



COMMITTEE OF THE WHOLE MINUTES  
SEPTEMBER 8, 2020

CALL TO ORDER

Mayor Jim Holland called the Committee of the Whole meeting to order at 6:00 P.M. on Tuesday, September 8, 2020, at the Village Administration Building, 432 W. Nebraska Street, Frankfort, Illinois.

ROLL CALL

Clerk Brian Feehery called the roll. In attendance were Mayor Jim Holland, Clerk Brian Feehery, Trustees Adam Borrelli, John Clavio, Margaret Farina, Keith Ogle, Jessica Petrow, and Gene Savaria. Staff in attendance included Village Administrator Rob Piscia, Assistant Administrator Jeff Cook, and Utilities Director Zach Brown. Also in attendance were Baxter & Woodman representatives Carl Fischer and Nichole Schaeffer.

APPROVAL OF MINUTES

A. August 12, 2020

Trustee Farina made a motion (#1), seconded by Trustee Savaria, to approve the Committee of the Whole minutes of August 12, 2020, as presented. A voice vote was taken. All were in favor. The motion carried.

B. August 17, 2020

Trustee Ogle made a motion (#2), seconded by Trustee Farina, to approve the Committee of the Whole minutes of August 17, 2020, as presented. A voice vote was taken. All were in favor. The motion carried.

PROJECT 7: NORTH & WEST WWTP ABANDONMENT AND NORTH WASTEWATER EXCESS FLOW STORAGE POND – CHANGE ORDER #2

Utilities Director Zach Brown presented Change Order #2 for Project 7, North and West Wastewater Treatment Plant (WWTP) Abandonment and North Wastewater Excess Flow Storage Pond for committee consideration. Director Brown explained that as part of the project, previous Utilities Director Mike Stone agreed to address an existing drainage problem along the access drive to the facility behind the residential property located at 19908 Spruce Drive. The total cost for this item is \$13,428.

Director Brown further explained that part of Project #7 includes the expansion of the existing north plant excess flow pond. To commence this work, the sludge in the existing pond must first be removed. During the design phase, Baxter & Woodman estimated the total sludge volume at 165,000 gallons which was reflected in the project contract with Joseph J. Henderson & Son, Inc. (“JJH”). In June/July Village staff pumped down the water in the pond revealing the sludge blanket beneath. At that time, Baxter & Woodman revised their estimated sludge volume to ±2.1 million gallons. The Village’s current contract with JJH includes a supplemental unit price of \$0.40 per gallon for additional sludge removal over the base bid amount of 165,000 gallons. The contract also contains language allowing the Village to reject the supplemental pricing. Upon receipt of the revised sludge volume estimates, staff rejected the supplemental pricing and began negotiations with the contractor. JJH agreed to change their supplemental unit price of \$0.40 per gallon to \$0.1719 per gallon for the additional sludge removal and disposal, resulting in a cost increase of \$333,000.00. JJH also requested a time extension of 71 calendar days for the change in scope of services. Mr. Brown also presented the option to rebid the removal of the revised sludge volume, however noted several concerns related to the timing of the project as it relates to the completion date identified in the executive order, potential penalties to the contract and uncertainties in pricing if sludge could not be spread until next year.

Members discussed the changes, noting the total project cost was estimated at approximately \$60.5 MM and actual costs, including this change order, would be approximately \$55MM. Additionally, members noted the material needs to be removed regardless of estimation errors and time is of the essence.

Trustee Ogle made a motion (#3), seconded by Trustee Clavio, to forward a recommendation to the Village Board to approve Change Order No. 2 for Project 7 as presented. Clerk Feehery called the roll. Ayes: Trustees Borrelli, Clavio, Farina, Ogle, Petrow, and Savaria. Nays: None. The motion carried.

#### MY SISTERS AND ME BOUTIQUE, INC. LEASE TERMINATION – 1 N. WHITE STREET

Administrator Piscia presented a request from Corey Weaver to terminate the My Sisters and Me Boutique, Inc. lease agreement at 1 North White Street, confirming for the members the Village continues to hold a security deposit from inception. He noted a draft termination agreement was provided to Ms. Weaver and is presented to the committee for consideration of its terms.

Mayor Holland discussed challenges the Village would face if it did not find agreeable terms to terminate the lease, stating the circumstance may be an opportunity to return the property to the private sector. Members discussed termination provisions and recommended the Village retain the security deposit, ensure the tenant is current on rent before signing, and to consider September 30, 2020 as the termination date.

#### SALE OF VILLAGE OWNED PROPERTY – 1 NORTH WHITE STREET

Assistant Village Administrator Jeff Cook presented an update on the potential sale of property located at 1 North White Street. He identified items needed to produce the documents the Board must adopt to pursue the sale of property and requested input from the members.

Members favored selling the property and agreed the asking price should be set at 100% of the appraisal value, noting the law would permit acceptance of values as low as 80% of the appraisal value. Discussion ensued with members seeking to clarify this is not a bid process, rather they sought out the best proposal, which may not necessarily be the highest price but would preferably be a sales tax producing use that best contributes to and fits well in the fabric of the historic downtown area.

The committee discussed the size and shape of property to be sold and various details of the sale process. Members also discussed parking and offered comments suggesting proposals include a contribution toward public parking areas in the downtown.

Trustee Farina made a motion (#4), seconded by Trustee Savaria, to forward a recommendation to the Village Board to direct staff to acquire a survey, legal description and title for Alternate Property Boundary 1 and produce documents necessary to consider the sale of real estate, per the terms discussed, at a future meeting of the Village Board. Clerk Feehery called the roll. Ayes: Trustees Borrelli, Clavio, Farina, Ogle, Petrow, and Savaria. Nays: None. The motion carried.

#### OTHER BUSINESS

There were no other items for discussion.

#### PUBLIC COMMENTS

Dave Rafalsky thanked the committee for their comments and discussion about 1 North White Street, stating he is interested in the property.

#### ADJOURNMENT

Hearing no further business, Trustee Ogle made a motion (#5), seconded by Trustee Savaria, to adjourn the Committee of the Whole meeting of Tuesday, September 8, 2020. A voice vote was taken. All were in favor. The motion carried. The meeting adjourned at 6:59 P.M.