

Staff Responses to Council Questions
May 16, 2017

7. Active Agenda

A. Ordinance: Authorize a Special Use for 7221 Lemont Road to Permit an Animal Boarding Facility

Revised Ordinance - Based on input from individual Council members, the conditions of approval have been revised. The conditions of approval are as follows:

1. The Special Use shall substantially conforms to the staff report dated April 3, 2017; architectural drawings prepared by Studio21 architects dated March 3, 2017, as amended May 11, 2017, except as such plans may be modified to conform to the Village codes and ordinances.
2. The applicant shall apply for all signage under a separate permit and shall comply with the Sign Ordinance.
3. The building shall be equipped with an automatic fire suppression system and an automatic and manual fire alarm system.
4. At no time shall more than thirty-five (35) dogs be within the outdoor play area.
5. At the discretion of the Village Manager, Petitioner may be required to submit a report detailing compliance with Section 28.10.040.B of the Downers Grove Zoning Ordinance (Operational Performance Standards - Noise), including but not limited to the duration and decibel levels of the noise emitted from the property. Any violation of this section or of the Downers Grove Zoning Ordinance shall be deemed grounds for revocation of the Special Use granted herein and shall be subject to the remedies and enforcement powers afforded the Village in Section 28.13.020.D of the Downers Grove Zoning Ordinance.
6. The hours of operation for the outdoor play area shall be limited to 8:00am to 6:00pm daily, and shall be supervised by a trained employee at all times when in use.

Does The Dog Spot on Ogden Avenue, west of Washington Street, have an outdoor play area adjacent to single family homes?

Yes. The outdoor play area is located along the south lot line immediately adjacent to the rear yards of single family homes. The play area is surrounded by a chain link fence. The property is

zoned B-3. Animal boarding is a permitted use in this district.

“Village has no record...” What constitutes a “record”? Does Staff note any and all phone calls to Code Enforcement and/or the Police Department concerning noise violations?

All code enforcement requests for service, whether via phone or email, are tracked in software programs. Staff searched its current and former code enforcement tracking software and has found no requests for service.

What is the difference in annoyance level between 5 dogs, 10 dogs, 34, or 35 dogs? How many dogs constitute “annoying” and how determined?

Staff can not determine when a certain number of dogs would become annoying to an individual as there are a variety of factors which could contribute to the annoyance. Staff can use a decibel reader to determine the noise levels created by the varying number of dogs.

How was the number 35 determined? Why has that number not changed in the revision?

The petitioner provided this number based on their business model. The Village Council could change the condition to reduce the number of dogs permitted to be in the outdoor play area.

How many “special uses” have been revoked in the last 10 years?

There have been no special uses revoked in the last 10 years. A few approvals have required follow-up by staff, but all approved special uses have complied with their applicable conditions.

The petitioner “may” be required to submit a report. Will the petitioner be able to pick the professional services to measure and write the report? How often and how specifically will Staff (Police) be monitoring the noise levels? What initiates what specific actions?

According to the draft Special Use Ordinance, the Village Manager has the authority to direct the petitioner to prepare a noise study. The petitioner would be able to choose the professional sound engineer to perform the study. Staff would request their professional qualifications be included in any report they prepare. Code enforcement officers typically drive past this shopping center at least four times a week. Specific code enforcement action would take place based on their observations or by complaints generated by the public.

Does a Code Enforcement official or police officer have to witness the violation in order to validate the call of noise (as opposed to an official complaint) of a neighborhood resident as true?

No, the Code Enforcement officer does not need to personally witness the noise violation, provided that the complainant is willing to sign the complaint and testify to the violation.

Has the petitioner used the revised plan with the 2 rows of baffles and the 8 foot fence

elsewhere? If so, where?

The petitioner has not used this specific design in other locations.

Per the letter from Chicagoland Renovations, was the idea of cinder blocks, sound absorbing compound and hardie boards ever discussed?

No.

8. First Reading

C. Motion: Direct Staff to Negotiate Key Terms of a Contract Extension with Republic Services

What is the history (chart) of increases since contracting with Republic (or its previous subsidiary)?

The following sticker prices became effective on April 1 for each year listed below:

<u>Year</u>	<u>Sticker Price</u>	<u>Year</u>	<u>Sticker Price</u>
2017	\$3.85	2010	\$3.08
2016	\$3.85	2009	\$2.96
2015	\$3.85	2008	\$2.85
2014	\$3.70	2007	\$2.27
2013	\$3.52	2006	\$2.27
2012	\$3.37	2005	\$2.27
2011	\$3.23	2004	\$2.10

What additions does Staff recommend to be added to the contract? Ie Multi tenant, residents of the downtown not currently served etc.

Staff does not currently envision substantial changes to the terms of the contract.

D. Ordinance: Authorize a Loan Agreement with the Illinois Environmental Protection Agency (IEPA)

What is the funding source for retiring this debt? Is there a chart showing the expected payments?

The loan will be repaid using revenues in the water fund generated from water rates charged to customers from the consumption of water. The IEPA will send a debt schedule once the Village executes the Loan Agreement. Semi-annual payments are expected to be about \$55,000, starting March 29, 2018 and ending September 29, 2037.

E-F. Motions Authorize \$1,052,739.25 and \$764,660.25 to Swallow Construction Corporation, Downers Grove, IL, for the 2017 Water Main Improvements Contracts A and B

What and who were the remaining bidders?

Please see the table below with all eleven bidders for Contract A:

<u>Contractor</u>	<u>Base Bid</u>
1. Swallow Construction Corporation	\$1,052,739.25
2. ALamp Concrete Contractors, Inc.	\$1,077,172.88
3. J. Congdon Sewer Service, Inc.	\$1,111,111.11
4. Trine Construction Corporation	\$1,142,835.00
5. Patnick Construction, Inc.	\$1,172,862.00
6. Superior Excavating Company	\$1,273,683.50
7. Suburban General Construction, Inc.	\$1,299,485.00
8. Austin Tyler Construction, Inc.	\$1,333,998.50
9. RA Mancini, Inc.	\$1,449,878.50
10. Construction by Camco, Inc.	\$1,502,204.53
11. Aqua Corporation	\$1,543,000.00

Please provide additional contract evaluations, including any IDOT evaluations we may have. Were they ever considered to be an unqualified bidder or refused a contract even as a lowest bidder?

In 2009, Swallow was the contractor on the Rogers Street water main installation project. The Village was not satisfied with their work. (See attached staff report from May 8, 2012).

In 2012, the Village awarded the contract for the Oakwood storm sewer replacement to Swallow. When the Village awarded this contract, Swallow indicated that they were under new management and provided positive references for work completed in Naperville, Wooddale, Mount Prospect and Warrenville.

Also in 2012, Swallow submitted a bid for the Grove Street Reconstruction project. Swallow was not awarded the contract due to an incomplete bid submission. (See attached staff report from

July 12, 2012).

Staff is not aware of any contracts where Swallow was an unqualified bidder or refused a contract.

Will Swallow perform the actual installation of the mains and the connections to the services? If not, who will this work be subcontracted to?

For the 2017 Water Main Contracts A and B, Swallow will be performing the installation of the water main and service connections.

Does the Village require contractors to use licensed plumbers to connect the new watermain services to the b-boxes?

No.

12. Manager's Report - Committee Room

A. Information: Long Range Planning - General Fund Sustainability

Didn't the xfer to DuComm actually increase costs? Will it continue as our share increases to cover expenses/pensions?

Yes, initial costs for DuComm to provide dispatching services are higher than the costs of the Village-operated dispatch center. Indicated in the [May 10, 2016 staff report](#) when the move to DuComm was approved: "the continued operation at the current size and configuration is not feasible due to changes in State law, DuPage County Emergency Telephone Board (ETSB) policy and the resulting creation of County-wide regional dispatch centers that serve populations of 150,000 or more." For these reasons, costs for the Village to operate a stand-alone dispatch center were expected to increase more than DuComm's costs in future years.

How does the history of Village increases in property tax for operations and, separately, pensions compare to increases to the average homeowner expenses for various services (ie. Phone, cable, gas. Electricity, home security services etc.)?

The Village does not have information from the other organizations that provide these services readily available. Furthermore, each one of these services has multiple providers that residents can choose from and each may have adjusted their pricing differently.

Social Security rate increases vs employee contract increases?

Year	Social Security Rate Increase *	FOP Contract (Police Officers)**	IAFF Contract (Firefighters)**	IBOE Contract (Public Works)**
2012	1.7	2.0	2.0	2.0

2013	1.5	2.0	2.0	2.0
2014	1.7	1.0	3.0	1.0
2015	0.0	3.0	2.0	3.0
2016	0.3	2.0	1.0	2.0

* Source: <https://www.ssa.gov/oact/cola/colaseries.html>

** Contractual increases effective in May of each year

Attachments

rRemarks are attached.

May 8, 2012 staff report

July 12, 2012 staff report



rRemarks Data for May 16, 2017 Village Council Meeting

Agenda Section	Agenda Item	Comment	Commenter
Active	A. ORD 2017-7340 An ordinance authorizing a special use for 7221 Lemont Road to permit an animal boarding facility	The noise level in this area is far too high already. Being by the busy intersection of 75th and Lemont RD, we get high traffic volume, emergency vehicle sirens, speeding cars, boom boxes, trucks and trailers clacking when they hit the too low manhole covers, motorcycle roaring, etc.. We don't need more noise. We have more that our share now. Let another part of "quiet" DG" take the kennel and the accompanying noise. Sit out in any of the back yards by the proposed kennel and you will hear what I mean. Let some other area get their property values reduced. We have enough negative impacts as it is.	Janice McReynolds, 917 Claremont Drive, Downers Grove
First Reading	C. MOT 2017-7381 A motion directing staff to negotiate key terms of a contract extension with Republic Services	The contract should NOT be extended. Republic Waste Services made a campaign donation to the Downers Grove Township Republican Organization during the election cycle of 2015. Current council members, White, Waldeck and Tully all received support from the DGTR0 during that same cycle. Per Downers Grove policy, this relationship should be terminated and Mayor Tully, Commissioners Waldeck and White should be censured for entering in the current contract.	Thomas Cawthorne

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
MAY 8, 2012 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Bid: Oakwood Avenue Storm Sewer Replacement	Resolution Ordinance ✓ Motion Discussion Only	Nan Newlon, P.E. Director of Public Works

SYNOPSIS

A motion is requested to award a contract for the Oakwood Avenue Storm Sewer Replacement project to Swallow Construction, Inc. of Downers Grove, Illinois in the amount of \$453,620.00.

STRATEGIC PLAN ALIGNMENT

The goals for 2011-2018 include *Top Quality Infrastructure*.

FISCAL IMPACT

The FY12 budget includes \$500,000 in the Stormwater Fund for this project.

RECOMMENDATION

Approval on the May 15, 2012 consent agenda.

BACKGROUND

The existing 10" clay storm sewer along Oakwood Avenue from Chicago Avenue to Grant Street is in extremely poor condition and is in need of replacement. The existing system's inlet spacing and capacity are also inadequate. This project involves the installation of a new storm sewer system along Oakwood Avenue from Chicago Avenue to Grant Street. The system will also provide the residents with the opportunity to connect sump pumps and yard drains.

Bids were received on Friday, April 20, 2012. A synopsis of the bids is as follows:

Contractor	Base Bid Amount
Swallow Construction Corp.	\$453,620.00
H. Linden & Sons Sewer and Water	\$527,840.00
Fox Excavating, Inc.	\$569,420.00
J. Condgon Sewer Service, Inc.	Non-Compliant Bid
Archon Construction Company, Inc.	Non-Compliant Bid

The low bidder is Swallow Construction, Inc. The Village was not satisfied with this company's performance on a project completed in 2009. However, the construction crew is under new management and the bidder has received good references for work performed in the City of Wooddale, Village of Mount Prospect, City of Warrenville, and City of Naperville within the last two construction seasons.

ATTACHMENTS

Contract Form
 Campaign Disclosure Form
 Capital Project Sheet SW-070
 Contractor Report Card



Village of Downers Grove Consultant Evaluation

Contractor: Swallow Construction

Project: Rogers Street Water Main

Primary Contact: Anthony Rendina Phone: 630-512-9900

Time Period: June 2009 - May 2009

On Schedule (allowing for uncontrollable circumstances) yes no

Provide details if early or late completion: _____

Change Orders (attach information if needed): Contractor had many additional items to be paid. After work was completed had additional items he wanted to be paid for that in the Village's opinion were not warranted.

Difficulties / Positives: Contractor at times hard to work with. Started project on the wrong street and had to repair street. Damage to sanitary sewer system when installing water services. At the time of review the contractor has still not repaired sanitary sewer.

Interaction with public:

excellent good average poor

(Attach information on any complaints or compliments)

General Level of Satisfaction with work:

Well Satisfied Satisfied Not Satisfied

Should the Village contract with this vendor in the future? Yes No

Reviewers: Scott A Vasko

Date: 12/21/09

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
JULY 10, 2012 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
BID: SW-033 Grove Street Reconstruction	Resolution Ordinance ✓ Motion Discussion Only	Nan Newlon, P.E. Director of Public Works

SYNOPSIS

A motion is requested to award a contract for the Grove Street Reconstruction project (SW-033) to V3 Construction Group, Ltd. of Woodridge, Illinois in the amount of \$970,000.00.

STRATEGIC PLAN ALIGNMENT

The goals for 2011 to 2018 include Top Quality Infrastructure, and Steward of Financial and Environmental Sustainability.

FISCAL IMPACT

This project includes multiple elements and the funding is provided in the following areas:

\$600,000.00 for the roadway reconstruction portion of this project (ST-033)

\$50,000 for Downtown Water Quality Improvements (SW-073)

\$62,245.25 for the Green Streets/Sustainable Stormwater Program (SW-069)

\$257,754.75 for the replacement of an old watermain, which was discovered to be too shallow and in poor condition during design of the project from the Water Fund

RECOMMENDATION

Approval on the July 17, 2012 consent agenda.

BACKGROUND

The pavement on Grove Street has severely deteriorated over time and had been identified as needing to be fully reconstructed. It has been patched in recent years, however, the remaining pavement continues to degrade rapidly. Staff identified an opportunity to combine this roadway reconstruction project with the Downtown Business District Water Quality Enhancements and Green Streets/Sustainable Stormwater Projects by reconstructing the roadway with permeable pavers, and incorporating several water quality features that will help to clean the stormwater runoff from this area before it is discharged into St. Joseph's Creek. The pavers will also help to replicate the look of the brick street that Grove used to be (the bricks have been overlaid with asphalt and are not salvageable) and will also provide traffic calming on both Grove Street as well as the intersection of Grove and Carpenter.

This project includes the removal and replacement of the existing pavement, curb and gutter, storm sewer, and water main along the entire stretch of Grove Street from Main Street to Carpenter Street. There is an approximately 200 foot long stretch of Carpenter Street that will also benefit from removal and replacement of pavement, curb and gutter and water main. The roads will be reconstructed with permeable pavers and curb bump-outs will be installed at the intersection of Grove and Carpenter Streets as an additional traffic calming measure. The project will be completed in two phases to minimize impact to residents, church members and business owners and neighborhood meetings have been held to solicit input and provide information.

Five bids were received on June 13, 2012. The contract documents included requirements for bidders to provide specific information related to performance on projects of the same size and scope, as well as

qualification information for their staff that would be assigned to the project and for their sub-contractors. This information allows staff to review the submittals and determine if a contractor is qualified to perform the work based on their past performance. V3 was the lowest bidder that provided a complete submittal. This information demonstrated that both the firm and the proposed project team members have the qualifications to perform this project on behalf of the Village. A synopsis of the qualified bids is as follows:

Contractor	Base Bid Amount	
SWALLOW CONSTRUCTION	\$960,596.75	Did not submit complete qualification information
V3 CONSTRUCTION	\$970,000.00	Submitted complete qualification information
J.S. RIEMER	\$1,030,295.00	Did not submit complete qualification information
LANDMARK CONTRACTORS	\$1,070,577.20	Did not submit complete qualification information
AUSTIN TYLER CONSTRUCTION	\$1,190,968.75	Did not submit complete qualification information

Staff recommends awarding this contract to V3 Construction Group, Ltd. of Woodridge, Illinois. V3 provided a list of completed projects of similar size and scope, qualifications of their project team, and has performed satisfactorily for the Village on several projects in the past. A report card for V3 is attached.

ATTACHMENTS

- Capital Project Sheets SW-033, SW-069, SW-073
- Contract Documents
- Contract Signature Pages
- Contractor Campaign Disclosure