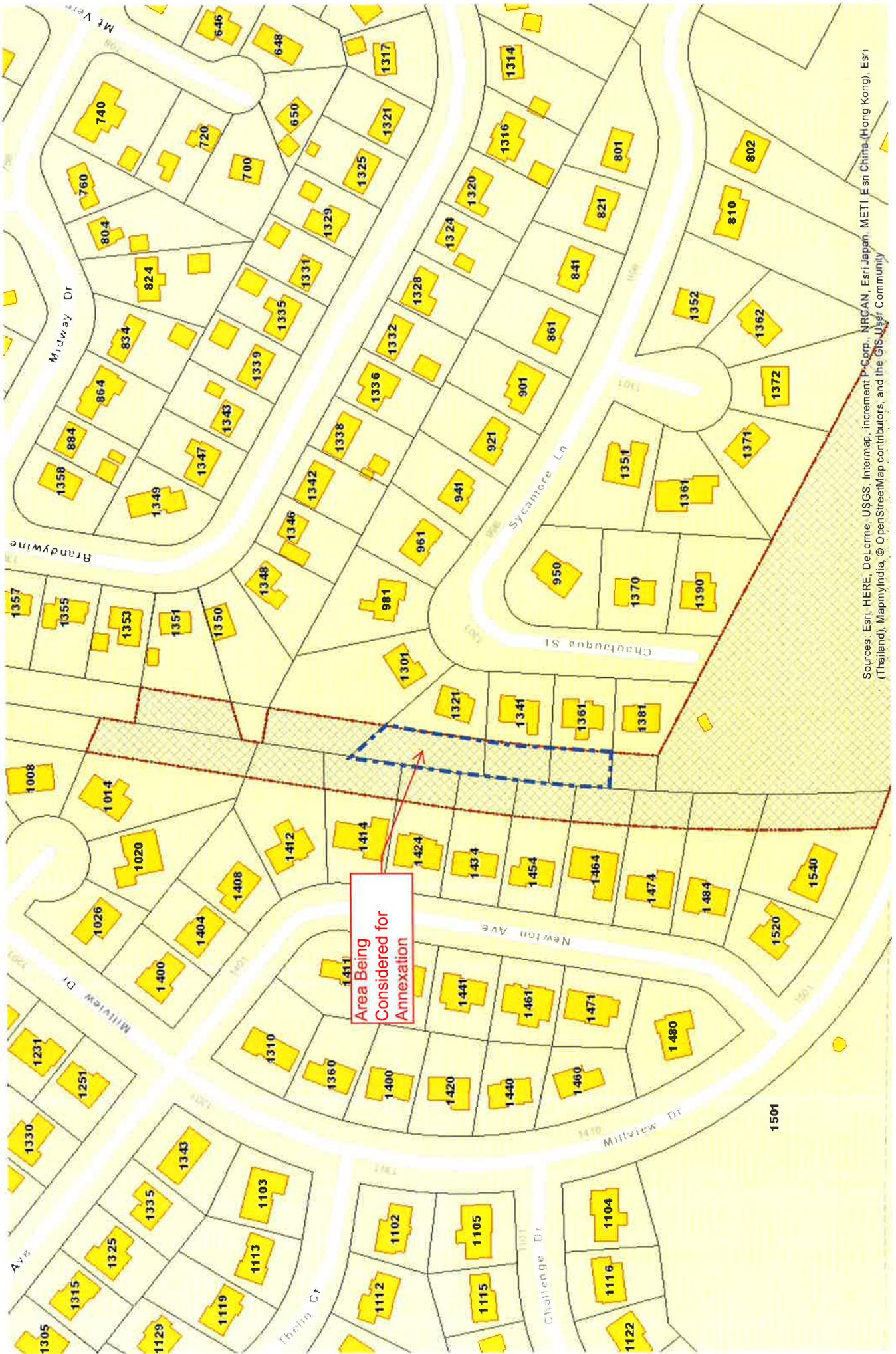
DATED AT DEKALB, ILLINOIS THIS 6TH DAY OF JULY, 2016.



FOR: CITY OF BATAVIA
 JOB NO. WES 13561A

Shawn R. Van Kampen
 SHAWN R. VANKAMPEN
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710
 LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2016

Prepared by:
 William E. Hanna Surveyors
 508 Pine Street
 DeKalb, Illinois 60115
 (815) 756-2189
 Fax 748-2532
 info@hannasurveyors.com
 License # 1842807



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox India, © OpenStreetMap contributors, and the GIS User Community

CITY OF BATAVIA

DATE: July 19, 2016
TO: Committee of the Whole-CD
FROM: Scott Buening, Community Development Director
SUBJECT: Ordinance 16-45 Annexing Rear Parcel of 958 Millview Drive

1. **Summary:** Annexation of Rear Parcel of 958 Millview Drive.
2. **Background:** The City received a petition to annex from one of the property owners along Millview Drive in response to a building permit for a fence. Staff reached out to the other adjacent property owners along Millview to see if they wished to add their properties to this annexation at no charge. We received no response to our correspondence in this instance. Staff then had a plat of annexation prepared so the property can be annexed. The property will be zoned R0 upon annexation and no rezoning is contemplated at this time, though this may be something the City pursues once all of the old railroad properties have been annexed.

The City Council will need to pass the attached Ordinance in order to annex the property into the City limits.

3. **Alternatives, including no action if viable:**

- Annex the property
- Do not annex the property

- **Pros** Annexing the property will help the property owners with future permits, and will allow them to consolidate their ownership into a single parcel. The City will realize a very small increase in property taxes.
- **Cons** There are no cons associated with this proposal.
- **Budget Impact** The plat of annexation and recording costs will be approximately \$325.00.
- **Staffing Impact** No impact on staffing.

4. **Timeline for actions:** If the Ordinance is passed by the City Council, the annexation would be effective upon recording the Ordinance.
5. **Staff recommendation:** Staff recommends approval of Ordinance 16-45 Annexing Rear Parcel of 958 Millview Drive.

Attachments:

1. Ordinance 16-45 Annexing Rear Parcel of 958 Millview Drive.
2. Plat of Annexation.
3. Area Map.

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 16-45**

**AN ORDINANCE ANNEXING AND ZONING REAR YARD OF 958 MILLVIEW DRIVE
TO
THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, ILLINOIS**

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
____ DAY OF _____, 2016**

Published in pamphlet form
by authority of the Mayor
and City Council of the City of Batavia,
Kane & DuPage Counties, Illinois,
This ____ day of _____, 2016

Prepared by:

City of Batavia
100 N. Island Ave.
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 16-45**

**AN ORDINANCE ANNEXING AND ZONING REAR YARD OF 958 MILLVIEW DRIVE
TO
THE CITY OF BATAVIA, KANE AND DUPAGE COUNTIES, ILLINOIS**

WHEREAS, the City of Batavia, Kane and DuPage Counties, Illinois (“City”), has received a petition to annex from the property owner of 958 Millview Drive the rear yard of said property; and

WHEREAS, the parcel was part of an old railroad right-of-way and is currently unincorporated; and

WHEREAS, the property is designated by PIN 12-28-229-035 and is legally described in **EXHIBIT “A”** and the Plat of Annexation is attached as **EXHIBIT “B”** (“Territory”); and

WHEREAS, the said Territory is not within the corporate limits of any municipality but is contiguous to the City of Batavia; and

WHEREAS, the City is desirous of having this property annexed into the City of Batavia; and

WHEREAS, legal notices regarding the intention of the City to annex said Territory have been sent to all public bodies required to receive such notice by State Statute including the Fire District Trustees, the Township Supervisor, Clerk and Trustees and the Corporate Authorities of Kane County; and

WHEREAS, all petitions, documents, and other necessary legal requirements are in full compliance with the terms of said annexation, the Statutes of the State of Illinois, specifically 65 ILCS 5/7-1-8, and the requirements of the Batavia Municipal Code; and

WHEREAS, it is in the best interest of the City of Batavia that the Territory described and depicted in **EXHIBITS “A” and “B”** be annexed thereto and the territory be zoned R0 Single Family pursuant to the City of Batavia Municipal Code;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Batavia, Kane and DuPage Counties, Illinois as follows:

SECTION 1: That the Territory described as attached hereto on **EXHIBITS “A” and “B”** is hereby annexed to the City of Batavia, Kane and DuPage Counties, Illinois.

SECTION 2: That said Territory described as attached on **EXHIBITS “A” and “B”** is hereby zoned R0 Single Family, under the terms and conditions of the Batavia Municipal Code.

CITY OF BATAVIA, ILLINOIS ORDINANCE 16-45

SECTION 3: That the City Clerk is hereby directed to record with the Kane County Recorder and to file with the County Clerk a certified copy of this Ordinance, together with an accurate map of the Territory annexed appended to said Ordinance.

SECTION 4: That the official zoning map of the City of Batavia is hereby amended in conformance with the terms of this Ordinance.

SECTION 5: This Ordinance 16-45 shall be in full force and effect upon its passage, presentation and approval according to law.

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this ___ day of _____, 2016.

APPROVED by me as Mayor of said City of Batavia, Illinois, this ___ day of _____, 2016.

Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Fischer				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Thelin Atac				
6	Cerrone					Rusotto				
7	McFadden					Brown				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent	Abstention(s)					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

_____, Deputy City Clerk

EXHIBIT A

THAT PART OF THE FORMER RIGHT OF WAY OF THE BURLINGTON NORTHERN RAILROAD IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 88 IN MILL CREEK SUBDIVISION UNIT 5, THENCE SOUTH 10 DEGREES, 12 MINUTES WEST, ALONG THE EAST LINE OF SAID LOT, 87.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE SOUTH 75 DEGREES 42 MINUTES 15 SECONDS EAST, ALONG THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID LOT, TO THE CENTER LINE OF SAID RAILROAD RIGHT OF WAY; THENCE NORTHERLY, ALONG SAID CENTER LINE, PARALLEL WITH SAID EASTERLY LINE TO THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF SAID LOT; THENCE NORTH 79 DEGREES 48 MINUTES WEST, ALONG SAID EASTERLY EXTENSION, TO THE POINT OF BEGINNING, ALL IN THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS.

PIN 12-28-229-035

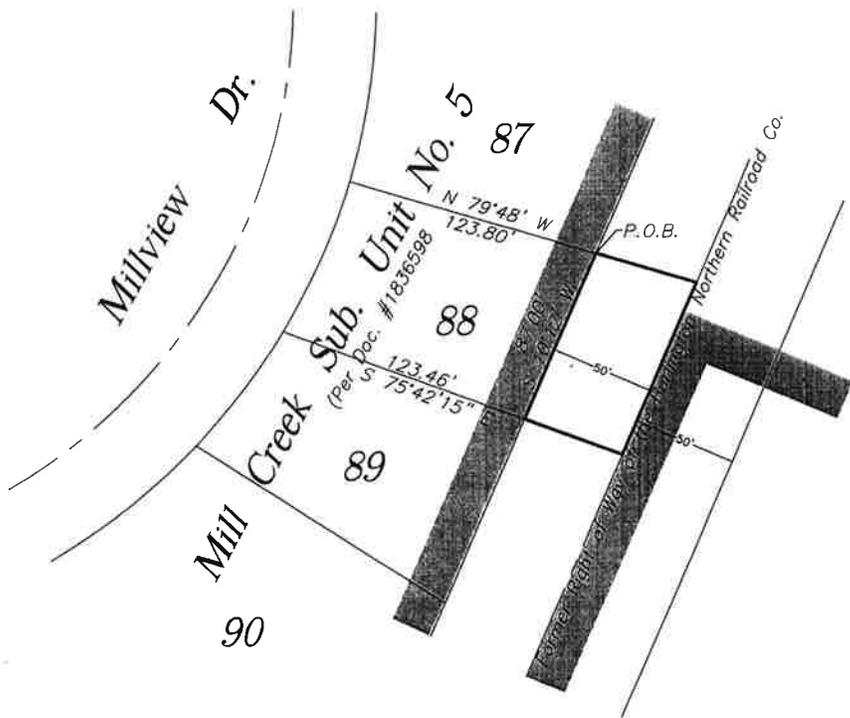
MAP OF TERRITORY HEREBY ANNEXED TO THE CITY OF BATAVIA, ILLINOIS.

DESCRIPTION OF PROPERTY HEREBY ANNEXED:

THAT PART OF THE FORMER RIGHT OF WAY OF THE BURLINGTON NORTHERN RAILROAD IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 88 IN MILL CREEK SUBDIVISION UNIT 5; THENCE SOUTH 10°12' WEST, ALONG THE EAST LINE OF SAID LOT, 87.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE SOUTH 75°42'15" EAST, ALONG THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID LOT, TO THE CENTER LINE OF SAID RAILROAD RIGHT OF WAY; THENCE NORTHERLY, ALONG SAID CENTER LINE, PARALLEL WITH SAID EASTERLY LINE TO THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF SAID LOT; THENCE NORTH 79°48' WEST, ALONG SAID EASTERLY EXTENSION, TO THE POINT OF BEGINNING, ALL IN THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS.

Parcel Number (PIN)

12-28-229-035



SCALE 1"=60'



====LEGEND====
 Boundary of property hereby annexed
 Indicates existing corporate limits

STATE OF ILLINOIS }
 COUNTY OF DEKALB }SS

THIS IS TO CERTIFY, THAT I, SHAWN R. VANKAMPEN, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710 HAVE PREPARED THE ATTACHED PLAT FOR ANNEXATION PURPOSES AND THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID ANNEXATION. ALL DISTANCES SHOWN IN FEET AND DECIMALS THEREOF.

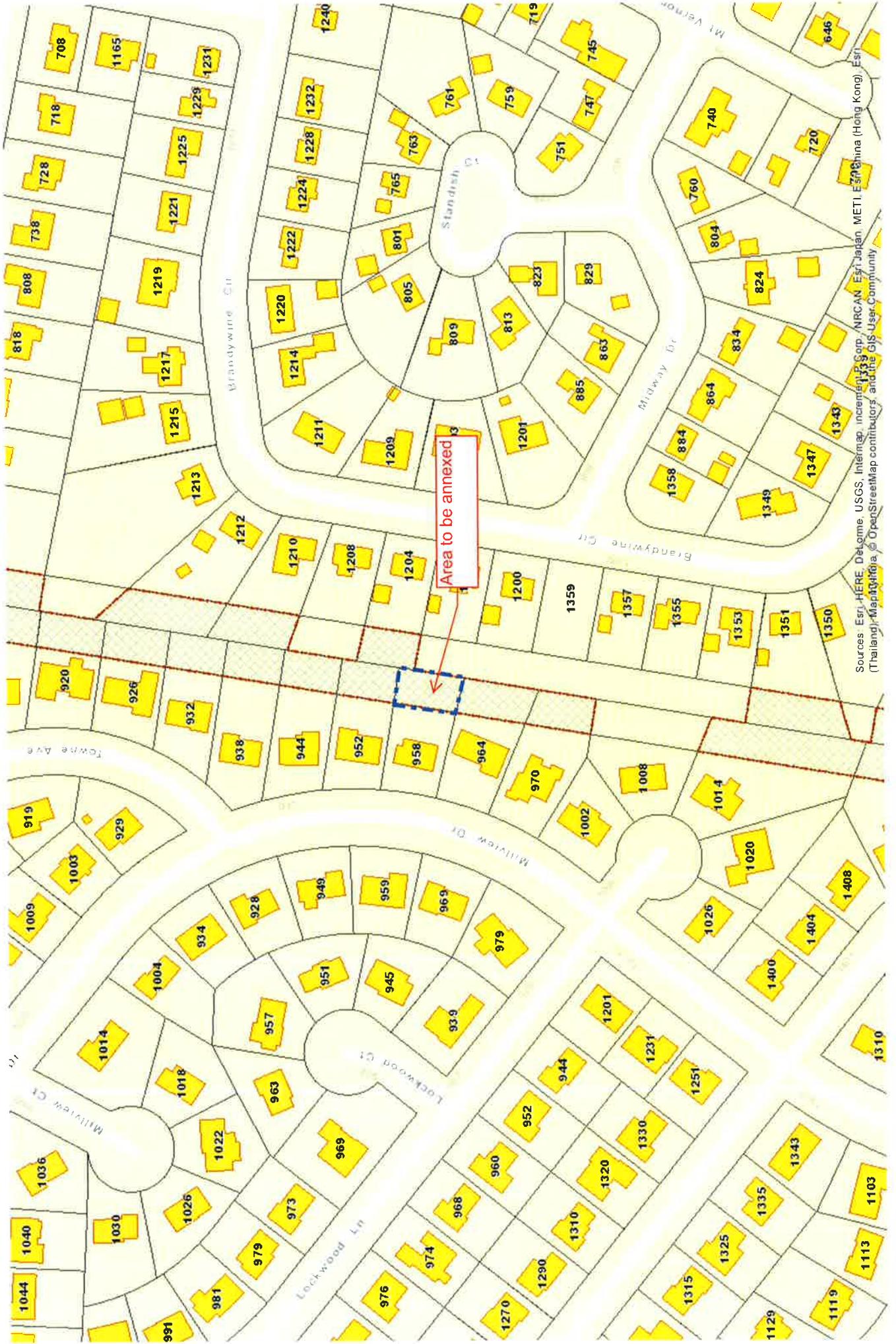
DATED AT DEKALB, ILLINOIS THIS 14TH DAY OF JULY, 2016.

Shawn R. Van Kampen
 SHAWN R. VANKAMPEN
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2710
 LICENSE EXPIRATION DATE: NOVEMBER 30TH, 2016



Prepared by:
 William E. Hanna Surveyors
 508 Pine Street
 DeKalb, Illinois 60115
 (815) 756-2189
 Fax 748-2532
 info@hannasurveyors.com
 License # 1842807

FOR: CITY OF BATAVIA
 JOB NO. WES 13561D



Area to be annexed

Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox, © OpenStreetMap contributors, and the GIS User Community

CITY OF BATAVIA

MEMO TO: Committee of the Whole

FROM: Gary J. Schira
Chief of Police



DATE: July 15, 2016

SUBJECT: Ordinance 16-44: An Ordinance Declaring Certain Personal Property to be Surplus and Authorizing Sale Thereof

Staff recommendation to declare the following Police Department vehicles surplus property and authorize the Police Department to sell or auction the following vehicles:

2011	Ford Crown Victoria (B/W) – 115,032 miles	VIN#2FABP7BV4BX179935
2011	Ford Crown Victoria (B/W) – 112,501 miles	VIN#2FABP7BV2BX175947
2011	Ford Crown Victoria (B/W) – 115,358 miles	VIN#2FABP7BV8BX149322
2001	Chevrolet Impala (Invest) – 113,502 miles	VIN#2G1WF55K719335871

These are high mileage vehicles which have required extensive costly repairs in the past and will require extensive repairs in the future. These vehicles have been replaced by existing vehicles from a recent fleet rotation.

Recommended Committee/Council Action

Recommend that the Committee of the Whole recommend to City Council passage of Ordinance 16-44: An Ordinance Declaring Certain Personal Property to be Surplus and Authorizing Sale Thereof at their Tuesday, July 26, 2016 meeting and that the City Council pass this Ordinance at their Monday, August 1, 2016 meeting.

Attachments

Copy (w/atts) to: Mayor & City Council
City Administrator Laura Newman
Deputy Chief Dan Eul
Deputy Chief Glenn Autenrieth
Finance Director Peggy Colby
Agenda

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 16-44**

**AN ORDINANCE DECLARING CERTAIN PERSONAL
PROPERTY TO BE SURPLUS AND AUTHORIZING SALE
THEREOF**

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
THIS ___ DAY OF _____, 2016**

Published in pamphlet form
by authority of the Mayor
and City Council of the City of Batavia,
Kane & DuPage Counties, Illinois,
This ___ day of _____, 2016

Prepared by:
City of Batavia
100 N. Island Ave.
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 16-44**

**AN ORDINANCE DECLARING CERTAIN PERSONAL PROPERTY
TO BE SURPLUS AND AUTHORIZING SALE THEREOF**

WHEREAS, in the opinion of the corporate authorities of the City of Batavia, it is no longer necessary or useful to or for the best interest of the City to retain the following described property:

2011	Ford Crown Victoria (B/W) – 115,032 miles	VIN#2FABP7BV4BX179935
2011	Ford Crown Victoria (B/W) – 112,501 miles	VIN#2FABP7BV2BX175947
2011	Ford Crown Victoria (B/W) – 115,358 miles	VIN#2FABP7BV8BX149322
2001	Chevrolet Impala (Invest) – 113,502 miles	VIN#2G1WF55K719335871

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois as follows:

SECTION 1: Pursuant to section 11-76-4 of the Illinois Municipal Code, the City Council finds that the following described personal property:

2011	Ford Crown Victoria (B/W) – 115,032 miles	VIN#2FABP7BV4BX179935
2011	Ford Crown Victoria (B/W) – 112,501 miles	VIN#2FABP7BV2BX175947
2011	Ford Crown Victoria (B/W) – 115,358 miles	VIN#2FABP7BV8BX149322
2001	Chevrolet Impala (Invest) – 113,502 miles	VIN#2G1WF55K719335871

and currently owned by the City, is no longer necessary or useful to the City of Batavia and the best interest of the City will be served by its sale.

SECTION 2: Pursuant to Section 11-76-4, the City of Batavia Department of Police is hereby authorized and directed to sell above said surplus property.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage and approval in the manner provide by law.

CITY OF BATAVIA ORDINANCE 16-44

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this _____ day of _____, 2016.

APPROVED by me as Mayor of said City of Batavia, Illinois, this _____ day of _____, 2016.

Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Fischer				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Theilin Atac				
6	Cerone					Rusotto				
7	McFadden					Brown				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent	Abstentions					
Total holding office: Mayor and 14 aldermen										

ATTEST:

Christine Simkins, Deputy City Clerk

CITY OF BATAVIA

DATE: July 19, 2016
TO: Committee of the Whole - Utilities
FROM: John Dillon
SUBJECT: RESOLUTION 16-67-R, Approval of Contract, Sanitary Sewer Pipe Lining, Joint Project w/Geneva and St. Charles

Batavia combined resources with the City's of Geneva and St. Charles this year to bid a sanitary sewer pipe lining project. Each of the three (3) communities regularly line sewer pipes as part of our capital improvement programs and by combining quantities we were able to secure some favorable pricing.

Bids were opened at the City of Geneva on July 14, 2016 and are attached. The low bidder, SAK Construction, LLC, O'Fallon MO., has not previously worked for any of our three communities, but did have favorable reference checks from, Naperville, Palatine and Evanston, IL.

The majority of sewer pipe sizes being lined in Batavia are in the 10" and 12" sizes and it is estimated we are saving in excess of \$30,000 (approx. 15%) compared to bids received for similar lining projects (spreadsheet attached).

The total cost for Batavia's share of the project will be \$192,683.40 which includes a 5% contingency.

City Council recommendation: Approval of Resolution 16-67-R authorizing the Mayor and City Clerk to enter into agreement with SAK Construction, LLC, O'Fallon MO. for sanitary sewer pipe lining for an amount not to exceed \$192,683.40.

C: Mayor & City Council
Laura Newman
Bill McGrath
Gary Holm
Peggy Colby
Rahat Bari
Tim Grimm

**CITY OF BATAVIA, ILLINOIS
RESOLUTION 16-67-R**

**AUTHORIZING EXECUTION OF CONTRACT FOR
SANITARY SEWER PIPE LINING**

WHEREAS, the City of Batavia has identified the need for contractual services related to the lining of sanitary sewer pipes; and

WHEREAS, the City of Batavia, in conjunction with the City of Geneva and the City of St. Charles, requested formal bids for such work; and

WHEREAS, SAK Construction, LLC submitted the lowest qualified bid and has the appropriate expertise and experience necessary to provide the services needed for the pipe lining project; and

WHEREAS, the total cost of said pipe lining services is in the amount not to exceed \$192,683.40; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

SECTION 1. That the Mayor and City Clerk are hereby authorized to execute the Contract with SAK Construction, LLC, O'Fallon MO., attached hereto as Exhibit A, for construction services in the amount not to exceed \$192,683.40.

CITY OF BATAVIA, ILLINOIS RESOLUTION 16-67-R

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this 1st day of August, 2016.

APPROVED by me as Mayor of said City of Batavia, Illinois, this 1st day of August, 2016.

Jeffery D. Schielke, Mayor

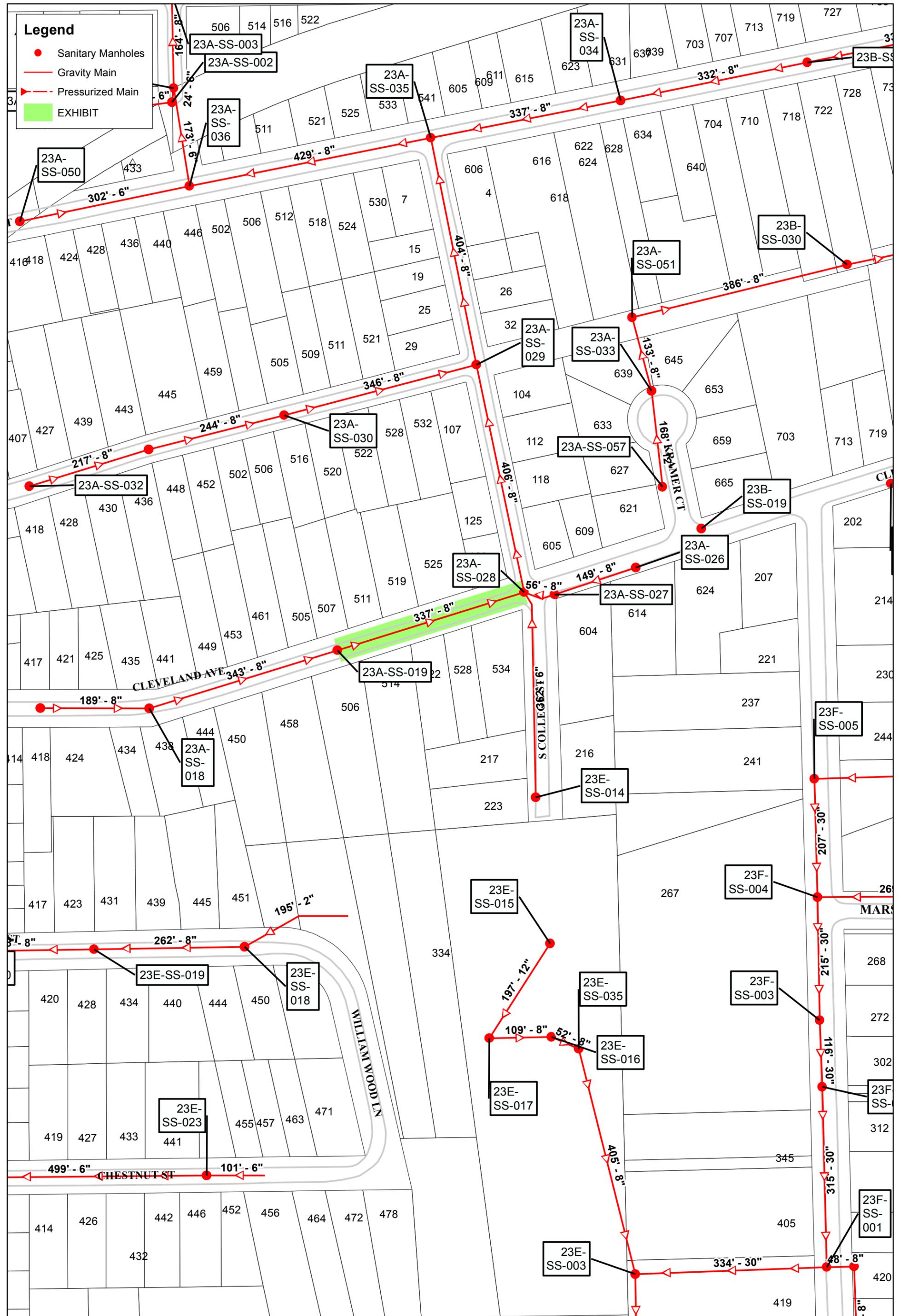
Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Fischer				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Thelin Atac				
6	Cerone					Russotto				
7	McFadden					Brown				
Mayor Schielke										
VOTE:		0 Ayes	0 Nays	0 Absent	Abstentions					
Total holding office: Mayor and 14 aldermen										

ATTEST:

Christine Simkins, Deputy City Clerk

Legend

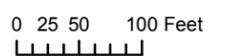
- Sanitary Manholes
- Gravity Main
- Pressurized Main
- EXHIBIT



Maps and data provided by the City of Batavia are not intended to have, nor do they have, the accuracy of surveys or legal descriptions of land areas. GIS data obtained from the City of Batavia is intended for representational use only. Reliance on such maps and data is at the risk of the recipient. This information, in either electronic or map form, is provided "as is". No warranty expressed or implied is made regarding the accuracy, timeliness, or completeness of the data, nor shall the act of distribution constitute any such warranty. This disclaimer applies both to individual use of the data and aggregate use with other data.



PIPE LINING EAST SIDE





Legend

- Sanitary Manholes
- Gravity Main
- Pressurized Main
- EXHIBIT

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PIPE LINING WEST SIDE

0 62.5125 250 Feet

Item	Description	Units	Location/Quantity				Average Unit Pricing Based on Bids in the Area		SAK Construction, LLC (Batavia Quantities Only) 864 Hoff Road O'Fallon, MO 63366		SAK Construction, LLC 864 Hoff Road O'Fallon, MO 63366	
			St Charles	Geneva	Batavia	Total	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Televise, Clean & Line 8 inch Cured in Place Pipe Lining - Sanitary	LF		2095	590	2685	\$29.20	\$17,228.00	\$24.00	\$14,160.00	\$24.00	\$64,440.00
2	Televise, Clean & Line 10 inch Cured in Place Pipe Lining - Sanitary	LF			1663	1663	\$35.50	\$59,036.50	\$25.00	\$41,575.00	\$25.00	\$41,575.00
3	Televise, Clean & Line 12 inch Cured in Place Pipe Lining - Sanitary	LF		70	2351	2421	\$44.40	\$104,384.40	\$41.00	\$96,391.00	\$41.00	\$99,261.00
4	Televise, Clean & Line 15 inch Cured in Place Pipe Lining - Sanitary	LF		735	376	1111	\$53.59	\$20,149.84	\$57.00	\$21,432.00	\$57.00	\$63,327.00
5	Televise, Clean & Line 21 inch Cured in Place Pipe Lining - Sanitary	LF	878			878	\$77.58	\$0.00	\$82.00	\$0.00	\$82.00	\$71,996.00
6	Televise, Clean & Line 24 inch Cured in Place Pipe Lining - Sanitary	LF		1170		1170	\$110.48	\$0.00	\$84.00	\$0.00	\$84.00	\$98,280.00
7	Televise, Clean & Line 27 inch Cured in Place Pipe Lining - Sanitary	LF	1348			1348	\$188.40	\$0.00	\$108.00	\$0.00	\$108.00	\$145,584.00
8	Internal Service Lateral Reinstatements	EA		50	108	158	\$121.89	\$13,164.12	\$25.00	\$2,700.00	\$25.00	\$3,950.00
9	Protruding Tap Removal	EA			1	1	\$327.78	\$327.78	\$250.00	\$250.00	\$250.00	\$250.00
10	Televise, Clean & Line 12 inch Cured in Place Pipe Lining - Storm	LF	133			133	\$59.00	\$0.00	\$63.00	\$0.00	\$63.00	\$8,379.00
11	Televise, Clean & Line 18 inch Cured in Place Pipe Lining - Storm	LF	349			349	\$87.00	\$0.00	\$64.00	\$0.00	\$64.00	\$22,336.00
12	Televise, Clean & Line 21 inch Cured in Place Pipe Lining - Storm	LF	223			223	\$81.00	\$0.00	\$152.00	\$0.00	\$152.00	\$33,896.00
13	Televise, Clean & Line 24 inch Cured in Place Pipe Lining - Storm	LF	58			58	\$131.00	\$0.00	\$275.00	\$0.00	\$275.00	\$15,950.00
14	Traffic Control - Batavia	LS				1	\$2,500.00	\$2,500.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
15	Traffic Control - Geneva	LS				1	\$0.00	\$0.00	\$3,000.00	\$0.00	\$3,000.00	\$3,000.00
16	Traffic Control - St Charles	LS				1	\$0.00	\$0.00	\$2,000.00	\$0.00	\$2,000.00	\$2,000.00
17	Heavy Cleaning (As Required)	Per Hr				30	\$0.00	\$0.00	\$300.00	\$3,000.00	\$300.00	\$9,000.00
TOTAL BID							\$216,790.64		\$183,508.00		\$687,224.00	
							Cost Diff		-\$33,282.64			
							Percent Savings		15%			

CITY OF BATAVIA

DATE: 07/20/2016
TO: Mayor and City Council
FROM: Liz Perez, Assistant Finance Director
RE: Resolution 16-68-R Banking Agency Resolution

Attached is Resolution 16-68 which replaces Resolution 06-58-R Banking Agency. The City of Batavia receives banking services from various banks and it is necessary to grant certain City employees and/or positions authorization to conduct specific banking business. This resolution provides for the removal of Bill McGrath and the addition of Laura Newman to sign banking documents as the City Administrator.

This is on the agenda for the July 26, 2016 Committee of the Whole (GS) meeting. If approved, I would ask that Resolution 16-68-R be posted to the City Council Consent Agenda on August 1, 2016.

Attachment

C: Mayor and City Council
Laura Newman
Peggy Colby

**CITY OF BATAVIA, ILLINOIS
RESOLUTION 16-68-R**

BANKING AGENCY RESOLUTION

WHEREAS, the City of Batavia receives banking services from various banks for the purpose of diversification of funds and maximization of yield, while maintaining the safety of funds, and it is necessary to grant certain City employees and/or positions authorization to conduct specific banking business;

NOW THEREFORE, be it hereby ordained by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

SECTION 1: CITY AUTHORIZED BANKING AGENTS. Laura M Newman, City Administrator, Gerald R Miller, City Treasurer, and Peggy L Colby, Finance Director, subject to any limitations herein or determined by the City Council in the future, are authorized to exercise the powers indicated in this section, and are deemed Agents for purposes of this Resolution. The signatures of two Agents are required for the exercise of the powers enumerated herein:

- a.** Sign a Bank Resolution and or other documents as may be required by the designated institution as a depository for the funds of the City.
- b.** Open any deposit or account(s) in the name of the City.
- c.** Endorse checks and orders for the payment of money, transfer funds within City of Batavia accounts on deposit and or initiate ACH transfers, wire transfers or withdrawal of funds from accounts on deposit.
- d.** Purchase investments on behalf and in the name of the City.
- e.** When authorized by the City Council, borrow money on behalf and in the name of the City, sign, execute and deliver promissory notes or other evidences of indebtedness.
- f.** Endorse, assign, transfer, mortgage or pledge bills receivable, bonds, real estate or other property now owned or hereafter owned or acquired by the City as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.
- g.** Enter into a written lease for the purpose of renting, maintaining, accessing and terminating a Safe Deposit Box.
- h.** Provide written authorization and instruction for certain employees of the finance department of the City to conduct specific banking tasks.
- i.** Any other task that may be necessary to conduct financial or banking duties on behalf of the City.

CITY OF BATAVIA, ILLINOIS RESOLUTION 16-68-R

SECTION 2: Signature samples shall be supplied to the institution and attested by the City Clerk or an already authorized signatory.

SECTION 3: The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the City. Any Agent, so long as they act in a representative capacity as agents of the City, is authorized to make any and all other contracts, agreements, stipulations and orders.

SECTION 4: LIMITATIONS ON POWERS. As of the effective date of this Resolution, and except as otherwise provided by law, there are no limitations on the exercise of the above powers.

SECTION 5: EFFECT ON PREVIOUS RESOLUTIONS. To the extent this Resolution conflicts with any previous resolutions of banking authority, this Resolution and its terms shall prevail. This resolution shall continue to have effect until express written notice of its rescission or modification.

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this ____ day of _____, 2016.

APPROVED by me as Mayor of said City of Batavia, Illinois, this day of _____, 2016.

Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Fisher				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Thelin Atac				
6	Cerone					Clark				
7	McFadden					Brown				

Mayor Schielke										
VOTE: ____ Ayes ____ Nays ____ Absent ____ Abstentions Total holding office: Mayor and 14 aldermen										

ATTEST:

Christine Simkins, Deputy City Clerk

CITY OF BATAVIA

DATE: July 19, 2016
TO: Committee of the Whole - Utilities
FROM: John Dillon
SUBJECT: RESOLUTION 16-66-R, Task Order #21, Sanitary Sewer Evaluation Survey (SSES) Cherry Park Sewer Basin

RJN Engineers has recently completed the 2015 East Side Flow Monitoring and Modeling Report associated with the sanitary sewer system in the Cherry Park Lift Station area. The study area boundaries were generally from Wintergreen Terrace (then south) and east of Raddant Rd. in the Cherry Park; 14th Colony and Woodland Hills area. You may recall this section of the City has had numerous sanitary sewer related issues during heavy rain events (June 15, 2015), including some basement sewer back-ups and flooding.

The RJN report model was able to simulate the June 15, 2015 rain event and identify the causes of the flooding. Mr. Mike Young, RJN Group, will be on-hand at the Committee Meeting to present the findings of the 2015 Study.

RJN has also provided the City with a proposal (Task Order) based on the first recommendation of the recently completed Study. The proposal includes smoke testing of sewers and manhole inspections in this area. These are investigation techniques to identify specific sources of clear water flow into the sanitary sewer that can then be removed or rehabilitated. RJN will also provide engineering services relative to the pumping levels associated with the Cherry Park Lift Station.

City Council recommendation: Approval of Resolution 16-66-R authorizing the Mayor and City Clerk to enter into agreement with RJN Group, Wheaton, IL. for Cherry Park sanitary sewer evaluation survey (SSES) for an amount not to exceed \$58,450.

C: Mayor & City Council
Laura Newman
Bill McGrath
Gary Holm
Peggy Colby
Rahat Bari
Tim Grimm

**CITY OF BATAVIA, ILLINOIS
RESOLUTION 16-66-R**

**AUTHORIZING EXECUTION OF TASK ORDER #21, PROFESSIONAL
ENGINEERING SERVICES FOR CHERRY PARK SEWER BASIN
SANITARY SEWER EVALUATION SURVEY**

WHEREAS, the City of Batavia has identified the need for professional engineering services related to the inspection of sanitary sewers in the Cherry Park Sewer Basin; and

WHEREAS, the City of Batavia requested a Task Order for the project from RJN Group; and

WHEREAS, RJN Group has the appropriate expertise and experience necessary to provide the engineering services related to the study of the sewers in the Cherry Park Sewer Basin; and

WHEREAS, the total cost of said engineering services is in the amount not to exceed \$58,450.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

SECTION 1. That the Mayor and City Clerk are hereby authorized to execute the Contract with RJN Group, Wheaton, Illinois, attached hereto as Exhibit A, for engineering services in the amount not to exceed \$58,450.00.

CITY OF BATAVIA, ILLINOIS RESOLUTION 16-65-R

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this 1st day of August, 2016.

APPROVED by me as Mayor of said City of Batavia, Illinois, this 1st day of August, 2016.

Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Fischer				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Thelin Atac				
6	Cerone					Russotto				
7	McFadden					Brown				
Mayor Schielke										
VOTE:		0 Ayes	0 Nays	0 Absent	Abstentions					
Total holding office: Mayor and 14 aldermen										

ATTEST:

Christine Simkins, Deputy City Clerk

TASK ORDER NO. 21

REGARDING GENERAL AGREEMENT BETWEEN CITY OF BATAVIA
AND
RJN GROUP, INC.

Project Description:

Engineering Services for Sanitary Sewer Evaluation Survey (SSES) Cherry Park Sewer Basin

Scope of Services:

See attached Proposal

Estimated Fee for Services:

\$58,450.00

Proposed _____ Date _____
RJN Group, Inc..

Approved: _____ Date: _____
Jeffery D. Schielke
Mayor, City of Batavia

July 19, 2016

Mr. John K. Dillon
Water/Sewer Superintendent
City of Batavia
200 North Raddant Road
Batavia, Illinois 60510-2292

**SUBJECT: PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES
 CHERRY PARK LS SANITARY SEWER EVALUATION SURVEY**

Dear Mr. Dillon:

RJN Group, Inc. (RJN) is pleased to submit this proposal to the City of Batavia, Illinois (City) for sanitary sewer evaluation services in the area upstream and just downstream of the Cherry Park Lift Station. This includes smoke testing, manhole inspection and evaluating if the floats for the lift station can be adjusted.

PROJECT UNDERSTANDING

On June 15, 2015, over 3 inches of rain fell within a short period of time that caused flooding issues and basement backups in some parts of the City. One of the affected locations was the area just downstream of the Cherry Park Lift Station.

RJN completed flow monitoring in this area from September to December 2015 and modeled the area to identify the cause of the basement backups. During prolonged, intense rain events, excess flow in the area tributary to the lift station can cause a second pump to activate. The additional flow from the second pump combined with excess flow entering the system just downstream of the lift station can exceed the capacity of the sewer system, which contributes to the basement backups. This proposal is based on one of the recommendations from the report, which is to complete a sanitary sewer evaluation study of this area (shown on the attached exhibit).

PROJECT APPROACH

Using the methods outlined below, RJN will use smoke testing to identify various defects in the collection system, as well as to find contributing sources of I/I. Commonly identified concerns include leaky manholes, cracked main lines and laterals, connected downspouts, directly connected storm sewers, connected foundation drains, area, patio, and driveway drains, and

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Mr. John K. Dillon
July 19, 2016

broken cleanouts. Additionally, indirect connections such as leaking storm sewers crossing sanitary sewers can also be identified.

In the smoke testing process, harmless smoke is blown into a sewer segment through manholes at both ends. Defects are identified by where smoke exits the ground or structure. Smoke testing is only as effective as the process used. The RJN process uses a 4-person crew and smoke tests only one segment at a time using two smoke blowers on consecutive manholes. A GPS location is acquired for each defect, and a photo is taken.

A manhole inspection program will provide many benefits to the City including mapping updates, identification of inflow and infiltration, confirmation of connecting pipes, and detection of structural problems in need of rehabilitation. Manhole inspections include a surface inspection of the manhole to identify frame and lid defects and other structural defects in the manhole. Manhole and pipe sizes and inverts will also be estimated where accessible in addition to numerous photographs documenting the manhole condition.

The information provided by the City indicates that there are 35,594 feet of sewers to be smoke tested and 191 manholes to be inspected within the identified sub-basins. This includes 84 manholes in the area upstream of the lift station where survey grade GPS will also be collected for the manhole rim elevations to assist in determining a new lag pump set point for the lift station.

PROPOSED SCOPE OF SERVICES

Our proposed scope of services is as follows:

TASK 1 – SMOKE TESTING

1. Prepare a draft resident smoke testing notification letter for the City to send to the affected residents and business owners. The letters will include RJN contact information for use during the smoke testing.
2. Prepare smoke testing door hangers to be hung by RJN staff at each address less than one week prior to smoke testing.
3. Notify City staff and the fire and police departments of planned smoke testing activities, including daily updates.
4. Provide equipment, personnel, and smoke as necessary for smoke testing.

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Mr. John K. Dillon
July 19, 2016

5. During smoke testing, erect smoke testing signs near the testing area and answer resident and City questions on-site as well as through phone calls.
6. Use handheld electronic data collection equipment for collecting smoke testing data.
7. Smoke test up to 36,000 linear feet of sanitary sewers.
8. GPS locate each identified defect and take a minimum of one digital photograph of each defect.

TASK 2 – MANHOLE INSPECTION

1. Provide equipment and personnel for up to 200 manhole inspections.
2. Use handheld electronic data collection equipment for collecting manhole inspection data.
3. Complete surface manhole inspections for all accessible manholes in study area. Complete full descent inspections where an inspection cannot be completed from the surface (estimated to be 10% of total). Collect the following attribute data, as it can be determined:
 - Mapping grade GPS locate of manhole;
 - Manhole diameter;
 - Manhole material;
 - Pipe invert measurements;
 - Connecting sewer diameter(s);
 - Connecting sewer flow direction.
4. Identify and document manhole condition, as it can be determined, including:
 - Direct evidence of I/I;
 - Open pickholes in lid;
 - Frame and adjusting ring condition, including needed adjustments and chimney seals;
 - Cone condition and defects;
 - Wall condition and defects;
 - Channel and bench condition and defects;
5. Take a minimum of four digital photographs at each manhole structure
 - Surrounding area;

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Mr. John K. Dillon
July 19, 2016

- Manhole cover;
- Topside - looking down; and
- Manhole frame.

TASK 3 – LIFT STATION LAG PUMP SET POINT EVALUATION

1. Complete survey grade (sub-centimeter x, y and z coordinates) locate of the rim for each accessible manhole (up to 90) in the area upstream of the Cherry Park Lift Station.
2. Incorporate the manhole data into the model and determine the highest elevation for the lift station lag float that would not negatively impact residents upstream of the lift station.
3. Identify options for modifications to the lift station floats and operation.

TASK 4 – DATA ANALYSIS AND REPORT

1. Provide data analysis as follows:
 - Compile field data and develop complete list of defects;
 - Assign an estimated flow based on inspection results; and
 - Determine appropriate rehabilitation method(s) for each defect or structure, as appropriate.
2. Prepare and submit three copies of a draft report. Include the following in the report:
 - Summary of work completed;
 - Map of identified defects;
 - List of defects prioritized by cost effectiveness for rehabilitation;
 - Recommendations for modifications to the Cherry Park Lift Station;
 - Recommendations for follow-up SSES work; and
 - Recommendations for rehabilitation, including potential procurement methods and recommended contractors/vendors for various type of rehabilitation.
3. Incorporate City comments and submit up to three copies of the final report. Provide a pdf of the final report and a flash drive containing all digital documents and processed flow-monitoring data.

TASK 5 – PROJECT MANAGEMENT

1. Provide project management services for the duration of the project. Attend up to three

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Mr. John K. Dillon
July 19, 2016

meetings with City staff and the fire department (if necessary).

ITEMS REQUESTED FROM CITY

We request the following items from the City:

1. Delivery of the smoke testing letter to the affected residents.
2. Access to the manholes for inspections.

SCHEDULE

Based on a notice to proceed no later than August 26, 2016, the key schedule parameters for this project are as follows:

- The field services will be completed by November 18, 2016.
- The draft report will be submitted to the City by February 10, 2017.
- The final report will be submitted within three weeks of receipt of City comments on the draft report.

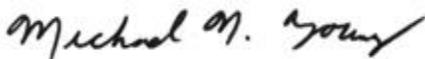
PROPOSED FEE

This scope of services will be invoiced on a time and materials basis basis for a not-to-exceed cost of \$58,450 per the attached fee schedule.

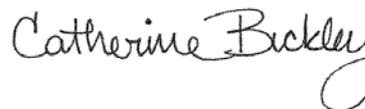
It is our pleasure to submit this proposal to the City of Batavia. Please feel free to contact Mike at (630) 682-4700 x314 if you would like to discuss this proposal in detail. We are looking forward to the opportunity to work with the City on this important project.

Sincerely,

RJN Group, Inc.



Michael N. Young, P.E.
Principal



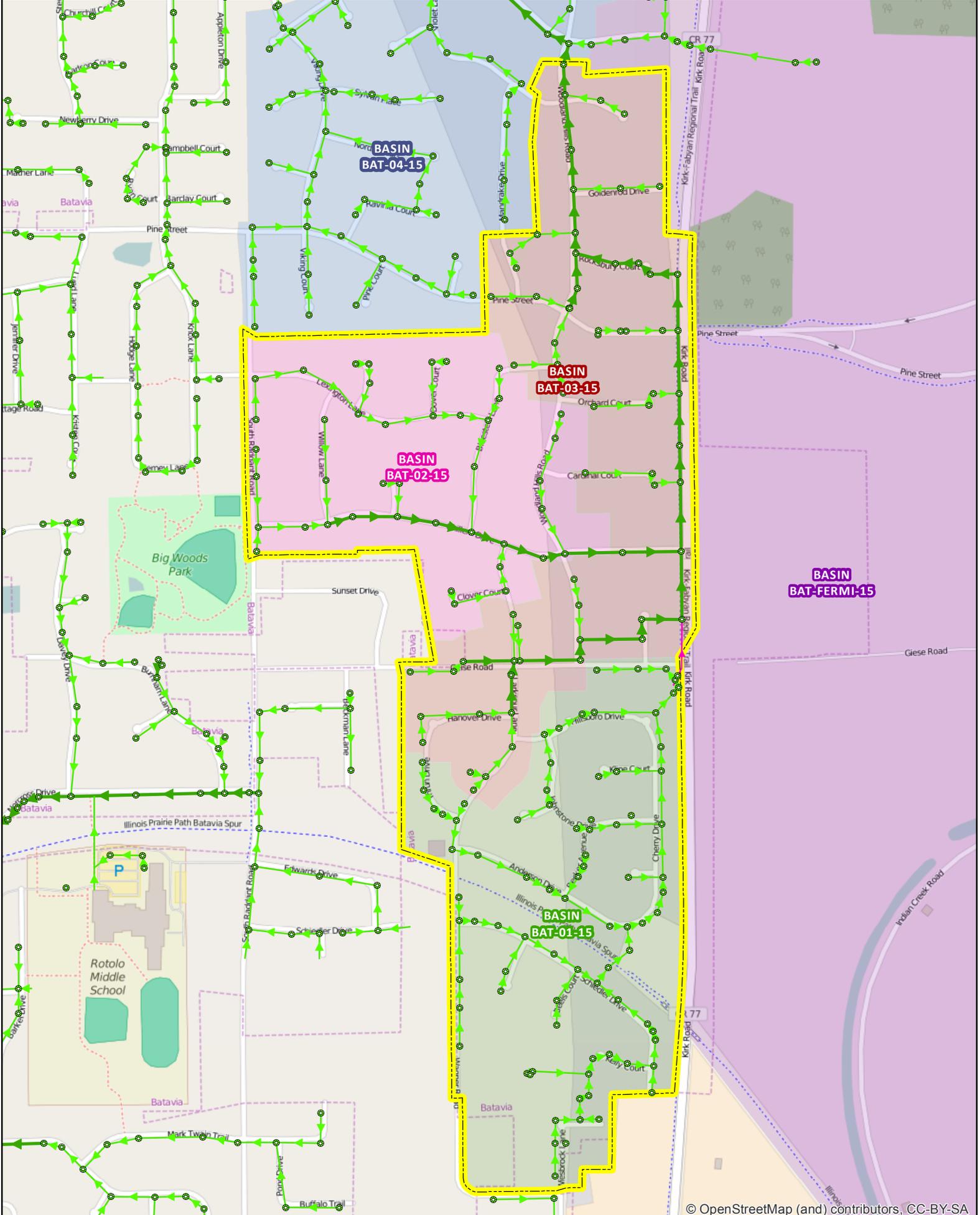
Catherine Buckley, P.E.
Project Engineer

CITY OF BATAVIA
2016 SSES - Cherry Park LS Area
Summary of Engineering Services Fees

Task No.	Task Description	\$ 190	\$ 165	\$ 140	\$ 120	\$ 105	\$ 95	\$ 85	\$ 75	\$ 65	\$ 70	Total Hours	Total Cost
		QC	PM	SPE	PE	RE	EI	GIS	SFT	FT	CL		
Task 1 - Smoke Testing													
1001	Public Relations and Door Hangers	1	1	-	3	-	-	-	2	12	5	24	\$ 1,995
1002	Smoke Testing	1	2	-	10	-	6	16	20	172	2	229	\$ 16,470
1003	Expenses (Smoke Candles and Door Hangers)												\$ 4,500
	SUBTOTAL												\$ 22,965
Task 2 - Manhole Inspection													
2001	Surface Manhole Inspections	1	2	-	6	-	4	6	4	160	2	185	\$ 12,970
2002	Full Descent Manhole Inspections	-	-	-	2	-	1		2	24	-	29	\$ 2,045
2003	Expenses												\$ 200
	SUBTOTAL												\$ 15,215
Task 3 - Lift Station Evaluation													
3001	Manhole Rim Locates	-	-	-	1	-	-	24	1	-	1	27	\$ 2,305
3002	Model and Evaluate Options	-	-	-	3	-	12	4	-	-	2	21	\$ 1,980
3003	Expenses (GPS Rental)												\$ 700
	SUBTOTAL												\$ 4,985
Task 4 - Report													
4001	Draft Report	2	4	2	12	-	32	24	-	-	2	78	\$ 7,980
4002	Final Report	1	1	-	6	-	10	8	-	-	2	28	\$ 2,845
	SUBTOTAL												\$ 10,825
Task 5 - Project Management and Meetings													
		4	12	-	12	-	-	-	-	-	4	32	\$ 4,460
TOTAL		10	22	2	55	-	65	82	29	368	20	653	\$ 58,450

Legend

QC	Quality Control Manager
PM	Project Manager
SPE	Senior Project Engineer
PE	Project Engineer
RE	Resident Engineer
EI	Engineer Intern
GIS	GIS Technician
SFT	Senior Field Technician
FT	Field Technician
CL	Clerical



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CITY OF BATAVIA

DATE: July 19, 2016
TO: Committee of the Whole - Utilities
FROM: John Dillon
SUBJECT: RESOLUTION 16-65-R , MAIN STREET - CLEAN AND TELEWISE
SANITARY SEWER LINES PROJECT

In preparation for the reconstruction of Main St., the City needs to evaluate the condition of the main-line sanitary sewers and lateral sewers (homeowner services) located within the designated right of way. The condition assessment is necessary to evaluate which sewers may need repairs, replacement or insitu-lining. The majority of the infrastructure is located under the roadway.

The City solicited three (3) quotes to complete the cleaning and televising of the sewers. The three quotes were:

National Power Rodding, Chicago, IL.	\$37,638.00
Sheridan Plumbing & Sewer, Bedford Park, IL.	\$41,223.00
Performance Pipelining Inc., Ottawa, IL.	\$54,945.00

National Power Rodding has done similar work for the City and the City is comfortable with their work quality.

City Council recommendation: Motion to waive formal bidding on this project.

City Council recommendation: Approval of Resolution 16-65-R authorizing the Mayor and City Clerk to enter into agreement with National Power Rodding, Chicago, IL. for sewer pipeline cleaning and televising for an amount not to exceed \$39,519.00, which includes a 5% contingency allowance.

C: Mayor & City Council
Laura Newman
Bill McGrath
Gary Holm
Peggy Colby
Rahat Bari
Tim Grimm

**CITY OF BATAVIA, ILLINOIS
RESOLUTION 16-65-R**

**AUTHORIZING EXECUTION OF THE CONTRACT FOR
MAIN ST. SANITARY SEWER CLEANING AND TELEVISIONING**

WHEREAS, the City of Batavia has identified the need for cleaning and televising the sanitary sewers on Main St; and

WHEREAS, the City of Batavia requested quotes on the project and reviewed the submitted quotes; and

WHEREAS, National Power Rodding Corporation has submitted a quote and is the lowest responsible bidder for the project; and

WHEREAS, National Power Rodding Corporation has the appropriate expertise and experience necessary to provide this service; and

WHEREAS, the total cost of said inspection services is in the amount not to exceed \$39,519.90; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

SECTION 1. That the Mayor and City Clerk are hereby authorized to execute the Contract with National Power Rodding Corporation of Chicago, Illinois, attached hereto as Exhibit A, for construction services in the amount not to exceed \$39,519.90.

CITY OF BATAVIA, ILLINOIS RESOLUTION 16-65-R

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this 1st day of August, 2016.

APPROVED by me as Mayor of said City of Batavia, Illinois, this 1st day of August, 2016.

Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Fischer				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Thelin Atac				
6	Cerone					Russotto				
7	McFadden					Brown				
Mayor Schielke										
VOTE:		0 Ayes	0 Nays	0 Absent	Abstentions					
Total holding office: Mayor and 14 aldermen										

ATTEST:

Christine Simkins, Deputy City Clerk

AGREEMENT

THIS AGREEMENT, made this ___ day of _____, 2016 by and between the CITY OF BATAVIA, (hereinafter referred to as the “City”), and National Power Rodding Corp., 2500 W. Arthington Street, Chicago, IL 60612-4108 (hereinafter referred to as the “Company), with regard to certain services in connection with the City of Batavia Main Street Sewer Inspection Services (hereinafter referred to as the “Project”).

NOW THEREFORE, the City and the Company, in consideration of the mutual covenants hereinafter set forth, agree to as follows:

1. The Company agrees to perform services in connection with the Project as hereinafter stated. The Company shall at all times observe and comply with all laws, ordinances, and regulations of the federal, state, and local governments, which may in any manner affect the preparation of proposals or the performance of the Agreement.
2. The Company has made a proposal to the City, dated June 13, 2016, attached hereto Exhibit 1 and expressly made a part hereof, in response to the City’s Request for Proposal.
3. This contract shall constitute the entire agreement and understanding by and between the parties hereto, and it shall not be considered modified, altered, changed, or amended in any respect unless done so in writing with signatures by both the City and the Company.
4. The terms and conditions of this agreement shall be the sole terms and conditions followed for this Agreement, unless otherwise approved in writing by the City Attorney and attached as an exhibit to this agreement. Any and all terms and conditions contained in Company’s Proposal shall be superseded by the terms and conditions of this agreement.
5. The Company shall obtain, at its own expense, all permits and licenses which may be required to complete the Agreement, and/or required by federal, state, and local regulations and laws.
6. The City does not discriminate on the basis of handicapped status in the admission of, access to, or treatment of employment in its programs and activities.
7. Illinois Prevailing Wages: Contractor shall not pay less than the prevailing rates of wages to all laborers, workmen, and mechanics performing work under this contract, and shall comply with the requirements of the Illinois Wages of Employees on Public Works Act 820 ILCS 130/1-12 including, without limitation, the submission of certified monthly payroll reports as required by 820 ILCS 130/5. The contractor is advised that failure to timely submit such reports shall be cause for the withholding of payments otherwise due the contractor until compliance with the reporting requirements is achieved. The current Illinois Department of Labor Prevailing Wage Rates for the County of Kane are available at their website <http://www.state.il.us/agency/idol/>. Prevailing wage rates are subject to revision monthly. Copies of the current prevailing wage rates are also available at the Kane County Purchasing Department, 719 Batavia Avenue, Geneva, Illinois.



Any bond furnished under this contract shall include such provisions as will guarantee the faithful performance of such prevailing wage clause as provided by the contract.

The Contractor and each of his Sub-Contractors shall pay each of his employees engaged in work on the project under this Contract in full (less deductions made mandatory by law) not less often than once each week.

8. Any payment made to the Company shall be strictly on the basis of quantum meruit. The Company shall submit to the City a detailed breakdown of hourly rates billed to date with each pay request. The detailed breakdown shall be based on the hourly rate breakdown contained in the approved proposal. The City will pay the Company for the performance of the Agreement as follows:
 - a. Monthly payments based on actual work satisfactorily completed, less 10% retainage until final completion of the work
 - b. The total Agreement payment shall not exceed \$37,638.00 (plus 5% contingency, as approved by owner).
 - c. Additions or deductions to the approved total amount for services shall be authorized in writing by the City. Any out of scope work must be authorized in writing by the City. Any work performed without written approval from the City shall be solely at the expense of the Company.
 - d. Final payment to the Company will be made once the project has been completed, all paperwork completed and turned into the City of Batavia and/or State of Illinois, and approved with the State of Illinois and/or the City of Batavia.
9. The Company will perform those phases of the Project to which this Agreement applies, and will give consultation and advice to the City during the performance of the services.
10. The Company will provide certificates of insurance evidencing the types and limits of insurance. Each insurance company shall be acceptable to the City. The General Liability coverage shall name the City as an additional named insured. All insurance is primary, and in no event will be considered contributory to any insurance purchased by the City. All insurance will not be canceled, reduced, or materially changed without providing the City thirty (30) days advance notice, via certified mail.

The Company shall not commence work under this contract until they have obtained all insurance required and such insurance has been approved by the City, nor shall the Company allow any subcontractors (hereafter Subs) to commence work on their subcontract until the same insurance has been obtained by the Sub. The Company and their Subs shall maintain all insurance for not less than one (1) year after completion of this contract

Special Requirement: If the Company is an architectural or engineering firm, said Company shall also file a certificate of insurance for professional liability, errors and omissions coverage subject to final acceptance by the City of said coverage.



11. The Company will provide the services as required herein in accordance with the Project Schedule.
12. The Company will attend conferences and visit the site of the work as may be outlined in the Request for Proposal at any reasonable time when requested to do so by the City.
13. The Company warrants that they are technically qualified and entirely conversant with the requirements of this Project; and that they have sufficient properly trained, organized, and experienced personnel and/or subcontractors to perform the services enumerated herein.
14. The City and the Company each binds themselves and their partners, successors, executors, administrators, and assigns to the other party of this Agreement and to the partners, successors, executors, administrators, and assigns of such other party, in respect to all covenants of this Agreement; except as above, and as noted in the attachments, neither the City nor the Company shall assign, subcontract, or transfer their interest in this Agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of any public body, which may be a party hereto, nor shall it be construed as giving any rights or benefits hereunder to anyone other than the City and Company.

The Company may subcontract portions of the work upon written approval from the City. These Subs shall conform, in all respects, to the applicable provisions specified and shall further be subject to approval by the City. The Company shall identify all proposed Subs who will furnish services under the terms of this proposal. The work to be done by the Subs shall be outlined in detail in the proposal submitted by the Company. None of the services to be furnished by the Company shall be subcontracted, assigned, or transferred to any other party or parties without the written consent of the City. The consent to subcontract, assign, or otherwise transfer any portion of the services to be furnished by the Company shall not be construed to relieve the Company of any responsibility for the fulfillment of this Agreement. Any request for payment to the company, for work that was subcontracted, shall be supported with a waiver of lien and contractor's affidavit indicating the subcontractor has been paid and waives any lien on the project or funds for the project.

15. Company shall indemnify, protect, defend and hold the City and its employees harmless from and against any and all claims, liabilities, judgments, costs, damages and expenses, including reasonable attorney's fees, arising out of or in any way related to the work performed pursuant to this contract, including all work performed by its employees, agents, sub-contractors and assigns, except to the extent that such claim, liability, judgment, cost, damage or expense arises from the negligence or willful misconduct of the City, its employees or agents.
16. The City agrees to review each and every phase of the Project as in the aforementioned proposal in a timely manner. Upon approval of each phase, the Company shall then proceed to the next phase.
17. All drawings, specifications, reports, and any other project documents prepared by the Company in connection with any or all of the services to be furnished thereunder shall be delivered to the City for the expressed use of the City. The Company does have the right



to retain original documents, but shall cause to be delivered to the City such quality of documents so as to assure total reproducibility of the documents delivered. All information, worksheets, reports, design calculations, plans, and specifications shall be the sole property of the City unless otherwise specified in the negotiated agreement. The Company agrees that the basic survey notes and sketches, charts, computations, and other data prepared or obtained by the Company pursuant to the Agreement will be made available, upon request, to the City without cost and without restriction or limitations as to their use. All field notes, test records, and reports shall be available to the City upon request.

18. The City reserves the right by written amendment to make changes in requirements, amount of work, or engineering time schedule adjustments. The Company and the City shall negotiate appropriate adjustments acceptable to both parties to accommodate any changes.
19. The City may, at any time by written order, require the Company to stop all or part of the services required by this Agreement. Upon receipt of such an order the Company shall immediately comply with its terms and take all steps to minimize the occurrence of costs allocable to the services covered by the order. The City will pay for costs associated with suspension provided, they are deemed reasonable by the City.
20. The City reserves the right to terminate the whole or any part of this Agreement, upon ten (10) calendar day's written notice to the Company. The City further reserves the right to cancel the whole or part of the Agreement, if the Company fails to perform any of the provisions in the Agreement or fails to make delivery within the time stated. The Company will not be liable to perform if situations arise by reason of acts of God or public enemy, acts of City, fires, or floods.
 - a. Should any of the key personnel identified in the Proposal become unavailable to work on the project, and no permanent substitute personnel reasonably satisfactory to the City is provided by the Company within thirty (30) days, and/or no temporary replacement personnel is provided by the Company immediately following the commencement of the subject Key Personnel's unavailability, the City may, at its election, declare such contract terminated and at an end, reserve the right to maintain and action to recover damages arising due to breach of contract
 - b. The City reserves the right to terminate in whole or any part of this contract, upon written notice to the Company, in the event of default by the Company. Default is defined as failure of the Company to perform any of the provisions of this contract or failure to make sufficient progress so as to endanger performance of this contract in accordance with its terms. In the event of default and termination, the City may procure, upon such terms and in such manner as the City may deem appropriate, supplies or services similar to those so terminated.

The Company shall be liable to the City for all excess costs for such similar supplies or service unless evidence is submitted to the City that in the sole opinion of the City clearly proves that failure to perform the contract was due to causes beyond the control and without the fault or negligence of the Company.



c. Upon termination, the Company shall cause to be delivered to the City all surveys, reports, permits, agreements, calculations, drawings, specifications, partially and completed estimates, and data, as well as products of computer aided drafting, design, and writing that have been paid for by the City. Cost of termination incurred by the Company before the termination date will be reimbursed by the City only, if prior to the effective termination date, the City receives from the Company a list of actions necessary to accomplish termination and the City agrees in writing that those actions be taken. Upon receipt of the termination notice, the Company shall stop all work until said Agreement is reached.

21. The City agrees to notify the Company at least twenty-four (24) hours in advance of the need for personnel or services.
22. Nothing contained in this Agreement, nor the performance of the parties hereunder, is intended to benefit, nor shall inure to the benefit of, any third party, including the City's Contractors, if any.
23. An notice relating to claims for damages or relating to allegations of default shall be in writing and shall be made by certified or registered mail, postage prepaid, return receipt requested, or reliable overnight courier, to the parties as follows:

If to Company: National Power Rodding Corp.
2500 W. Arthington Street
Chicago, IL 60612-4108

with copy to: Attorney

If to the City: City of Batavia
Attention: City Clerk
100 North Island Avenue
Batavia, IL 60510

with copies to: City of Batavia
Attention: Gary Holm
Director of public Works
200 N. Raddant Rd.
Batavia, IL 60510

and: City of Batavia
Attention: Mr. Kevin Drendel
City Attorney
111 Flinn St.
Batavia, IL 60510

24. This Agreement contains the entire agreement between the parties. No other writing, discussion or any other communication about possible terms is to be construed as forming part of the agreement between the parties. Any terms and conditions submitted by the Company as part of its proposal are specifically disavowed and such terms and conditions shall not supersede this Agreement.



- 25. This Agreement shall be binding upon the partners, heirs, successors, executors, administrators, and assigns of all the parties hereto.
- 26. This Agreement shall be construed in accordance with the laws of the State of Illinois. Venue for any litigation arising from this Agreement shall be limited to the Courts of the Sixteenth Judicial Circuit, Kane County, Illinois.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first above written.

CITY OF BATAVIA, an Illinois
Municipality,

Company, National Power Rodding Corp.

By: _____
Mayor

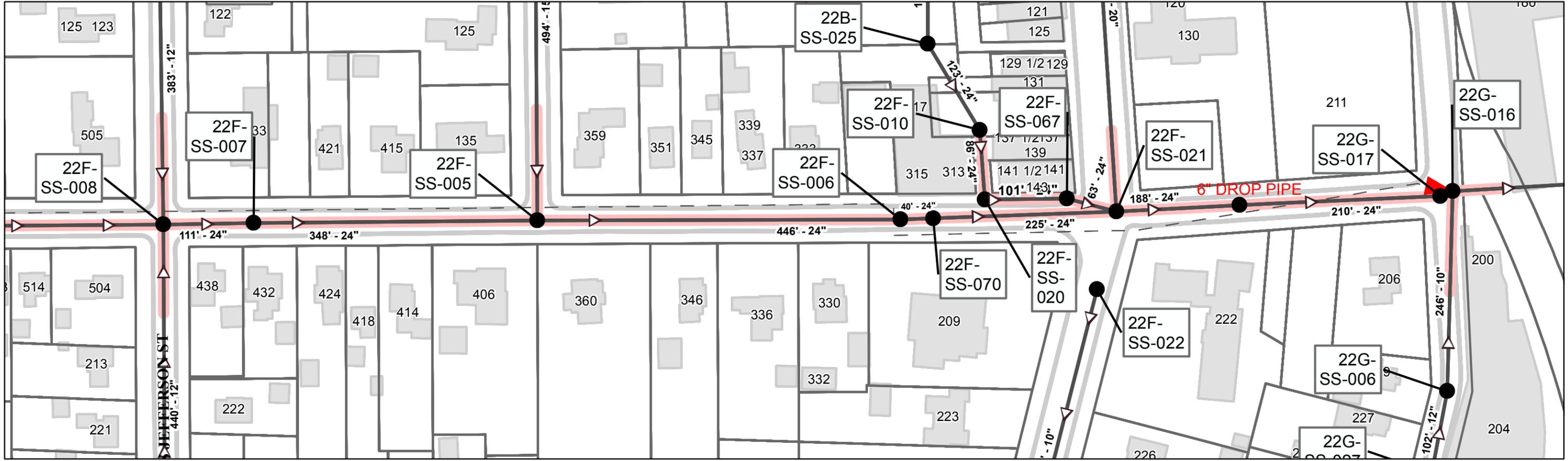
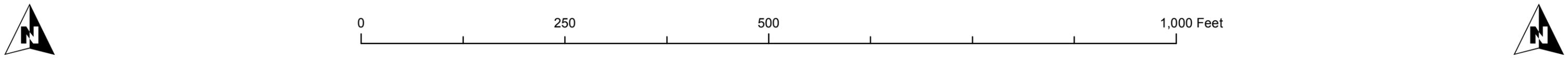
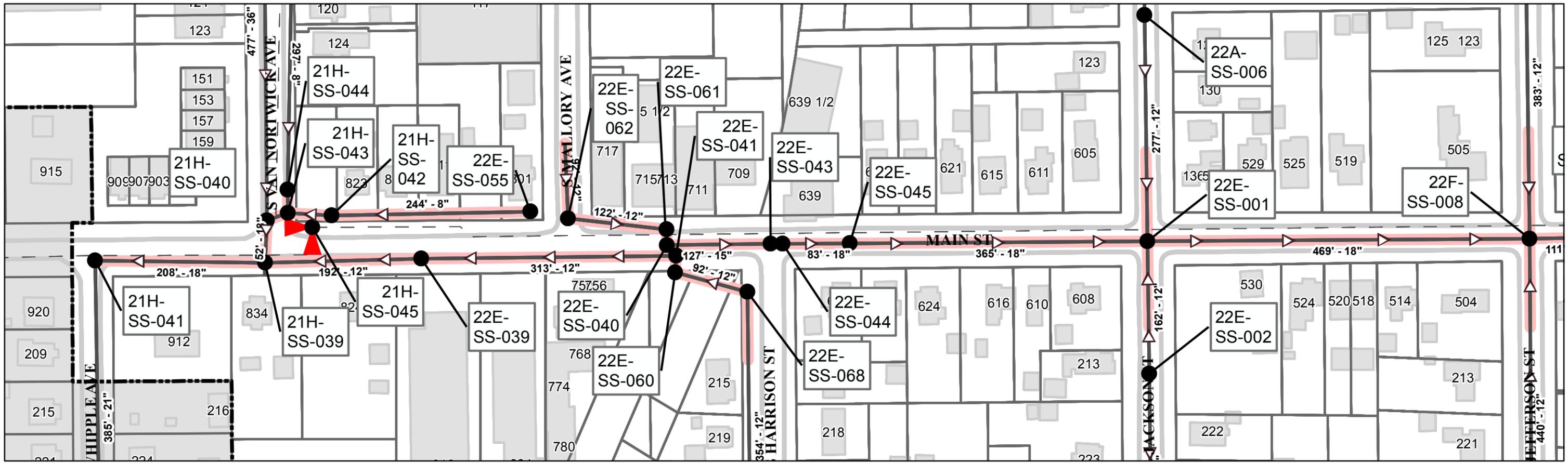
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President

Attest:

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By: _____
City Clerk

By: _____
Secretary



CITY OF BATAVIA

DATE: July 21, 2016
TO: Mayor & City Council
FROM: Laura Newman, City Administrator appointee
SUBJECT: Appointment of FOIA Officers

The City's Freedom of Information Act Officer positions need to be changed due to my retirement. The state FOIA states:

Sec. 3.5. Freedom of Information Officers.

(a) Each public body shall designate **one or more officials or employees** to act as its Freedom of Information officer or officers. Except in instances when records are furnished immediately, Freedom of Information officers, or their designees, shall receive requests submitted to the public body under this Act, ensure that the public body responds to requests in a timely fashion, and issue responses under this Act.

Bill McGrath has been acting as such, and basically disseminates requests to the appropriate departments, trying to clarify some from time to time. It is helpful to get the drift of the types of requests coming through, generally for police reports and building permit records (probably about 90% of all requests), but occasionally involving administration Council issues. There are also requests which require some communication between the involved department and the requestor for clarification, or, at times, consultation with Kevin Drendel. Sometimes the requestor is a very concerned citizen and the request can open an opportunity to talk with a resident about an issue of concern to them.

Within the resignation (effective Aug. 5) of Tony Davis, our current Police Records Supervisor, Chief Schira suggests Kristie Schuman, who is a state-certified FOIA officer in the interim, with Joanne Miller as backup. Jeff Albertson, Building Commissioner, would remain for the Building type request we get, mainly from firms doing due diligence on building transactions. We have separate FOIA email addresses for each, and I will (hopefully) just receive "all others".

A simple online training through the Attorney General's offices is required for the position, though we've all had training anyway. For your information, we receive between 20-25 per week, at least 75% going to the PD.

Staff recommends appointment of Laura Newman, Kristie Schuman, Joanne Miller and Jeff Albertson as Freedom of Information Act Officers for the City of Batavia.

This matter will be on the Committee of the Whole agenda for July 26, 2016 for discussion and recommendation to the City Council. A resolution will be drafted with COW approval for August 1 Council meeting

C: Bill McGrath
Department Heads
Kristie Schuman
Joanne Miller
Jeff Albertson

CITY OF BATAVIA

DATE: June 3, 2016
TO: Committee of the Whole-CS
FROM: Scott Buening, Community Development Director
SUBJECT: Continued Discussion: Implementing Contractor Registration in the City of Batavia

1. **Summary:** Continued discussion regarding beginning a contractor registration program in the City.
2. **Background:** City staff brought this forward to the Committee at their meeting on March 1, 2016, which was continued to March 15, 2016. The Committee had significant discussion on the positives and negatives of the program. In the end staff was directed to compile a list of problem situations we have encountered recently, and bring these back to the Committee in June. We are now providing this information to the Committee for further consideration. We currently have about two dozen situations where we feel contractor registration would have been helpful as noted on the attached list.

Staff does encounter “problem” contractors on a regular basis. From doing work without permits, failing inspections multiple times, doing shoddy work or just taking deposits and leaving without doing work are all too common situations. These circumstances leave homeowners with little recourse other than to file a lawsuit and hope to recover their money (and legal fees) from an entity that might no longer even exist.

We feel that by instituting a contractor registration program it would be helpful for citizens to get assistance in the event things go awry with their hired contractors. Filing a claim on their insurance, drawing on their bond or revoking the license would all be remedies to help these homeowners and to discourage disreputable contractors from working in the City.

+++++

City staff raised the idea of contractor registration back on May 26, 2015. The Committee discussed this and determined it was something that they did not want to proceed with at that time, but wanted staff to bring this back in a year. During some conversations at a recent COW meeting, several aldermen brought up contractor registration again. They indicated that they had been approached by local business owners that were interested in having the City implement this program. They felt that the program would help protect local businesses and residents from less reputable contractors.

Staff is now bringing this program forward again for further committee discussion. We have provided the information presented previously as a way to restart the discussion about this program. In summary, staff was suggesting the following:

- Registration for contractors would be required for any work that requires a permit.

- Annual Fee for any contractor (general or subcontractor) would be \$100.00. Registration would be renewed on January 1 of each year.
- We would prorate initial registrations on a quarterly basis (i.e. applications from October-December would pay 25% or \$25.00 fee).
- \$10,000 Surety Bond would be required.
- \$1,000,000 in general liability insurance would be required.
- Workers Compensation and Auto Liability would need to follow State Law (we would not require anything additional).
- Roofing, plumbing and irrigation contractors that are licensed by the State would pay a discounted \$25.00 annual registration fee. These contractors would need to provide proof of license and bonding from the State.
- We would include an allowance to revoke the registration and prohibit work within the City. The registration would be revocable for violations of local or State laws, or violations of building code. An appeal process to the City Council would be developed if the existing process under the building code does not apply.
- First year of implementation would be free to get applicants to sign up.
- Homeowners doing work on their own principal residence would be exempted from the registration requirement.

Staff would like to have the Committee discuss the proposal to implement a contractor registration program, and provide direction on whether or not to begin drafting an ordinance to put the program in place.

3. Alternatives, including no action if viable:

- **Pros:** Contractor registration allows the City to be aware of who is doing work in the City. It allows the homeowner or property owner the peace of mind that the City will be able to ensure quality work by contractors and that they will likely not “skip town” with their money. The program would provide incremental revenues to the City, but this is not intended to be a substantial revenue source for the City.
- **Cons:** The program will make the cost of doing work in the City slightly more expensive. The program will make Batavia the first of the tri-cities to implement a registration program. The program may seem “business unfriendly” due to the additional paperwork and costs contractors will incur.
- **Budget Impact:** We have an estimated 150 contractors (about 50 roofing/plumbing) that do work in the City annually. This would translate approximately to an additional \$11,250 in revenues annually. We do not intend to hire additional staff for this program, therefore there would be no negative effect on the budget.

- **Staffing Impact:** No impact on staffing as we are not intending to hire staff for this program.
4. **Timeline for actions:** There is no specific timeline as this has been a continuing internal discussion for some time.
 5. **Staff recommendation:** **Staff recommends that the Committee review the contractor registration program and provide direction to staff on whether or not to draft an Ordinance that would implement this program.**

Attachments:

1. Memo dated May 23, 2016 listing recent contractor issues.
2. Minutes of March 15, 2016 Committee meeting.
3. Contractor Registration Survey from 2013.



CITY OF BATAVIA

JEFFERY D. SCHIELKE
Mayor

5/23/2016

MEMO

TO: Scott Buening
Jeff Albertson

FROM: Toby Petrie

The following is a list of construction activity conducted by contractors who in the opinion of staff were either less than qualified or less than reputable in said activity, as described below. Feel free to contact me if you have any questions. Thank you.

Address	Permit #	Comments
XXX Ridgelawn Trl.	2016XXXX	Work completed without a permit. Posted Stop Work. Permit Issued. Basement finishing by contractor unfamiliar with electrical codes. Poorly installed wiring.
XXXX Danforth Dr.	2015XXXX	Screen porch not built to architect-stamped specifications. Contractor abandoned job. Homeowner forced to finish work.
XXX W. Wilson St.	2014XXXX	Windows installed without first obtaining a permit. Posted Stop Work. Permit Issued.
XXX S. River St.	2014XXXX	Apparent 3rd layer of roofing installed (max 2/code). Work allegedly by homeowner. Then contractor claimed responsibility, but failed to provide an ILL Roofing License.
XXX S. River St.	NONE	>3'tall retaining wall installed without permit (local contractor). Stop Work order posted. Work continued.
XXX Fayette St.	2013XXXX	Remodeling work being completed by various contractors. Multiple "failed" inspections. Permit is still open.
XXX State St.	2014XXXX	Remodeling work being completed by various contractors. Multiple "failed" inspections. Permit is still open.
XXXX S. Jackson St.	2014XXXX	House Flipper. Multiple "failed" inspections. Unqualified subcontractors.
XXXX Mill St.	2014XXXX	Commercial alteration completed without permit. After-the-fact permit obtained. Multiple "failed" inspections. Permit is still open.
XXX S. Van Buren St.	2014XXXX	Residential Alteration. Work completed with no inspections by contractor. Contractor abandoned job.

Address	Permit #	Comments
		Permit is still open.
XXX N. Batavia Av.	2013XXXX	Residential Rental Property Alteration. Multiple "failed" inspections. Unqualified subcontractors.
XXX W. Fabyan Pkwy.	2013XXXX	Commercial Alteration. Multiple "failed" inspections. Last inspection, 12/10/13. Permit is still open.
XXX Spring St.	2013XXXX	House Flipper. Multiple "failed" inspections. Unqualified subcontractors.
XXX Adams St.	2013XXXX	House Flipper. Inspections served as "punchlist" for contractor. Unqualified contractor.
XX N. Island Av.	2013XXXX	Commercial Alteration. Multiple "failed" inspections. Permit is still open.
XXX N. Randall Rd.	2013XXXX	New Car Wash. Multiple "failed" inspections. Permit is still open.
XXX Sylvan Pl.	2013XXXX	Residential Alteration. Spray foam insulation in attic does not meet fire protection requirements. Contractor has abandoned project.
XXX S Harrison St.	2015XXXX	House Flipper. Multiple "failed" inspections. Unqualified subcontractors.
XXX Rocksbury Ct.	2015XXXX	Residential Alteration. Multiple "failed" inspections. Contractor abandoned job. Permit is still open.
XXX Mather Ln.	2015XXXX	House Flipper. Stop Work Order posted. After-The-Fact permit was obtained. Multiple "failed" inspections. Contractor abandoned job. New contractor completed work
XXX Iroquis Dr.	2015XXXX	House Flipper. Multiple "failed" inspections. Unqualified subcontractors. Inspections served as "punchlist" for subcontractors.
XXXX Pine St.	2015XXXX	Residential Alteration. Multiple "failed" inspections. Unqualified subcontractors. Inspections served as "punchlist" for subcontractors.
XXXX Flag Day Rd.	2016XXXX	Residential Alteration. Construction without permit. Posted "Stop Work". Obtained permit listing "owners" as contractor. Covered areas without inspection. Multiple "failed" inspections. Met "Contractor" on site at re-rough.

Respectfully Submitted,

Toby Petrie
Building Inspector

Buening stated that at this point, it does not seem that there is enough interest by the Committee to proceed with the study at this point of time. However, the Committee would like to explore options locally with incentives. Stark stated that she is hearing, as of right now, we do not want to pursue paying for the CLT study. We do need to have further discussion so that we can give staff direction in terms of staying with our comprehensive plan, helping to decide what we are going to do with the pieces of land long term. Stark asked the Committee to ponder the 'not in my backyard' issue that we always seem to come up against.

7. Ordinance 16-14: Annex Part of BNR ROW Burlington Northern Railroad Right-of-Way (Scott Buening 2/29/16) CD

The COW referred to the memo.

Motion: To recommend approval of Ordinance 16-14: Annex Part of BNR ROW Burlington Northern Railroad Right-of-Way
Maker: Hohmann
Second: Mueller
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.

Buening noted that on the 21st there would be a Public Hearing on the annexation.

8. Discussion: Implementing Contractor Registration in the City of Batavia (Continued) (SCB 2/10/16) CS

Wolff reported that this discussion has been held in the past. He stated that he has no problem with the City going with this because it would provide a better service to the community. He noted that even though staff states that there would be no impact if we are adding something to their jobs it would impact them. Callahan stated that he is in support of this based on what he has heard from contractors and developers. He has heard also from residents in town. There should be an extra layer of municipal government over those who are already licensed. The state already licenses them but currently there are no regulations on the municipal level. He stated that a person should be able to hire someone who is not on the list without any extra cost. There should be a waiver stating that they know that the contractor is not on the list and they do not have to be.

Jason Stubbes, 1051 Crystal Court, commented that he works with contractors in town and out of town and he likes working with people he knows. He sees the benefit but he feels that there are some negatives to this. He asked how the average homeowner would even know that there is a list. Buening stated that if someone inquired then staff would be able to provide the list. The list is not a recommendation. On a regular basis we get contractors contacting the City assuming we have contractor registration and a lot of contractors expect that there is that program. Stubbes asked what happens if there is a bad contractor on the list. Buening stated that there would be an ability to revoke a contractor from the list. Stubbes asked if there would any liability to the City. Buening stated that these would be registered contractors but the City could not recommend anyone. Stubbes suggested that the language be very clear on something like that.

McGrath stated that we need to ask how much do we protect a person to demand an insurance policy. He would have to talk to other towns but he could see the City being pulled into the

middle of a contractor-homeowner conflict. He would like to talk to other towns to see how it really works. Mueller asked how common is this type of program. Buening answered that Sugar Grove and North Aurora has this currently. There are a lot of towns that have this. Mueller stated that her contractor husband does this often and she feels that it is a common program. Stark stated that South Elgin does not do this. St. Charles, Geneva and Yorkville do not and there are as many who don't than do. Her husband has been a contractor for a number of years and he does carry liability insurance and has an insurance bond and he doesn't need to City to tell him to. Mueller stated that a program like this weeds out the contractors who do not have those things. Fischer stated that you may not call it a preferred vendor list but it looks like that with this list and the City would then become the middleman for the complaints.

Brown stated that he is not in support of this. This was brought up last year and we told staff to go back and keep track of instances that if we had required people to be licensed then it would have solved the problems. This was brought up again due to the Town Hall meeting and he does not see any compelling reason as to why this should be done. Stark questioned that, when we consider a subcontractor, who has to be licensed. She stated that this would be much more work than what it is worth. McFadden stated that this program offers a lot for companies that operate with proper insurance.

The Committee decided to table this discussion for three months. Brown stated that he would like to see some solid reasons why this should go into effect. Cerone stated that he would like to have time to talk to contractors about this and do research. McGrath noted that the larger the community the more likely they have contractor registration.

9. Ordinances 16-09 and 16-10: Variances and Conditional Use for a Drive Through Eating Establishment – Dunkin Donuts/Shell Gas Station, 108 N. Batavia Avenue (Joel Strassman 3/10/16) CD

This discussion was moved to number six. Buening reported that staff prepared revised ordinances for the variances and a new ordinance for the conditional use. Staff has met with the petitioner and there are several conditions that we need direction from the Committee of the Whole (COW). Buening discussed the recommended conditions with the Committee:

1. Additional landscaping is added adjacent to the north parking spaces, with Plan Commission design review approval;
 - Buening stated that this would go to the Plan Commission (PC) for consideration as part of the design review process.
2. A curb is added to the west end of the north parking area, extending west to meet the Batavia Avenue sidewalk, similar to what is proposed for the south parking; inside this area shall be suitable landscaping, including a tree, with Plan Commission design review approval;
 - Buening stated that this would go back to the PC as part of the Design Review, especially regarding the location of the tree.
3. The area south and west of the west end curb for the new south parking spaces shall be suitably landscaped, including a tree, with Plan Commission design review approval.
 - Buening stated that this would go back to the PC as part of the Design Review.
4. No illuminated elements are allowed to be added to the north canopy edge;

CONTRACTOR REGISTRATION SURVEY

Insurance

Other

MUNICIPALITY	Registration	Fee	Type	Bond	Gen Liab	WC	Auto	Other
RECOMMENDATION	YES	\$150	ANY WHOSE WORK REQUIRES PERMIT ALL, but painters/flooring/indscp maint	\$10,000 EACH, EXC PL \$20,000 GC; \$10,000 ONLY HV & CARP	\$1,000,000	IL LAW - no proof	IL LAW - no proof	LIC FOR ROOF, PL, IRRIG. ALL PAY OR DON'T ONLY N/C PL AND EL ALARM & SPRINKLER TO CK W/FIRE TOO
SUGAR GROVE	YES	\$165	GC, Sign, HVAC, Elect, Roof	20000	\$2,000,000	IL Law	\$1,000,000	License for roofing/plumbing/electric/irrigation
Aurora	Yes	\$200 new, then \$100	All but no E, PL, Alarm	only Dem & Swr	none	IL Law	none	Background check by PD & crime ?
Arlington Heights	Yes	\$130 or \$60	All	10000	\$1,000,000	IL Law	none	License for Electrician, roofing, plumbing
Bartlett	Yes	\$100 GC; \$50 Subs	All	none	only GC			License for Electrician, roofing, plumbing
Barrington	Yes	\$75	All					License for Electrician, roofing, plumbing
Batavia	No							
Bolingbrook	Yes	\$260 GC; \$160 Subs	All	\$20,000 or 10%	\$300,000	none	none	License for Electrician, roofing, Irrigation
Channahon	Yes	\$150 GC; \$100 Subs	All	none	\$300,000	IL Law	none	License for Electrician, roofing, Irrigation & plumbing
Carol Stream	No							
Crystal Lake	No but requires bond	\$0	Certain trades	10000	none	none	none	State license for roofing & plumbing
DeKalb	Yes	\$250 then \$50	Elect/Plumb/HVAC/ROW only	10000	none	none	none	
Downers Grove	Only Electrical	\$0						
Elburn	No							License for roofing & plumbing
Elgin	No-license only			\$20,000 for HVAC & Sewer	none	none	none	License for Electrician, roofing, plumbing, fire sprinkler & hvac
Geneva	No		Only ROW		\$1,000,000			State license for roofing & plumbing
Huntley	Yes	\$25 +\$10 for ea trade	1/2 after July 15th for all trades	\$10,000 for row or easements	\$1,000,000			
Lemont	Yes	\$200 GC; \$75 Subs	All (no chg for pl, elect, alarm indscp)	\$25,000*	250000 injury	not <\$100,000	none	\$100,000 prop damage ins; License for Elect, roof, Irrig, plum
Lisle	No							
Montgomery	Yes	\$125	All	none	yes certificate nothing else specified			License for Electrician, roofing, plumbing - no charge

Insurance

CONTRACTOR REGISTRATION SURVEY

MUNICIPALITY	Registration	Fee	Type	Bond	Gen Liab	WC	Auto	Other
Morris	Yes	\$200	GC	20000	\$300,000	IL Law	\$300,000	
		\$100	All Subs	10000	\$300,000	IL Law	\$300,000	
Naperville	Yes	Elec \$50; PL \$25; RO W \$30	Elect/Plumb/ROW only	\$10,000 Elect only	Only Elect		none	License for Elec, plumbing and Engineer approval for ROW
New Lenox	Yes	\$150	All but no chg for pl or sprinkler	10000	\$1,000,000	500000	none	License for roofing, plumbing & sprinkler
North Aurora	Yes	\$150; \$25 if state license	All	20000	yes certificate nothing else specified			License required for Electrician, plumbing, roofing, sprinkler
Oswego	Yes	\$250	GC	20000	\$2,500,000	500000	\$500,000	
	Yes	\$100	All Subs	10000	\$1,500,000	500000	\$200,000	License required for Electrician, plumbing, roofing
Plainfield	Yes	\$50	All but no chg for pl or sprinkler	GC & roofer \$10,000	\$1,000,000	none	none	License required for Electrician, plumbing, roofing sprinkler
Plano	No							
Romeoville	Yes	\$150 GC; \$75 Subs; no pl	All	\$10,000 except pl	\$300,000inj	1000000	none	\$25,000 prop damage ins; License for Elect, roof, plumber plumbing
Sandwich	No							
South Elgin	No		Only state license copies					
St. Charles	No							
Sycamore	No	only \$ for elect test	Elect City test & PI 055/058 & PL #					
Warrenville	Yes	Only Elec \$35 \$195 Initial; \$145 Renewal	Elect/Roofers only	\$5,000 Elect.	yes			License required for Electrician and roofing
West Chicago	Yes	\$25	All	10000	\$250,000	1000000		\$100,000 property damage insurance cert
Wheaton	Yes	\$25	All except pl, alarm, roof, irrig, sprinklr or elect	10000	\$1,000,000**			**Ins Cert for Irrig, ROW, house moving
Wilmington	Yes	\$100	All but no chg for pl, sprinkler or roofer	none	yes certificate for liability & WC only			License required for plumber and roofer
Winfield	Yes	\$250 GC; 1/2 after 8/1		20000	\$1,000,000	IL Law	\$500,000	All renew 1/31 annually
Yorkville	No	\$100 sub; 1/2 after 8/1	All but elect \$25; HVAC \$40 and 0 if other license	\$10000 except pl	\$500,000	IL Law	\$500,000	All renew 1/31 annually

* requires specific language in their bond.