

Meeting Held Electronically



COMMITTEE OF THE WHOLE MEETING
MONDAY, DECEMBER 6, 2021
(Immediately following the Village Board Meeting)

AGENDA

CALL TO ORDER

ROLL CALL

AUDIENCE COMMENTS

TRUSTEE COMMENTS

DISCUSSION

1. Water Tower Bids
2. Recreational Vehicles
3. Contractor Registration
4. 2022 Meeting Schedules

EXECUTIVE SESSION

1. Review of the Executive Session Minutes Dated 05/03/2021, 05/17/2021, 10/18/2021, 11/15/2021
2. Review of the Release of Executive Session Minutes

ADJOURN

Initials: SB



REMPE-SHARPE

& Associates, Inc.

Principals

J. Bibby
D. Watson

P.E. S.E.
P.E.

CONSULTING ENGINEERS

324 West State Street
Geneva, Illinois 60134
Phone: 630/232-0827 – Fax: 630/232-1629

December 1, 2021

Village of North Aurora
25 East State Street
North Aurora, IL 60542

Attn: John Laskowski

Re: Central Water Tower 750MG

File: NA-598

Dear Mr. Laskowski,

In accordance with the Advertisement for Bids, the Village of North Aurora opened bids for the Central Water Tower 750MG Project on Tuesday, November 30, 2021. The project was advertised in the Daily Herald on November 1, 2021 and sent to four (4) elevated tower contractors and three (3) construction news journals.

The project consists of the construction of a new 0.75 MG Elevated Storage Tower consisting of a three quarter (0.75) million-gallon elevated water storage reservoir with an elevation of 161' to overflow, valves, piping, and appurtenances along with related work in accordance with the Contract Documents. This project was previously bid and opened on July 27, 2021. The one bidder from July did not meet the Village of North Aurora's US Department of Labor Joint Training Apprenticeship Program and therefore the bid was rejected. The bid was also 40% higher than the Engineer's Estimate.

There are two options of water towers being bid. The first option is an all steel Waterspheroid Tower, similar to the three water towers already in the Village. Since only one tower contractor in the United States has the experience necessary to construct this type and size of water tower, the Engineer specified a second option, a composite tank. A composite tank consists of a concrete pedestal with a steel tank on top, which holds the water. There are four companies in the United States with the experience necessary to construct this type of tank, one being the contractor that constructs the all-steel towers.

Three tower contractors purchased plans and specifications for this project and **No Bids** were received.

As explained during the previous bidding process, the reason the Engineer bid out two different types of tanks is to get the Village of North Aurora the most competitive bid possible. There are only four (4) qualified elevated tank contractors in the United States that could bid on this Project. Since the qualified contractors travel throughout the United States building water towers, none of the tank contractors can meet the Village's Joint Apprenticeship Training Program certified by the USDOL. The Engineer see the attached letters from Landmark Tanks and McDermott.

The Village has three (3) options to rebid this Project:

- 1) The Village can Bid this the same way for a third time, but the results will be most likely be the same.
- 2) The Village could waive their Joint Apprenticeship Training Program for this project. All contractors would still be required to meet the prevailing wage requirements as required by the State of Illinois.
- 3) The Village could bid this Project out with the General Contractor not required to meet the Joint Apprenticeship Training Program, but would still be required to pay prevailing wage. All subcontractors working on this project would be required to meet the Joint Apprenticeship Training Program requirement. The general contractor would be required to list all subcontractors and provide their USDOL approved Joint Apprenticeship Training Program certificates.

Please let the Engineer know how the Village would like to proceed. If there are any questions, please feel free to contact the undersigned.

Very truly yours,

REMPE-SHARPE AND ASSOCIATES, INC.
BY:



Daniel A. Watson, P.E.

C.C. Steve Bosco, Village of North Aurora
Bill Hannah, Village of North Aurora
Paul Young, Village of North Aurora
Natalie Stevens, Village of North Aurora

**VILLAGE OF NORTH AURORA
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
CC: STEVE BOSCO, VILLAGE ADMINISTRATOR

FROM: MIKE TOTH, COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR
DAVID HANSEN, PLANNER

SUBJECT: RECREATIONAL VEHICLES

AGENDA: DECEMBER 6, 2021 COMMITTEE OF THE WHOLE MEETING

DISCUSSION

At the November 15, 2021 Village Board meeting a resident addressed the Village Board with concerns regarding the restrictions associated with the Village's recreational vehicle provisions. The Village Board subsequently directed staff to bring back information on the Village code provisions for discussion. The information below is an outline of previous actions pertaining to the recreational vehicles provisions and the current regulations.

2013 Text Amendments

In October 2013, the Village Board passed an ordinance amending recreational vehicles in residential districts. The substantive changes were as follows:

- Amended the definition of a Recreational Trailer to also include Utility Trailers
- Removed the 48 hours parking allowance provision for recreational vehicles
- Limited the number of recreational vehicles parked or stored on a residential lot to one.

2014 Text Amendments

In April 2014, the Village Board passed an ordinance removing the requirement that only allowed recreational vehicles to be parked or stored behind the front of the house if they were completely screened from view by a solid wood fence or masonry wall at least six feet in height.

Current Regulations

The provisions below currently regulate recreational vehicles in residential districts. Regardless of any additional provisions added or removed, staff recommends that changes outlined below be addressed to provide greater clarity.

13.12 Recreational vehicles in residential districts.

For the purposes of this section, recreational vehicles shall include campers, motor homes, boats (and other watercraft), pop-up campers, and utility trailers.

- A. No recreational vehicle shall be parked or stored in front yard or corner side yard off-street parking facilities on residential premises except during the following periods:
1. Friday noon to Monday noon, inclusive.
 2. April 15 to April 30 and October 1 to October 15, both inclusive.

3. Upon written request by permit issued by the code enforcement office, for a continuous period not to exceed fourteen (14) days for the parking of recreational vehicles owned by temporary house guests. Such special circumstance permits shall be limited to one per guest family during each six-month period.
- B. No recreational vehicles shall be parked or stored on property in any zoning district unless located in a fully enclosed permanent structure; except that one recreational vehicle not located in a fully enclosed permanent structure may be parked or stored behind the front building elevation on a residential lot. Temporary storage tents for recreational vehicles shall not be considered such a structure.
 - C. All parking and storing of recreational vehicles shall be on a hard surface as identified in section 13.8(C).
 - D. No recreational vehicle shall be used for living, sleeping, or housekeeping purposes in any zoning district.

As staff noted during the November 15, 2021 Village Board discussion on the topic, any provisions regulating when a recreation vehicle can be located on a property, outside of a fixed timeframe, can be very difficult to enforce as it requires the Village to continuously track a vehicle, which is a movable object. Regardless of how the Village regulates recreational vehicles, homeowners associations would still reserve the right to regulate them through their bylaws.

**VILLAGE OF NORTH AURORA
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
CC: STEVE BOSCO, VILLAGE ADMINISTRATOR

FROM: MIKE TOTH, COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

SUBJECT: CONTRACTOR REGISTRATION

AGENDA: DECEMBER 6, 2021 COMMITTEE OF THE WHOLE MEETING

DISCUSSION

In 2010, the Village Board approved Ordinance #10-08-30-01, which requires all contractors performing any work within the municipal limits of the Village of North Aurora be registered with the Village. As part of the registration process, contractors were required to be insured, bonded and pay a registration fee. Originally, the registration fee was set at \$150 for the calendar year, but an amendment was approved in 2012 (Ordinance #12-02-06-02), which established certain proration amounts.

On December 5, 2016, the Village Board approved Ordinance #16-12-05-11, which further amended the contractor registration process in an attempt to streamline and simplify the process. As part of the amendments, the registration fee of \$150 would remain the same, but instead of using a prorated amount and a calendar year duration, the registration would be valid for one year from the date of registration. Elimination of the bonding requirement was also part of the amendments.

From a workflow perspective, the contractor registration often slows building permit issuance as staff typically has to wait for the contractors to submit their application, supplemental information state license (roofers and plumbers) and pay the registration fee before the building permit can be issued. It is essentially another layer of permitting that typically occurs after someone has already submitted for a building permit. Also, the \$150 registration fee may ultimately be passed on to residents. While the amount of staff time needed to facilitate the program is difficult to quantify, it is appreciable and in the 11 years the registration program has been in place, the Village has not revoked registration from any one contractor. In the event that a contractor's registration were to be revoked by the Village, it might not be a lawful way of prohibiting a contractor from conducting work in the Village. Lastly, the program does not provide any meaningful benefit or assurance that contractors are qualified in any way.

Staff has been working on improving departmental efficiencies while also being cognizant of budgetary matters. The contractor registration program generated \$46,050 in FY '19-20 and \$42,600 in revenue in FY '20-21. Staff is in the process of evaluating building permit fees and upon initial evaluation, North Aurora does have several building permit fees below the comparable municipalities. The building permit fee analysis will require a comprehensive evaluation that will be handled as a separate item, but an update to the building permit fees could offset some of the revenue lost by the elimination of the contractor registration program. Staff notes that building permit revenue has been naturally increasing year-over-year, with the exception of those years following storms events where there was a surge in roofing and siding permit revenues.

Given the amount of staff time involved and resulting delays in building permit issuance, staff is seeking feedback from the Village Board on whether to eliminate the contractor registration program.

Chapter 5.05 CONTRACTOR REGISTRATION¹

Sections:

5.05.010 Intent.

It is the intent of this chapter to provide an effective means for the village to regulate contractors who operate within the village, to ensure that they are insured, to monitor basic compliance with federal, state and local laws regulating their operation and to require a certain standard of conduct for the protection of property owners. This chapter is not intended as a recommendation or to guarantee workmanship of the contractors who are licensed by the State of Illinois or registered with the Village of North Aurora.

(Ord. No. 16-12-05-11, § 1, 12-5-2016)

5.05.020 Contractor defined.

- A. "Contractor" means any person, firm, company, corporation or other entity that, for a consideration, undertakes or offers to undertake or purports to have the capacity to undertake, or submits a bid to, or does himself or by or through employees or agents, construct, alter, repair, add to, subtract from, improve, move, wreck or demolish the whole or any part of a building or structure, or any of the appurtenances thereto, sidewalk, street or pavement or excavate for which a building or site development permit is required by village ordinance. A person is a contractor for purposes of this chapter whether that person was hired by the owner or agent of the owner of the property on which the work was performed or by another contractor.
- B. An owner of property performing work on such property that is occupied by the owner shall not be considered a contractor for purposes of this chapter; however, any person hired by such owner to perform work on such property shall be considered a contractor.

(Ord. No. 16-12-05-11, § 1, 12-5-2016)

5.05.030 Contractor registration required.

- A. All contractors, including those for which a state license is required (such as roofers and plumbers), who perform any work within the municipal limits of the Village of North Aurora must be registered with the Village of North Aurora pursuant to the provisions of this chapter; and it shall be unlawful for a contractor who is required to obtain a contractor registration to perform any work in the village without a current contractor registration.
- B. No contractor registration issued pursuant to this chapter is transferrable.

(Ord. No. 16-12-05-11, § 1, 12-5-2016)

¹Editor's note(s)—Ord. No. 16-12-05-11, § 1, adopted Dec. 5, 2016, amended Ch. 5.05 in its entirety to read as herein set out. Former Ch. 5.05, §§ 5.05.010—5.05.100, pertained to similar subject matter. For prior history, see Code Comparative Table and Disposition List.

5.05.040 Regulations applicable to registration permits.

- A. Contractor registration applications shall be submitted to the community development department and shall include the following:
 - 1. Name of person, joint venture, partnership, corporation or other legal entity making the application (hereinafter the "applicant");
 - 2. Address of the applicant, telephone number of the applicant and name and title of the person responsible for the daily operation of the business;
 - 3. Indicate the type of work to be performed and the trade or trades in which the applicant performs work;
 - 4. By signing the application, the applicant agrees to comply with all the pertinent village ordinances, codes and regulations including the building code applicable to the business that the applicant is engaged in, and that the applicant agrees to comply with the same;
 - 5. Proof of insurance meeting the criteria set forth below in section 5.05.070;
 - 6. Payment of the registration fee in the amount of one hundred fifty dollars (\$150.00), except that state-licensed plumbers are exempt from a local registration fee pursuant to the Illinois Plumbing License Law; and
 - 7. The provision of any other information or documentation required by the community development director at his/her discretion.
- B. No applicant who is in violation of any federal, state or local law, regulation or ordinance, and no applicant that is indebted to the village for any fee, fine or other amount, shall be eligible to receive a contractor registration unless and until the violation is remedied and/or the indebtedness is paid.
- C. No contractor whose registration was revoked shall be eligible for issuance of a new registration for a minimum of one year, depending on the nature of the revocation offense.
- D. The community development department shall accept the registration of all applicants who submit applications that meet all of the application requirements and who are eligible to be registered.
- E. The registration shall be valid for a period of one year from the date of issuance.

(Ord. No. 16-12-05-11, § 1, 12-5-2016)

5.05.050 State licensed contractor registration.

All state licensed contractors shall provide a copy of the state-issued license with the community development department.

(Ord. No. 16-12-05-11, § 1, 12-5-2016)

5.05.060 Contractor insurance.

- A. Contractors shall maintain sufficient insurance to protect the interests of the property owner and the community during the performance of any work undertaken in the village. All insurance must be placed with financially responsible companies that are authorized under the insurance laws of Illinois and to do business in the State of Illinois. Minimum coverage shall include the following types of insurance in the following amounts:

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1. Worker's compensation and employee's liability: Not less than one hundred thousand dollars (\$100,000.00) per person;
 2. Comprehensive public liability: Not less than two hundred fifty thousand dollars (\$250,000.00) for injuries, including accidental death to any person, and subject to the same limits for each person, in an amount of any one accident; and
 3. Property damage: Not less than one hundred thousand dollars (\$100,000.00) for damage to property in any one accident with an aggregate limit of not less than three hundred thousand dollars (\$300,000.00).
- B. Insurance coverage shall be verified by submittal of a valid certificate from the contractor's insurance agent listing the village as certificate holder and requiring the village to receive notice of cancellation or lapse of insurance within thirty (30) days of such cancellation or lapse.

(Ord. No. 16-12-05-11, § 1, 12-5-2016)

5.05.070 Grounds for revocation.

The commission or omission of any of the following acts shall, in addition to the violation of any applicable section of this chapter, village ordinance or state law, constitute grounds for the suspension or revocation of a contractor's registration:

- A. Performance of work without providing the permit holder a sworn contractor's statement.
- B. Acceptance of final payment without issuance of waivers of lien to the permit holder.
- C. Bankruptcy, transfer for the benefit of creditors or similar occurrence.
- D. Abandonment of the work after payment is received and before the work is completed.
- E. Allowing insurance policies listed in registration application to lapse or be cancelled without replacement of equal or greater coverage by other policies.
- F. Performance of any work in the village for which a permit is required without first having obtained a permit or continuing to work after the permit has expired.
- G. Performance of any work without insurance in place meeting the minimum requirements of this chapter.

The village shall not be liable for any financial loss incurred by any permit holder whose permit has been revoked or suspended in accordance with the terms of this chapter.

(Ord. No. 16-12-05-11, § 1, 12-5-2016)

5.05.080 Revocation of contractor registration.

- A. If the community development director believes that grounds exist for revocation, he shall give notice in writing to the contractor stating the nature and details of the violation and stating that the contractor has ten (10) days from the date that notice is served to correct the violations or to show cause to the community development director in writing or in person why there is no violation. If, after notice has been served and the contractor has had the opportunity to correct the violation or show cause why no violation occurred, the community development director determines that a violation exists, the community development director may recommend revocation of the contractor's registration to the village board of trustees.
- B. Notice shall be given and considered served as follows:
 1. By certified mail, return receipt requested, on the date that the receipt is signed or rejected;

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2. By personal delivery, on the date on which the notice is delivered; or
 3. By posting a copy of the notice in a conspicuous place on the site on which the contractor is working, on the date on which the notice is posted.
- C. If a contractor opts to show cause why there is not a violation, the community development director shall make a determination and recommendation in writing and serve it on the contractor and the village board of trustees with a statement indicating the right to make an additional submittal of information and position statement to the board in writing within ten (10) business days.
 - D. The village board of trustees board shall consider the recommendation of the community development director and any written submittal by the contractor and determine whether a violation exists, whether the registration should be revoked and the duration of the revocation period at a regular board meeting. The board's determination shall be final.

(Ord. No. 16-12-05-11, § 1, 12-5-2016)

5.05.090 Enforcement.

- A. Any contractor performing work in the village in violation of the provisions of this chapter shall be subject to the minimum and maximum fines prescribed in the section 1.08.010 of this code.
- B. Each day that a violation exists or continues shall be considered a separate violation.
- C. In addition to any fines imposed, the village may seek to enjoin the contractor from present or future violation of this chapter.

(Ord. No. 16-12-05-11, § 1, 12-5-2016)



Memorandum

To: Village President and Village Board of Trustees
Cc: Steve Bosco, Village Administrator
From: Natalie Stevens, Executive Assistant
Date: November 22, 2021
Re: 2022 Annual Village Board, C.O.W., Plan Commission, and Trustee Committee Meeting Schedules

Attached for approval are the Annual Meeting Schedule for the North Aurora Village Board and Committee of the Whole (C.O.W.) meetings, the Plan Commission meetings, and Trustee Committee meetings for the 2022 calendar year.

As noted on the Village Board meeting schedule, there are two instances when a Village Board meeting falls on a Village observed holiday being Fourth of July (July 4) and Labor Day (September 5) where the Village Hall is closed. In these instances there will be no Village Board/C.O.W. meeting scheduled, resulting in just one meeting each for both July and September.

Also attached for approval are the 2022 Annual North Aurora Days Committee Meeting Schedule and the 2022 Beautification Committee schedule. There are no meetings that fall on holidays for these committees.

The 2022 meeting schedules for all meetings must be approved by January 1, 2022 and posted at the Village Hall and on the Village's website.



VILLAGE OF NORTH AURORA

***Holiday
Village Hall Closed
No Meetings**

2022 ANNUAL MEETING SCHEDULE

Village Board / C.O.W. / Plan Commission Meetings

Village Board & Committee of the Whole Meetings 1 st & 3 rd Mondays of each month - 7:00 pm			Plan Commission Meetings 1 st Tuesday of each month - 7:00 p.m.	
	1st Monday	3rd Monday	(unless otherwise noted)	
January	3	17	January	3
February	7	21	February	1
March	7	21	March	1
April	4	18	April	4
May	2	16	May	3
June	6	20	June	7
July	4 (None - Fourth of July)	18	July	5
August	1	15	August	2
September	5 (None - Labor Day)	19	September	6
October	3	17	October	4
November	7	21	November	1
December	5	19	December	6

***All Village Board and Committee of the Whole (C.O.W.) Meetings will be held at the North Aurora Village Hall, 25 E. State St., North Aurora, IL unless posted otherwise. C.O.W. Meetings immediately follow the Village Board Meeting.**



VILLAGE OF NORTH AURORA

*Holidays
Village Hall Closed
No Meetings

2022 COMMITTEE MEETING SCHEDULE

Committee	Meeting Days	Meeting Time	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
NORTH AURORA DAYS Mark Gaffino - Chairman	2nd Monday of each month	6:00 p.m.	10	14	14	11	9	13	11	8	12	10	14	12
BEAUTIFICATION Mark Carroll - Chairman	3rd Monday Quarterly	6:00 p.m.	17			18			18			17		

All Committee Meetings will be held at the North Aurora Village Hall, 25 E. State St., North Aurora, IL unless posted otherwise.