

The City of Lake Forest

CITY COUNCIL

Proceedings of the March 5, 2012 Regular Meeting

7:30 p.m. – City Hall Council Chambers

CALL TO ORDER AND ROLL CALL: Mayor Cowhey called the meeting to order at 7:45 p.m. Assistant City Manager called the roll of Council members. Present: Aldermen Novit, Waldeck, Pandaleon, Morsch, Palmer, Adelman. Absent: Moore, Schoenheider. Quorum present. There were approximately 12+ present in the audience.

Also present were: Vic Filippini, City Attorney; Marlo Del Percio, City Attorney; Catherine Czerniak, Director of Community Development; Ramesh Kanapareddy, City Engineer; Carina Walters, Assistant City Manager; Michael Thomas, Director of Public Works;

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited by all in attendance.

Reports of City Officers

Mayor Cowhey read a prepared statement into the record regarding the intern and Lake Forest Police Officer.

1. Comments by Mayor

A. Proclamation of Smiths' Men's Store 75th Anniversary- Mayor read Proclamation into the record. Alderman Palmer moved, seconded by Alderman Pandaleon to accept the Proclamation. Motion carried unanimously by voice vote.

B. Appointment of Peter Cherry to Gorton Commission – Alderman Morsch moved, seconded by Alderman Novit to approve the appointment of Peter Cherry to Gorton Commission. Motion carried unanimously by voice vote.

Mayor Cowhey advised the Traffic Transportation Safety Committee will be meeting to a readdress issues with pedestrian safety issues.

2. Comments by City Manager

A. Electric Aggregation Update- At the March 19 City Council meeting David Grumhaus and Curt Volkman will be presenting a proposed supplier who will be working with the consortium and provide an estimate of savings with an alternative electricity provider.

B. ComEd update on McKinley-Sheridan Improvement Project- Because of the hard work from ComEd and city staff, upgrade work will begin in the affected area and project should begin late March early April to improve the electric supply in this area.

Michael Thomas, Director of Public Works requested Council's authorization to purchase 40 modules. This was discussed and acted upon at the previous City Council meeting. The City found that shipping by sea has saved \$19,000.00 and Michael Thomas has requested at this meeting to up the amount to 44 modules due to the shipping savings. Alderman Novit moved, seconded by Alderman Palmer to approve the additional 4 units totally 44 units to purchase. Motion carried by voice vote.

3. Comments by Council Members

Alderman Adelman wanted to remind everyone golfing is just around the corner and there is still time to order a season pass.

Alderman Palmer inquired about the state of Illinois and the cell phone legislation. City Manager Kiely advised he will update the Council at the March 19th meeting after his trip to Springfield.

A. Public Works Committee – Alderman Novit

OPPORTUNITY FOR PUBLIC TO ADDRESS THE CITY COUNCIL ON NON-AGENDA ITEMS

Lucy Cooper, Lake Forest College student liaison stood before Council to update them on current events happening at the college.

Anne Whipple, from Lake Forest High School, briefed the Council on how Lake Forest High School handles crisis and what it provides to the students and community.

ITEMS FOR OMNIBUS VOTE CONSIDERATION

A. Check Register for Period

Check Register For Period January 31 - February 24, 2012

Fund	Invoice	Payroll	Total
General	465,876	1,106,658	1,572,533
Water & Sewer	65,215	120,500	185,716
Parks & Recreation	104,660	315,385	420,045
Capital Improvements	44,458	5,281	49,739
Bond Funds - Projects	60,930	0	60,930
Motor Fuel Tax	0	0	0
Cemetery	6,283	17,822	24,105
Senior Resources	10,798	20,179	30,977
Deerpath Golf Course	29,463	18,748	48,210
Fleet	122,988	41,123	164,112
Debt Funds	0	0	0
Housing Trust	119,500	0	119,500
Park & Public Land	0	0	0
All other Funds	235,120	10,858	245,978
	<u>\$1,265,291</u>	<u>\$1,656,554</u>	<u>\$ 2,921,845</u>

B. Approval of the February 21, 2012 City Council meeting minutes

Alderman Novit moved, seconded by Alderman to approve the omnibus items with the correction to the minutes referring to number of modules as 40 not 36. The following voted "Yea" Aldermen Novit, Waldeck, Pandaleon, Morsch, Palmer, Adelman. The following voted "Nay" None. Motion carried.

ORDINANCES

A. Consideration of Recommendation to Approve a License Agreement for Underpass Construction, Maintenance and Use with Metra at the Telegraph Road Train Station

On December 5, 2011 staff provided an informational presentation to the Committee of the Whole regarding transportation that included transit history, a status of the Amtrak stop, and status of the pedestrian underpass. That evening, the City Council authorized the approval of two Professional Service Agreements with Charlie Quandt of Quandt Consultants, LLC one to conduct Phase 2 preliminary engineering feasibility study on implementing a Lake Forest stop of the Hiawatha Regional Passenger Rail Service, and second, for assisting with the Phase I preliminary engineering on the Telegraph Rd train station pedestrian underpass project.

In order to construct a pedestrian underpass, an agreement between the City and Metra must be approved. Metra is the owner of the Right-of Way (ROW) referred to as "The Property" in Exhibit A of the License Agreement. The License Agreement allows The City of Lake Forest to construct the underpass with Metra and IDOT approval of plans and specifications concerning the design, location and configuration of the underpass. The agreement stipulates that the City is responsible for the following:

- 50 year license agreement
- Maintenance i.e. graffiti, ice and snow removal
- Flaggers during the construction
- Costs associated with underpass; and
- signage
-

While there is no cost per se with the license, the City is responsible for maintenance. In speaking with Metra and depending on the design of the pedestrian underpass yearly maintenance may cost approximately \$500 per year. This number will adjust as the infrastructure ages.

RECOMMENDED ACTION: If appropriate and should the City Council desire, approve the License Agreement between The City of Lake Forest and Metra to construct, maintain and use of the pedestrian underpass at the Telegraph Road Train Station.

Alderman Palmer moved, seconded by Alderman Morsch to approve the License Agreement between The City of Lake Forest and Metra to construct, maintain and use of the pedestrian underpass at the Telegraph Road Train Station. The following voted "Yea" Aldermen Novit, Waldeck, Pandaleon, Morsch, Palmer, Adelman. The following voted "Nay" None. Motion carried.

B. Award of a professional services contract to HDR Engineering, Inc. for Phase I preliminary engineering on the Telegraph Rd train station pedestrian underpass project

The City has received \$1 million each from the State (IDOT) and the Federal Highway Authority (FHWA), through the High-Speed Rail Grade Crossing grant funds, to build a pedestrian tunnel underneath the railroad tracks at the Telegraph Rd train station. The grant will be administered by IDOT Bureau of Local Roads thereby requiring the City to follow their specific guidelines for

the project. In addition, City will be required to seek approvals from Metra and Amtrak on this project.

In order to process the underpass project per grant guideline, IDOT requires the grant recipient (City) to perform a Phase I preliminary engineering study, award a Phase II final design engineering service contract, and a Phase III construction contract that includes engineering inspectional services. The Phase I preliminary engineering entails performing, at a minimum, the following tasks:

- I. Undertake soil surveys or subsurface investigations including borings and soil profiles as may be required to furnish sufficient data for the design of the proposed tunnel underneath the tracks.
- II. Analyze and evaluate the soil surveys and borings to determine the location and the structural feasibility of the underpass.
- III. Provide construction options and coordinate the preliminary sign-off from IDOT, Metra, and Amtrak.
- IV. Undertake complete drainage and floodplain hydraulic analysis for high water data and flood flow histories.
- V. Prepare the necessary environmental and planning documents including the Project Development Report, Environmental Class of Action Determination or Environmental Assessment, State Clearinghouse, and all necessary environmental clearances.
- VI. Prepare applications for U.S. Army Corps of Engineers (US ACOE) permit, Illinois Department of Natural Resources (IDNR) Office of Water Resources (OWR) Permit, Illinois Environmental Protection Agency (IEPA) Section 404 Water Quality Certification, and other regulatory permits.

City received authorization from IDOT's Bureau of Local Roads and Bureau of Railways on the selection process for a firm to perform the Phase I preliminary engineering services. City sent request for qualifications to eligible firms and received proposals from seven (7) firms. The City chose three (3) firms for an interview presentation who were experienced in railroad underpass projects, IDOT's grant procedures, and have worked with Metra and Amtrak on related projects. The City team included staff, personnel from Quandel Consultants, and Norm Carlson, a Lake Forest resident experienced in railroad operations. Based on the interview and firm qualifications, City team selected HDR, Engineering, Inc. (HDR) to provide the Phase I preliminary engineering services.

The City will include Quandel in the Phase I preliminary engineering stage to use their expertise in railroad operations and their involvement in the possibility of a new high-speed rail connection between Milwaukee and Chicago. Quandel will play an advisory role on Phase I preliminary engineering related to feasibility of a Lake Forest stop on the Hiawatha regional passenger rail service and the possibility of a third track for High-Speed rail. Upon seeking approval from Council, City (HDR) will coordinate a kick-off meeting with IDOT to start the Phase I engineering services.

Project Phase	Start Date (tentative)	Completion Date (tentative)	IDOT Approval Date (tentative)
Ph I Preliminary Engineering	Mar 2012	Dec 2013	Mar 2013
* Ph II Design Engineering	Mar 2013	Oct 2013	Jan 2014
* Ph III Construction (incl. Construction Engineering)	Mar 2014	Nov 2014	Nov 2016 (paperwork completed)

* - City needs authorization from IDOT prior to start of Phase II design engineering and Phase III construction.

Upon selection of the firm, City negotiated a Phase I preliminary engineering contract amount and sent a draft copy of the proposal to IDOT for approval. IDOT gave a preliminary approval of HDR's proposal even though all local funds are being used for Phase I preliminary engineering services. City negotiated with HDR for the Phase I preliminary engineering services contract.

The final amount for Phase I preliminary engineering services is \$204,808.93 excluding any railroad permit or insurance costs. In addition, staff is seeking additional 10% as contingency for permit related requirements of IDOT, Metra, Amtrak, Army Corps, FHWA, or Federal Railway Authority. Since the grant funding for this project is received from two levels of government, City (HDR) has to comply with the requirements of both jurisdictions. In addition, the scope of the project also entails feasibility analysis consideration of a potential Amtrak stop and a third track at this station.

Typically, the cost for a Phase I preliminary engineering services is 10% of the construction cost provided conceptual feasibility analysis has been performed. For this project, no such prior analysis has been done and HDR is required to perform detailed feasibility analysis along with preliminary engineering for this project. **The construction cost is estimated from a low of \$1.8 million to a high of \$2.5 million.** At the conclusion of Phase I preliminary engineering service a more detailed estimate on the construction cost will be finalized.

This project was discussed and approved as part of the Capital Improvement Program budget meeting in November 2011 and again during Committee of the Whole meeting in December 2011. Since the project is located in the TIF district, City will use TIF funds for the Phase I preliminary engineering services contract.

Below is a summary of Project budget:

FY 2012-13 Funding Source	Amount Budgeted	Amount Requested (incl. 10% cont.)	Budgeted? Y/N
TIF	\$500,000.00 *	\$225,289.79	Y

*- Portion of the amount budgeted will be used for Phase II design engineering.

RECOMMENDED ACTION: Staff recommends awarding a professional services contract to HDR Engineering, Inc. for Phase I preliminary engineering in the amount not to exceed \$225,289.79 which includes authorization to expend up to 10% contingency, if necessary, for unforeseen change orders that may occur during the administration of this project.

Council had a discussion and questions were raised regarding landscaping etc. and making it environmentally sound.

Alderman Morsch moved, seconded by Alderman Pandaleon to approve the awarding a professional services contract to HDR Engineering, Inc. for Phase I preliminary engineering in the amount not to exceed \$225,289.79 which includes authorization to expend up to 10% contingency. The following voted "Yea" Aldermen Novit, Waldeck, Pandaleon, Morsch, Palmer, Adelman. The following voted "Nay" None. Motion carried.

NEW BUSINESS

None presented

ADDITIONAL ITEMS FOR COUNCIL DISCUSSION

1. Lake County Forest Preserve Ft. Sheridan Golf Course Discussion

City Manager Kiely wanted to discuss with Council if the Council wanted to continue to affirm the City's support from June 2011 asking the US Army to remove the deed restriction involving a construction of a golf course at Ft. Sheridan. The Council continues this stance.

ADJOURNMENT

There being no further business, Alderman Morsch moved, seconded by Alderman Palmer to adjourn the meeting at 8:30 p.m. The motion carried unanimously by voice vote.

Cathryn H. Buerger
Deputy City Clerk