

TRANSPORTATION COMMITTEE MEETING MINUTES

April 11, 2024 - 6:30 pm

Chairman Gorman called the Transportation Committee Meeting to order at 6:30 pm. Committee members present: Chairman Charlie Gorman, Alderman Jay Schulz and Alderman John Lavallee. Alderman Matt Perkins was absent. Also present were Mayor Kelly, City Administrator Lou Leone, Community Development Director Donovan Day and Public Works Supt. Rob Lamz.

Public Comments

Mayor Kelly commented that the Police Dept. has hired an intern to assist with downtown parking enforcement. This is a cyclic issue and the Mayor requested a future agenda item to discuss a long term solution as there isn't the budget to add head count for parking enforcement. This will become a bigger issue as the City sees more investment in the downtown especially as the City is trying to create economic development in that area. This will be added to the next agenda.

Supt. Lamz advised the Committee that Public Works was fixing the opening to the pavement at Brainard/Johnson St. at which time they uncovered a 100+ year old leaking, underground storage tank. He is in process of getting quotes which are in area of \$15,000-\$20,000 for removal/remediation. The Office of the State Fire Marshall was out; they went through the pet store and motorcycle shop and found nothing other than they were probably tied to one of these two buildings at one point in time. One tank looks to be 1/3 filled with some sort heating oil; the other filled to the brim with mixed or used oil. Each tank is 750 gallons, end to end about 25' long. The exposed area was sealed off and secured. Mayor Kelly related there is a fund in Illinois for these types of scenarios that petroleum companies/stations contribute to, to provide assistance to municipalities for clean-up. However, he has been advised that the tanks predate the eligibility of that fund, so the cost for cleanup/remediation will fall solely on the City. It was mentioned that there are monitoring wells located along and near Ayer St. due to benzene that is suspended in the soil under Ayer St. and the surrounding soil which is slowly moving south, southwest. The contamination was blamed on Grace Oil (Lil Corner Store) at Church/Division St. from previous tanks years ago at that site. The City will probably investigate this new discovery which may have contributed to the problem. Supt. Lamz said that as the City has a community water supply, there is no risk to public water service in the area. Licensed contractors must remove/remediate and a third party environmental must be on hand during the process.

Alderman Schulz joined the meeting at 6:42 pm, at which time there was a quorum.

Discuss Sidewalk Bond (GW Properties)

The Committee discussed a sidewalk bond for GW Properties (Starbucks).

- At Alderman Lavallee's inquiry, Mayor Kelly related that the sidewalk requirement began in 2107 for all new builds. This was not in place when Walgreens was put in. At the end of the TIF in that area, excess funds (approx. \$70,000) were left over and the City Council considered putting in sidewalk along the perimeter of both Airport/Division. Initial engineering was done but it was discovered that the cost would exceed the TIF funds, so the excess TIF funds were refunded to the associated taxing bodies. The City Engineer did not require sidewalks for Dunkin Donuts due to the grant the City received for sidewalks along that side from Route 14 to Airport Rd.; this project is 5-10 years out.
- Alderman Schulz related a conversation with Supt. Lamz to just require GW Properties to put in sidewalk but no access points. City Administrator Leone related conversations with the County; if the City allows them to delay or not put in sidewalks at all, the developer will still be required to put in all the groundwork and grading as if the sidewalk was being put in.
- Brian Rosenblum, GW Properties was unable to attend the Committee Meeting.
- Director Day talked to City Engineer Gary Rozwadowski and City Attorney TJ Clifton about options:
 1. Require GW to install sidewalks now with the construction of everything else; GW submitted all their civil drawings and building plans this week for the stand alone Starbucks without Popeyes.
 2. Defer sidewalk installation for a set number of years with the City holding a cash letter of credit (LOC) for the total cost of the sidewalk at prevailing wage and engineering plus County and IDOT permit fees; the cash LOC to include an amount equal to 4% each year of the deferral to cover a potential increase in construction cost.

3. Allow construction on the site to start and wait while GW files for permits with IDOT and MCDOT for the sidewalk. Gary did state, it is his opinion that dealing with both IDOT and MCDOT is a long, cumbersome process that the City shouldn't burden themselves with if they don't have to.
4. Alderman Schulz noted another option in that the County is talking about putting in a walking path through there. Mayor Kelly related that project is County funded to run some type of undefined trail on the south side of the road that would run from Rush Creek to Shadow Creek down McGuire Rd., cross the intersection and then down Airport Rd. Rob indicated it would be a 5-6' multi-use path, which would most likely be asphalt. The County would take on the responsibility for the pedestrian crossing across Route 14; once that infrastructure is in, it would be easier for the developer to connect in front of their store along IDOT's right of way. The developer would still provide a LOC to do the sidewalk after that is installed from the corner at McGuire/14 to the end of their property line which would be O'Reilly's. Donovan said that Gary indicated that it would be a possibility to make that turn without having to do aprons into the curb line.
 - Mayor Kelly recommended requiring the developer to build it after some period of time after the County has completed their project. This reduces the total project cost because they only have to do in front of Route 14 and allows them to move forward their building and creating a business that generates revenue which will supplement the cost of putting in their infrastructure.
 - Donovan mentioned that in reviewing their submittal, the developer took out the ingress/egress on McGuire Rd., they have a cross access agreement with the property to the south (O'Reilly's) which has been recorded with the County. The developer previously received a variation from sideyard setbacks to remove the bail out lane requirement. Attorney Clifton was comfortable with them not having to reappear before the Planning & Zoning Commission just because they took out the access at McGuire. It may come into play later if they get an end user for the rest of the property.
 - The Committee discussed an agreement with the developer including the following:
 - Defer sidewalks for five years with an option for installation for a period of time after the county installs the multiuse trail with a contingency that should the county project get defunded or not completed within five years, the developer is responsible for the entire project;
 - LOC to include sidewalks on both sides as outlined by the City Administrator in Option 2; the higher of two estimates will be used for the LOC, rough number estimated at \$122,000 with a 5-year deferral, that could be put in a restricted account. In the event the county installs the path, the developer would be refunded that portion that's not necessary plus interest;
 - The developer can request a reduction in the LOC as work progresses;
 - Groundwork/grading to be completed pursuant to McHenry County requirements;
 - Construction permits cannot be issued until such time as the agreement is signed and in place.

A motion was made by Alderman Schulz, seconded by Alderman Lavalley to have the City Attorney draft the necessary agreement as discussed by the Committee. All ayes. Motion carried.

Discuss Long-Term Policy for Sidewalks

- Chairman Gorman indicated that Anne has a complete list of sidewalks that need repair.
- Need to determine who is responsible for the sidewalk, city or resident. Need something consistent.
- Incentivize people to fix their own sidewalks and develop programs that will help with repairs.
- The requirement for all new builds is to have a sidewalk which is paid for by the purchaser of the home.
- Rob related in other areas he has worked in, new construction requires sidewalks to be put in in by the property owner; once complete, the City accepts the sidewalk and maintenance thereof.
- Chairman Gorman outlined a possible program to use the existing sidewalk program (funds currently at \$100,000) that could be loaned to home owners; if \$100,000 were added each year, the fund would grow and gain momentum going forward. Need to look into prevailing wage requirements.

Staff was directed to do research and present options at a later Committee meeting.

Discuss Parking on Sage Lane

City Administrator Leone related resident complaints and a request to look into no parking signs along the east and west sides of the entrance of Sage Ln. People are parking there, and with the islands already there, it makes it difficult for traffic to enter/exit safely. A motion was made by Alderman Schulz, seconded by

Alderman Lavallee to recommend to the City Council that no parking signs be placed along the east and west sides of the entrance of Sage Ln. the length of both islands. All ayes. Motion carried.

Rosa Luna's Request for Street Dedication

City Administrator Leone noted a correction to the agenda which should read Rosa Luna's request, not Alderwoman Luna's Request as she is speaking as a citizen not an elected official.

Rosa Luna, 519 Driftwood Ln., Harvard, humbly asked the Committee to consider her petition for a street to be named after her father, Vicente Garza. Her family came to Harvard almost 50 years ago on June 1, 1974, and was the second Spanish family to reside in Harvard. Rosa didn't have a specific street in mind.

The Committee discussed an honorary named street which retains its true name for mailing and addressing purposes but would have an additional sign, identifying the honorary name. Alderman Lavallee said that typically honorary streets are numbered streets which makes it easier with less confusion. Supt. Lamz suggested an entry way into Milky Way Park, 300 Lawrence Rd., or similar area, which wouldn't affect residents. Rosa said she would be honored to have the designation at the entrance road into Milky Way Park.

After discussion, a motion was made by Alderman Schulz, seconded by Alderman Lavallee to recommend to the City Council to dedicate the entrance road to Milky Way Park with an honorary designation of Garza Way. All ayes. Motion carried.

Other

Alderman Schulz inquired about the standing water on Harrison St. by the school on Route 14. Supt. Lamz reported it was tested for presence of water treatment chemicals; the result came back negative and it is believed that it's a ground water issue. There has been a sub pump discharging into that general area from Harrison for some time; staff will pump it out and try to identify where the water is coming from.

A motion was made by Alderman Schulz, seconded by Alderman Lavallee to adjourn the meeting. All ayes. Motion carried.

Meeting adjourned 7:47 pm.

Submitted by:
Chairman Charlie Gorman