

MINUTES OF THE REGULAR BOARD MEETING OF DECEMBER 16, 2015

Call to Order: President Vanden Berg called the Regular Board Meeting to Order at 6:00 p.m.

Pledge Allegiance to the Flag

President Vanden Berg led members in the reciting of the Pledge of Allegiance.

Roll call of Trustees

PRESENT: Michael Vanden Berg, President
Larry Van Lankvelt, Trustee
John Elrick, Trustee
Bill Peerenboom, Trustee
David Peterson, Trustee

EXCUSED: Skip Smith, Trustee
James Hietpas, Trustee

PRESENT: James Fenlon, Village Administrator
Raymond Lee, Fox Valley Metro Police Department
Jim Moes, Community Development Director
Laurie Decker, Village Clerk
Teri Matheny, Finance Director
Roy Van Gheem, Director of Public Works
Charles Koehler, Village Attorney
Beth Carpenter, Library Director
Don Schoenfeld, von Briesen & Roper
Sam Statz, Hoffman Design and Construction

Public Appearance for Items Not on the Agenda

None

Approval of Minutes

Minutes of the Committee of the Whole Meeting of December 9, 2015

Moved by Trustee Peerenboom, seconded by Trustee Peterson to Approve the Minutes of the Committee of the Whole Meeting of December 9, 2015.

Ayes 5, Nays 0 – Motion Carried

Public Informational Meeting—Grand and McKinley Ave

Nick Vande Hey with McMahon and Associates and Public Works Director, Roy Van Gheem presented an overview on the Grand and McKinley Avenue project and stated this is only an informational meeting and will provide updates on private utilities, storm sewer laterals, private sanitary laterals and water services. Director Van Gheem stated that this is not the assessment hearing and not all of the design is complete and not all the information has been received to determine cost. Joe Schmidt of 1016 Grand Avenue asked if he had lead services and the Village replaces it will it be replaced with trenchless. Director Van Gheem replied that the majority of the work is trenchless but each home will be different. Mr. Schmidt also asked when the letter comes from the Village asking if want the Village contractor to do the work and we send it back are we locked into using the Village contractor even if we don't know the price at that time? Director Van Gheem stated that each home will have an estimate before then but an exact number cannot be given out until the property is inspected. Mr. Schmidt asked if the terrace will be wider on the east side of Grand Ave. Nick Van de Hey replied that they will remain the same size along with the road width. Mr. Schmidt asked if his sidewalk will be replaced if it is in good condition. Nick Vande Hey answered all sidewalks will have to be ADA compliant and expects that all sidewalks will need to be replaced. Director Van Gheem explained that if the Village removes a sidewalk as a requirement of the project to correct a slope in a driveway or an apron slope the charge is not charged directly to the homeowner. The only time the Village charges sidewalk fees directly to the homeowner is when there is a broken slab and that repair is charged a flat rate. Ken Vosters of 820 Monroe asked if there will be parking on both sides of Monroe Street. Director Van Gheem stated the parking will remain the same. Mr. Vosters also asked if all homes will be required to have a sump pump and Director Van Gheem told him yes. Mr. Vosters asked if there is a start date for the

project and Nick Vande Hey stated it will be in March or April of 2016. Jim Miller of 928 Wilson Street asked if the Village had made a decision to use concrete or blacktop. Director Van Gheem stated the Village's policy is to use concrete. Gabe Konopka of 102 E. McKinley asked if any changes will be made to parking restrictions or if no parking during school hours can be enforced as even though yellow stripes are there people park there. Director Van Gheem stated parking restrictions have not been discussed but will discuss with FVMPD. Mr. Konopka asked if he will be required to get a new apron. Director Van Gheem stated that all aprons will be replaced as part of the project. Director Van Gheem invited any homeowners that had questions specific to their property to meet out in the hallway to discuss further.

Discussion/Action—Contract Design of Municipal Services Building RFP

Administrator Fenlon initiated the discussion reinforcing the Village goal of delivering a building on cost, quality and efficiencies while reducing the risk to the Village. The first step of RFP and setting up a contract is to have the RFP deliver design and construction management services under one contract with one firm. Don Schoenfeld, representing von Briesen & Roper gave an overview of the different platforms or AIA Contracts which provide different ways for architects and contractors to provide services. One project example is to hire an architect, get the design, move to a construction document and put out a bid to contract, then, come back with proposals which go to subcontractor with or without a guaranteed maximum price. The potential problem is change orders put against the scope of work and ends up costing more, and many times the project budget is exceeded. Also, RFI's sent to the architect can cause delays to the project. These potential issues brought forth a new concept called Design/Build. This eliminated the problem of mistakes and rectified the dispute/resolution issues however, the total cost for the project is typically inflated with less details. Architects and contractors work as checks and balances so if the architect doesn't approve then they charge the contractor to fix. Frequently, the architect is an employee of the contractor so the work is not performed or it is not done the way it needs to be for a quality product. This is a self-performing structure meaning construction manager's work with the same group of subcontractors to get the lowest bid and they also provide all equipment. This platform allows you to compare fees only. Currently, 90% of von Briesen & Roper's projects fall under a platform called the Construction Manager Platform. With this platform you have a separate architect and the construction manager is the contractor so they start when design starts. Mr. Schoenfeld stated having a contractor in the design meetings provide valuable engineering (project comparing) to reduce cost and time. Also, there is discussion on the ease of implementation. Lastly, the contractor budgets earlier and is tasked with updating the budget during the design process. With this platform, contractors cannot self-perform or provide rental equipment and there are no variable fees and rates. Mr. Schoenfeld has found that most AIA Contracts are biased to architects so they are almost always modified to ensure security to the owner. His recommendation for maximum leverage to get the best price is at the RFP stage, under the Construction Manager platform. This will provide owners more remedies and better oversight along with easier processes while reducing risk. It was recommended by Administrator Fenlon for the board to give strong consideration to a service contract with a firm like Mr. Schoenfeld's so the Village has the comfort and security in services provided to know that we are in control. President Vanden Berg asked when we get a bid is it a single number or a number plus a percentage. Mr. Schoenfeld responded that construction manager's compensation is split in two. The pre-construction or design phase is paid in a lump sum whereas the construction work is a percentage of the cost of the work. He also advised that with the new tax bill on the table, it should be easier to gain status with contractors on materials exemption. There is not an industry standard based on the amount of variables for architects. Trustee Elrick asked why we would not lump sum for fees. Mr. Schoenfeld advised that we could, but run the risk of the bid being loaded higher and may reduce what's needed for the project to stay under budget. Another recommended option is to have an Owners Representative. This representative most likely a former contractor, looks at and advises on the bids, pays applications, attends all meetings and keeps the project on task and on budget. Next, Trustee Van Lankvelt questioned if you take a percentage and the project increased, then the percentage goes to the contractor and architect. This would be true; but there would be a guaranteed maximum price with some early contingencies and change requests would not be an issue, unless they came from the owner. Mr. Schoenfeld responded to Trustee Elrick's questions about how the bid process works by stating that there would be one or more, he recommends 3, bid packages delivered for review. This is competitive bid because it satisfies first on the construction manager level and the three bids don't have to be public if there are 3 sealed bids. The statutory public bidding happens at the RFP stage. When asked about the number of separate packages Mr. Schoenfeld felt there would be two to four which could include multiple subsections. Mr. Schoenfeld with von Briesen & Roper's fees would be \$10,000 to \$15,000. A recommendation of a more final direction by the New Year was made by Administrator Fenlon. From Hoffinan Design and Construction, Sam Statz, VP of Construction echoed

Mr. Schoenfeld on many of the points made on the advantages of the construction manager platform but said there are other options to AIA such as Consensus contracts. This is a contract that was derived from a group of contractors, architects, owners, consultants, engineers and sub-contractors to provide the fairest contract. Hoffman does not self-perform and will go either way with payment, percentage or lump sum. Statz feels that you will have a successful project and minimize risk if you choose a firm you can trust. Statz also advised that except for engineers which are contracted under the Hoffman umbrella, all other services can be provided by Hoffman. Trustee Vanden Berg recommended adding to next week's meeting for discussion and possible action.

Discussion/Possible Action—2016-2020 CIP Adoption

Director Matheny presented an overview of the 2016-2020 CIP. There are no proposed roads to be paved in 2017 and all roads listed were on our plan prior to this time. Smaller items for 2016 include access controls for the library and civic center and an IP phone system at the library. 2017 has two big projects for Parks, Recreation & Forestry and Public Works and the Well One project. In 2018, the annual paving projects will return to include Carol Lynn, Hayes, and Wilson from McKinley to Main Street. Harvest Trail will also be paved and a street sweeper will be replaced. Parks and Rec has also requested development of Creekview Park. In 2019, another street sweeper will be purchased along with sewer jetter equipment. There will be reconstruction on Miami Circle and Hartzheim Drive. Director Matheny stated that in 2020 Orchard Lane, Bittersweet Court and Grant Street will be repaved. The 2016-2020 CIP will adopted at the Committee of the Whole Meeting of December 23, 2015.

Action—2016 Board Meeting Schedule

Moved by Trustee Peerenboom, seconded by Trustee Van Lankvelt to Adopt the 2016 Board Meeting Schedule as presented.

Ayes 5, Nays 0 – Motion Carried

Discussion/Action—Adopt Resolution #37 Increasing Village of Little Chute Sanitation Rates

Director Matheny presented the sanitation rates with a 3% increase for the fund which would allow the Village to replace garbage trucks. In addition, sanitation is picking up some of the new utility billing costs for bringing it in house in 2016.

Moved by Trustee Elrick, seconded by Trustee Van Lankvelt to Adopt Resolution #37 Increasing Village of Little Chute Sanitation Rates.

Ayes 5, Nays 0 – Motion Carried

Roll Call Vote:

Trustee Elrick—Aye

Trustee Peterson—Aye

Trustee Peerenboom—Aye

Trustee Van Lankvelt—Aye

President Vanden Berg—Aye

Ayes 5, Nays 0 – Motion Carried

Discussion—Utility Cash Flow Analysis

Director Matheny stated this topic will be addressed in February 2016.

Discussion/Action—Adopt Resolution #38 Withdrawing from the Local Government Property Insurance Fund

Director Matheny stated at budget time the State announced they were going to do away with the Local Government Property Insurance Fund and municipalities should start looking for insurance. Director Matheny stated recently the State decided to keep it open for another 2-3 years and to expect an increase in premiums. Director Matheny stated the quotes went up over 100% so the Village is obtaining quotes from another company which is much lower.

Moved by Trustee Elrick, seconded by Trustee Elrick seconded by to Adopt Resolution #38 Withdrawing from the Local Government Property Insurance Fund

Ayes 5, Nays 0 – Motion Carried

Department and Officers Progress Reports

Departments and Officers provided progress reports to the Board.

Disbursement List

Moved by Trustee Peerenboom, seconded by Trustee Elrick to Approve Disbursement List and Authorize the Finance Director to pay all vendors.

Ayes 5, Nays 0 – Motion Carried

Call for Unfinished Business

None

Items for Future Agendas


None

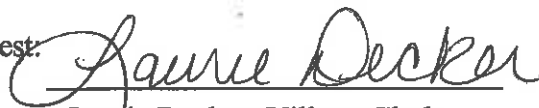
Adjournment

Moved by Trustee Elrick, seconded by Trustee Van Lankvelt to Adjourn the Regular Board Meeting at 9:10 p.m.

Ayes 5, Nays 0 - Motion Carried

VILLAGE OF LITTLE CHUTE

By: 
Michael R. Vanden Berg, Village President

Attest: 
Laurie Decker, Village Clerk