



## **United City of Yorkville**

800 Game Farm Road

Yorkville, Illinois 60560

Telephone: 630-553-4350

[www.yorkville.il.us](http://www.yorkville.il.us)

### **AGENDA PUBLIC WORKS COMMITTEE MEETING**

**Tuesday, January 17, 2017**

**6:00 p.m.**

City Hall Conference Room  
800 Game Farm Road, Yorkville, IL

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#### **Citizen Comments:**

**Minutes for Correction/Approval:** December 20, 2016

#### **New Business:**

1. PW 2017-01 Snow Operations Report
2. PW 2017-02 Water Department Reports for October – December 2016
3. PW 2017-03 Stagecoach Crossing Acceptance of Public Improvements
4. PW 2017-04 Bristol Bay Unit 3 Acceptance of Public Improvements
5. PW 2017-05 Bond/LOC Reduction Summary
6. PW 2017-06 Capital Improvement Project Update
7. PW 2017-07 MFT Resolution for 2017 Road to Better Roads Program
8. PW 2017-08 Downtown Sidewalk and Fencing Replacement RFP
9. PW 2017-09 Riverfront Park Testing Results

#### **Old Business:**

1. PW 2016-84 Well No. 3 Abandonment – Layne Proposal
2. PW 2014-74 Railroad Quiet Zones
3. PW 2016-21 Leopardo Energy Update

#### **Additional Business:**

<b>2016/2017 City Council Goals – Public Works Committee</b>		
<b>Goal</b>	<b>Priority</b>	<b>Staff</b>
“Municipal Building Needs and Planning”	3	Bart Olson & Eric Dhuse
“Capital Improvement Plan”	4	Bart Olson & Eric Dhuse
“Vehicle Replacement”	5	Bart Olson & Eric Dhuse
“Sidewalks and Trails Funding and Planning”	15	Bart Olson, Eric Dhuse, Brad Sanderson & Rob Fredrickson

UNITED CITY OF YORKVILLE  
WORKSHEET  
**PUBLIC WORKS COMMITTEE**  
**Tuesday, January 17, 2017**  
**6:00 PM**  
CITY HALL CONFERENCE ROOM

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**CITIZEN COMMENTS:**

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**MINUTES FOR CORRECTION/APPROVAL:**

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1. December 20, 2016

- ☐ Approved \_\_\_\_\_
- ☐ As presented
- ☐ With corrections

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**NEW BUSINESS:**

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1. PW 2017-01 Snow Operations Report

- ☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N
  - ☐ Approved by Committee \_\_\_\_\_
  - ☐ Bring back to Committee \_\_\_\_\_
  - ☐ Informational Item
  - ☐ Notes \_\_\_\_\_
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2. PW 2017-02 Water Department Reports for October - December 2016

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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3. PW 2017-03 Stagecoach Crossing Acceptance of Public Improvements

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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4. PW 2017-04 Bristol Bay Unit 3 Acceptance of Public Improvements

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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5. PW 2017-05 Bond/LOC Reduction Summary

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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6. PW 2017-06 Capital Improvement Project Update

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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7. PW 2017-07 MFT Resolution for 2017 Road to Better Roads Program

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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8. PW 2017-08 Downtown Sidewalk and Railing Replacement RFP

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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9. PW 2017-09 Riverfront Park Testing Results

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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**OLD BUSINESS:**

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1. PW 2016-84 Well No. 3 Abandonment – Layne Proposal

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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2. PW 2014-74 Railroad Quiet Zones

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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3. PW 2016-21 Leopardo Energy Update

☐ Moved forward to CC \_\_\_\_\_ consent agenda?   Y   N

☐ Approved by Committee \_\_\_\_\_

☐ Bring back to Committee \_\_\_\_\_

☐ Informational Item

☐ Notes \_\_\_\_\_

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**ADDITIONAL BUSINESS:**

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Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Minutes

Tracking Number

### Agenda Item Summary Memo

**Title:** Minutes of the Public Works Committee – December 20, 2016

**Meeting and Date:** Public Works Committee – January 17, 2017

**Synopsis:** \_\_\_\_\_  
\_\_\_\_\_

#### Council Action Previously Taken:

Date of Action: \_\_\_\_\_ Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** Majority

**Council Action Requested:** Committee Approval

**Submitted by:** Minute Taker

Name

Department

#### Agenda Item Notes:

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\_\_\_\_\_

# DRAFT

**UNITED CITY OF YORKVILLE  
PUBLIC WORKS COMMITTEE  
Tuesday, December 20, 2016, 6:00pm  
Yorkville City Hall, Conference Room  
800 Game Farm Road**

**IN ATTENDANCE:**

**Committee Members**

Chairman Chris Funkhouser  
Alderman Ken Koch

Alderman Jackie Milschewski  
Alderman Larry Kot

**Other City Officials**

Mayor Gary Golinski  
City Administrator Bart Olson  
Interim Assistant City Administrator Erin Willrett

Public Works Director Eric Dhuse  
EEI Engineer Brad Sanderson

**Other Guests:**

Phil Schneider, Fleet Solutions  
Alex Meierdiericks, Fleet Solutions  
Bob Pfister, Advanced Disposal  
Drake Wahlers, Leopardo Co.  
Don & Carol Hirsch, White Oak Subdv.

Mike Albert, Fleet Solutions  
Rob Vollrath, Leopardo Co.  
John Albrecht, Leopardo Co.  
Joe Plocher, Yorkville resident  
Joe Flynn, Director of Operations

The meeting was called to order at 6:00pm by Chairman Chris Funkhouser.

**Citizen Comments:**

Mr. Hirsch said he is very interested in a study for a railroad quiet zone. He said some train engineers sound the horn very loudly, while others are considerate. He said the loudness is affecting children.

**Previous Meeting Minutes:** November 15, 2016

The minutes were approved as presented.

**New Business:**

***1. PW 2016-78 Snow Operations Report***

Mr. Dhuse said he will be reporting on snow operations throughout the winter outlining what was done and fleet actions. Informational at this time.

**2. PW 2016-79 Water Department Reports for January - September 2016**

Alderman Funkhouser asked to have the reports done quarterly. He said water main breaks have resulted in 1.5 million gallons of water lost, but the breaks are being repaired through the in-town road program. These reports will move to the Council consent agenda for January 10, 2017.

**3. PW 2016-80 Route 47 ITEP (Streetlights) – Authorization No. 2, 3, and 4**

Mr. Sanderson said IDOT did most of the Rt. 47 work and this contract is for installation of the lights. There were some issues that were identified and the City is responsible for \$1,400 of the \$7,000. Approval is being recommended. Chairman Funkhouser questioned the cost of the nuts and bolts in #3 and asked if the City was paying twice for these items. He asked for clarification before approval of payment and Mr. Sanderson will research this question with IDOT. These authorizations will be moved to the January 10<sup>th</sup> Council consent agenda.

**4. PW 2016-81 2017 Sanitary Sewer Lining Engineering Agreement**

This agreement covers the cost of all planned linings in the Road to Better Roads program and is budgeted. These rates will be held for 2017. It moves to the January 10th Council consent agenda.

**5. PW 2016-82 West Washington Street Water Main Replacement Engineering Agreement**

Mr. Olson said this is the only water main replacement scheduled in the 2017 Road to Better Roads program. The cost of \$19,600 is budgeted and approval is recommended. Alderman Kot asked if any water mains would be replaced on State Street. They will be done in the next road cycle (in 7-9 years). This moves to the Council consent for January 10.

**6. PW 2016-83 Hamman – USPS Water Main Acceptance**

There were some outstanding punchlist items for work near the post office and in November a contractor was hired to complete the work. Acceptance of the water main and a full release of the letter of credit is recommended. This moves to the January 10<sup>th</sup> Council consent agenda.

**7. PW 2016-84 Well No. 3 Update and Recommendations**

In August, televising of the well was authorized and it was found the casing pipe had significant holes. It is being recommended to abandon the well due to the expense of repairing the well due to several deficiencies. It is thought the City will be OK without it for another 8-10 years. The building would also be removed at a separate cost. Mr. Dhuse recommended having Layne Christensen do the abandonment work. Alderman Koch asked about a new well when the City reaches a certain population. Mr. Olson said a new well could be installed when the population reaches 25,000 depending on usage. The committee was OK with abandonment and staff will be authorized to move forward. A contract will be reviewed at the next Public Works meeting.

**8. PW 2016-85 Solid Waste Collection Services RFP**

Mr. Olson handed out a waste matrix which mapped out 5-year price proposals from various vendors. He said Groot and Advanced Disposal are very similar in their proposals and he detailed some of the costs. Staff recommended remaining with Advanced Disposal and he noted that Groot's proposal arrived after the bids closed. Mr. Bob Pfister from Advanced Disposal explained how their compost service works and said it is a new program in the Midwest. He also said a new brochure explaining their programs will be provided to citizens. The committee recommended moving this forward to the Council consent agenda on January 10.

#### **9. PW 2016-86 Street Sign Sale Close-out**

Over 500 signs were sold and the remaining signs will be sold for scrap. Profits will go toward purchase of new Public Works equipment. Chairman Funkhouser questioned if the profits should be decided upon by the Council. Mr. Olson said since it's a small amount it could be placed anywhere. Information only, no further action.

#### **10. PW 2016-87 Detention Basin - Update**

Mr. Dhuse said letters will be sent to owners of basins for the areas mentioned in his memo. He said Grande Reserve has many basins. Chairman Funkhouser asked to include a link regarding the ordinance and the ordinance number will be included in the letter. Information only at this time.

#### **Old Business**

##### **1. CC 2016-47 Intergovernmental Agreement for the Sharing of Services**

Mr. Olson said Montgomery wishes to join in sharing services with Yorkville and Oswego. Attorney Orr has reviewed the agreement and the City will be signing it. Some sharing has already occurred. This item moves to the January 10<sup>th</sup> consent agenda.

##### **2. PW 2014-74 Railroad Quiet Zone**

This idea was studied in 2014-2015 and went to Council in 2015 where it was decided not to pursue at that time. After complaints from citizens, the Mayor recently initiated contracts for the study, but the item was requested to be brought forward for discussion first. Mr. Olson is gathering data regarding the rising number of complaints and will forward this information to the Aldermen. He said the study expense has been prohibitive in the past, however, there are some state and federal grants which would offset the overall cost of less than \$20,000. There are 16 crossings in the City.

Mr. Olson also noted that a railroad contact who lives in Yorkville would come to a future meeting and has also forwarded citizens' concerns to the engineers. Alderman Kot said he was in favor of doing the study and said it's a quality of life and economic issue. Alderman Milschewski said she is not in favor of the study due to the cost in comparison to the complaints. She would like to see other improvements in the City first. Ms. Milschewski noted many other things affect the quality of life including noise from the Rt. 47 traffic. She said many Facebook posts have been pro-horn and she likes the horn for safety reasons. She also questioned the liability of a quiet zone if there was an accident.

Mrs. Hirsch said the number of trains and the speed has increased and the train patterns have changed since the Council held their original discussions. Aldermen Funkhouser said those issues were discussed following the derailment a couple years ago.

Mayor Golinski said he has received more complaints and he is very concerned about re-development downtown and what effect the noise might have. A developer said the noise could be a deal-breaker and developers may not receive grants.

Mr. Olson said he felt the feasibility study should be done. More citizen input was also requested. He is compiling a survey and the costs of quiet zones in other towns and will forward it to all Aldermen. This matter will be discussed again next month.

### ***3. PW 2016-21 Leopardo Energy Update***

The Leopardo Energy group was in attendance to give a cost-savings presentation. Rob Vollrath of Leopardo Co. reviewed the background of this project and said discussions began in April to save on operating costs through energy-conscious projects. The City approved a feasibility study at that time. Leopardo studied six city buildings, street lights, water meters, alternative energy and the city fleet. He said LED lights result in a 2/3 cost savings and newer water meter technology could also save money. Beecher Center was also identified for significant savings due to outdated heating and cooling. Leopardo would also like to do a well station survey in the future. The 63-vehicle fleet was reviewed for two potential savings areas: fuel upgrade to propane or bi-fuel system and a lease vs. buy program.

A summary was given for possible savings in all categories and Leopardo also provides a yearly report of savings. If Leopardo's savings guarantees do not materialize, they will write a check to the City for the difference. It was noted that Kendall County is also considering the program.

Mr. Olson said there are several other companies who also conduct this program and the City would go to RFQ and then select a company. He said LED lighting and water meter studies have the greatest savings potential. Alderman Kot said the Leopardo ideas are good, however, he would like endorsement from department heads and referrals from other towns. This item will be brought back to committee in January after Mr. Olson has consulted with the City Attorney and has had a chance to compile a report.

#### **Additional Business:**

Alderman Milschewski asked about a contingency plan for leaf pickup when leaves drop later in the season. Mr. Dhuse said it would be difficult since the facilities that accept leaves are closed after a certain point. It was noted that Oswego makes multiple passes for leaves and that Yorkville might have to consider this as well. This will be discussed more in the future.

Alderman Koch asked for higher intensity light bulbs for the Windett Ridge entrance. This will be done.

Chairman Funkhouser asked about the water study status. A formal report should be done by mid-January. Land acquisition will also be a big part of the project. He also thanked Alderman Kot for his service on the Council.

There was no further business and the meeting was adjourned at 8:30pm.

Minutes respectfully transcribed by  
Marlys Young, Minute Taker



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input checked="" type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #1

Tracking Number

PW 2017-01

### Agenda Item Summary Memo

**Title:** Snow Operations Report

**Meeting and Date:** Public Works Committee – January 17, 2017

**Synopsis:** Monthly update of snow removal operations.

#### Council Action Previously Taken:

Date of Action: \_\_\_\_\_ Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** None – Informational only.

**Council Action Requested:** \_\_\_\_\_

**Submitted by:** Eric Dhuse Public Works  
Name Department

#### Agenda Item Notes:

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# Memorandum

To: Public Works Committee  
From: Eric Dhuse, Director of Public Works  
CC: Bart Olson, Administrator  
Date:  
Subject: Snow removal update

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## Summary

Snow removal events since last memo dated December 14, 2016 are as follows:

1. December 17, 2016 – Full crew of 10 salting trucks started at 5:00am and ended at 9:30 am. Roads were opened up and salted. All roads were in good shape when crew left. One crew member had to leave during the operation due to illness.
2. December 17, 2016 – Full crew of 10 salting trucks and 1 additional pickup to assist. Crew started at 9:00pm and ended at 9:00am the following morning. During the process of snow removal, the wind picked up slightly and the snow continued much longer than forecasted. Therefore, the routes were done twice during this 12 hour period. Salt applications were only used once since it was realized that we were going to have to plow them again.
3. December 23, 2016 – 4 crew members spread salt and brine from approximately 9:30pm-12:30am. For a very short time, the drizzle was freezing to the pavement in certain areas, we wanted to make sure those were melted to ensure safe motoring during the night.
4. January 9, 2017 – 4 crew members are laying down brine on the streets in anticipation of possible snow/freezing precipitation that is supposed to be here tonight. If we can get down a good layer of brine, it should prevent the snow and freezing precipitation from sticking to the pavement.

We currently have approximately 400 tons of salt on hand, the capability to purchase up to 480 additional tons under the current contract and 1000 tons in storage at the KC Highway department facility.



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input checked="" type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #2

Tracking Number

PW 2017-02

### Agenda Item Summary Memo

**Title:** Water Department Reports for October - December 2016

**Meeting and Date:** Public Works Committee – January 17, 2017

**Synopsis:** Monthly water reports.

### Council Action Previously Taken:

Date of Action: \_\_\_\_\_ Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** Majority

**Council Action Requested:** Approval

**Submitted by:** Tom Konen Public Works  
Name Department

### Agenda Item Notes:

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# United City of Yorkville

## WATER DEPARTMENT REPORT

OCTOBER 2016  
MONTH / YEAR

### WELLS

NO	WELL DEPTH (FEET)	PUMP DEPTH (FEET)	WATER ABOVE PUMP (FEET)	THIS MONTH'S PUMPAGE (GALLONS)
3	1335	505	155	58,000
4	1401	665	204	7,880,000
7	1527	1105	430	7,633,000
8	1384	840	170	14,351,000
9	1368	870	463	15,604,000
TOTAL TREATED				42,198,000

CURRENT MONTH'S PUMPAGE IS 3,863,000 GALLONS less THAN LAST MONTH

356,000 GALLONS less THAN LAST YEAR

DAILY AVERAGE PUMPED: 1,361,225 GALLONS

DAILY MAXIMUM PUMPED: 1,670,000 GALLONS

DAILY AVERAGE PER CAPITA USE: 75.62 GALLONS

### WATER TREATMENT:

CHLORINE: 980 LBS. FED

CALCULATED CONCENTRATION: 3.0 MG/L

FLUORIDE: 202 LBS. FED

CALCULATED CONCENTRATION: .39 MG/L

POLYPHOSPHATE: 980 LBS. FED

CALCULATED CONCENTRATION: 1.33 MG/L

### WATER QUALITY:

BACTERIOLOGICAL SAMPLES ANALYZED BY ILLINOIS ENVIRONMENTAL PROTECTION AGENCY:

28 SATISFACTORY

0 UNSATISFACTORY (EXPLAIN)

FLOURIDE: 3 SAMPLE(S) TAKEN

CONCENTRATION: 0.75 MG/L

### MAINTENANCE:

NUMBER OF METERS REPLACED: 6  
MXU'S: 20

NUMBER OF LEAKS OR BREAKS REPAIRED: 1  
BATTERIES: 17

### NEW CUSTOMERS:

RESIDENTIAL: 9

COMMERCIAL: 2

INDUSTRIAL/GOVERNMENTAL: 0

### COMMENTS:

Badger Street 12 inch main break. 180,000 gallons lost.



# United City of Yorkville

## WATER DEPARTMENT REPORT

NOVEMBER 2016

MONTH / YEAR

### WELLS

NO	WELL DEPTH (FEET)	PUMP DEPTH (FEET)	WATER ABOVE PUMP (FEET)	THIS MONTH'S PUMPAGE (GALLONS)
3	1335	510	155	54,000
4	1386	664	384	11,186,000
7	1527	1125	430	7,658,000
8	1384	840	450	11,624,000
9	1368	861	498	13,523,000
TOTAL TREATED				41,137,000

CURRENT MONTH'S PUMPAGE IS 560,000 GALLONS less THAN LAST MONTH

2,608,000 GALLONS more THAN LAST YEAR

DAILY AVERAGE PUMPED: 1,371,233 GALLONS

DAILY MAXIMUM PUMPED: 1,701,000 GALLONS

DAILY AVERAGE PER CAPITA USE: 76.17 GALLONS

### WATER TREATMENT:

CHLORINE: 1,014 LBS. FED

CALCULATED CONCENTRATION: 3.0 MG/L

FLUORIDE: 157 LBS. FED

CALCULATED CONCENTRATION: .59 MG/L

POLYPHOSPHATE: 980 LBS. FED

CALCULATED CONCENTRATION: .97 MG/L

### WATER QUALITY:

BACTERIOLOGICAL SAMPLES ANALYZED BY ILLINOIS ENVIRONMENTAL PROTECTION AGENCY:

23 SATISFACTORY

0 UNSATISFACTORY (EXPLAIN)

FLOURIDE: 3 SAMPLE(S) TAKEN

CONCENTRATION: 0.75 MG/L

### MAINTENANCE:

NUMBER OF METERS REPLACED: 11  
MXU'S: 35

NUMBER OF LEAKS OR BREAKS REPAIRED: 1  
BATTERIES REPLACED: 0

### NEW CUSTOMERS:

RESIDENTIAL: 18

COMMERCIAL: 0

INDUSTRIAL/GOVERNMENTAL: 0

### COMMENTS:

Main breaks: 110 S. Bridge Street: Lost 100,000 gallons



# United City of Yorkville

## WATER DEPARTMENT REPORT

DECEMBER 2016  
MONTH / YEAR

### WELLS

NO	WELL DEPTH (FEET)	PUMP DEPTH (FEET)	WATER ABOVE PUMP (FEET)	THIS MONTH'S PUMPAGE (GALLONS)
3	1335	0	0	0
4	1386	664	384	8,996,000
7	1527	1125	430	7,136,000
8	1384	840	456	20,171,000
9	1368	861	509	7,177,000
TOTAL TREATED				40,577,000

CURRENT MONTH'S PUMPAGE IS 253,000 GALLONS less THAN LAST MONTH

2,301,000 GALLONS more THAN LAST YEAR

DAILY AVERAGE PUMPED: 1,308,935 GALLONS

DAILY MAXIMUM PUMPED: 1,564,000 GALLONS

DAILY AVERAGE PER CAPITA USE: 72.71 GALLONS

### WATER TREATMENT:

CHLORINE: 1,032 LBS. FED CALCULATED CONCENTRATION: 3.0 MG/L  
FLUORIDE: 166 LBS. FED CALCULATED CONCENTRATION: .74 MG/L  
POLYPHOSPHATE: 924 LBS. FED CALCULATED CONCENTRATION: .97 MG/L

### WATER QUALITY:

BACTERIOLOGICAL SAMPLES ANALYZED BY ILLINOIS ENVIRONMENTAL PROTECTION AGENCY:  
23 SATISFACTORY 0 UNSATISFACTORY (EXPLAIN)

FLOURIDE: 3 SAMPLE(S) TAKEN

CONCENTRATION: 0.75 MG/L

### MAINTENANCE:

NUMBER OF METERS REPLACED: 4 NUMBER OF LEAKS OR BREAKS REPAIRED: 2  
MXU'S: 5 BATTERIES REPLACED: 0

### NEW CUSTOMERS:

RESIDENTIAL: 14 COMMERCIAL: 0 INDUSTRIAL/GOVERNMENTAL: 0

### COMMENTS:

Main breaks: 208 West Main Street: Lost 50,000 gallons. 102 Appletree Court: Lost 100,000 gallons.



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input checked="" type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input checked="" type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #3

Tracking Number

PW 2017-03

### Agenda Item Summary Memo

**Title:** Stagecoach Crossing

**Meeting and Date:** Public Works Committee – January 17, 2017

**Synopsis:** Subdivision Acceptance Consideration

#### Council Action Previously Taken:

Date of Action: \_\_\_\_\_ Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** \_\_\_\_\_

**Council Action Requested:** Consideration of Approval

**Submitted by:** Brad Sanderson Engineering  
Name Department

#### Agenda Item Notes:

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# Memorandum

To: Bart Olson, City Administrator  
From: Brad Sanderson, EEI  
CC: Eric Dhuse, Director of Public Works  
Krysti Barksdale-Noble, Community Dev. Dir.  
Lisa Pickering, Deputy City Clerk

Date: December 21, 2017  
Subject: Stagecoach Crossing

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Midwest Bank has requested that the City accept the public improvements for the Stagecoach Crossing development for ownership and maintenance.

All work related to the public improvements, including any punchlist items is complete. If you recall, the City contracted for the remaining punchlist work while utilizing Midwest Bank funds to complete.

Attached is the draft Bill of Sale for the development. We recommend that the water main, sanitary sewer and sidewalk as described in the attached Bill of Sale be accepted for ownership and maintenance by the City.

As required by City Code, the developer is responsible to provide a performance guarantee to cover the one year maintenance period. This period starts after the City formally accepts the improvements. Since the improvements have been constructed and functional for quite some time, we are recommending full release of the existing security (First Midwest Bank No. 150017273-202 - \$65,000).

Upon City Council approval of the acceptance and the receipt of the executed Bill of Sale and the confirmation that all bills have been paid, the existing security may then be released. If you have any questions or require additional information, please call.

## BILL OF SALE

*Seller*, \_\_\_\_\_, in consideration of One and 00/100th Dollar (\$1.00), receipt hereby acknowledged, does hereby sell, assign, transfer and convey to the *Buyer*, the United City of Yorkville, an Illinois municipal corporation, at 800 Game Farm Road, Yorkville, Illinois 60560, the following personal property to wit described in Exhibit A attached hereto for the development know as Stagecoach Crossing, and generally shown on Exhibit B.

*Seller* hereby represents and warrants to *Buyer* that *Seller* is the absolute owner of said property, that said property is free and clear of all liens, charges and encumbrances, and that *Seller* has full right, power, and authority to sell said property and to make this Bill of Sale.

**IN WITNESS WHEREOF**, *Seller* has signed and sealed this Bill of Sale at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

*Subscribed* and *Sworn* to  
before me this \_\_\_\_ day  
of \_\_\_\_\_, 20\_\_.

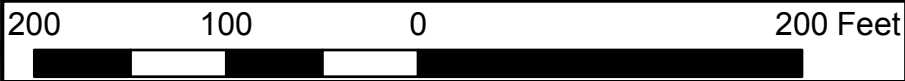
\_\_\_\_\_  
Notary Public



EXHIBIT A  
 STAGECOACH CROSSING  
 UNITED CITY OF YORKVILLE

UTILITIES	UNITS	QUANTITY
<b>WATER MAIN CONSTRUCTION</b>		
6" WATER VALVE	EACH	2
8" WATER VALVE	EACH	2
12" VALVE AND VAULT	EACH	4
12"x12" PRESSURE TAPPING VALVE & VAULT	EACH	1
FIRE HYDRANT	EACH	9
6" DUCTILE IRON WATER MAIN	FOOT	71
8" DUCTILE IRON WATER MAIN	FOOT	1,250
12" DUCTILE IRON WATER MAIN	FOOT	1,242
WATER MAIN TRENCH BACKFILL	CUYD	890
<b>SANITARY SEWER IMPROVEMENTS</b>		
4' DIA SAN MH	EACH	8
4' DIA SAN MH W/ OUTSIDE DROP CONNECTION	EACH	1
CORE AND BOOT, EXIST SAN MH	EACH	1
SANITARY SEWER, 8" PVC	FOOT	1,473
SANITARY SEWER TRENCH BACKFILL	CUYD	2,223
<b>SIDEWALK IMPROVEMENTS</b>		
4" PCC SIDEWALK	SQ FT	805





 **Unit Boundary**



**Engineering Enterprises, Inc.**  
CONSULTING ENGINEERS  
52 Wheeler Road  
Sugar Grove, Illinois 60554  
(630) 466-6700 / [www.eeiweb.com](http://www.eeiweb.com)

**United City of Yorkville**  
800 Game Farm Road  
Yorkville, IL 60560  
(630) 553-4350  
<http://www.yorkville.il.us>

NO.	DATE	REVISIONS

DATE:	NOVEMBER 2016
PROJECT NO.:	YO1615
PATH:	H:/GIS/PUBLIC/YORKVILLE/2016/
FILE:	YO1603-STAGECOACH.MXD

**STAGECOACH CROSSING**  
UNITED CITY OF YORKVILLE KENDALL  
COUNTY, ILLINOIS

**EXHIBIT B - LOCATION MAP**







Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input checked="" type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input checked="" type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #4

Tracking Number

PW 2017-04

### Agenda Item Summary Memo

**Title:** Bristol Bay Unit 3

**Meeting and Date:** Public Works Committee – January 17, 2017

**Synopsis:** Subdivision Acceptance Consideration

#### Council Action Previously Taken:

Date of Action: \_\_\_\_\_ Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** \_\_\_\_\_

**Council Action Requested:** Consideration of Approval

**Submitted by:** Brad Sanderson Engineering  
Name Department

#### Agenda Item Notes:

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# Memorandum

To: Bart Olson, City Administrator  
From: Brad Sanderson, EEI  
CC: Eric Dhuse, Director of Public Works  
Krysti Barksdale-Noble, Community Dev. Dir.  
Lisa Pickering, Deputy City Clerk

Date: December 21, 2016  
Subject: Bristol Bay Unit 3

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The developer has requested that the City accept the public improvements for Bristol Bay Unit 3 for ownership and maintenance.

All work related to the public improvements, including punch list work has been completed. We recommend that the public improvements (water main, sanitary sewer, storm sewer, paving, sidewalk, street lighting and parkway trees) as described in the attached Bill of Sale be accepted for ownership and maintenance by the City.

Attached is the draft Bill of Sale for the development. We recommend that the public improvements as described in the Bill of Sale be accepted for ownership and maintenance by the City.

As required by City Code, the developer will be responsible to provide a performance guarantee to cover the one year maintenance period. This period starts after the City formally accepts the improvements.

Along with final acceptance, there is a bond reduction to 10% of the value of the public improvements (Maintenance Guarantee). Pulte is proposing a release of the existing bonds that are in place and replacing them with a new single bond. We find this proposal to be acceptable.

The existing and new bond amounts are as follows:

## **Current Unit 3 Bonds**

Arch Insurance Co – Bond #SU1114152	\$174,260.98
Safeco Insurance Co of America – Bond #6544062	\$91,042.89
Arch Insurance Co – Bond #SU1114158	<u>\$19,334.94</u>
Total Value	\$284,638.81

Original Approved EOPC	\$1,723,712.01
<b>Required New Bond Value (10% of Original)</b>	<b>\$172,371.00</b>

Upon City Council approval of the acceptance and the receipt of the executed Bill of Sale and new bond, the existing securities may then be released. If you have any questions or require additional information, please call.

**BILL OF SALE**

*Seller*, \_\_\_\_\_, in consideration of One and 00/100th Dollar (\$1.00), receipt hereby acknowledged, does hereby sell, assign, transfer and convey to the *Buyer*, the United City of Yorkville, an Illinois municipal corporation, at 800 Game Farm Road, Yorkville, Illinois 60560, the following personal property to wit described in Exhibit A attached hereto for the development know as Bristol Bay Unit 3, and generally shown on Exhibit B.

*Seller* hereby represents and warrants to *Buyer* that *Seller* is the absolute owner of said property, that said property is free and clear of all liens, charges and encumbrances, and that *Seller* has full right, power, and authority to sell said property and to make this Bill of Sale.

**IN WITNESS WHEREOF**, *Seller* has signed and sealed this Bill of Sale at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

*Subscribed* and *Sworn* to  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

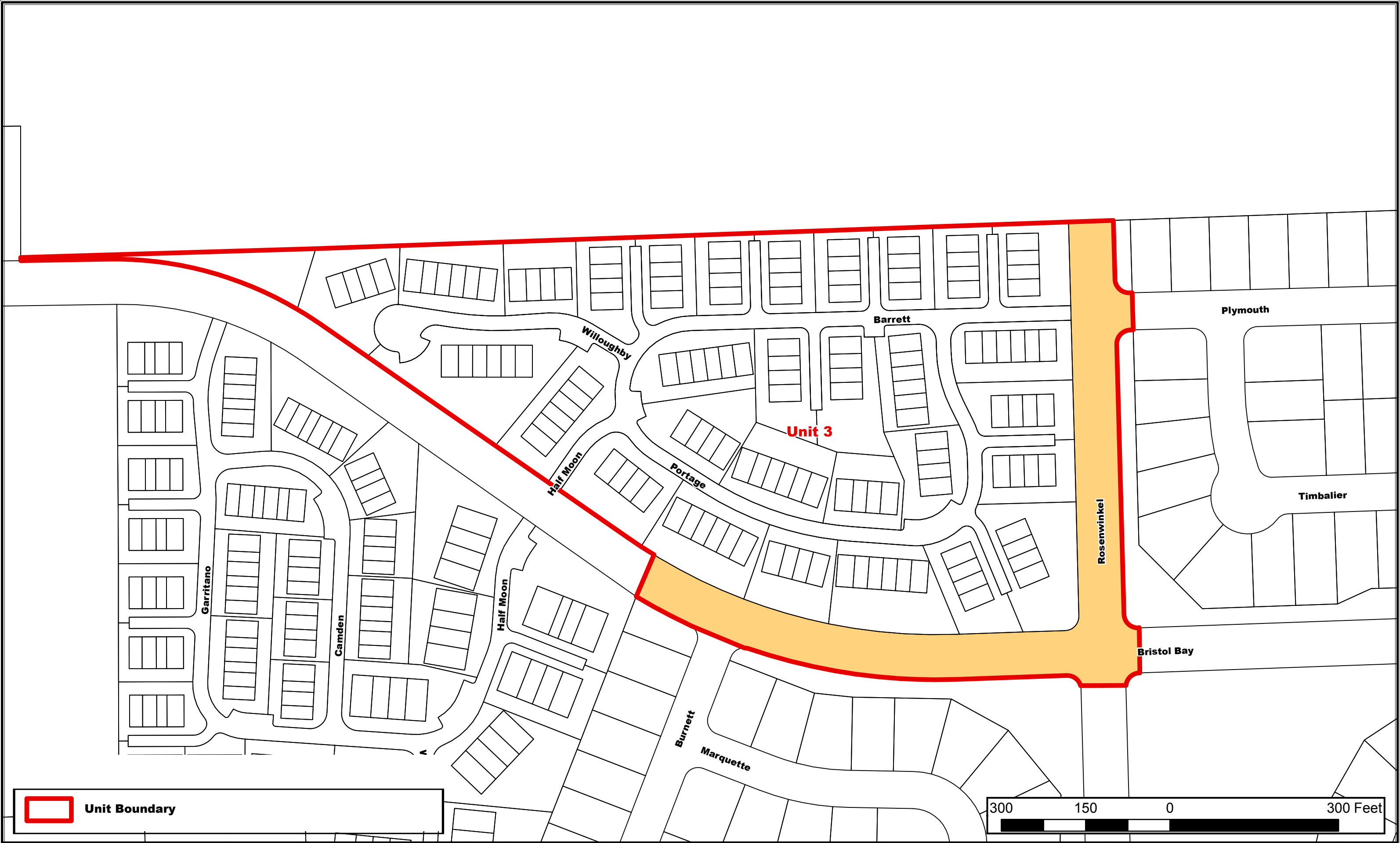
**EXHIBIT A**  
**BRISTOL BAY - UNIT 3**  
**UNITED CITY OF YORKVILLE**

UTILITIES	UNIT	QUANTITY
<b>STORM SEWER CONSTRUCTION</b>		
STORM SEWERS, CLASS A, 12"	FOOT	1,303
STORM SEWERS, CLASS A, 15"	FOOT	921
STORM SEWERS, CLASS A, 18"	FOOT	997
STORM SEWERS, CLASS A, 21"	FOOT	92
STORM SEWERS, CLASS A, 24"	FOOT	264
STORM SEWERS, CLASS A, 27"	FOOT	280
STORM SEWERS, CLASS A, 30"	FOOT	657
STORM SEWERS, CLASS A, 36"	FOOT	212
STORM SEWERS, CLASS A, 42"	FOOT	815
STORM SEWERS, CLASS A, 54"	FOOT	125
CATCH BASINS, TYPE C 2' DIAMETER, TY 8 GRATE	EACH	1
CATCH BASINS, TYPE C 2' DIAMETER, R-3501-P	EACH	6
CATCH BASINS, TYPE A 4' DIAMETER, TY 1 FRAME AND CLOSED LID	EACH	1
CATCH BASINS, TYPE A 4' DIAMETER, TY 11 FRAME AND GRATE	EACH	6
CATCH BASINS, TYPE A 4' DIAMETER, R-3501-P	EACH	6
INLETS, TYPE A 2' DIAMETER, TYPE 1 FRAME AND OPEN LID	EACH	1
INLETS, TYPE A 2' DIAMETER, TYPE 11 FRAME AND GRATE	EACH	6
INLETS, TYPE A 2' DIAMETER, TYPE 8 GRATE	EACH	4
INLETS, TYPE A 2' DIAMETER, R-3501-P	EACH	12
MANHOLES, TYPE A, 4' DIAMETER, TYPE 1 FRAME CLOSED LID	EACH	5
MANHOLES, TYPE A, 4' DIAMETER, TYPE 11 FRAME & GRATE	EACH	1
MANHOLES, TYPE A, 4' DIAMETER, TYPE 8 GRATE	EACH	4
MANHOLES, TYPE A, 4' DIAMETER, TYPE 8 FRAME & GRATE	EACH	1
MANHOLES, TYPE A, 5' DIAMETER, TYPE 1 FRAME CLOSED LID	EACH	4
MANHOLES, TYPE A, 5' DIAMETER, TYPE 8 GRATE	EACH	9
MANHOLES, TYPE A, 6' DIAMETER, TYPE 8 GRATE	EACH	3
MANHOLES, TYPE A, 7' DIAMETER, TYPE 1 FRAME CLOSED LID	EACH	1
MANHOLES, TYPE A, 7' DIAMETER, TYPE 8 GRATE	EACH	2
<b>WATER MAIN CONSTRUCTION</b>		
8 - INCH WATER MAIN, DUCTILE IRON	FOOT	4,582
WATER VALVE AND VALVE BOX, 8"	EACH	11
FIRE HYDRANTS WITH AUXILIARY VALVE	EACH	19
WATER SERVICE INCLUDING TRENCH BACKFILL (LONG)	EACH	67
WATER SERVICE INCLUDING TRENCH BACKFILL (SHORT)	EACH	70
TRENCH BACKFILL	CU YD	2,813

ROADWAY	UNIT	QUANTITY
ROSENWINKLE STREET	FOOT	800
BRISTOL BAY DRIVE	FOOT	840

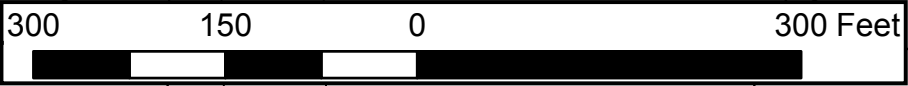
**EXHIBIT A**  
**BRISTOL BAY - UNIT 3**  
**UNITED CITY OF YORKVILLE**

SANITARY SEWER CONSTRUCTION		
TRENCH BACKFILL	CU YD	6,725
8" PVC (SDR 26) SANITARY SEWER (<10' DEEP)	FOOT	948
8" PVC (SDR 26) SANITARY SEWER (10'-15' DEEP)	FOOT	1,978
8" PVC (SDR 21) SANITARY SEWER (15'-20' DEEP)	FOOT	257
4' MANHOLES (< 10' DEEP)	EACH	11
4' MANHOLES (10'-15' DEEP)	EACH	13
4' MANHOLES, OUTSIDE DROP	EACH	2
SANITARY SEWER SERVICE INCLUDING TRENCH BACKFILL (LONG)	EACH	70
SANITARY SEWER SERVICE INCLUDING TRENCH BACKFILL (SHORT)	EACH	67
MISCELLANEOUS UNDERGROUND CONSTRUCTION		
STREETLIGHTS COMPLETE WITH CABLE	EACH	13





**Unit Boundary**







Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input checked="" type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input checked="" type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #5

Tracking Number

PW 2017-05

### Agenda Item Summary Memo

**Title:** Bond/LOC Reduction Summary – 12/31/16

**Meeting and Date:** Public Works Committee – January 17, 2017

**Synopsis:** Informational

### Council Action Previously Taken:

Date of Action: \_\_\_\_\_ Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** \_\_\_\_\_

**Council Action Requested:** Informational

**Submitted by:** Brad Sanderson Engineering  
Name Department

### Agenda Item Notes:

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## 2016 Bond and Letter of Credit Reduction Report

[illegible]



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input checked="" type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input checked="" type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #6

Tracking Number

PW 2017-06

### Agenda Item Summary Memo

**Title:** Capital Improvement Project Update

**Meeting and Date:** Public Works Committee – January 17, 2017

**Synopsis:** Status Update

### Council Action Previously Taken:

Date of Action: \_\_\_\_\_ Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** \_\_\_\_\_

**Council Action Requested:** None

**Submitted by:** Brad Sanderson Engineering  
Name Department

### Agenda Item Notes:

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# Memorandum

To: Bart Olson, City Administrator  
From: Brad Sanderson, EEI  
CC: Eric Dhuse, Director of Public Works  
Krysti Barksdale-Noble, Community Dev. Dir.  
Lisa Pickering, Deputy City Clerk

Date: December 27, 2016  
Subject: Capital Improvement Projects Update

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The purpose of this memo is to update the Public Works Committee as to the status of the several projects. A brief summary on the status of the projects is provided below:

## **Construction Projects**

### Countryside Street and Water main Improvements

- Construction initiated in April 2016. The water main and binder course were installed within the 2016 construction season. The contract completion date for the remaining improvements is June 30, 2017.

### Wrigley EDP

- All pavement related work is complete. The installation of the signals should occur soon.

### Sunflower/Greenbrier Pond Naturalization

- We are entering the third and final year of a three-year maintenance contract with Encap.

### Rt 47 Street Lighting – ITEP

- Work is substantially complete.

### Blackberry Woods - Completion of Improvements

- Work is substantially complete.

### Mill Street LAFO

- Work is substantially complete.

### Grande Reserve – Park A

- Work is substantially complete.

### Stagecoach Crossing - Completion of Improvements

- Work is complete.

### 2016 RTBR

- Work is complete.

### Church Street Water Main Improvements

- Work is complete.

### 2016 Sanitary Sewer Lining

- Work is complete.

## **Planning/Design Projects**

### Kennedy Shared Use Path – ITEP

- The plans have been approved by IDOT. Land acquisition is complete. The ICC hearing was held in December. It is our understanding that the ICC petition goes in front of the full commission in mid-January for approval.

We are targeting a March 3, 2017 letting, pending final ICC approval.

### Rt 71 Water main and Sanitary Sewer Relocation

- Final plans and special provisions have been submitted to IDOT.

### Center Parkway and Countryside Parkway LAFO

- Final design has been initiated. We are tentatively targeting a March 2017 letting.

### Center Parkway and Countryside Parkway LAFO

- Final design has been initiated. We are tentatively targeting a March 2017 letting.

### 2017 RTBR Program

Final design has been initiated. We are tentatively targeting a March 2017 letting.

### 2017 Sanitary Sewer Lining Program

Final design has been initiated. We are tentatively targeting a March 2017 letting.

### West Washington Street Water Main Improvements

Final design has been initiated. We are tentatively targeting a March 2017 letting.



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input checked="" type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input checked="" type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #7

Tracking Number

PW 2017-07

### Agenda Item Summary Memo

**Title:** 2017 Road to Better Roads Program

**Meeting and Date:** Public Works Committee – January 17, 2017

**Synopsis:** MFT Resolution Consideration

#### Council Action Previously Taken:

Date of Action: \_\_\_\_\_ Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** \_\_\_\_\_

**Council Action Requested:** Consideration of Approval

**Submitted by:** Brad Sanderson Engineering  
Name Department

#### Agenda Item Notes:

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# Memorandum

To: Bart Olson, City Administrator  
From: Brad Sanderson, EEI  
CC: Eric Dhuse, Director of Public Works  
Krysti Barksdale-Noble, Community Dev. Dir.  
Lisa Pickering, Deputy City Clerk

Date: January 5, 2017  
Subject: 2017 Roads to Better Roads Program

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In accordance with the planned FY18 budget and Roads to Better Roads Program, we are proceeding with design of the 2017 program. The budgeted MFT portion of the Roads to Better Roads Program will be \$300,000.

Since MFT funds are being utilized to fund a portion of the project, IDOT requires the passing of a resolution to appropriate the funds. Accordingly, please see the attached Appropriation Resolution in the amount of \$300,000.

Staff is seeking approval of the resolution from the City Council.

If you have any questions or require additional information, please let us know.



**Illinois Department  
of Transportation**

**Resolution for Maintenance of  
Streets and Highways by Municipality  
Under the Illinois Highway Code**

BE IT RESOLVED, by the Council of the  
(Council or President and Board of Trustees)  
United City of Yorkville, Illinois, that there is hereby  
(City, Town or Village) (Name)  
appropriated the sum of \$300,000.00 of Motor Fuel Tax funds for the purpose of maintaining  
streets and highways under the applicable provisions of the Illinois Highway Code from May 1, 2017  
(Date)  
to April 30, 2018.  
(Date)

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Ottawa, Illinois.

I, Beth Warren Clerk in and for the United City  
(City, Town or Village)  
of Yorkville, County of Kendall

hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by

the Council at a meeting on January 24, 2017  
(Council or President and Board of Trustees) Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 24th day of January, 2017.

(SEAL) \_\_\_\_\_ City \_\_\_\_\_ Clerk  
(City, Town or Village)

<p style="text-align: center;"><b>Approved</b></p> <p style="text-align: center;">_____ Regional Engineer Department of Transportation</p> <p style="text-align: center;">_____ Date</p>
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Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input checked="" type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #8

Tracking Number

PW 2017-08

### Agenda Item Summary Memo

**Title:** Sidewalk and Fence Replacement in Downtown Area RFP

**Meeting and Date:** Public Works Committee – January 17, 2017

**Synopsis:** See attached memo.

### Council Action Previously Taken:

Date of Action: N/A Action Taken: N/A

Item Number: N/A

**Type of Vote Required:** Majority

**Council Action Requested:** Approval

**Submitted by:** Nicole Kathman Administration  
Name Department

### Agenda Item Notes:

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# Memorandum

**To:** Public Works Committee  
**From:** Nicole Kathman, Administrative Intern  
**CC:** Bart Olson, City Administrator  
**Date:** January 4, 2017  
**Subject:** RFP for Sidewalk and Fencing Replacement in Downtown Area

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## **Summary**

Draft request for proposal for Sidewalk and Fencing Replacement in Downtown Area.

## **Background**

As the number one City Council goal, downtown planning and improvements is a major priority. One of the many recommended projects is replacement of particular sections of fencing and sidewalks in the downtown area. In short, this is simply to remedy deterioration and inadequate infrastructure as well as improve aesthetics. This project has already been budgeted for as approved through FY 17 budget amendments that were approved at the July 26, 2016 City Council Meeting. Originally, we had communicated that this project would include a metal pedestrian safety railing along W. Van Emmon by S Main street due to a drop off into the residential yard. This is no longer being recommended as after we measured the drop off, it is not deep enough to require a railing. That being said, staff has drafted an RFP document for this scope of work and proposes the following timeline:

01/18/2016	Draft RFP to Public Works Committee
01/24/2016	Draft RFP to City Council
01/30/2016	Publish RFP
02/23/2016	Submittal Deadline
02/24/2016 – 03/15/2016	Staff Review of Submittals
03/21/2016	Recommendation to Public Works Committee
03/28/2017	Recommendation to City Council
Spring 2017	Contract Begins/Construction

Although it is not legally required for the City Council to approve the scope of the RFP before the project itself, we would like City Council endorsement. This is simply so we are able to incorporate your input as far as design into the document before going out for proposal.

## **Recommendation**

Staff recommends approval of the attached RFP.

**United City of Yorkville, Illinois  
800 Game Farm Road, Yorkville, Illinois 60560  
Request for Proposals**

The United City of Yorkville, Illinois will accept proposals for:

**Sidewalk and Fence Replacement in Downtown Area**

Sealed proposals will be received at City Hall, at 800 Game Farm Road, Yorkville, Illinois 60560 **until 12:00 PM on February 23, 2016.**

Proposals will be publicly opened and read at that time in the conference room of the City Hall, 800 Game Farm Road, Yorkville, Illinois. Proposals should be submitted in sealed envelopes plainly marked "Downtown Sidewalk and Fence Replacement" to:

NICOLE KATHMAN  
ADMINISTRATIVE INTERN  
UNITED CITY OF YORKVILLE  
800 GAME FARM ROAD  
YORKVILLE, IL 60560

The City Council reserves the right to accept or reject any and all proposal, to waive technicalities and to accept or reject any item of any proposal.

General questions regarding this Request for Proposals shall be directed to Nicole Kathman, Administrative Intern at 630-553-8565. All detailed questions concerning the actual specifications are to be forwarded by email to Eric Dhuse, Public Works Director, at [edhuse@yorkville.il.us](mailto:edhuse@yorkville.il.us) by February 17<sup>th</sup>.

The person or firm submitting the proposal shall at all times observe and conform to all laws, ordinances, and regulations of the Federal, State, and City which may in any manner affect the proposal.

**SPECIFICATIONS**

**Scope of Project:**

The successful bidder shall complete the following work for sidewalk and railing replacement in specified sections (Area 1 (Near 226 S. Bridge St) & Area 2 (117 W. Van Emmon)) of the downtown area of Yorkville, Illinois:

1. Removal of approximately 1201 square feet of sidewalk across both areas 1 and 2.
2. Installation of approximately 1351 square feet of sidewalk across both areas 1 and 2
3. Removal of approximately 74 linear feet of miscellaneous fencing in area 1.
4. Installation of approximately 74 linear feet of fencing in area 1
5. Removal of approximately 29 square yards of 4" depth asphalt driveway in area 2.
6. Replacement of approximately 13 square yards of 4" depth asphalt in area 2
7. Site Restoration of approximately 77 square yards across both areas 1 and 2
8. Traffic Control (properly barricade and block construction areas both during working and nonworking hours)

Maps that specify the locations for the project are included at the end of the RFP.

**Fence Standards:**

1. Fence shall be powder coated black.
  2. Fence shall be made of galvanized steel
- The Contractor shall follow specifications for guards as outlined in Section 1013 (Guards) in Chapter 10 of the 2009 International Building Code. The entire document can be found at <http://codes.iccsafe.org/app/book/toc/2009/I-Codes/2009%20IBC%20HTML/index.html>

**Sidewalk Standards:**

1. The Contractor shall specifications for sidewalks as outlined in Section 424 (Portland Cement Concrete Sidewalk) of the Standard Specifications for Road and Bridge Construction in Illinois as adopted in 2012. The entire document can be found at <http://www.idot.illinois.gov/assets/uploads/files/doing-business/manuals-guides-&-handbooks/highways/construction/standard-specifications/12specbook.pdf>

**Site Restoration Standards:**

1. The Contractor shall ensure that all debris generated by the sidewalk removal and replacement process are raked and removed from the location. 4" of topsoil shall be placed and compacted as best possible until original ground level is reached, along sides of sidewalk. The disturbed areas shall be seeded. Site Cleanup shall be completed after each day. The work area includes the street & curb, parkway, sidewalk, private lawns, driveways and any area affected by the work. If site cleanup is to be delayed for any particular reason, barricades, cones and/or caution tape must be used until the site is clean as determined by the City of Yorkville Building Code Official. Upon completion of

the entire removal and replacement of sidewalk, the site should be returned to the same condition that existed in prior to work being done

**Conditions:**

A pre-construction meeting shall be held with the City of Yorkville and the contractor no less than five (5) business days before the start of any work. All work shall be conducted between the hours of seven o'clock (7:00) am and five o'clock (5:00) pm, Monday through Saturday. All work items shall be completed in full and to the satisfaction of the City of Yorkville Building Code Official within thirty (30) business days.

**Proposal Selection:**

The City of Yorkville will select contractors, which in its opinion, best meets the intention of the project scope and budget. The selected proposals may be required to adjust the work items to accommodate project scope and budget constraints at the direction of the City.

## UNITED CITY OF YORKVILLE, ILLINOIS SPECIAL CONDITIONS

1. *Persons submitting proposals Qualifications.* If requested, the interested Person submitting the proposal must provide a detailed statement regarding the business and technical organization of the Person submitting the proposal that is available for the work that is contemplated. Information pertaining to financial resources, experiences of personnel, previously completed projects, plant facilities, and other data may also be required to satisfy the City that the Person submitting the proposal is equipped and prepared to fulfill the Contract should the Contract be awarded to him. The competency and responsibility of Persons submitting proposals and of their proposed subcontractors will be considered in making awards.

If requested by the City, the Person submitting the proposal shall include a complete list of all equipment and manpower available to perform the work intended on the Plans and Specifications. The list of equipment and manpower must prove to the City that the Person submitting the proposal is well qualified and able to perform the work, and it shall be taken into consideration in awarding the Contract.

The City may make such investigations as it deems necessary, and the Person submitting the proposal shall furnish to the City all such information and data for this purpose as the City may request. A responsible Person submitting the proposal is one who meets all of the following requirements:

- Have adequate financial resources or the ability to secure such resources.
- Have the necessary experience, organization, and technical qualifications, and has or can acquire, the necessary equipment to perform the proposed Contract.
- Is able to comply with the required performance schedule or completion date, taking into account all existing commitments.
- Has a satisfactory record of performance, integrity, judgment, and skills.
- Is qualified and eligible under all applicable laws and regulations.

If the Person submitting the proposal possesses a current Illinois Department of Transportation "Certificate of Eligibility" with an amount for the work specified at least equal to the minimum amount of qualification indicated on the Legal Notice he may choose to provide the City a copy of the certificate in lieu of providing the above mentioned Persons submitting proposals Qualification requirements.

2. *Basis of Payment:* the Contractor shall submit with each payment request the Contractor's Partial Waiver of Lien for the full amount of the requested payment. Beginning with the second payment request, and with each succeeding payment request, the Contractor shall submit partial waivers of lien for each subcontractor and supplier showing that the amount paid to date to each is at least equivalent to the total value of that subcontractor's work, less retainage, included on the previous payment request. The Contractor's request for final payment shall include the Contractor's Final Waiver of Lien which shall be for the full amount of his Contract, including any change orders thereto, and Final Waivers of Lien from all subcontractors and suppliers for which Final Waivers of Lien have not previously been submitted.

3. *Project Acceptance Procedures:* All final pay item quantities shall be agreed upon between the City and the Contractor, and a final invoice shall be submitted by the Contractor, complete with all required waivers of lien and surety. Approval of the final pay estimate by the Director of Public Works shall constitute acceptance of the project by the United City of Yorkville, and written notice of such action shall be given to the Contractor. The date of approval of the final pay estimate shall be the Date of Acceptance, and shall also be the date of the Start of Guarantee.

Prior to the required Date(s) of Substantial Completion, a partial project acceptance may be granted in accordance with the foregoing procedure for entire project acceptance, with the exception that the pay estimate for the quantities of items included in the partial project acceptance shall not be the final pay estimate for the entire project. In the case of the City's acceptance of any portion of the work as may be required because of the inclusion of a Date of Substantial Completion requirement, or for other reasons as may be agreed to by the United City of Yorkville, such

partial acceptance action shall not constitute acceptance of any other portion of the project not noted in the written notice of partial acceptance which shall be provided to the Contractor by the Director of Parks and Recreation.

4. *General Guarantee:* Neither the final certificate of payment nor any provision in the Contractor Documents, nor partial or entire occupancy of the premises by the City, shall constitute an acceptance of work not done in accordance with the Contract Documents or relieve the Contractor of liability in respect to any express warranties or responsibility for faulty materials or workmanship. The Contractor shall remedy any defects in the work and pay for any damage to other work resulting there from, which shall appear within a period of one (1) year from the date of final acceptance of the work unless a longer period is specified. The United City of Yorkville will give notice of observed defects with reasonable promptness. The Contractor shall guarantee all materials and workmanship as defined by the Performance Bond, Labor and Material Payment Bond, and Maintenance Bond requirements, if required.

Unless otherwise amended in writing by the Director of Public Works, the date of the Start of any Guarantees, Warranties and Maintenance Bonds shall be coincident with the Date of Acceptance of the entire project.

5. *Termination of Contract:* the United City of Yorkville reserves the right to terminate the whole or any part of this Contract, upon written notice to the Contractor, in the event that sufficient funds to complete the Contract are not appropriated by the corporate authorities of the United City of Yorkville.

The United City of Yorkville further reserves the right to terminate the whole or any part of this Contract, upon written notice to the Contractor, in the event of default by the Contractor. Default is defined as failure of the Contractor to perform any of the provisions of this Contract, or failure to make sufficient progress so as to endanger performance of this Contract in accordance with its terms. In the event of default and termination, the United City of Yorkville may procure, upon such terms and in such manner as the United City of Yorkville may deem appropriate, supplies or services similar to those so terminated.

The Contractor shall be liable for any excess costs for such similar supplies or service unless acceptable evidence is submitted to the United City of Yorkville that failure to perform the Contract was due to causes beyond the control and without the fault or negligence of the Contractor.

6. *Notification of Work:* The Contractor shall notify the City's Director of Public Works 48 hours prior to commencement of work.

7. *Cleaning:* During construction, the Contractor and his subcontractors shall remove from the premises, rubbish, waste material, and accumulations, and shall keep the premises clean. The Contractor shall keep the premises clean during construction to the satisfaction of the Director of Public Works.

8. *Business/Resident Notification:* The Contractor shall not close any street or private driveway without the consent of the Director of Public Works, and the proper notification of the affected business/resident.

9. *Use of Fire Hydrants:* no fire hydrants shall be used to obtain water for non-emergency use. Water can be purchased and obtained at the City's Public Works Building.

## UNITED CITY OF YORKVILLE, ILLINOIS

### GENERAL CONDITIONS

These General Conditions apply to all proposals requested and accepted by the City and become a part of the contract unless otherwise specified. Persons submitting proposals or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting proposals. The City assumes that submission of a proposal means that the person submitting the proposal has familiarized himself with all conditions and intends to comply with them unless noted otherwise.

1. **Forms** – All proposals must be submitted on the forms provided, complete with all blank spaces filled in and properly signed in ink in the proper spaces. All proposal forms may be obtained from the **Office of the Administrator, 800 Game Farm Road, Yorkville, Illinois 60560** and when completed delivered to the same Office prior to the proposal closing date and time. Persons submitting proposals may attach separate sheets for the purpose of explanation, exception, or alternative proposal and to cover required unit prices.
2. **Submittal of Proposal** – Proposals must be submitted to the attention of the Administrative Intern.
3. **Examination of Proposal Forms, Specifications, and Site** – The person submitting the proposal shall carefully examine the proposal forms which may include the request for proposal, instruction to Persons submitting proposals, general conditions, special conditions, plans, specifications, proposal form, bond, and any addenda to them, and sites of the proposed work (when known) before submitting the proposal. The person submitting the proposal shall verify all measurements relative to the work, shall be responsible for the correctness of same. The person submitting the proposal will examine the site and the premises and satisfy themselves as to the existing conditions under which the person submitting the proposal will be obligated to operate. Failure of the person submitting the proposal to notify the City, in writing, of any condition(s) or measurement(s) making it impossible to carry out the work as shown and specified, will be construed as meaning no such conditions exist and no additional moneys will be added to the contract. The successful person submitting the proposal must notify all utility companies that are a part of J.U.L.I.E. of the responsibility of each utility company to locate its utilities.

The submission of the proposal shall be considered conclusive evidence that the person submitting the proposal has investigated and is satisfied as to all conditions to be encountered in performing the work, and is fully informed as to character, quality, quantities, and costs of work to be performed and materials to be furnished, and as to the requirements of the proposal forms. If the proposal is accepted, the person submitting the proposal will be responsible for all errors in his proposal resulting from his failure or neglect to comply with these instructions, and the City shall not be responsible for any charge for extra work or change in anticipated profits resulting from such failure or neglect.

4. **Scope of Work** – The person submitting the proposal shall supply all required supervision, skilled labor, transportation, new materials, apparatus, and tools necessary for the entire and proper completion of the work. The person submitting the proposal shall supply, maintain and remove all equipment for the performance of the work and be responsible for the safe, proper and lawful construction, maintenance and use of the same. This work shall be completed to the satisfaction of the City. The person submitting the proposal shall provide adequate protection of the job site to protect the general public and adjacent property. The City is not responsible for site safety. The person submitting the proposal is solely and exclusively responsible for construction means, methods, technologies and site safety.
5. **Completeness** – All information required by the Request for Proposal must be supplied to constitute a responsive proposal. The Person submitting the proposal shall include the completed Proposal Sheet. The City will strictly hold the person submitting the proposal to the terms of the proposal. The proposal must be executed by a person having the legal right and authority to bind the person submitting the proposal.



6. **Error in Proposals** – When an error is made in extending total prices, the unit proposal price and/or written words shall govern. Otherwise, the person submitting the proposal is not relieved from errors in proposal preparation. Erasures in proposals must be explained over signature of person submitting the proposal.
7. **Withdrawal of Proposals** – A written request for the withdrawal of a proposal or any part thereof may be granted if the request is received by the Administrative Intern prior to the Closing Date.
8. **Person submitting the proposal Interested in More than One Proposal** – Unless otherwise specified, if more than one proposal is offered by any one party, by or in the name of his or their agent, partner, or other persons, all such proposals may be rejected. A party who has quoted prices on work, materials, or supplies to other Persons submitting proposals is not thereby disqualified from quoting prices to other Persons submitting proposals or from submitting a proposal directly for the work, materials, or supplies.
9. **Person submitting the proposal's qualifications** – No award will be made to any person submitting the proposal who cannot satisfy to the City that they have sufficient ability and experience in this class of work, as well as sufficient capital and equipment to do the job and complete the work successfully within the time named (i.e. responsible). The City's decision or judgment on these matters shall be final and binding. The City may make such investigations as it deems necessary. The person submitting the proposal shall furnish to the City all information and data the City may request for the purpose of investigation.
10. **Proposal Award for All or Part** – Unless otherwise specified, proposals shall be submitted for all of the work or items for which proposals are requested. The City reserves the right to make award on all items, or any of the items, according to the best interests of the City.
11. **Samples** – Samples or drawings requested shall be delivered and removed at no cost to the City. The City shall not be responsible for damage to samples. Samples shall be removed by the person submitting the proposal within thirty (30) days after notification. Samples must be submitted prior to the time set for the opening of proposals.
12. **Equipment or Materials** – Each person submitting the proposal shall submit catalogs, descriptive literature, and detailed drawings necessary to fully describe those features or the material or work not covered in the specifications. The parts and materials proposals must be of current date (latest model) and meet specifications. This provision excludes surplus, remanufactured, and used products except as an alternate proposal. The brand name and/or manufacturer of each item proposed must be clearly stated in the proposal. Guarantee and/or warranty information must be included with this proposal.
13. **Toxic Substance** – Prior to delivery of any material which is caustic, corrosive, flammable or dangerous to handle, the supplier shall provide written directions as to methods of handling such products, as well as the antidote or neutralizing material required for its first aid (Material Safety Data Sheet).
14. **Delivery** – Where applicable all materials shipped to the City must be shipped F.O.B. delivered, designated location, Yorkville, Illinois. If delivery is made by truck, arrangements must be made in advance by the person submitting the proposal, with concurrence by the City, for receipt of the materials. The materials must be delivered where directed.
15. **Estimated Proposal Quantities** – On "Estimated Quantities", the City may purchase more or less than the estimates. The Contractor shall not be required to deliver more than ten (10) percent in excess of the estimated quantity of each item, unless otherwise agreed upon.
16. **Trade Names – Alternative Proposal** – When an item is identified in the specifications by a manufacturer's or trade name or catalog number, the person submitting an alternative shall identify that item.

If the specifications state “or equal” proposals on other items will be considered provided the person submitting the proposal clearly identifies in his proposal the item to be furnished, together with any descriptive matter which will indicate the character of the item.

Persons submitting proposals which deviate from these specifications, but which they believe are equivalent, are requested to submit alternate proposals. However, ALTERNATE PROPOSALS MUST BE CLEARLY INDICATED AS SUCH AND DEVIATIONS FROM THE APPLICABLE SPECIFICATIONS PLAINLY NOTED. The proposal must be accompanied by complete specifications for the items offered. Persons submitting proposals wishing to submit a secondary proposal must submit it as an alternate proposal.

The City shall be the sole and final judge unequivocally as to whether any substitute from the specifications is of equivalent or better quality.

17. **Price** – Unit prices shall be shown for each unit on which there is a proposal as well as the aggregate price and shall include all packing, crating, freight and shipping charges, and cost of unloading at the destination unless otherwise stated in the proposal.

Unit prices shall not include any local, state, or federal taxes. The City is exempt, by law, from paying State and City Retailer’s Occupation Tax, State Service Occupation and Use Tax and Federal Excise Tax. The City will supply the successful person submitting the proposal with its tax exemption number.

Cash discounts will not be considered in determining overall price, but may be used in an overall evaluation.

18. **Consideration of Proposal** – No proposal will be accepted from or contract awarded to any person, firm or corporation that is in arrears or is in default to the City upon any debt or contract, or that is a defaulter, as surety or otherwise, upon any obligation to the City or had failed to perform faithfully any previous contract with the City.

The person submitting the proposal, if requested, shall present within 48 hours evidence satisfactory to the City of performance ability and possession of necessary facilities, pecuniary resources and adequate insurance to comply with the terms of these specifications and contract documents.

19. **Execution of Contract** – The successful person submitting the proposal shall, within fourteen (14) days after notification of the award: (a) enter into a contract in writing with the City covering all matters and things as are set forth in the specifications and his proposal and (b) carry insurance acceptable to the City, covering public liability, property damage, and workmen’s compensation.

After the acceptance and award of the proposal and upon receipt of a written purchase order executed by the proper officials of the City, this Instruction to Persons submitting proposals, including the specifications, will constitute part of the legal contract between the United City of Yorkville and the successful person submitting the proposal.

20. **Compliance with All Laws** – All work under the contract must be executed in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations which may in any manner affect the preparation of the proposal or performance of the contract.

21. **Prevailing Wage** – Not less than the prevailing rate of wages as established by the City shall be paid by the Contractor and each subcontractor to its laborers, workers, and mechanics constructing public works under this contract as determined by the Illinois Department of Labor pursuant to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.). It shall be the responsibility of the Contractor to monitor the prevailing wage rates for any increase in rates during the contract and adjust wage rates accordingly. The current prevailing wage rates are available on the Illinois Department of Labor web site at [www.state.il.us/agency/idol](http://www.state.il.us/agency/idol) or by calling the United City of Yorkville at 708-283-4950.

The Contractor and its subcontractors shall comply with Section 5 of the Act that requires the Contractor and its subcontractors to submit to the City monthly certified payroll records along with a statement affirming that such records are true and accurate, that the wages paid to each worker are not less than the required prevailing rate and that the Contractor or subcontractor is aware that filing records it knows to be false is a Class B misdemeanor. Each month's certified payroll(s) must be filed with the City before the end of the next month or prior to payment by the City for work that includes that payroll.

22. **Compliance with the Substance Abuse Prevention on Public Works Projects Act** – The Contractor and its Subcontractors shall comply with the Substance Abuse Prevention on Public Works projects Act (820 ILCS 265/1 et seq.) and prior to commencing work on a “public works” project (as defined in the Prevailing Wage Act) file with the City its program to comply with the Act or file that portion of its collective bargaining agreement that deals with the matters covered by the Act.
  23. **Equal Employment Opportunity** – During the performance of the contract and/or supplying of materials, equipment, and suppliers, person submitting the proposal must be in full compliance with all provisions of the Acts of the General Assembly of the State of Illinois relating to employment, including equal opportunity requirements.
  24. **Contract Alterations** – No amendment of a contract shall be valid unless made in writing and signed by the City Administrator or his authorized agent.
  25. **Notices** – All notices required by the contract shall be given in writing.
  26. **Nonassignability** – The Contractor shall not assign the contract, or any part thereof, to any other person, firm, or corporation without the previous written consent of the City Administrator. Such assignment shall not relieve the Contractor from his obligations, or change the terms of the contract.
  27. **Indemnity** – To the fullest extent permitted by law, the Contractor hereby agrees to defend, indemnify, and hold harmless the City, its officials, agents, and employees, against all injuries, deaths, loss, damages, claims, patent claims, suits, liabilities, judgments, cost, and expenses, which may in anywise accrue against the City, its officials, agents, and employees, arising in whole or in part or in consequence of the performance of this work by the Contractor, its employees, or subcontractors, or which may anywise result therefore, except that arising out of the sole legal cause of the City, its agents, or employees, the Contractor shall, at its own expense, appear, defend, and pay all charges of attorneys and all costs and other expenses arising therefore or incurred in connections therewith, and, if any judgment shall be rendered against the City, its officials, agents, and employees, in any such action, the Contractor shall, at its own expense, satisfy and discharge the same.
- Contractor expressly understands and agrees that any performance bond or insurance policies required by this contract, or otherwise provided by the Contractor, shall in no way limit the responsibility to indemnify, keep, and save harmless and defend the City, its officials, agents, and employees as herein provided.
28. **Insurance** – In submission of a proposal, the person submitting the proposal is certifying that he has all insurance coverages required by law or would normally be expected for person submitting the proposal's type of business. In addition, the person submitting the proposal is certifying that he has or will obtain at least the insurance coverages on the attached Insurance requirements.
  29. **Default** – The City may terminate a contract by written notice of default to the Contractor if:
    - a. The Contractor fails to make delivery of the materials or perform the services within the time specified in the proposal, or
    - b. fails to make progress so as to endanger performance of the contract, or

- c. fails to provide or maintain in full force and effect, the liability and indemnification coverages or performance bond as required.

If the City terminates the contract, the City may procure supplies or services similar to those so terminated, and the Contractor shall be liable to the City for any excess costs for similar supplies and services, unless the Contractor provides acceptable evidence that failure to perform the contract was due to causes beyond the control and without the fault or negligence of the Contractor.

- 30. **Inspection** – The City shall have a right to inspect, by its authorized representative, any material, components, or workmanship as herein specified. Materials, components, or workmanship that has been rejected by the authorized representative as not in accordance with the terms of the specifications shall be replaced by the Contractor at no cost to the City.
- 31. **Supplementary Conditions** – Wherever special conditions are written into the specifications or supplementary conditions which are in conflict with conditions stated in these Instructions to Person submitting the proposal, the conditions stated in the specifications or supplementary conditions shall take precedence.
- 32. **Permits and Licenses** – The successful person submitting the proposal and their subcontractor(s) shall obtain, at their own expense, all permits and licenses which may be required to complete the contract. Fees for all City permits and licenses shall be waived.
- 33. **Person submitting the proposal's Certification** – - In compliance with the Illinois State Law that requires each person submitting the proposal to file a certification regarding proposal rigging and proposal rotating and that it is not delinquent in its taxes.
- 34. **Change Orders** – After the contract award, changes in or additions to the work and/or a change in the amount of money to be paid to the person submitting the proposal must be the result of an approved change order first ordered by the Director of Community Development and approved by the City Administrator and/or City Council.
- 35. **Time of Completion** – The successful person submitting the proposal shall completely perform its proposal in strict accordance with its terms and conditions within the number of consecutive calendar days after notification of award of the contract as stated in the proposal proposal.
- 36. **Payment** – Payment will be made within thirty (30) days after acceptance of the job by the City after the completion of the work as covered within the contract documents.
- 37. **Guarantees and Warranties** – All guarantees and warranties required shall be furnished by the successful person submitting the proposal and shall be delivered to the City before final payment on the contract is issued.
- 38. **Waiver of Lien** – where applicable a waiver of lien and contractor's affidavit must be submitted by the successful person submitting the proposal, verifying that all subcontractors and material invoices have been paid prior to the City approving final payment.

## PROPOSAL

Note: The Person submitting the proposal must complete all portions of this Proposal

The undersigned, having examined the specifications, and all conditions affecting the specified project, offer to furnish all services, labor and incidentals specified for the price below.

It is understood that the City reserves the right to reject any and all proposals and to waive any irregularities and that the prices contained herein will remain valid for a period of not less than ninety (90) days.

I (We) propose to complete the following project as more fully described in the specifications for the following:

	Item	Quantity	Unit	Price	Cost
1	PCC Sidewalk Removal	1201	SF		
2	PCC Sidewalk Replacement 5'	830	SF		
3	PCC Sidewalk Replacement 7'	511	SF		
4	Asphalt Removal 4" Depth	29	SY		
5	Asphalt Replacement 4" Depth	13	SY		
6	Miscellaneous Fencing Removal	74	LF		
7	Fence Replacement	74	LF		
8	Site Restoration	77	SY		
9	Traffic Control	1	LS		

**TOTAL:** \$\_\_\_\_\_

I, \_\_\_\_\_, do represent that I am (title) \_\_\_\_\_ of (company) \_\_\_\_\_, and that the attached submittal complies in all respects with the safety and accessibility standards as set forth in this request for proposals either by inclusion or by reference. **Please attach required submittals and any additional supporting information.**

\_\_\_ Our firm has not altered any of the written texts within this document. Only those areas requiring input by the respondent have been changed or completed.

\_\_\_ Our firm will comply with the Prevailing Wage requirements as outlined in section entitled "A. *General Conditions*" and Public Act 095-0635.

*If it is the Contractor's intention to utilize a subcontractor(s) to fulfill the requirements of the Contract, the City must be advised of the subcontractor's company name, address, telephone and fax numbers, and a contact person's name at the time of proposal submittal.*

	<u>YES</u>	<u>NO</u>
Will you be utilizing a subcontractor?	_____	_____
If yes, have you included all required Information with your proposal submittal?	_____	_____

or

NO PROPOSAL – Keep our company on your  
Persons submitting proposals List

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

NO PROPOSAL – Remove our company from  
Your Persons submitting proposals List

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

I hereby certify that the item(s) proposed is/are in accordance with the specifications as noted and that the prices quoted are not subject to change; and that

The Person submitting the proposal is not barred by law from submitting a proposal to the City for the project contemplated herein because of a conviction for prior violations of either Illinois Compiled Statutes, 720 ILCS 5/33E-3 (Proposal Rigging) or b720 ILCS 5/33-4 (Proposal Rotating); and that

The Person submitting the proposal is not delinquent in payment of any taxes to the Illinois Department of Revenue in accordance with 65 ILCS 5/11-42.1; and that

The Person submitting the proposal provides a drug free workplace pursuant to 30 ILCS 580/1, *et seq.*, and that

The Person submitting the proposal certifies they have a substance-abuse program and provide drug testing in accordance with 820 ILCS 130/11G, Public Act 095-0635; and that

The Person submitting the proposal is in compliance with the Illinois Human Rights Act 775 ILCS 5/1.101 *et seq.* including establishment and maintenance of sexual harassment policies and program.

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Firm Name

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Signed Name and Title

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Street Address

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Print Name and Title

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City State Zip

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E-mail Address

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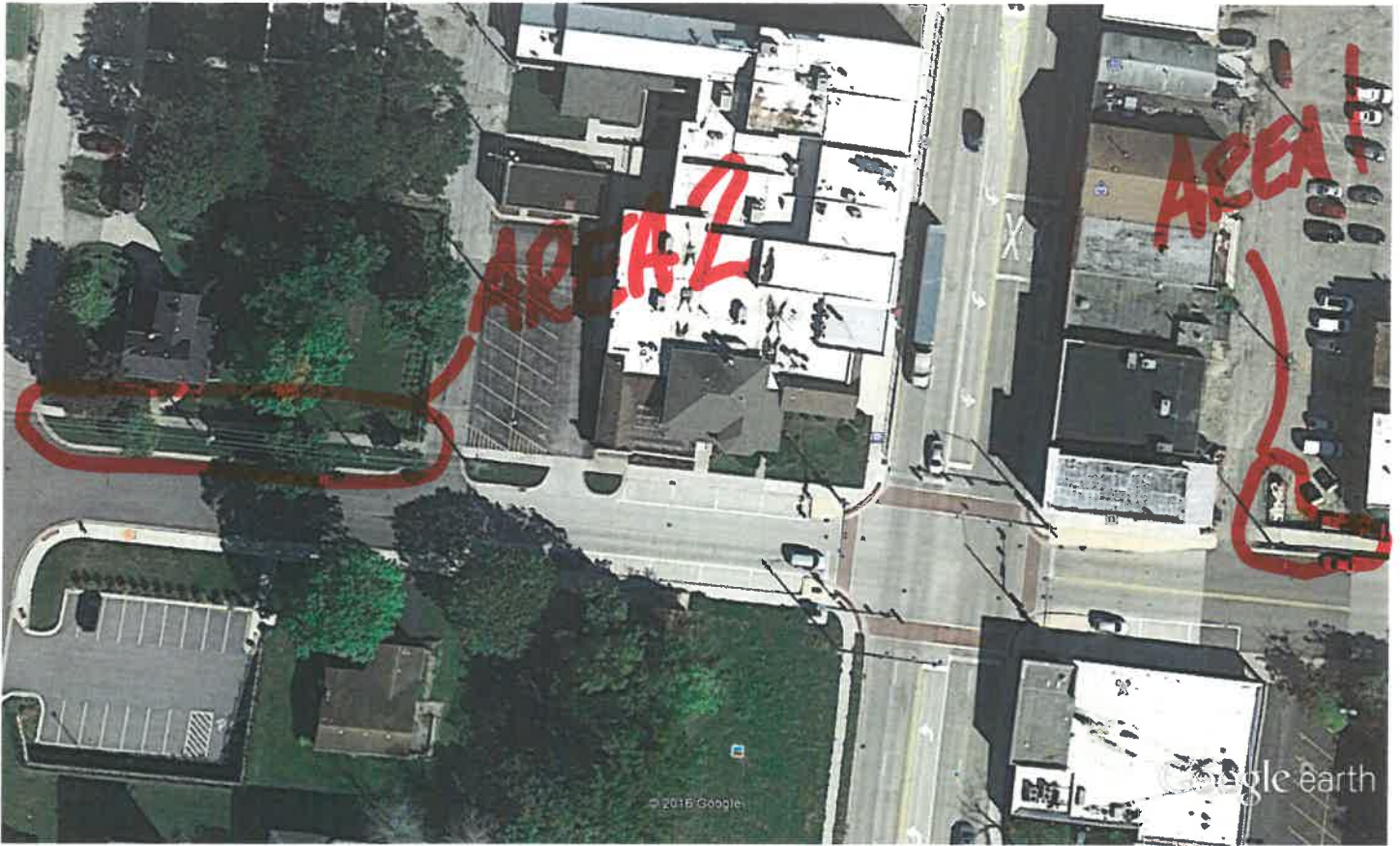
Phone Number

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Fax Number

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Date

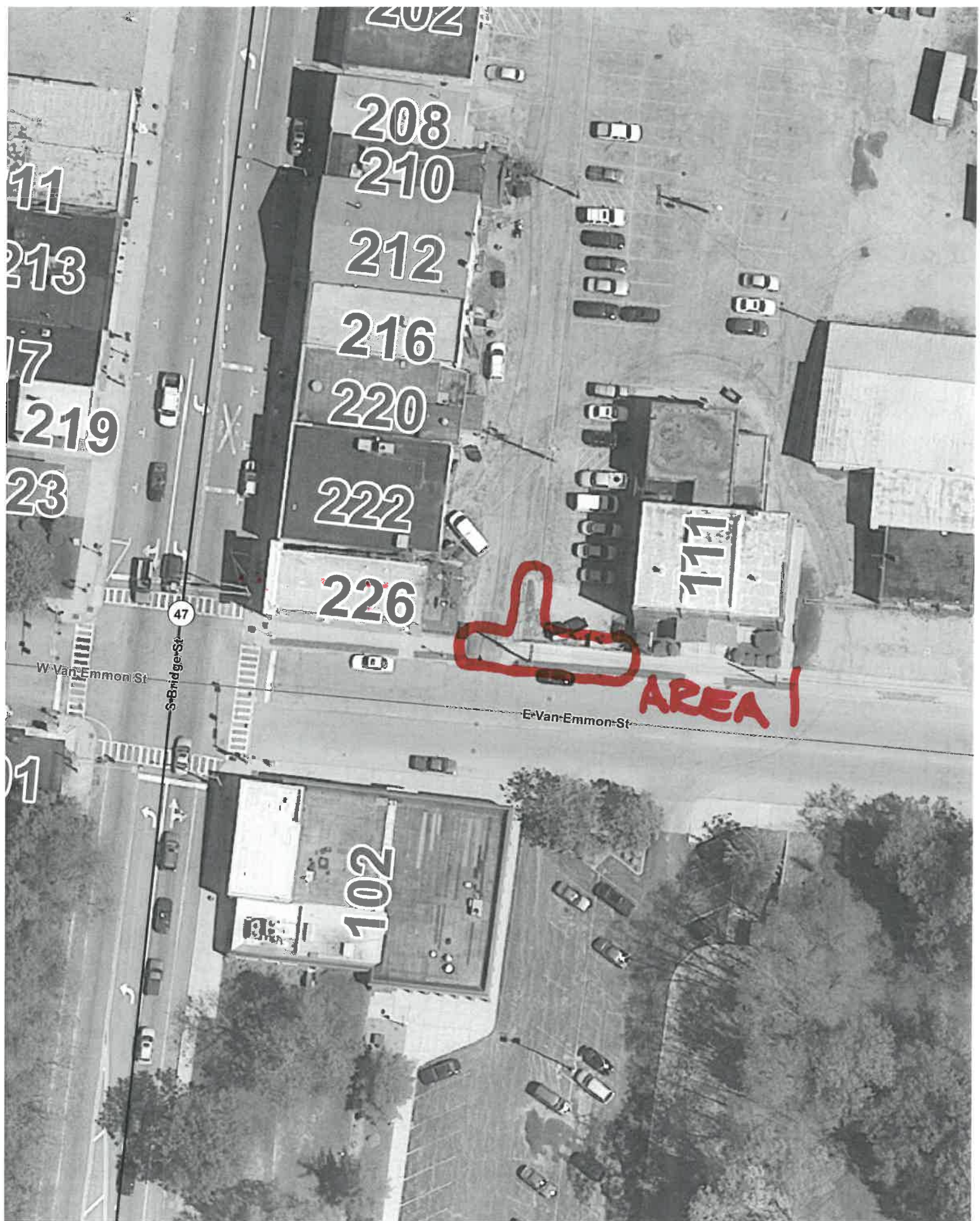


Google earth

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meters 90







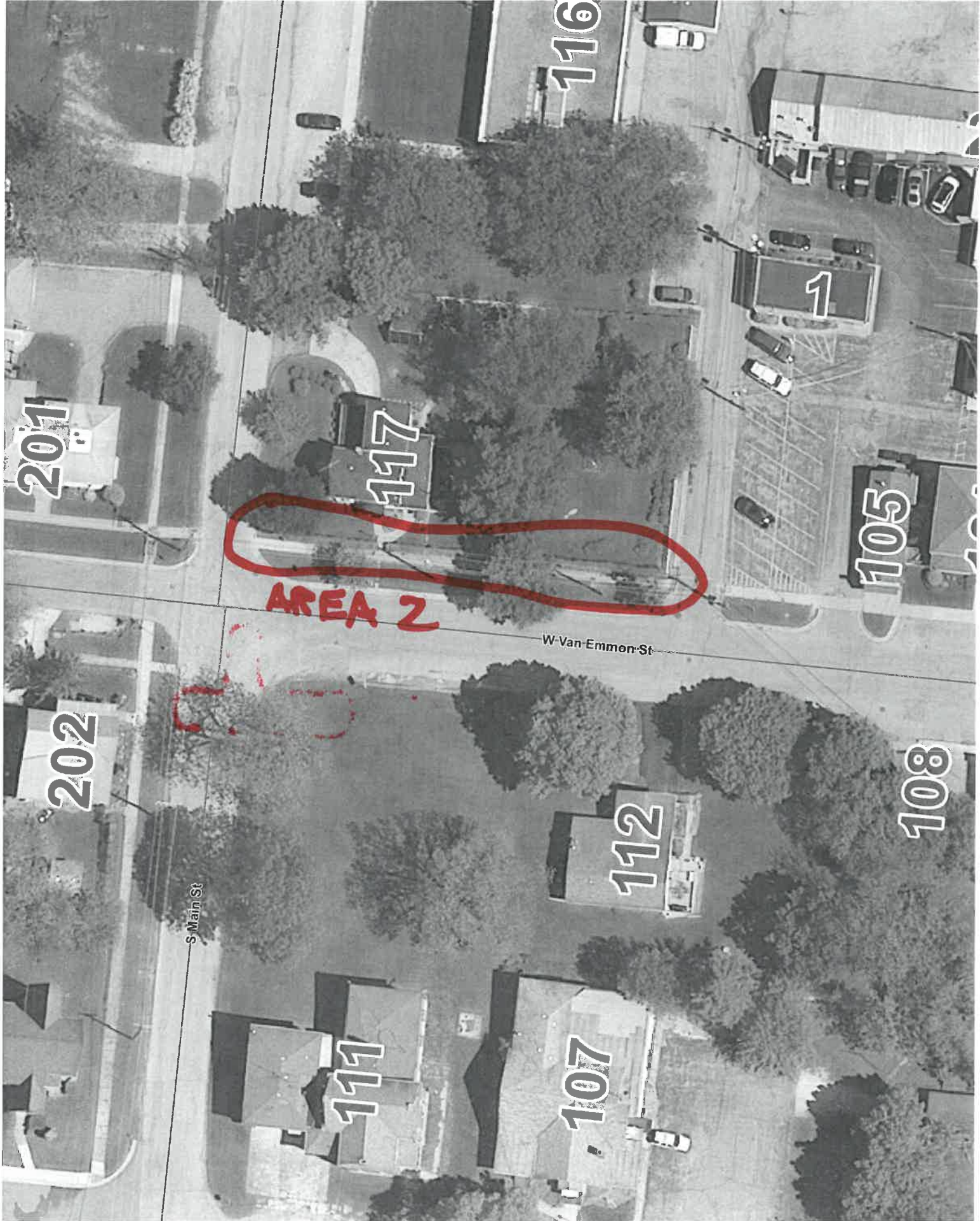


Google earth

feet 9  
meters 2











Google earth

feet 10  
meters 3





Google earth

feet 10  
meters 3





Reviewed By:	
Legal	<input checked="" type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

New Business #9

Tracking Number

PW 2017-09

### Agenda Item Summary Memo

**Title:** Riverfront Park Testing Results

**Meeting and Date:** Public Works Committee – January 17, 2017

**Synopsis:** See attached memo.

### Council Action Previously Taken:

Date of Action: N / A Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** N / A

**Council Action Requested:** Discussion

**Submitted by:** Bart Olson Administration  
Name Department

### Agenda Item Notes:

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# Memorandum

To: Public Works Committee  
From: Bart Olson, City Administrator  
CC:  
Date: January 12, 2017  
Subject: Riverfront Park Testing Results

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## **Summary**

Review of the status of Riverfront Park environmental testing.

## **Background**

This item was requested by Alderman Funkhouser. The Riverfront Park environmental testing results from the September testing are attached. As a result of this round of testing, staff has been reviewing a proposal to authorize some additional testing. That proposal is within staff spending authority, and we are in the middle of scheduling the crew to conduct the testing.

The supplemental testing will occur in three areas. One testing site is to the east of the playground footprint, where we hope to gain some insight as to the geographic limitations of the contamination. The second site is to the north of the playground footprint, where we hope to confirm that no contamination exists. The third site is on the west end of the park, far away from the existing playground site. This site is the eastern half of the parking lot in front of the Ginger & Soul space. Staff has identified this area as a potential alternative site for the playground should the existing site not be appropriate.

As mentioned in a previous meeting, TIF funds can be used for this testing and for any cleanup of the site. We hope to have testing results back in a few weeks, and at that time we'll make a recommendation to City Council on the park layout and any further testing or remediation.

## **Recommendation**

This is an informational item.

December 2, 2016



The United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560

Attn: Mr. Tim Evans

Re: Environmental Soil Evaluation Services  
Riverfront Park  
East Hydraulic St, Yorkville, IL  
Yorkville, Illinois  
Terracon Proposal No.: P11167415

Dear Mr. Evans:

Terracon Consultants, Inc. (Terracon) is pleased to present our proposal to provide environmental consulting services for the project referenced above. We have set forth our understanding of the work and corresponding scope and fees based on our call and email on November 29, 2016. If we have misunderstood any aspect of the work, please let us know as soon as possible so we can evaluate our scope and make any necessary adjustments.

## 1.0 PROJECT INFORMATION

The project site consists of the proposed Bicentennial Riverfront Park generally located at Hydraulic Ave and Mill Street in Yorkville, Illinois (site). Terracon previously conducted an Environmental Soil Evaluation in a proposed playground area of the park and presented results in a Soil Evaluation Report dated October 20, 2016 (Terracon No. 11167327). The Soil Evaluation Report indicated exceedances of the Illinois Environmental Protection Agency (IEPA) established Tier 1 remediation objectives (ROs) in two samples (A-1 and A-4) collected on the east end of the proposed playground.

This proposal includes further limited evaluation of the site in three areas at the direction of the United City of Yorkville (City). A location map of the three areas is provided as an attachment to this proposal.

Terracon Consultants, Inc. 135 Ambassador Drive Naperville, IL 60540  
P (630) 717-4263 F (630) 357-9489 [www.terracon.com](http://www.terracon.com)

Environmental



Facilities



Geotechnical



Materials



## **2.0 SCOPE OF SERVICES**

Upon receiving authorization to proceed, Terracon professional staff will mobilize to the site to collect samples. We understand that a bobcat with solid stem auger attachment and an operator necessary to collect samples will be provided by the City. A total of seven (7) test holes will be advanced to approximately 3 feet below ground surface to obtain samples from the site. The sampling locations will be directed by the City personnel. Three samples will be collected from Area 1, two samples from Area 2, and two samples from Area 3. Discrete samples will be collected from the auger cuttings for field screening and one soil sample will be collected from each test hole for analytical laboratory analysis (total of 7 analytical samples).

The soil samples will be field screened with a photoionization detector (PID) to aid in identification of the presence of volatile organic vapors. The sample for laboratory analysis will be collected as a discrete sample based on field indications (PID and olfactory) of possible impact. In the event field indications of impact are not encountered, a representative discrete sample will be collected at the discretion of the field professional. The sample will then be placed into laboratory provided glassware.

The soil samples will be submitted to Terracon's subcontract laboratory. Seven samples will be submitted for analysis of volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PNAs), Resource Conservation and Recovery Act (RCRA) metals, and pH. The samples will be submitted for analysis on standard laboratory turnaround.

Terracon will compare the analytical results to IEPA Tier 1 soil remediation objectives outlined in 35 IAC Part 742 (TACO). A brief summary report will be prepared identifying exceedances of the TACO criteria for the City's review.

### Schedule

Terracon is ready to begin working on this project immediately upon our receipt of authorization to proceed. Terracon will coordinate with you and schedule the work upon our receipt of an executed copy of this proposal. Terracon will prepare a brief letter report within 10 business days of field sampling.

## **3.0 COMPENSATION**

Based on the scope of services outlined above, our lump sum total fee is **\$6,250**. The lump sum fee includes field sampling by an environmental technician, soil sample analysis by a laboratory with standard turn around, and preparation of a brief letter report based on the deliverable date outlined above. Terracon assumes that work can be conducted during normal business hours, Monday through Friday 8am-5pm. One field mobilization is budgeted.

**Proposal for Environmental Soil Evaluation**

Proposed Bicentennial Riverfront Park ■ Yorkville, Illinois

December 2, 2016 ■ Terracon Proposal No.: P11167415



## 4.0 AUTHORIZATION

This scope of work will be conducted for the exclusive use of our client, The United City of Yorkville, Inc., under the attached Supplemental Agreement for Services. This proposal may be accepted by signing the Agreement and returning an executed copy to Matt Weiss via email to [mdweiss@terracon.com](mailto:mdweiss@terracon.com).

Once again, we appreciate the opportunity to submit this proposal for Environmental Soil Evaluation Services, and we look forward to working with you on this project. If you have any questions or would like to further discuss our scope of service, please do not hesitate to contact us.

Sincerely,

**Terracon Consultants, Inc.**

A handwritten signature in blue ink, appearing to read "Matt Weiss".

Matt Weiss P.G.  
Project Manager

A handwritten signature in blue ink, appearing to read "Linda Yang".

Linda Yang, P.G.  
Senior Principal/Vice President

Attachments: Supplemental Agreement for Services  
Area Location Map

## SUPPLEMENT TO AGREEMENT FOR SERVICES

### CHANGE TO SCOPE OF SERVICES AND FEES

This **SUPPLEMENT to AGREEMENT FOR SERVICES** to the original Agreement for Services (original Agreement dated 09/26/2016, Agreement reference number P11167327) is between The United City of Yorkville ("Client") and Terracon Consultants, Inc. ("Consultant") for additional or changed Services to be provided by Consultant for client on the Project, as described in the Agreement for Services. This Supplement is incorporated into and part of the Agreement for Services.

- 1. Scope of Services.** The scope of the additional or changed Services are described in the Scope of Services section of the Consultant's Supplemental Proposal, unless Services are otherwise described below or in Exhibit B to this Supplement (which section or exhibit are incorporated into the Supplement).

Please refer to Terracon Proposal P11167415 dated December 2, 2016

- 2. Compensation.** Client shall pay compensation for the additional or changed Services performed at the fees stated in the Supplemental Proposal unless fees are otherwise stated below or in Exhibit C to this Supplement (which section or exhibit are incorporated into the Supplement).

Please refer to Terracon Proposal P11167415 dated December 2, 2016

All terms and conditions of the **Agreement for Services** shall continue in full force and effect. This Supplement is accepted and Consultant is authorized to proceed.

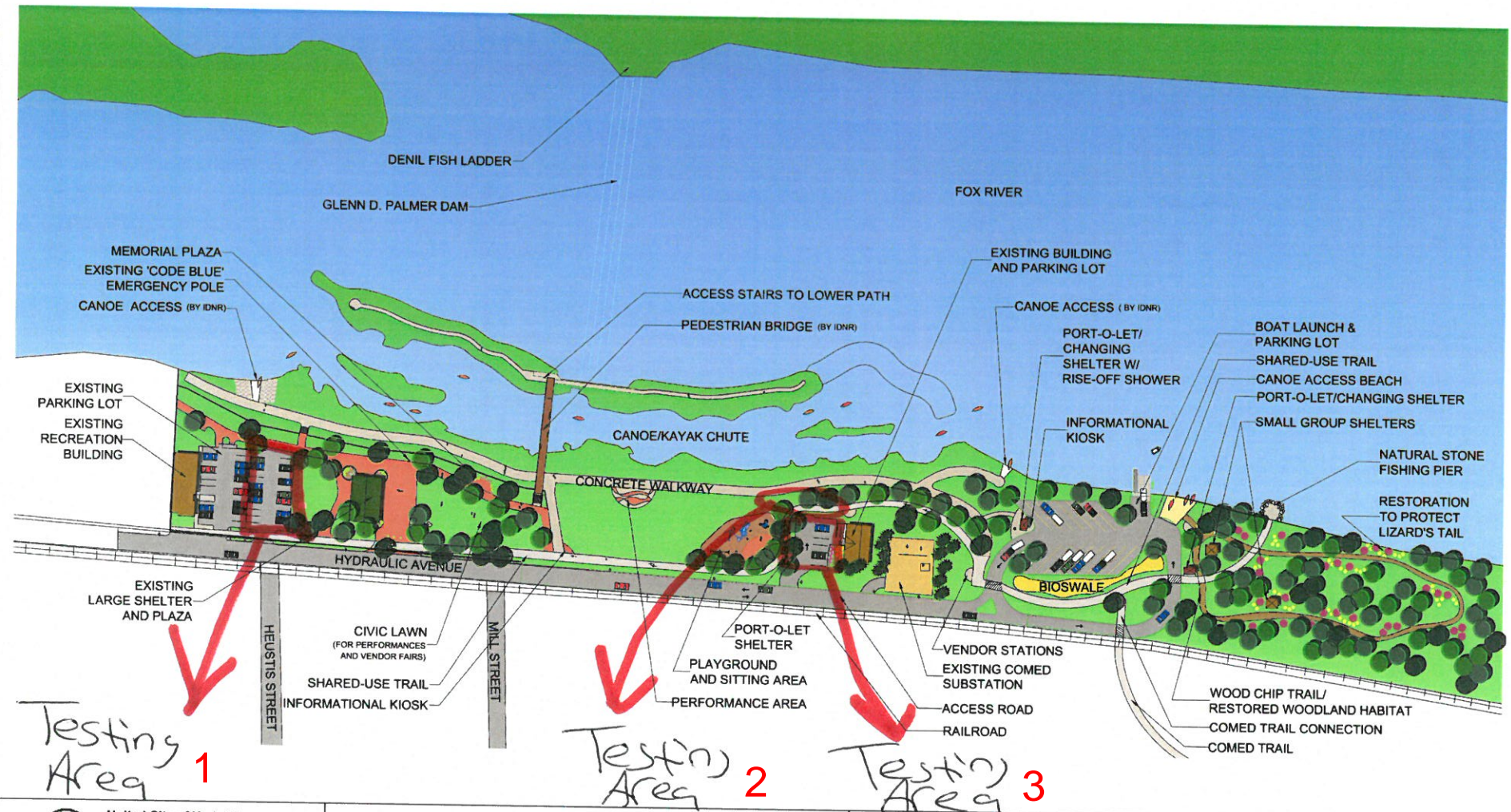
Consultant: **Terracon Consultants, Inc.**  
By:  Date: **12/2/2016**  
Name/Title: **Chen Yang / Regional Manager**  
Address: **135 Ambassador Dr**  
**Naperville, IL 60540-3920**  
Phone: **(630) 717-4263** Fax: **(630) 357-9489**  
Email: **Linda.Yang@terracon.com**

Client: **The United City of Yorkville**  
By: \_\_\_\_\_ Date: \_\_\_\_\_  
Name/Title: **Tim Evans /**  
Address: **800 Game Farm Road**  
**Yorkville, IL 60560**  
Phone: **(630) 553-4350** Fax: \_\_\_\_\_  
Email: **tevans@yorkville.il.us**

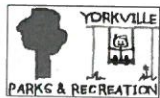


# BICENTENNIAL RIVERFRONT PARK

## CONCEPTUAL SITE DESIGN



United City of Yorkville  
800 Game Farm Road  
Yorkville, Illinois 60560  
Telephone: 630-553-4350  
Fax: 630-553-3436



Yorkville Parks & Recreation Dept.  
202 E. Countryside Parkway  
Yorkville, Illinois 60560  
Telephone: 630-553-2582  
Fax: 630-553-2644

CONCEPTUAL PLAN

SCALE 1"=60'-0"

MARCH 3, 2011

DRAWN BY: LAURA SCHRAW



NORTH

**Table 1 - Terracon Soil Analytical Results - VOCs**  
**Environmental Soil Evaluation-Proposed Riverfront Park**  
**131 E. Hydraulic Ave**  
**Yorkville, Illinois**  
**Terracon Project No. 11167327**  
**Page 1 of 1**

Analyte	Units	IEPA Tier 1 Soil Remediation Objectives					Sample Identification	A-1 (2-3)	A-2 (2-3)	A-3 (2-3)	A-4 (2-3)
		Residential Properties		Construction Workers		Soil Component of the Groundwater Ingestion Route	Sample Depth (feet)	2-3'	2-3'	2-3'	2-3'
							Date Collected	9/27/2016	9/27/2016	9/27/2016	9/27/2016
		Ingestion	Inhalation	Ingestion	Inhalation	Class I					
Volatile Organic Analytical Parameters											
Benzene	mg/kg	12	0.8	2,300	2.2	0.03		5.42	<0.005	0.0052	7.32
Toluene	mg/kg	16,000	650	410,000	42	12		0.563	<0.005	<0.005	1.18
Ethylbenzene	mg/kg	7,800	400	20,000	58	13		5.87	<0.005	<0.005	32.6
Xylenes (total)	mg/kg	16,000	320	41,000	5.6	150		4.23	<0.005	<0.005	90.2
Methyl Tertiary-Butyl Ether	mg/kg	780	8,800	2,000	140	0.32		<0.32	<0.005	<0.005	<0.32
Acetone	mg/kg	70,000	100,000	---	100,000	25		<20	<0.2	<0.2	<20
Bromodichloromethane	mg/kg	10	3,000	2,000	3,000	0.6		<0.5	<0.005	<0.005	<0.5
Bromoform	mg/kg	81	53	16,000	140	0.8		<0.5	<0.005	<0.005	<0.5
Bromomethane	mg/kg	110	10	1,000	3.9	0.2		<1	<0.01	<0.01	<1
2-Butanone	mg/kg	47,000	25,000	120,000	730	17		<10	<0.1	<0.1	<10
Carbon Disulfide	mg/kg	7,800	720	20,000	9.0	32		<0.5	<0.005	<0.005	<0.5
Carbon Tetrachloride	mg/kg	5.0	0.3	410	0.9	0.07		<0.5	<0.005	<0.005	<0.5
Chlorobenzene	mg/kg	1,600	130	4,100	1.3	1.0		<0.5	<0.005	<0.005	<0.5
Chloroethane	mg/kg	31,000	1,500	82,000	94	15		<1	<0.01	<0.01	<1
Chloroform	mg/kg	100	0.3	2,000	0.76	0.6		<0.5	<0.005	<0.005	<0.5
Chloromethane	mg/kg	310	110	820	1.1	0.14		<1	<0.01	<0.01	<1
cis-1,2-Dichloroethene	mg/kg	780	1,200	20,000	1,200	0.4		<0.4	<0.005	<0.005	<0.4
Dibromochloromethane	mg/kg	1,600	1,300	41,000	1,300	0.4		<0.5	<0.005	<0.005	<0.5
1,1-Dichloroethane	mg/kg	7,800	1,300	200,000	130	23		<0.5	<0.005	<0.005	<0.5
1,2-Dichloroethane	mg/kg	7.0	0.4	1,400	0.99	0.02		<0.5	<0.005	<0.005	<0.5
1,1-Dichloroethene	mg/kg	3,900	290	10,000	3.0	0.06		<0.5	<0.005	<0.005	<0.5
1,2-Dichloropropane	mg/kg	9.0	15	1,800	0.5	0.03		<0.5	<0.005	<0.005	<0.5
1,3-Dichloropropene (cis + trans)	mg/kg	6.4	1.1	1,200	0.39	0.005		<0.4	<0.004	<0.004	<0.4
2-Hexanone	mg/kg	3,100	70	8,200	0.72	1.3		<1	<0.01	<0.01	<1
4-Methyl-2-pentanone	mg/kg	---	3,100	---	340	2.5		<1	<0.01	<0.01	<1
Methylene Chloride	mg/kg	85	13	12,000	34	0.02		<2	<0.02	<0.02	<2
Styrene	mg/kg	16,000	1,500	41,000	430	4.0		<0.5	<0.005	<0.005	<0.5
1,1,2,2-Tetrachloroethane	mg/kg	4,700	2,000	12,000	2,000	3.3		<0.5	<0.005	<0.005	<0.5
Tetrachloroethene	mg/kg	12	11	2,400	28	0.06		<0.5	<0.005	<0.005	<0.5
trans-1,2-Dichloroethene	mg/kg	1,600	3,100	41,000	3,100	0.7		<0.5	<0.005	<0.005	<0.5
Trichloroethene	mg/kg	58	5.0	1,200	12	0.06		<0.5	<0.005	<0.005	<0.5
1,1,1-Trichloroethane	mg/kg	---	1,200	---	1,200	2.0		<0.5	<0.005	<0.005	<0.5
1,1,2-Trichloroethane	mg/kg	310	1,800	8,200	1,800	0.02		<0.5	<0.005	<0.005	<0.5
Vinyl Chloride	mg/kg	0.46	0.28	170	1.1	0.01		<1	<0.01	<0.01	<1

**Table 2 - Terracon Soil Analytical Results - PNAs**  
**Environmental Soil Evaluation-Proposed Riverfront Park**  
**131 E. Hydraulic Ave**  
**Yorkville, Illinois**  
**Terracon Project No. 11167327**  
**Page 1 of 1**

Analyte	Units	IEPA Tier 1 Soil Remediation Objectives							Background	Sample Identification	A-1 (2-3)	A-2 (2-3)	A-3 (2-3)	A-4 (2-3)
		Residential Properties		Construction Workers		Soil Component of the Groundwater Ingestion Route		ADL		Sample Depth (feet)	2-3'	2-3'	2-3'	2-3'
										Date Collected	9/27/2016	9/27/2016	9/27/2016	9/27/2016
		Ingestion	Inhalation	Ingestion	Inhalation	Class I	Class II	MSAs						
Polynuclear Aromatic Hydrocarbons														
Acenaphthene	mg/kg	4,700	---	120,000	---	570	2,900	*	0.13		4.61	<0.05	<0.05	3.16
Acenaphthylene	mg/kg	2,300	---	61,000	---	85	420	---	0.07		<0.5	<0.05	<0.05	<0.5
Anthracene	mg/kg	23,000	---	610,000	---	12,000	59,000	*	0.4		1.32	<0.05	<0.05	1.08
Benzo(a)anthracene	mg/kg	0.9	---	170	---	2.0	8.0	*	1.8		<0.087	0.0205	0.0142	<0.087
Benzo(a)pyrene	mg/kg	0.09	---	17	---	8.0	82	*	2.1		<0.15	0.018	<0.015	<0.15
Benzo(b)fluoranthene	mg/kg	0.9	---	170	---	5.0	25	*	2.1		<0.11	0.014	<0.011	<0.11
Benzo(g,h,i)perylene	mg/kg	2,300	---	61,000	---	27,000	130,000	---	1.7		<0.5	<0.05	<0.05	<0.5
Benzo(k)fluoranthene	mg/kg	9.0	---	1,700	---	49	250	*	1.7		<0.11	0.014	<0.011	<0.11
Chrysene	mg/kg	88	---	17,000	---	160	800	*	2.7		<0.5	<0.05	<0.05	<0.5
Dibenzo(a,h)anthracene	mg/kg	0.09	---	17	---	2.0	7.6	*	0.42		<0.2	<0.02	<0.02	<0.2
Fluoranthene	mg/kg	3,100	---	82,000	---	4,300	21,000	*	4.1		0.288	<0.05	<0.05	0.183
Fluorene	mg/kg	3,100	---	82,000	---	560	2,800	*	0.18		9.23	<0.05	<0.05	5.49
Indeno(1,2,3-c,d)pyrene	mg/kg	0.9	---	170	---	14	69	*	1.6		<0.29	<0.029	<0.029	<0.29
Naphthalene	mg/kg	1,600	170	4,100	1.8	12	18	*	0.2		2.14	0.026	<0.025	31.4
Phenanthrene	mg/kg	2,300	---	61,000	---	200	1,000	---	2.5		14.4	<0.05	<0.05	8.65
Pyrene	mg/kg	2,300	---	61,000	---	4,200	21,000	*	3.0		<0.5	<0.05	<0.05	0.283

**Table 3 - Terracon Soil Analytical Results - RCRA Metals**  
**Environmental Soil Evaluation-Proposed Riverfront Park**  
**131 E. Hydraulic Ave**  
**Yorkville, Illinois**  
**Terracon Project No. 11167327**  
**Page 1 of 1**

Analyte	Units	IEPA Tier 1 Soil Remediation Objectives				Background	Sample Identification	A-1 (2-3)	A-2 (2-3)	A-3 (2-3)	A-4 (2-3)
		Residential Properties		Construction Workers			Sample Depth (feet)	2-3'	2-3'	2-3'	2-3'
		Ingestion	Inhalation	Ingestion	Inhalation		MSAs	Date Collected	9/27/2016	9/27/2016	9/27/2016
RCRA Metals											
Arsenic	mg/kg	13	750	61	25,000	13		4.5	6.3	8.1	8.5
Barium	mg/kg	5,500	690,000	14,000	870,000	110		129	140	125	130
Cadmium	mg/kg	78	1,800	200	59,000	0.6		<0.5	<0.5	<0.5	<0.5
Chromium, total	mg/kg	230	270	4,100	690	16.2		13.5	13.5	15.2	21.7
Lead	mg/kg	400	---	700	---	36		26.7	12.6	28.3	16.4
Mercury	mg/kg	23	10	61	0.1	0.06		<0.05	0.09	0.21	0.07
Selenium	mg/kg	390	---	1,000	---	0.48		<1.0	<1.0	<1.0	<1.0
Silver	mg/kg	390	---	1,000	---	0.55		0.3	0.3	0.4	0.4

**Table 4 - Terracon Soil Analytical Results - pH Specific Compounds**  
**Environmental Soil Evaluation-Proposed Riverfront Park**  
**131 E. Hydraulic Ave**  
**Yorkville, Illinois**  
**Terracon Project No. 11167327**  
**Page 1 of 1**

Analyte	Units	Background	pH-Specific Tier 1 SROs Soil Component to Groundwater			Sample Identification	A-1 (2-3)	A-2 (2-3)	A-3 (2-3)	A-4 (2-3)
			Class 1							
			6.9	7.25	8.75					
		MSAs	7.24	7.74	9	Date Collected	9/27/2016	9/27/2016	9/27/2016	9/27/2016
pH-Specific Compounds						pH	7.08	7.24	7.62	8.86
Arsenic	mg/kg	13	29	30	33		4.5	6.3	8.1	8.5
Barium	mg/kg	110	1,700	1,800	---		129	140	125	130
Cadmium	mg/kg	0.6	11	59	---		<0.5	<0.5	<0.5	<0.5
Chromium, total *	mg/kg	16.2	36	32	21		13.5	13.5	15.2	21.7
Lead	mg/kg	36	107	107	282		26.7	12.6	28.3	16.4
Mercury	mg/kg	0.06	3.3	6.4	---		<0.05	0.09	0.21	0.07
Selenium	mg/kg	0.48	4.5	3.3	1.3		<1.0	<1.0	<1.0	<1.0
Silver	mg/kg	0.55	13	39	---		0.3	0.3	0.4	0.4



## Table Notes

DRAFT

Remediation Objectives from 35 Illinois Administrative Code Chapter 742: *Tiered Approach to Corrective Action Objectives* (TACO).

Remediation Objectives for Non-TACO compounds from Illinois Environmental Protection Agency's (IEPA's) web site (<http://www.epa.state.il.us/land/taco/chemicals-not-in-taco-tier-1-tables.html>).

mg/kg = milligrams per kilogram, generally equivalent to ppm

-- = Sample not analyzed for this constituent


--- = No IEPA Remediation Objective for this exposure route.

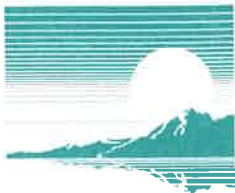
**Bold** = Laboratory reporting limits above TACO RO.

*Italicized* Tier 1 ROs were changed to laboratory Accepted Detection Limits (ADL) per 35 IAC 742.510 a) 8.

\* In pH-specific table, hexavalent chromium used as RO for total chromium to allow for a conservative comparison.

\*\* In pH-specific table, samples with no laboratory pH were analysed using the average from other samples from the same subsurface level

 = Highlighted cell indicates exceedance of Tier 1 Remediation Objective value.  
Background considered SRO value for many PNA constituents.



**First  
Environmental  
Laboratories, Inc.**

IL ELAP / NELAC Accreditation # 100292

1600 Shore Road • Naperville, Illinois 60563 • Phone (630) 778-1200 • Fax (630) 778-1233

October 04, 2016

Mr. Matt Weiss

**TERRACON CONSULTANTS, INC.**

135 Ambassador Drive

Naperville, IL 60540

Project ID: 11167327

First Environmental File ID: 16-5474

Date Received: September 27, 2016

Dear Mr. Matt Weiss:

The above referenced project was analyzed as directed on the enclosed chain of custody record.

All Quality Control criteria as outlined in the methods and current IL ELAP/NELAP have been met unless otherwise noted. QA/QC documentation and raw data will remain on file for future reference. Our accreditation number is 100292 and our current certificate is number 003811: effective 02/17/2016 through 02/28/2017.

I thank you for the opportunity to be of service to you and look forward to working with you again in the future. Should you have any questions regarding any of the enclosed analytical data or need additional information, please contact me at (630) 778-1200.

Sincerely,



Stan Zaworski  
Project Manager



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Environmental  
Laboratories, Inc.**

IL ELAP / NELAC Accreditation # 100292  
1600 Shore Road • Naperville, Illinois 60563 • Phone (630) 778-1200 • Fax (630) 778-1233

**Case Narrative**

**TERRACON CONSULTANTS, INC.**

Lab File ID: **16-5474**

Project ID: **11167327**

Date Received: **September 27, 2016**

All quality control criteria, as outlined in the methods, have been met except as noted below or on the following analytical report.

The results in this report apply to the samples in the following table:

Laboratory Sample ID	Client Sample Identifier	Date/Time Collected
16-5474-001	A-1 (2-3)	9/27/2016 8:45
16-5474-002	A-2 (2-3)	9/27/2016 9:15
16-5474-003	A-3 (2-3)	9/27/2016 9:30
16-5474-004	A-4 (2-3)	9/27/2016 10:00

**Sample Batch Comments:**

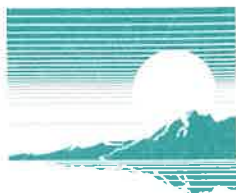
Sample acceptance criteria were met.

**Method Comments**

Lab Number	Sample ID	Comments:
16-5474-001	A-1 (2-3)	<i>Polynuclear Aromatic Hydrocarbons</i> The reporting limits are elevated due to matrix interference.
16-5474-001	A-1 (2-3)	<i>Volatile Organic Compounds</i> The reporting limits are elevated due to matrix interference.
16-5474-004	A-4 (2-3)	<i>Polynuclear Aromatic Hydrocarbons</i> The reporting limits are elevated due to matrix interference.
16-5474-004	A-4 (2-3)	<i>Volatile Organic Compounds</i> The reporting limits are elevated due to matrix interference.

The following is a definition of flags that may be used in this report:

Flag	Description	Flag	Description
<	Analyte not detected at or above the reporting limit.	L	LCS recovery outside control limits.
C	Sample received in an improper container for this test.	M	MS recovery outside control limits; LCS acceptable.
D	Surrogates diluted out; recovery not available.	P	Chemical preservation pH adjusted in lab.
E	Estimated result; concentration exceeds calibration range.	Q	Result was determined by a GC/MS database search.
G	Surrogate recovery outside control limits.	S	Analysis was subcontracted to another laboratory.
H	Analysis or extraction holding time exceeded.	W	Reporting limit elevated due to sample matrix.
J	Estimated result; concentration is less than routine RL but greater than MDL.	N	Analyte is not part of our NELAC accreditation or accreditation may not be available for this parameter.
RL	Routine Reporting Limit (Lowest amount that can be detected when routine weights/volumes are used without dilution.)	ND	Analyte was not detected using a library search routine; No calibration standard was analyzed.



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IL ELAP / NELAC Accreditation # 100292  
1600 Shore Road • Naperville, Illinois 60563 • Phone (630) 778-1200 • Fax (630) 778-1233

**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.

**Project ID:** 11167327

**Sample ID:** A-1 (2-3)

**Sample No:** 16-5474-001

**Date Collected:** 09/27/16

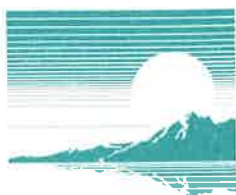
**Time Collected:** 8:45

**Date Received:** 09/27/16

**Date Reported:** 10/04/16

Results are reported on a dry weight basis.

Analyte	Result	R.L.	Units	Flags
<b>Solids, Total</b>				
<b>Method: 2540B</b>				
Analysis Date: 09/28/16				
Total Solids	80.11		%	
<b>Volatile Organic Compounds</b>				
<b>Method: 5035A/8260B</b>				
Analysis Date: 09/30/16				
Acetone	< 20,000	200	ug/kg	
Benzene	5,420	5.0	ug/kg	
Bromodichloromethane	< 500	5.0	ug/kg	
Bromoform	< 500	5.0	ug/kg	
Bromomethane	< 1,000	10.0	ug/kg	
2-Butanone (MEK)	< 10,000	100	ug/kg	
Carbon disulfide	< 500	5.0	ug/kg	
Carbon tetrachloride	< 500	5.0	ug/kg	
Chlorobenzene	< 500	5.0	ug/kg	
Chlorodibromomethane	< 500	5.0	ug/kg	
Chloroethane	< 1,000	10.0	ug/kg	
Chloroform	< 500	5.0	ug/kg	
Chloromethane	< 1,000	10.0	ug/kg	
1,1-Dichloroethane	< 500	5.0	ug/kg	
1,2-Dichloroethane	< 500	5.0	ug/kg	
1,1-Dichloroethene	< 500	5.0	ug/kg	
cis-1,2-Dichloroethene	< 400	5.0	ug/kg	
trans-1,2-Dichloroethene	< 500	5.0	ug/kg	
1,2-Dichloropropane	< 500	5.0	ug/kg	
cis-1,3-Dichloropropene	< 400	4.0	ug/kg	
trans-1,3-Dichloropropene	< 400	4.0	ug/kg	
Ethylbenzene	5,870	5.0	ug/kg	
2-Hexanone	< 1,000	10.0	ug/kg	
Methyl-tert-butylether (MTBE)	< 320	5.0	ug/kg	
4-Methyl-2-pentanone (MIBK)	< 1,000	10.0	ug/kg	
Methylene chloride	< 2,000	20.0	ug/kg	
Styrene	< 500	5.0	ug/kg	
1,1,2,2-Tetrachloroethane	< 500	5.0	ug/kg	
Tetrachloroethene	< 500	5.0	ug/kg	
Toluene	563	5.0	ug/kg	
1,1,1-Trichloroethane	< 500	5.0	ug/kg	
1,1,2-Trichloroethane	< 500	5.0	ug/kg	
Trichloroethene	< 500	5.0	ug/kg	



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**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.

**Project ID:** 11167327

**Sample ID:** A-1 (2-3)

**Sample No:** 16-5474-001

**Date Collected:** 09/27/16

**Time Collected:** 8:45

**Date Received:** 09/27/16

**Date Reported:** 10/04/16

Results are reported on a dry weight basis.

Analyte	Result	R.L.	Units	Flags
<b>Volatile Organic Compounds Method: 5035A/8260B</b>				
Analysis Date: 09/30/16				
Vinyl acetate	< 1,000	10.0	ug/kg	
Vinyl chloride	< 1,000	10.0	ug/kg	
Xylene, Total	4,230	5.0	ug/kg	
<b>Polynuclear Aromatic Hydrocarbons Method: 8270C</b>				
Analysis Date: 10/03/16				
<b>Preparation Method 3546</b>				
Preparation Date: 09/29/16				
Acenaphthene	4,610	50	ug/kg	
Accnaphthylene	< 500	50	ug/kg	
Anthracene	1,320	50	ug/kg	
Benzo(a)anthracene	< 87.0	8.7	ug/kg	
Benzo(a)pyrene	< 150	15	ug/kg	
Benzo(b)fluoranthene	< 110	11	ug/kg	
Benzo(k)fluoranthene	< 110	11	ug/kg	
Benzo(ghi)perylene	< 500	50	ug/kg	
Chrysene	< 500	50	ug/kg	
Dibenzo(a,h)anthracene	< 200	20	ug/kg	
Fluoranthene	288	50	ug/kg	
Fluorene	9,230	50	ug/kg	
Indeno(1,2,3-cd)pyrene	< 290	29	ug/kg	
Naphthalene	2,140	25	ug/kg	
Phenanthrene	14,400	50	ug/kg	
Pyrene	< 500	50	ug/kg	
<b>Total Metals Method: 6010C</b>				
Analysis Date: 09/30/16				
<b>Preparation Method 3050B</b>				
Preparation Date: 09/30/16				
Arsenic	4.5	1.0	mg/kg	
Barium	129	0.5	mg/kg	
Cadmium	< 0.5	0.5	mg/kg	
Chromium	13.5	0.5	mg/kg	
Lead	26.7	0.5	mg/kg	
Selenium	< 1.0	1.0	mg/kg	
Silver	0.3	0.2	mg/kg	
<b>Total Mercury Method: 7471B</b>				
Analysis Date: 09/30/16				
Mercury	< 0.05	0.05	mg/kg	M



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**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.

**Project ID:** 11167327

**Sample ID:** A-1 (2-3)

**Sample No:** 16-5474-001

**Date Collected:** 09/27/16

**Time Collected:** 8:45

**Date Received:** 09/27/16

**Date Reported:** 10/04/16

Results are reported on a dry weight basis.

Analyte	Result	R.L.	Units	Flags
pH @ 25°C, 1:2				
Method: 9045D 2004				
Analysis Date: 10/04/16 13:00				
pH @ 25°C, 1:2	7.08		Units	



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**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.

**Project ID:** 11167327

**Sample ID:** A-2 (2-3)

**Sample No:** 16-5474-002

**Date Collected:** 09/27/16

**Time Collected:** 9:15

**Date Received:** 09/27/16

**Date Reported:** 10/04/16

Results are reported on a dry weight basis.

Analyte	Result	R.L.	Units	Flags
<b>Solids, Total</b>				
<b>Method: 2540B</b>				
Analysis Date: 09/28/16				
Total Solids	81.66		%	
<b>Volatile Organic Compounds</b>				
<b>Method: 5035A/8260B</b>				
Analysis Date: 09/30/16				
Acetone	< 200	200	ug/kg	
Benzene	< 5.0	5.0	ug/kg	
Bromodichloromethane	< 5.0	5.0	ug/kg	
Bromoform	< 5.0	5.0	ug/kg	
Bromomethane	< 10.0	10.0	ug/kg	
2-Butanone (MEK)	< 100	100	ug/kg	
Carbon disulfide	< 5.0	5.0	ug/kg	
Carbon tetrachloride	< 5.0	5.0	ug/kg	
Chlorobenzene	< 5.0	5.0	ug/kg	
Chlorodibromomethane	< 5.0	5.0	ug/kg	
Chloroethane	< 10.0	10.0	ug/kg	
Chloroform	< 5.0	5.0	ug/kg	
Chloromethane	< 10.0	10.0	ug/kg	
1,1-Dichloroethane	< 5.0	5.0	ug/kg	
1,2-Dichloroethane	< 5.0	5.0	ug/kg	
1,1-Dichloroethene	< 5.0	5.0	ug/kg	
cis-1,2-Dichloroethene	< 5.0	5.0	ug/kg	
trans-1,2-Dichloroethene	< 5.0	5.0	ug/kg	
1,2-Dichloropropane	< 5.0	5.0	ug/kg	
cis-1,3-Dichloropropene	< 4.0	4.0	ug/kg	
trans-1,3-Dichloropropene	< 4.0	4.0	ug/kg	
Ethylbenzene	< 5.0	5.0	ug/kg	
2-Hexanone	< 10.0	10.0	ug/kg	
Methyl-tert-butylether (MTBE)	< 5.0	5.0	ug/kg	
4-Methyl-2-pentanone (MIBK)	< 10.0	10.0	ug/kg	
Methylene chloride	< 20.0	20.0	ug/kg	
Styrene	< 5.0	5.0	ug/kg	
1,1,2,2-Tetrachloroethane	< 5.0	5.0	ug/kg	
Tetrachloroethene	< 5.0	5.0	ug/kg	
Toluene	< 5.0	5.0	ug/kg	
1,1,1-Trichloroethane	< 5.0	5.0	ug/kg	
1,1,2-Trichloroethane	< 5.0	5.0	ug/kg	
Trichloroethene	< 5.0	5.0	ug/kg	





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**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.

**Project ID:** 11167327

**Sample ID:** A-2 (2-3)

**Sample No:** 16-5474-002

**Date Collected:** 09/27/16

**Time Collected:** 9:15

**Date Received:** 09/27/16

**Date Reported:** 10/04/16

Results are reported on a dry weight basis.

Analyte	Result	R.L.	Units	Flags
<b>Volatile Organic Compounds Method: 5035A/8260B</b>				
Analysis Date: 09/30/16				
Vinyl acetate	< 10.0	10.0	ug/kg	
Vinyl chloride	< 10.0	10.0	ug/kg	
Xylene, Total	< 5.0	5.0	ug/kg	
<b>Polynuclear Aromatic Hydrocarbons Method: 8270C</b>				
Analysis Date: 09/30/16				
<b>Preparation Method 3546</b>				
Preparation Date: 09/29/16				
Acenaphthene	< 50	50	ug/kg	
Acenaphthylene	< 50	50	ug/kg	
Anthracene	< 50	50	ug/kg	
Benzo(a)anthracene	20.5	8.7	ug/kg	
Benzo(a)pyrene	18	15	ug/kg	
Benzo(b)fluoranthene	14	11	ug/kg	
Benzo(k)fluoranthene	14	11	ug/kg	
Benzo(ghi)perylene	< 50	50	ug/kg	
Chrysene	< 50	50	ug/kg	
Dibenzo(a,h)anthracene	< 20	20	ug/kg	
Fluoranthene	< 50	50	ug/kg	
Fluorene	< 50	50	ug/kg	
Indeno(1,2,3-cd)pyrene	< 29	29	ug/kg	
Naphthalene	26	25	ug/kg	
Phenanthrene	< 50	50	ug/kg	
Pyrene	< 50	50	ug/kg	
<b>Total Metals Method: 6010C</b>				
Analysis Date: 09/30/16				
<b>Preparation Method 3050B</b>				
Preparation Date: 09/30/16				
Arsenic	6.3	1.0	mg/kg	
Barium	140	0.5	mg/kg	
Cadmium	< 0.5	0.5	mg/kg	
Chromium	13.5	0.5	mg/kg	
Lead	12.6	0.5	mg/kg	
Selenium	< 1.0	1.0	mg/kg	
Silver	0.3	0.2	mg/kg	
<b>Total Mercury Method: 7471B</b>				
Analysis Date: 09/30/16				
Mercury	0.09	0.05	mg/kg	





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**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.

**Project ID:** 11167327

**Sample ID:** A-2 (2-3)

**Sample No:** 16-5474-002

**Date Collected:** 09/27/16

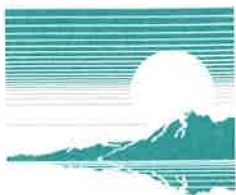
**Time Collected:** 9:15

**Date Received:** 09/27/16

**Date Reported:** 10/04/16

Results are reported on a dry weight basis.

Analyte	Result	R.L.	Units	Flags
pH @ 25°C, 1:2	Method: 9045D 2004			
Analysis Date: 10/04/16 13:00				
pH @ 25°C, 1:2	7.24		Units	



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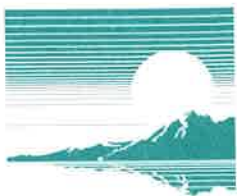
**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.  
**Project ID:** 11167327  
**Sample ID:** A-3 (2-3)  
**Sample No:** 16-5474-003

**Date Collected:** 09/27/16  
**Time Collected:** 9:30  
**Date Received:** 09/27/16  
**Date Reported:** 10/04/16

Results are reported on a dry weight basis.

Analyte	Result	R.L.	Units	Flags
<b>Solids, Total</b>				
<b>Method: 2540B</b>				
Analysis Date: 09/28/16				
Total Solids	81.69		%	
<b>Volatile Organic Compounds</b>				
<b>Method: 5035A/8260B</b>				
Analysis Date: 09/30/16				
Acetone	< 200	200	ug/kg	
Benzene	5.2	5.0	ug/kg	
Dromodichloromethane	< 5.0	5.0	ug/kg	
Bromoform	< 5.0	5.0	ug/kg	
Bromomethane	< 10.0	10.0	ug/kg	
2-Butanone (MEK)	< 100	100	ug/kg	
Carbon disulfide	< 5.0	5.0	ug/kg	
Carbon tetrachloride	< 5.0	5.0	ug/kg	
Chlorobenzene	< 5.0	5.0	ug/kg	
Chlorodibromomethane	< 5.0	5.0	ug/kg	
Chloroethane	< 10.0	10.0	ug/kg	
Chloroform	< 5.0	5.0	ug/kg	
Chloromethane	< 10.0	10.0	ug/kg	
1,1-Dichloroethane	< 5.0	5.0	ug/kg	
1,2-Dichloroethane	< 5.0	5.0	ug/kg	
1,1-Dichloroethene	< 5.0	5.0	ug/kg	
cis-1,2-Dichloroethene	< 5.0	5.0	ug/kg	
trans-1,2-Dichloroethene	< 5.0	5.0	ug/kg	
1,2-Dichloropropane	< 5.0	5.0	ug/kg	
cis-1,3-Dichloropropene	< 4.0	4.0	ug/kg	
trans-1,3-Dichloropropene	< 4.0	4.0	ug/kg	
Ethylbenzene	< 5.0	5.0	ug/kg	
2-Hexanone	< 10.0	10.0	ug/kg	
Methyl-tert-butylether (MTBE)	< 5.0	5.0	ug/kg	
4-Methyl-2-pentanone (MIBK)	< 10.0	10.0	ug/kg	
Methylene chloride	< 20.0	20.0	ug/kg	
Styrene	< 5.0	5.0	ug/kg	
1,1,2,2-Tetrachloroethane	< 5.0	5.0	ug/kg	
Tetrachloroethene	< 5.0	5.0	ug/kg	
Toluene	< 5.0	5.0	ug/kg	
1,1,1-Trichloroethane	< 5.0	5.0	ug/kg	
1,1,2-Trichloroethane	< 5.0	5.0	ug/kg	
Trichloroethene	< 5.0	5.0	ug/kg	



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**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.

**Project ID:** 11167327

**Sample ID:** A-3 (2-3)

**Sample No:** 16-5474-003

**Date Collected:** 09/27/16

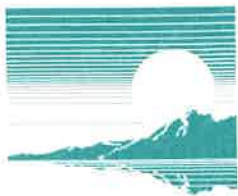
**Time Collected:** 9:30

**Date Received:** 09/27/16

**Date Reported:** 10/04/16

Results are reported on a dry weight basis.

<b>Analyte</b>	<b>Result</b>	<b>R.L.</b>	<b>Units</b>	<b>Flags</b>
<b>Volatile Organic Compounds Method: 5035A/8260B</b>				
Analysis Date: 09/30/16				
Vinyl acetate	< 10.0	10.0	ug/kg	
Vinyl chloride	< 10.0	10.0	ug/kg	
Xylene, Total	< 5.0	5.0	ug/kg	
<b>Polynuclear Aromatic Hydrocarbons Method: 8270C</b>				
Analysis Date: 09/30/16				
<b>Preparation Method 3546</b>				
Preparation Date: 09/29/16				
Acenaphthene	< 50	50	ug/kg	
Acenaphthylene	< 50	50	ug/kg	
Anthracene	< 50	50	ug/kg	
Benzo(a)anthracene	14.2	8.7	ug/kg	
Benzo(a)pyrene	< 15	15	ug/kg	
Benzo(b)fluoranthene	< 11	11	ug/kg	
Benzo(k)fluoranthene	< 11	11	ug/kg	
Benzo(ghi)perylene	< 50	50	ug/kg	
Chrysene	< 50	50	ug/kg	
Dibenzo(a,h)anthracene	< 20	20	ug/kg	
Fluoranthene	< 50	50	ug/kg	
Fluorene	< 50	50	ug/kg	
Indeno(1,2,3-cd)pyrene	< 29	29	ug/kg	
Naphthalene	< 25	25	ug/kg	
Phenanthrene	< 50	50	ug/kg	
Pyrene	< 50	50	ug/kg	
<b>Total Metals Method: 6010C</b>				
Analysis Date: 09/30/16				
<b>Preparation Method 3050B</b>				
Preparation Date: 09/30/16				
Arsenic	8.1	1.0	mg/kg	
Barium	125	0.5	mg/kg	
Cadmium	< 0.5	0.5	mg/kg	
Chromium	15.2	0.5	mg/kg	
Lead	28.3	0.5	mg/kg	
Selenium	< 1.0	1.0	mg/kg	
Silver	0.4	0.2	mg/kg	
<b>Total Mercury Method: 7471B</b>				
Analysis Date: 09/30/16				
Mercury	0.21	0.05	mg/kg	



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**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.

**Project ID:** 11167327

**Sample ID:** A-3 (2-3)

**Sample No:** 16-5474-003

**Date Collected:** 09/27/16

**Time Collected:** 9:30

**Date Received:** 09/27/16

**Date Reported:** 10/04/16

Results are reported on a dry weight basis.

Analyte	Result	R.L.	Units	Flags
pH @ 25°C, 1:2	Method: 9045D 2004			
Analysis Date: 10/04/16 13:00				
pH @ 25°C, 1:2	7.62		Units	



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**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.

**Project ID:** 11167327

**Sample ID:** A-4 (2-3)

**Sample No:** 16-5474-004

**Date Collected:** 09/27/16

**Time Collected:** 10:00

**Date Received:** 09/27/16

**Date Reported:** 10/04/16

Results are reported on a dry weight basis.

Analyte	Result	R.L.	Units	Flags
<b>Solids, Total</b>				
<b>Method: 2540B</b>				
Analysis Date: 09/28/16				
Total Solids	79.52		%	
<b>Volatile Organic Compounds</b>				
<b>Method: 5035A/8260B</b>				
Analysis Date: 09/30/16				
Acetone	< 20,000	200	ug/kg	
Benzene	7,320	5.0	ug/kg	
Bromodichloromethane	< 500	5.0	ug/kg	
Bromoform	< 500	5.0	ug/kg	
Bromomethane	< 1,000	10.0	ug/kg	
2-Butanone (MEK)	< 10,000	100	ug/kg	
Carbon disulfide	< 500	5.0	ug/kg	
Carbon tetrachloride	< 500	5.0	ug/kg	
Chlorobenzene	< 500	5.0	ug/kg	
Chlorodibromomethane	< 500	5.0	ug/kg	
Chloroethane	< 1,000	10.0	ug/kg	
Chloroform	< 500	5.0	ug/kg	
Chloromethane	< 1,000	10.0	ug/kg	
1,1-Dichloroethane	< 500	5.0	ug/kg	
1,2-Dichloroethane	< 500	5.0	ug/kg	
1,1-Dichloroethene	< 500	5.0	ug/kg	
cis-1,2-Dichloroethene	< 400	5.0	ug/kg	
trans-1,2-Dichloroethene	< 500	5.0	ug/kg	
1,2-Dichloropropane	< 500	5.0	ug/kg	
cis-1,3-Dichloropropene	< 400	4.0	ug/kg	
trans-1,3-Dichloropropene	< 400	4.0	ug/kg	
Ethylbenzene	32,600	5.0	ug/kg	
2-Hexanone	< 1,000	10.0	ug/kg	
Methyl-tert-butylether (MTBE)	< 320	5.0	ug/kg	
4-Methyl-2-pentanone (MIBK)	< 1,000	10.0	ug/kg	
Methylene chloride	< 2,000	20.0	ug/kg	
Styrene	< 500	5.0	ug/kg	
1,1,2,2-Tetrachloroethane	< 500	5.0	ug/kg	
Tetrachloroethene	< 500	5.0	ug/kg	
Toluene	1,180	5.0	ug/kg	
1,1,1-Trichloroethane	< 500	5.0	ug/kg	
1,1,2-Trichloroethane	< 500	5.0	ug/kg	
Trichloroethene	< 500	5.0	ug/kg	



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**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.

**Project ID:** 11167327

**Sample ID:** A-4 (2-3)

**Sample No:** 16-5474-004

**Date Collected:** 09/27/16

**Time Collected:** 10:00

**Date Received:** 09/27/16

**Date Reported:** 10/04/16

Results are reported on a dry weight basis.

Analyte	Result	R.L.	Units	Flags
<b>Volatile Organic Compounds Method: 5035A/8260B</b>				
Analysis Date: 09/30/16				
Vinyl acetate	< 1,000	10.0	ug/kg	
Vinyl chloride	< 1,000	10.0	ug/kg	
Xylene, Total	90,200	5.0	ug/kg	
<b>Polynuclear Aromatic Hydrocarbons Method: 8270C</b>				
Analysis Date: 10/03/16				
<b>Preparation Method 3546</b>				
Preparation Date: 09/29/16				
Acenaphthene	3,160	50	ug/kg	
Acenaphthylene	< 500	50	ug/kg	
Anthracene	1,080	50	ug/kg	
Benzo(a)anthracene	< 87.0	8.7	ug/kg	
Benzo(a)pyrene	< 150	15	ug/kg	
Benzo(b)fluoranthene	< 110	11	ug/kg	
Benzo(k)fluoranthene	< 110	11	ug/kg	
Benzo(ghi)perylene	< 500	50	ug/kg	
Chrysene	< 500	50	ug/kg	
Dibenzo(a,h)anthracene	< 200	20	ug/kg	
Fluoranthene	183	50	ug/kg	
Fluorene	5,490	50	ug/kg	
Indeno(1,2,3-cd)pyrene	< 290	29	ug/kg	
Naphthalene	31,400	25	ug/kg	
Phenanthrene	8,650	50	ug/kg	
Pyrene	283	50	ug/kg	
<b>Total Metals Method: 6010C</b>				
Analysis Date: 09/30/16				
<b>Preparation Method 3050B</b>				
Preparation Date: 09/30/16				
Arsenic	8.5	1.0	mg/kg	
Barium	130	0.5	mg/kg	
Cadmium	< 0.5	0.5	mg/kg	
Chromium	21.7	0.5	mg/kg	
Lead	16.4	0.5	mg/kg	
Selenium	< 1.0	1.0	mg/kg	
Silver	0.4	0.2	mg/kg	
<b>Total Mercury Method: 7471B</b>				
Analysis Date: 09/30/16				
Mercury	0.07	0.05	mg/kg	



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**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.

**Project ID:** 11167327

**Sample ID:** A-4 (2-3)

**Sample No:** 16-5474-004

**Date Collected:** 09/27/16

**Time Collected:** 10:00

**Date Received:** 09/27/16

**Date Reported:** 10/04/16

Results are reported on a dry weight basis.

Analyte	Result	R.L.	Units	Flags
pH @ 25°C, 1:2				
Method: 9045D 2004				
Analysis Date: 10/04/16 13:00				
pH @ 25°C, 1:2	8.86		Units	



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Laboratories, Inc.**

**First Environmental Laboratories**

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Phone: (630) 778-1200 • Fax: (630) 778-1233  
E-mail: firstinfo@firstenv.com  
IEPA Certification #100292

**CHAIN OF CUSTODY RECORD**

Page 1 of 1 pgs

Company Name: Terracon  
Street Address: 135 Ambassador Drive  
City: Naperville State: IL Zip: 60540  
Phone: 630-445-0160 e-mail: matt.weiss@terracon.com  
Send Report To: Matt Weiss  
Sampled By: Ryan J Peterson

**Analyses**

Matrix Codes: S = Soil W = Water O = Other			Analyses								Comments	Lab I.D.
Date/Time Taken	Sample Description	Matrix	VOLs	SVOCs	PCBs	PAHs	Metals	PH	Hold - Do Not Analyze			
7/27 845	A-1 (2-3)	S	X	X	X	X						110-5474-001
- 915	A-2 (2-3)	S	X	X	X	X						002
- 930	A-3 (2-3)	S	X	X	X	X						003
- 1000	A-4 (2-3)	S	X	X	X	X						004

**FOR LAB USE ONLY:**

Cooler Temperature: 0.1-6°C Yes No 9 °C  
Received within 6 hrs. of collection:    
Ice Present: Yes No

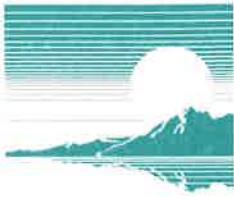
Sample Refrigerated: Yes No  
Refrigerator Temperature:   °C  
5035 Vials Frozen: Yes No  
Freezer Temperature:   °C

Program: ☐ TACO ☐ CCDD ☐ NPDES ☐ LUST

Notes and Special Instructions:  

Relinquished By: [Signature] Date/Time: 9/27/1330 Received By: [Signature] Date/Time: 9/27/16 1330  
Relinquished By:   Date/Time:   Received By:   Date/Time:





October 05, 2016

Mr. Matt Weiss  
**TERRACON CONSULTANTS, INC.**  
135 Ambassador Drive  
Naperville, IL 60540

Project ID: 11167327  
First Environmental File ID: 16-5488  
Date Received: September 27, 2016

Dear Mr. Matt Weiss:

The above referenced project was analyzed as directed on the enclosed chain of custody record.

All Quality Control criteria as outlined in the methods and current IL ELAP/NELAP have been met unless otherwise noted. QA/QC documentation and raw data will remain on file for future reference. Our accreditation number is 100292 and our current certificate is number 003811: effective 02/17/2016 through 02/28/2017.

I thank you for the opportunity to be of service to you and look forward to working with you again in the future. Should you have any questions regarding any of the enclosed analytical data or need additional information, please contact me at (630) 778-1200.

Sincerely,



Stan Zaworski  
Project Manager



**First  
Environmental  
Laboratories, Inc.**

IL ELAP / NELAC Accreditation # 100292

1600 Shore Road • Naperville, Illinois 60563 • Phone (630) 778-1200 • Fax (630) 778-1233

**Case Narrative**

**TERRACON CONSULTANTS, INC.**

Lab File ID: **16-5488**

Project ID: **11167327**

Date Received: **September 27, 2016**

All quality control criteria, as outlined in the methods, have been met except as noted below or on the following analytical report.

The results in this report apply to the samples in the following table:

Laboratory Sample ID	Client Sample Identifier	Date/Time Collected
16-5488-001	WC	9/27/2016 11:00

**Sample Batch Comments:**

Sample acceptance criteria were met.

The following is a definition of flags that may be used in this report:

Flag	Description	Flag	Description
<	Analyte not detected at or above the reporting limit.	L	LCS recovery outside control limits.
C	Sample received in an improper container for this test.	M	MS recovery outside control limits; LCS acceptable.
D	Surrogates diluted out; recovery not available.	P	Chemical preservation pH adjusted in lab.
E	Estimated result; concentration exceeds calibration range.	Q	Result was determined by a GC/MS database search.
G	Surrogate recovery outside control limits.	S	Analysis was subcontracted to another laboratory.
H	Analysis or extraction holding time exceeded.	W	Reporting limit elevated due to sample matrix.
J	Estimated result; concentration is less than routine RL but greater than MDL.	N	Analyte is not part of our NELAC accreditation or accreditation may not be available for this parameter.
RL	Routine Reporting Limit (Lowest amount that can be detected when routine weights/volumes are used without dilution.)	ND	Analyte was not detected using a library search routine; No calibration standard was analyzed.



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**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.

**Project ID:** 11167327

**Sample ID:** WC

**Sample No:** 16-5488-001

**Date Collected:** 09/27/16

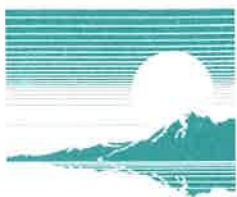
**Time Collected:** 11:00

**Date Received:** 09/27/16

**Date Reported:** 10/05/16

Results are reported on an "as received" basis.

Analyte	Result	R.L.	Units	Flags
<b>Percent Total Solids</b> Method: 2540B				
Analysis Date: 09/29/16				
Total Solids	79.23		%	
<b>Polychlorinated biphenyls (PCBs)</b> Method: 8082 Preparation Method 3540C				
Analysis Date: 09/30/16 Preparation Date: 09/29/16				
Aroclor 1016	< 80.0	80.0	ug/kg	
Aroclor 1221	< 80.0	80.0	ug/kg	
Aroclor 1232	< 80.0	80.0	ug/kg	
Aroclor 1242	< 80.0	80.0	ug/kg	
Aroclor 1248	< 80.0	80.0	ug/kg	
Aroclor 1254	< 160	160	ug/kg	
Aroclor 1260	< 160	160	ug/kg	
<b>Flash Point - Open Cup</b> Method: 1010A-M				
Analysis Date: 09/30/16				
Flash Point - Open Cup	No Flash @		212 °F	
<b>Paint Filter Test</b> Method: 9095B				
Analysis Date: 09/30/16				
Paint Filter Test	No Liquid			
<b>pH @ 25°C, 10% solution</b> Method: 9045D 2004				
Analysis Date: 10/04/16 13:00				
pH @ 25°C, 10% solution	8.91		Units	
<b>TCLP Volatiles Method 1311</b> Method: 5030B/8260B				
Analysis Date: 10/03/16				
Benzene	< 0.050	0.050	mg/L	
2-Butanone (MEK)	< 0.100	0.100	mg/L	
Carbon tetrachloride	< 0.050	0.050	mg/L	
Chlorobenzene	< 0.050	0.050	mg/L	
Chloroform	< 0.050	0.050	mg/L	
1,2-Dichloroethane	< 0.050	0.050	mg/L	
1,1-Dichloroethene	< 0.050	0.050	mg/L	
Tetrachloroethene	< 0.050	0.050	mg/L	
Trichloroethene	< 0.050	0.050	mg/L	
Vinyl chloride	< 0.100	0.100	mg/L	
<b>TCLP Semi-Volatiles Method 1311</b> Method: 8270C Preparation Method 3510C				
Analysis Date: 10/04/16 Preparation Date: 10/03/16				
1,4-Dichlorobenzene	< 0.10	0.10	mg/L	



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**Analytical Report**

**Client:** TERRACON CONSULTANTS, INC.

**Project ID:** 11167327

**Sample ID:** WC

**Sample No:** 16-5488-001

**Date Collected:** 09/27/16

**Time Collected:** 11:00

**Date Received:** 09/27/16

**Date Reported:** 10/05/16

Results are reported on an "as received" basis.

Analyte	Result	R.L.	Units	Flags
<b>TCLP Semi-Volatiles Method 1311 Method: 8270C</b>				
Analysis Date: 10/04/16				
<b>Preparation Method 3510C</b>				
Preparation Date: 10/03/16				
2,4-Dinitrotoluene	< 0.10	0.10	mg/L	
Hexachlorobenzene	< 0.10	0.10	mg/L	
Hexachlorobutadiene	< 0.10	0.10	mg/L	
Hexachloroethane	< 0.10	0.10	mg/L	
2-Methylphenol	< 0.10	0.10	mg/L	
3 & 4-Methylphenol	< 0.10	0.10	mg/L	
Nitrobenzene	< 0.10	0.10	mg/L	
Pentachlorophenol	< 0.50	0.50	mg/L	
Pyridine	< 0.50	0.50	mg/L	
2,4,5-Trichlorophenol	< 0.10	0.10	mg/L	
2,4,6-Trichlorophenol	< 0.10	0.10	mg/L	
<b>TCLP Metals Method 1311 Method: 6010C</b>				
Analysis Date: 09/30/16				
<b>Preparation Method 3010A</b>				
Preparation Date: 09/30/16				
Arsenic	0.054	0.010	mg/L	
Barium	< 1.0	1.0	mg/L	
Cadmium	< 0.005	0.005	mg/L	
Chromium	< 0.005	0.005	mg/L	
Lead	< 0.005	0.005	mg/L	
Selenium	< 0.010	0.010	mg/L	
Silver	< 0.005	0.005	mg/L	
<b>TCLP Mercury Method 1311 Method: 7470A</b>				
Analysis Date: 10/03/16				
Mercury	< 0.0005	0.0005	mg/L	

Page 1 of 1 pgs

**IEPA Certification #100292**

Sampled By: Ken J. Peterson

→ Analyse per Matt W.  
- 18.6.9/28

Date/Time



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input checked="" type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input checked="" type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Old Business #1

Tracking Number

PW 2016-84

### Agenda Item Summary Memo

**Title:** Well No. 3 – Layne Proposal

**Meeting and Date:** Public Works Committee – January 17, 2017

**Synopsis:** Consideration of Contract Award

#### Council Action Previously Taken:

Date of Action: \_\_\_\_\_ Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** \_\_\_\_\_

**Council Action Requested:** Consideration of Contract Award

**Submitted by:** Brad Sanderson Engineering  
Name Department

#### Agenda Item Notes:

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# Memorandum

To: Bart Olson, City Administrator  
From: Brad Sanderson, EEI  
CC: Eric Dhuse, Director of Public Works  
Lisa Pickering, Deputy City Clerk

Date: January 5, 2017  
Subject: Well No. 3

---

This memo is to present the formal proposal from Layne to abandon the well as recommended by staff at the December 20, 2016 Public Works Committee Meeting. Layne's proposal is attached and can be summarized as follows:

<b>Well Abandonment</b>	<b>\$37,450</b>
<b>Pump and Motor Decommissioning</b>	<b>\$13,800 (Note Layne has offered to purchase; net cost could be \$0)</b>
<b>Salvage Value of Misc. Equip.</b>	<b>(\$1,894) Credit</b>

Staff is recommending that Layne be given ownership of the pump and motor as there is no value for the City to keep on hand. Staff is also recommending that the miscellaneous equipment as described in the proposal be salvaged by Layne.

Staff is recommending approving the contract with Layne in an amount not to exceed **\$35,556** (\$37,450 – \$1,894).





WATER • MINERAL • ENERGY

January 4, 2017

United City of Yorkville  
ATTN: Eric Dhuse, Director of Public Works  
800 Game Farm Road  
Yorkville, IL 60506

**RE: United City of Yorkville  
Well No. 3**

Dear Brad:

Per our conference call, we are pleased to submit our proposal to properly abandon the City's Well No. 3.

The proper abandonment of Well No. 3 would fall under the jurisdiction of the Kendall County Health Department (KCHD) and must be performed by an Illinois Licensed Water Well Contractor. In a typical well abandonment project, we would contact KCHD ahead of time to obtain their approval of our proposed plugging procedure. For this estimate, we assume the following procedure would be suitable to KCHD:

- Backfill with disinfected pea gravel from the existing depth of 1,298 feet to 825 feet, or just below the bottom of the 12" liner.
- Backfill the well with bentonite chips from 825 feet to 700 feet, the necessary plug to isolate the St. Peter and Galesville sandstones.
- Backfill with disinfected pea gravel from 700 feet to approximately 450 feet, or 20 feet below the 16" well casing.
- Backfill from 450 feet to ground level with bentonite chips.

Prior to the commencement of the well abandonment work, KCHD would be contacted at least 48 hours in advance so that they can witness all or part of the abandonment. Following the completion of the work, Layne, as an Illinois Licensed Water Well Contractor, would fill out and submit the necessary Water Well Sealing Form.

Based upon the above abandonment procedure, the total labor and materials Base cost would be **\$37,450.00.**

We have estimated needing 48,000 lbs. of bentonite chips and 44 tons of disinfected pea gravel. For more or less of these quantities, we would add or deduct \$0.27/lb. and \$70.00/ton, respectively.

## **WATER RESOURCES**

As you know, the 150 HP Byron Jackson Type H submersible pump was pulled so that the television survey could be performed. The pump is currently in storage in our Aurora, Illinois yard. Should the final decision be made to abandon Well No. 3, this pump would need to be disposed of properly since it is smaller than any of the other city well pumps.

Due to the July, 2012 IEPA legislation concerning mercury seals in motors, the 150 HP Byron Jackson submersible motor must be properly decommissioned. As the Byron Jackson dealer in northern Illinois, Layne strongly recommends the use of Flowserve/Byron Jackson's authorized decommissioning subcontractor, Bethlehem Apparatus. Bethlehem Apparatus would receive the motor in its present condition, completely disassemble the motor, and decommission all motor parts such that they can attest to the fact that **99.9% of the mercury has been removed and disposed of properly**. An official certificate would be provided to the City to back up this documentation. Without this documentation, the City would have no clue if the disposal was done properly, opening itself up for the possibility of future repercussions.

Including the truck freight to Pennsylvania for this work, the total cost of the motor decommissioning would be **\$13,800.00**.

Layne would see some value in this motor for use in a possible temporary test pump installation in the future, we could offer to *completely credit* this decommissioning cost if ownership of the motor is turned over to Layne. We would not be able to provide any additional credits over and above the savings in the decommissioning costs, since this motor cannot be resold.

We could also offer salvage value for the 8" column pipe, power cable, and the 9 Stage – 11MQL Byron Jackson cast iron bowl assembly. Again, there is very little resale value, so we are essentially talking about the scrap value for these components, and/or possible use in possible test pump applications; the salvage value would be **\$1,894.00**.

The waiving of the motor decommissioning cost and the above materials credit to the well abandonment costs are only applicable if Layne is awarded this project. We would apply the credit to the invoice.

We appreciate the opportunity to be able to provide these estimates. If you have any questions, please don't hesitate to give us a call.

Yours very truly,

*Thomas P. Healy*

Work Authorized by: \_\_\_\_\_  
Signature

Thomas P. Healy, P.E.  
Manager of Projects  
Layne Christensen Company

Name \_\_\_\_\_ Title \_\_\_\_\_  
Date \_\_\_\_\_

CC: Brad Sanderson, EEI





Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input checked="" type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Old Business #2

Tracking Number

PW 2014-74

### Agenda Item Summary Memo

**Title:** Railroad Quiet Zones

**Meeting and Date:** Public Works Committee – January 17, 2017

**Synopsis:** See attached memo.

### Council Action Previously Taken:

Date of Action: N / A Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** Majority

**Council Action Requested:** Approval

**Submitted by:** Bart Olson Administration  
Name Department

### Agenda Item Notes:

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# Memorandum

To: Public Works Committee  
From: Bart Olson, City Administrator  
CC:  
Date: January 12, 2017  
Subject: Railroad Quiet Zones

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## **Summary**

Consideration of approval of quiet zone engineering contracts.

## **Background**

This item was last discussed at the December Public Works Committee meeting. The materials from that meeting are attached. At that meeting, the committee asked for records of railroad and train horn complaints for the past few years. Staff has attached a few hundred pages of emails from residents, survey responses, facebook posts, and other related information submitted by residents. Due to the timeframe of the search and the breadth of applicable emails, I have not completed my search of emailed complaints. I had some mail archiver and computer issues this week and so I was only able to compile emails from one search of the archiver system. As I am able to complete the search, we will issue a supplemental packet of emails.

I have spoken with one resident of the White Oak subdivision who indicated a dozen or so residents would be present at the meeting to discuss their experiences. This same group has circulated a petition, which was forwarded to the City Council last week.

Erin Willrett has also drafted a memo briefly outlining the steps taken by a few entities which have recently implemented quiet zones, and a map of quiet zones on the BNSF and Union Pacific lines. We have not yet identified an entity that has gone through the process of closing entire crossings and received state funds for doing so.

## **Recommendation**

Staff still recommends approval of the engineering contracts, but is requesting discussion on the matter.



# Memorandum

To: City Council  
From: Erin Willrett, Assistant City Administrator  
CC:  
Date: January 9, 2017  
Subject: Quiet Zone Process Summary

---

## **Summary**

Discussion of Quiet Zones and Wayside Horn Processes in the Village of Elburn, Kane County and the Village of Sugar Grove.

## **Background**

The City discussed the process of Quiet Zone creation in June, 2015. At that time, Council did not move ahead with the initial studies. Recently, after more numerous resident complaints and increased traffic along the IR rail line. Staff has looked at the Quiet Zone Process in 2 other municipalities and Kane County.

### **The Village of Elburn**

Elburn embarked on the Quiet Zone in 2008 and was completed in 2010. The locations were First Street and IL Route 47 along the Union Pacific Rail Line. The Village of Elburn has installed wayside horns to alleviate much of the noise associated with train whistles. When the railroad gates are activated by the railroad, the wayside horn is also activated to alert motorists and pedestrians of the approaching train. In the event of a second train approaching while a train is already using a crossing, the horns will sound again to alert for the second train. The amber flashing "X" indicates to the train engineer that the system is functioning normally so it is not necessary to activate the train horn. Even with a Wayside Horn System, there are still times when you will hear a train whistle. Federal rules require a locomotive engineer to whistle:

- At least 15 seconds, but no more than 20 seconds before reaching a crossing, except when such crossing is protected by Automated Horns (Wayside Horn Systems). This means that when the flashing "X" is not operating, the engineer will sound his horn because the flashing "X" indicates that the system is functioning correctly.
- At any time when whistling may save a life or property.
- When a situation of danger arises, which may be lessened or eliminated by whistling.
- When persons are seen crossing the track, walking on the tracks, or trespassing on railroad property.
- When visibility is impaired by track configuration, equipment, or weather.
- When railroad or contractor employees are working on the railroad right-of-way.
- When a train is stopped and begins to move again.
- When two trains occupy or approach the same crossing.

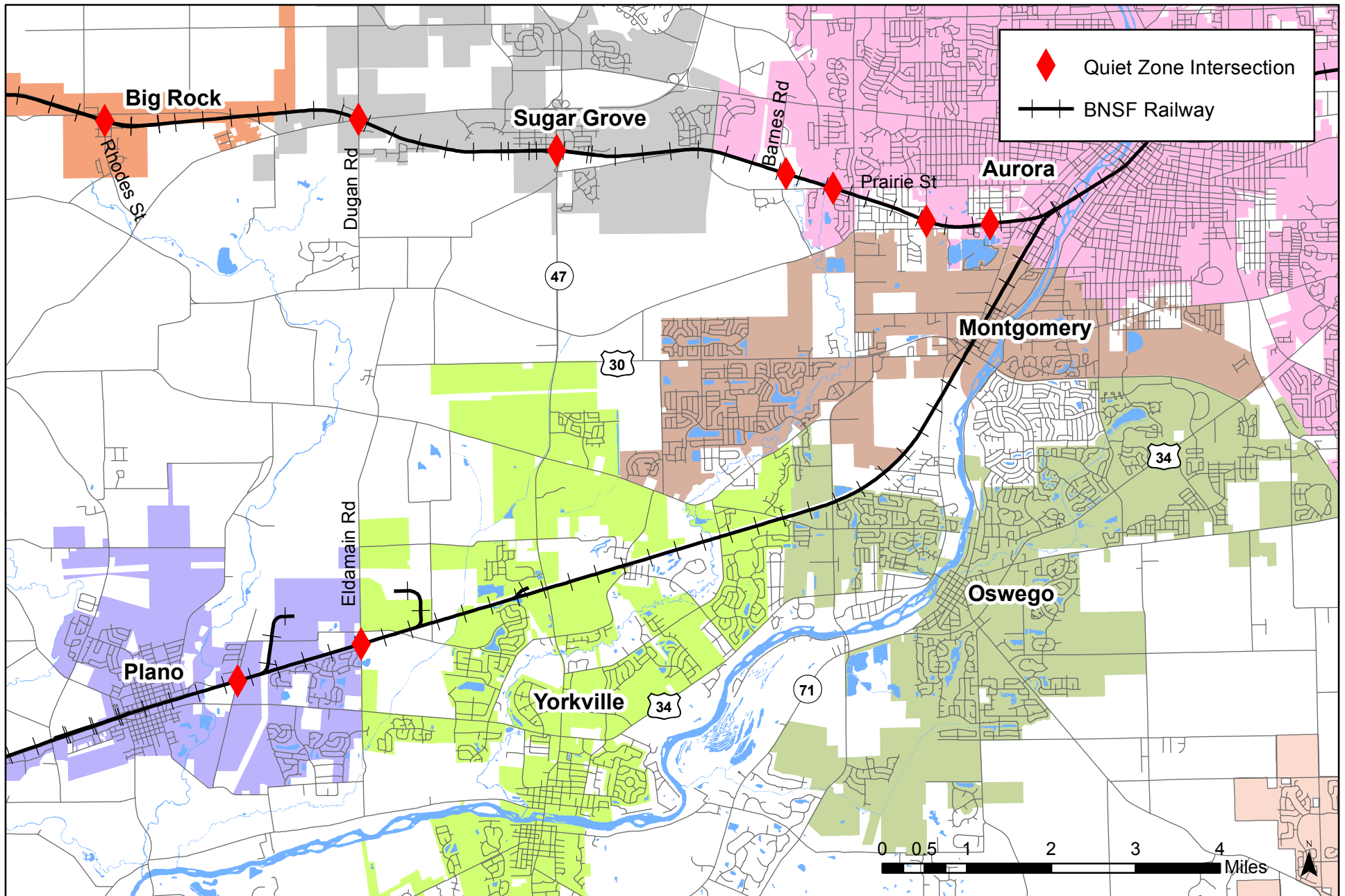
They worked with Hanson Engineering to aid them in the study. They entered into a Wayside Horn Agreement with Union Pacific in 2009. Costs for the project were approximately \$200,000.00. The Village is responsible for maintenance of the Wayside Horn system and have contracted with Leyden Electric to perform maintenance on the Units. More information can be found on the Village website at: <http://www.elburn.il.us/Index.aspx?NID=250>

### Kane County

Kane County started their process in 2013 and was finalized in 2014. This was on the Union Pacific Railroad at LaFox and Brundige Roads. The County also elected to go with the Wayside Horn system. Kane County received a Department of Commerce and Economic Opportunity Grant (\$250,000) to offset most of the costs. They also worked with Hanson Engineering to perform engineering services. The wayside horns were activated in 2015.

### Village of Sugar Grove

The Village of Sugar Grove started the inquiry about Quiet Zones in 2005. This would be along the Burlington Northern Santa Fe Line on Main Street and Dugan Road. In 2007, they filed their Notice of Intent and began the engineering work with EEI. Sugar Grove applied for Barrier Medians to be used in the Quiet Zone at Dugan Road and Main Street. In 2008, the Quiet Zone was approved by the FRA at both crossing locations. Costs appeared to be approximately \$200,000.00. With the barrier medians installed, there is no whistle noise unless the Federal rules would require an engineer to engage the whistle on the locomotive.



## BNSF Quiet Zones

United City of Yorkville, Illinois  
Yorkville GIS 12-20-2016







# Memorandum

To: City Council  
From: Bart Olson, City Administrator  
CC:  
Date: December 15, 2016  
Subject: Quiet Zone Proposal for Consulting Engineering Services for both BNSF and IR Rail Lines

---

## **Summary**

Discussion of the agreement for professional services for the proposed Quiet Zone at the BNSF and IR rail lines.

## **Background**

The City discussed the process of Quiet Zone creation in June, 2015. At that time Council did not move ahead with the initial studies. Recently, after more numerous resident complaints and increased traffic along the IR rail line staff has asked EEI to propose an Agreement for a Quiet Zone study along both rail lines within the City. EEI has successfully completed the establishment of Quiet Zones in Aurora/Sugar Grove Township, Sugar Grove and Plano. This study would provide a preliminary investigation and a current risk index for the proposed Quiet Zones, as well as initial coordination with the Federal Railroad Administration (FRA) and the Illinois Commerce Commission (ICC) and both rail lines. This initial study will provide staff and Council more information on if, when and how the City will move forward with a proposed Quiet Zone.

## **Recommendation**

Staff recommends moving forward with an Agreement for Professional Services with EEI for a Quiet Zone Study on both the BNSF and IR rail lines in the United City of Yorkville at the City Council meeting in January, 2017.



*Engineering Enterprises, Inc.*

November 2, 2016

Mr. Bart Olson  
City Administrator  
United City of Yorkville  
610 Tower Lane  
Yorkville, IL 60560

**Re: Professional Services for  
Proposed BNSF Quiet Zone  
Yorkville, IL**

Dear Mr. Olson:

Thank you for the opportunity to submit this proposal for consulting engineering services for the above referenced project.

EEI has performed similar work in the past, including the coordination for the on-going Quiet Zone establishment along the BNSF railroad in the area. To date, EEI has successfully completed the establishment of three Quiet Zones (Aurora/Sugar Grove Township, Sugar Grove, and Plano) throughout the Kane and Kendall Area, covering five jurisdictional agencies in your area.

We will give our full attention to the project so that it may be completed as soon as practical, consistent with the schedules of the Burlington Northern Santa Fe (BNSF), Federal Railroad Administration (FRA) and the Illinois Commerce Commission (ICC).

We welcome the opportunity to submit this proposal for professional services to you for your consideration. We look forward to working with and for you on this project.

Respectfully submitted,

ENGINEERING ENTERPRISES, INC.

A handwritten signature in black ink, appearing to read 'B. Sanderson', is written over a horizontal line.

Bradley P. Sanderson, P.E.  
Vice President

Pc: TVW

\\Milkyway\\EEI\_Storage\\Docs\\Public\\Yorkville\\2014\\YO1439-C Quiet Zone Initiative\\PSA\\BNSF Railroad Revised (Phase A Only)\\proposal cover letter.doc

**Agreement for Professional Services  
BNSF Quiet Zone Study**

THIS AGREEMENT, by and between the United City of Yorkville, hereinafter referred to as the "City" or "OWNER" and Engineering Enterprises, Inc. hereinafter referred to as the "Contractor", the "ENGINEER" or "EEI" agrees as follows:

**A. Services:**

Engineer agrees to furnish to the City the following services: The Engineer shall provide the necessary initial engineering services to the City as described below, as required to begin the process of establishing a Quiet Zone along the Burlington Northern Santa Fe Railway Company (BNSF) within the City. Additional engineering services will be required to complete the Quiet Zone Study. The Quiet Zone will be at the following four at-grade rail crossings owned by the BNSF:

Mill Road (Crossing Inventory # 079578N, BNSF Mile Post 043.77)  
Kennedy Road (Crossing Inventory # 079579V, BNSF Mile Post 044.51)  
Cannonball Trail (Crossing Inventory #079580P, BNSF Mile Post 045.69)  
Beecher Road (Crossing Inventory #079584S, BNSF Mile Post 048.09)

The anticipated Scope of Services is as follows:

***PHASE A:***

***1 – PRELIMINARY INVESTIGATIONS/RISK INDEX***

EEI will analyze the existing conditions at each crossing identified above. The current risk index for the proposed Quiet Zone will be analyzed and the potential safety improvements and issues will be identified.

***2 – COORDINATION WITH GOVERNING ENTITIES/DIAGNOSTIC MEETING***

EEI will coordinate and attend the required field diagnostic meetings with the Federal Railroad Administration (FRA), the Illinois Commerce Commission (ICC) and the BNSF. At the preliminary diagnostic meeting, the diagnostic team will take field measurements and evaluate the characteristics at each crossing. This will result in an evaluation of the feasibility of a Quiet Zone and required safety improvements at each crossing. Meeting minutes will be prepared and distributed.

---

**SUBTOTAL: \$7,017.00**

***EXCLUSIONS***

As mentioned above, additional engineering services will be required above and beyond what is identified in this agreement to complete the Quiet Zone study.

The general phases and tasks required which are not included in this agreement are as follows:

***PHASE B:***

***3 – TRAFFIC COUNTS AND SUBMITTALS***

***4 – QUIET ZONE CALCULATIONS AND ANALYSIS***

***PHASE C:***

***5 – NOTICE OF INTENT***

***6 – COORDINATION OF IMPROVEMENTS WITH CITY STAFF***

***7 – NOTICE OF ESTABLISHMENT***

This proposal also does not include the preparation of any construction documents or design engineering, as the scope of the potential improvements is currently unknown. Upon determination of the required safety modifications at each signal, the City can identify the engineering needs and enter into a separate agreement for the design and/or construction engineering necessary to implement the improvements at each crossing and facilitate permitting with the BNSF.

**B. Term:**

Services will be provided beginning on the date of execution of this agreement and continuing, until terminated by either party upon 7 days written notice to the non-terminating party or upon completion of the Services. Upon termination the Contractor shall be compensated for all work performed for the City prior to termination.

**C. Compensation and maximum amounts due to Contractor:**

Contractor shall receive as compensation for all work and services to be performed herein, an amount based on the fee schedule attached hereto as Exhibit 1. All payments will be made according to the Illinois State Prompt Payment Act and not less than once every thirty days.

The proposed method of payment for the required professional services is a Lump Sum Contract. The fee for **Phase A** is **\$7,017.00** and includes items 1-2 in the scope. If at that time the City determines to move forward with completing the Quiet Zone Study, another engineering agreement will need to be processed to move forward with the additional work items required.

**D. Changes in Rates of Compensation:**

In the event that this contract is designated in Section B hereof as an Ongoing Contract, Contractor, on or before February 1st of any given year, shall provide written notice of any change in the rates specified in Section C hereof (or on any attachments hereto) and said changes shall only be effective on and after May 1st of that same year.

#### **E. Ownership of Records and Documents:**

Contractor agrees that all books and records and other recorded information developed specifically in connection with this agreement shall remain the property of the City. Contractor agrees to keep such information confidential and not to disclose or disseminate the information to third parties without the consent of the City. This confidentiality shall not apply to material or information, which would otherwise be subject to public disclosure through the freedom of information act or if already previously disclosed by a third party. Upon termination of this agreement, Contractor agrees to return all such materials to the City. The City agrees not to modify any original documents produced by Contractor without contractors consent. Modifications of any signed duplicate original document not authorized by ENGINEER will be at OWNER's sole risk and without legal liability to the ENGINEER. Use of any incomplete, unsigned document will, likewise, be at the OWNER's sole risk and without legal liability to the ENGINEER.

#### **F. Governing Law:**

This contract shall be governed and construed in accordance with the laws of the State of Illinois. Venue shall be in Kendall County, Illinois.

#### **G. Independent Contractor:**

Contractor shall have sole control over the manner and means of providing the work and services performed under this agreement. The City's relationship to the Contractor under this agreement shall be that of an independent contractor. Contractor will not be considered an employee to the City for any purpose.

#### **H. Certifications:**

Employment Status: The Contractor certifies that if any of its personnel are an employee of the State of Illinois, they have permission from their employer to perform the service.

Anti-Bribery : The Contractor certifies it is not barred under 30 Illinois Compiled Statutes 500/50-5(a) - (d) from contracting as a result of a conviction for or admission of bribery or attempted bribery of an officer or employee of the State of Illinois or any other state.

Loan Default: If the Contractor is an individual, the Contractor certifies that he/she is not in default for a period of six months or more in an amount of \$600 or more on the repayment of any educational loan guaranteed by the Illinois State Scholarship Commission made by an Illinois institution of higher education or any other loan made from public funds for the purpose of financing higher education (5 ILCS 385/3).

**Felony Certification:** The Contractor certifies that it is not barred pursuant to 30 Illinois Compiled Statutes 500/50-10 from conducting business with the State of Illinois or any agency as a result of being convicted of a felony.

**Barred from Contracting :** The Contractor certifies that it has not been barred from contracting as a result of a conviction for bid-rigging or bid rotating under 720 Illinois Compiled Statutes 5/33E or similar law of another state.

**Drug Free Workplace:** The Contractor certifies that it is in compliance with the Drug Free Workplace Act (30 Illinois Compiled Statutes 580) as of the effective date of this contract. The Drug Free Workplace Act requires, in part, that Contractors, with 25 or more employees certify and agree to take steps to ensure a drug free workplace by informing employees of the dangers of drug abuse, of the availability of any treatment or assistance program, of prohibited activities and of sanctions that will be imposed for violations; and that individuals with contracts certify that they will not engage in the manufacture, distribution, dispensation, possession, or use of a controlled substance in the performance of the contract.

**Non-Discrimination, Certification, and Equal Employment Opportunity :** The Contractor agrees to comply with applicable provisions of the Illinois Human Rights Act (775 Illinois Compiled Statutes 5), the U.S. Civil Rights Act, the Americans with Disabilities Act, Section 504 of the U.S. Rehabilitation Act and the rules applicable to each. The equal opportunity clause of Section 750.10 of the Illinois Department of Human Rights Rules is specifically incorporated herein. The Contractor shall comply with Executive Order 11246, entitled Equal Employment Opportunity, as amended by Executive Order 11375, and as supplemented by U.S. Department of Labor regulations (41 C.F.R. Chapter 60). The Contractor agrees to incorporate this clause into all subcontracts under this Contract.

**International Boycott:** The Contractor certifies that neither it nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under that Act (30 ILCS 582).

**Record Retention and Audits:** If 30 Illinois Compiled Statutes 500/20-65 requires the Contractor (and any subcontractors) to maintain, for a period of 3 years after the later of the date of completion of this Contract or the date of final payment under the Contract, all books and records relating to the performance of the Contract and necessary to support amounts charged to the City under the Contract. The Contract and all books and records related to the Contract shall be available for review and audit by the City and the Illinois Auditor General. If this Contract is funded from contract/grant funds provided by the U.S. Government, the Contract, books, and records shall be available for review and audit by the Comptroller General of the U.S. and/or the Inspector General of the federal sponsoring agency. The Contractor agrees to cooperate fully with any audit and to provide full access to all relevant materials.

United States Resident Certification: (This certification must be included in all contracts involving personal services by non-resident aliens and foreign entities in accordance with requirements imposed by the Internal Revenue Services for withholding and reporting federal income taxes.) The Contractor certifies that he/she is a:   x   United States Citizen        Resident Alien        Non-Resident Alien The Internal Revenue Service requires that taxes be withheld on payments made to non resident aliens for the performance of personal services at the rate of 30%.

Tax Payer Certification: Under penalties of perjury, the Contractor certifies that its Federal Tax Payer Identification Number or Social Security Number is (provided separately) and is doing business as a (check one):        Individual        Real Estate Agent        Sole Proprietorship        Government Entity        Partnership        Tax Exempt Organization (IRC 501(a) only)   x   Corporation        Not for Profit Corporation        Trust or Estate        Medical and Health Care Services Provider Corp.

#### **I. Indemnification:**

Contractor shall indemnify and hold harmless the City and City's agents, servants, and employees against all loss, damage, and expense which it may sustain or for which it will become liable on account of injury to or death of persons, or on account of damage to or destruction of property resulting from the performance of work under this agreement by Contractor or its Subcontractors, or due to or arising in any manner from the wrongful act or negligence of Contractor or its Subcontractors of any employee of any of them. In the event that the either party shall bring any suit, cause of action or counterclaim against the other party, the non-prevailing party shall pay to the prevailing party the cost and expenses incurred to answer and/or defend such action, including reasonable attorney fees and court costs. In no event shall the either party indemnify any other party for the consequences of that party's negligence, including failure to follow the ENGINEER's recommendations.

#### **J. Insurance:**

The contractor agrees that it has either attached a copy of all required insurance certificates or that said insurance is not required due to the nature and extent of the types of services rendered hereunder (not applicable as having been previously supplied).

#### **K. Additional Terms or Modification:**

The terms of this agreement shall be further modified as provided on the attached Exhibits. Except for those terms included on the Exhibits, no additional terms are included as a part of this agreement. All prior understandings and agreements between the parties are merged into this agreement, and this agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties. In the event that any provisions of this agreement shall be held to be invalid or unenforceable,



the remaining provisions shall be valid and binding on the parties. The list of Exhibits is as follows:

**Exhibit 1:** Summary of Estimated Level of Effort

**Exhibit 2:** Location Map

**L. Notices:**

All notices required to be given under the terms of this agreement shall be given mail, addressed to the parties as follows:

For the City:

City Administrator and City Clerk  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560

For the Contractor:

Engineering Enterprises, Inc.  
52 Wheeler Road  
Sugar Grove, IL 60554

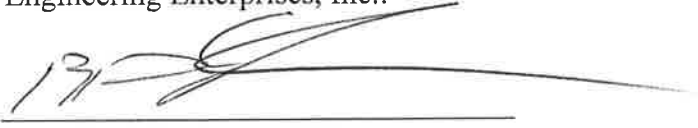
Either of the parties may designate in writing from time to time substitute addresses or persons in connection with required notices.

Agreed to this \_\_\_\_ day of \_\_\_\_\_, 2016.

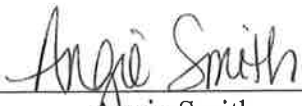
United City of Yorkville

Engineering Enterprises, Inc.:

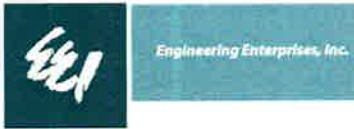
\_\_\_\_\_  
Gary Golinski  
Mayor

  
\_\_\_\_\_  
Brad Sanderson, P.E.  
Vice President

\_\_\_\_\_  
Beth Warren  
City Clerk

  
\_\_\_\_\_  
Angie Smith  
Executive Assistant





**EXHIBIT 1 - ESTIMATE OF LEVEL OF EFFORT AND ASSOCIATED COST  
PROFESSIONAL ENGINEERING SERVICES**

BNSF QUIET ZONE  
United City of Yorkville, IL

WORK ITEM NO.	WORK ITEM	ENTITY:	ENGINEERING				SURVEYING			DRAFTING		ADMIN.	WORK ITEM HOUR SUMM.	COST PER ITEM
		PROJECT ROLE:	PRINCIPAL IN CHARGE	PROJECT MANAGER	SENIOR PROJECT ENGINEER	PROJECT ENGINEER	PROJECT MANAGER	SENIOR PROJECT SURVEYOR I	PROJECT TECHNICIAN	CAD MANAGER	SENIOR PROJECT TECHNICIAN	ADMIN.		
		HOURLY RATE:	\$185	\$163	\$141	\$129	\$163	\$141	\$117	\$163	\$129	\$78		
PHASE A														
1	PRELIMINARY INVESTIGATION/RISK INDEX		1	20								4	25	\$ 3,757
2	COORDINATION WITH GOVERNING ENTITIES/DIAGNOSTIC MEETING			20									20	\$ 3,260
PROJECT TOTAL:			1	40	-	-	-	-	-	-	-	4	45	7,017

DIRECT EXPENSES	
Printing =	\$ -
Supplies & Misc =	\$ -
DLZ (Traffic Counts) =	\$ -
<b>DIRECT EXPENSES =</b>	<b>\$ -</b>

LABOR SUMMARY	
Engineering Expenses =	\$ 6,705
Surveying Expenses =	\$ -
Drafting Expenses =	\$ -
Administrative Expenses =	\$ 312
<b>TOTAL LABOR EXPENSES =</b>	<b>\$ 7,017</b>

<b>TOTAL EXPENSES =</b>	<b>\$ 7,017</b>
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\\Mkysp\EE1\_Serv\p\Docs\Public\Yorkville\2014\YD1430\Quiet Zone Initiative\PSA\BNSF\_Railroad\_Remed\Phase A Only\Exhibit 1 - Fee Estimate.xlsx\Fee Summary BNSF





**Engineering Enterprises, Inc.**

November 2, 2016

Mr. Bart Olson  
City Administrator  
United City of Yorkville  
610 Tower Lane  
Yorkville, IL 60560

**Re: Professional Services for  
Proposed IR Quiet Zone  
Yorkville, IL**

Dear Mr. Olson:

Thank you for the opportunity to submit this proposal for consulting engineering services for the above referenced project.


EEL has performed similar work in the past. To date, EEL has successfully completed the establishment of three Quiet Zones (Aurora/Sugar Grove Township, Sugar Grove, and Plano) throughout the Kane and Kendall Area, covering five jurisdictional agencies in your area.

We will give our full attention to the project so that it may be completed as soon as practical, consistent with the schedules of the Illinois Railnet (IR), Federal Railroad Administration (FRA) and the Illinois Commerce Commission (ICC).

We welcome the opportunity to submit this proposal for professional services to you for your consideration. We look forward to working with and for you on this project.

Respectfully submitted,

ENGINEERING ENTERPRISES, INC.

  
Bradley P. Sanderson, P.E.  
Vice President

Pc: TVW

**Agreement for Professional Services  
Illinois Railnet Quiet Zone Study**

THIS AGREEMENT, by and between the United City of Yorkville, hereinafter referred to as the "City" or "OWNER" and Engineering Enterprises, Inc. hereinafter referred to as the "Contractor", the "ENGINEER" or "EEI" agrees as follows:

**A. Services:**

Engineer agrees to furnish to the City the following services: The Engineer shall provide the necessary initial engineering services to the City as described below, as required to begin the process of establishing a Quiet Zone along the Illinois Railnet Railway Company (Illinois Railnet/IR) within the City. Additional engineering services will be required to complete the Quiet Zone Study. The Quiet Zone will be at the following twelve at-grade rail crossings owned by the Illinois Railnet/IR:

- Hoover Forest Preserve (Crossing Inventory # TBD, IR Mile Post TBD)
- Poplar Drive (Crossing Inventory # 917526L, IR Mile Post 051.17)
- River Birch Lane (Crossing Inventory #072951Y, IR Mile Post 050.31)
- Morgan Street (Crossing Inventory #065034A, IR Mile Post 049.96)
- Adams Street (Crossing Inventory #065033T, IR Mile Post 049.89)
- State Street (Crossing Inventory #065032L, IR Mile Post 049.84)
- Main Street (Crossing Inventory #065031E, IR Mile Post 049.79)
- Alley (West of IL 47) (Crossing Inventory #065030X, IR Mile Post 049.75)
- Illinois Route 47 (Crossing Inventory #065029D, IR Mile Post 049.71)
- Alley (East of IL 47) (Crossing Inventory #065028W, IR Mile Post 049.70)
- Heustis Street (Crossing Inventory #065027P, IR Mile Post 049.60)
- Mill Street (Crossing Inventory #065026H, IR Mile Post 049.55)

The anticipated Scope of Services is as follows:

***PHASE A:***

***1 – PRELIMINARY INVESTIGATIONS/RISK INDEX***

EEI will analyze the existing conditions at each crossing identified above. The current risk index for the proposed Quiet Zone will be analyzed and the potential safety improvements and issues will be identified.

***2 – INITIAL COORDINATION WITH GOVERNING ENTITIES***

EEI will determine the possibility of obtaining funding through the Grade Crossing Protection Fund (GCPF) with initial coordination and discussions with the Federal Railroad Administration (FRA), the Illinois Commerce Commission (ICC) and the Illinois Railnet. Based on the results of this coordination it will be determined whether or not to proceed with the GCPF application. An allowance has been made for one initial coordination meeting with these entities. Meeting minutes will be prepared and distributed if needed.

---

**SUBTOTAL: \$7,942.00**

## ***EXCLUSIONS***

As mentioned above, additional engineering services will be required above and beyond what is identified in this agreement to complete the Quiet Zone study. The general phases and tasks required which are not included in this agreement are as follows:

### ***PHASE B:***

***3 – GRADE CROSSING PROTECTION FUND APPLICATION***

### ***PHASE C:***

***4 – COORDINATION WITH GOVERNING ENTITIES/DIAGNOSTIC MEETING***

### ***PHASE D:***

***5 – TRAFFIC COUNTS AND SUBMITTALS***

***6 – QUIET ZONE CALCULATIONS AND ANALYSIS***

### ***PHASE E:***

***7 – NOTICE OF INTENT***

***8 – COORDINATION OF IMPROVEMENTS WITH CITY STAFF***

***9 – NOTICE OF ESTABLISHMENT***

This proposal also does not include the preparation of any construction documents or design engineering, as the scope of the potential improvements is currently unknown. Upon determination of the required safety modifications at each signal, the City can identify the engineering needs and enter into a separate agreement for the design and/or construction engineering necessary to implement the improvements at each crossing and facilitate permitting with the Illinois Railnet.

## **B. Term:**

Services will be provided beginning on the date of execution of this agreement and continuing, until terminated by either party upon 7 days written notice to the non-terminating party or upon completion of the Services. Upon termination the Contractor shall be compensated for all work performed for the City prior to termination.

## **C. Compensation and maximum amounts due to Contractor:**

Contractor shall receive as compensation for all work and services to be performed herein, an amount based on the fee schedule attached hereto as Exhibit 1. All payments will be made according to the Illinois State Prompt Payment Act and not less than once every thirty days.

The proposed method of payment for the required professional services is a Lump Sum Contract. The fee for **Phase A** is **\$7,942.00** and includes items 1-2 in the scope. If at that

time the City determines to move forward with completing the Grade Crossing Protection Fund Application and the Quiet Zone Study, another engineering agreement will need to be processed to move forward with the additional work items required

**D. Changes in Rates of Compensation:**

In the event that this contract is designated in Section B hereof as an Ongoing Contract, Contractor, on or before February 1st of any given year, shall provide written notice of any change in the rates specified in Section C hereof (or on any attachments hereto) and said changes shall only be effective on and after May 1st of that same year.

**E. Ownership of Records and Documents:**

Contractor agrees that all books and records and other recorded information developed specifically in connection with this agreement shall remain the property of the City. Contractor agrees to keep such information confidential and not to disclose or disseminate the information to third parties without the consent of the City. This confidentiality shall not apply to material or information, which would otherwise be subject to public disclosure through the freedom of information act or if already previously disclosed by a third party. Upon termination of this agreement, Contractor agrees to return all such materials to the City. The City agrees not to modify any original documents produced by Contractor without contractors consent. Modifications of any signed duplicate original document not authorized by ENGINEER will be at OWNER's sole risk and without legal liability to the ENGINEER. Use of any incomplete, unsigned document will, likewise, be at the OWNER's sole risk and without legal liability to the ENGINEER.

**F. Governing Law:**

This contract shall be governed and construed in accordance with the laws of the State of Illinois. Venue shall be in Kendall County, Illinois.

**G. Independent Contractor:**

Contractor shall have sole control over the manner and means of providing the work and services performed under this agreement. The City's relationship to the Contractor under this agreement shall be that of an independent contractor. Contractor will not be considered an employee to the City for any purpose.

**H. Certifications:**

Employment Status: The Contractor certifies that if any of its personnel are an employee of the State of Illinois, they have permission from their employer to perform the service.

Anti-Bribery : The Contractor certifies it is not barred under 30 Illinois Compiled Statutes 500/50-5(a) - (d) from contracting as a result of a conviction for or admission of



bribery or attempted bribery of an officer or employee of the State of Illinois or any other state.

**Loan Default:** If the Contractor is an individual, the Contractor certifies that he/she is not in default for a period of six months or more in an amount of \$600 or more on the repayment of any educational loan guaranteed by the Illinois State Scholarship Commission made by an Illinois institution of higher education or any other loan made from public funds for the purpose of financing higher education (5 ILCS 385/3).

**Felony Certification:** The Contractor certifies that it is not barred pursuant to 30 Illinois Compiled Statutes 500/50-10 from conducting business with the State of Illinois or any agency as a result of being convicted of a felony.

**Barred from Contracting :** The Contractor certifies that it has not been barred from contracting as a result of a conviction for bid-rigging or bid rotating under 720 Illinois Compiled Statutes 5/33E or similar law of another state.

**Drug Free Workplace:** The Contractor certifies that it is in compliance with the Drug Free Workplace Act (30 Illinois Compiled Statutes 580) as of the effective date of this contract. The Drug Free Workplace Act requires, in part, that Contractors, with 25 or more employees certify and agree to take steps to ensure a drug free workplace by informing employees of the dangers of drug abuse, of the availability of any treatment or assistance program, of prohibited activities and of sanctions that will be imposed for violations; and that individuals with contracts certify that they will not engage in the manufacture, distribution, dispensation, possession, or use of a controlled substance in the performance of the contract.

**Non-Discrimination, Certification, and Equal Employment Opportunity :** The Contractor agrees to comply with applicable provisions of the Illinois Human Rights Act (775 Illinois Compiled Statutes 5), the U.S. Civil Rights Act, the Americans with Disabilities Act, Section 504 of the U.S. Rehabilitation Act and the rules applicable to each. The equal opportunity clause of Section 750.10 of the Illinois Department of Human Rights Rules is specifically incorporated herein. The Contractor shall comply with Executive Order 11246, entitled Equal Employment Opportunity, as amended by Executive Order 11375, and as supplemented by U.S. Department of Labor regulations (41 C.F.R. Chapter 60). The Contractor agrees to incorporate this clause into all subcontracts under this Contract.

**International Boycott:** The Contractor certifies that neither it nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under that Act (30 ILCS 582).

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the date of completion of this Contract or the date of final payment under the Contract, all books and records relating to the performance of the Contract and necessary to support amounts charged to the City under the Contract. The Contract and all books and records related to the Contract shall be available for review and audit by the City and the Illinois Auditor General. If this Contract is funded from contract/grant funds provided by the U.S. Government, the Contract, books, and records shall be available for review and audit by the Comptroller General of the U.S. and/or the Inspector General of the federal sponsoring agency. The Contractor agrees to cooperate fully with any audit and to provide full access to all relevant materials.

United States Resident Certification: (This certification must be included in all contracts involving personal services by non-resident aliens and foreign entities in accordance with requirements imposed by the Internal Revenue Services for withholding and reporting federal income taxes.) The Contractor certifies that he/she is a:  x  United States Citizen   Resident Alien   Non-Resident Alien The Internal Revenue Service requires that taxes be withheld on payments made to non resident aliens for the performance of personal services at the rate of 30%.

Tax Payer Certification: Under penalties of perjury, the Contractor certifies that its Federal Tax Payer Identification Number or Social Security Number is (provided separately) and is doing business as a (check one):   Individual   Real Estate Agent   Sole Proprietorship   Government Entity   Partnership   Tax Exempt Organization (IRC 501(a) only)  x  Corporation   Not for Profit Corporation   Trust or Estate   Medical and Health Care Services Provider Corp.

#### **I. Indemnification:**

Contractor shall indemnify and hold harmless the City and City's agents, servants, and employees against all loss, damage, and expense which it may sustain or for which it will become liable on account of injury to or death of persons, or on account of damage to or destruction of property resulting from the performance of work under this agreement by Contractor or its Subcontractors, or due to or arising in any manner from the wrongful act or negligence of Contractor or its Subcontractors of any employee of any of them. In the event that the either party shall bring any suit, cause of action or counterclaim against the other party, the non-prevailing party shall pay to the prevailing party the cost and expenses incurred to answer and/or defend such action, including reasonable attorney fees and court costs. In no event shall the either party indemnify any other party for the consequences of that party's negligence, including failure to follow the ENGINEER's recommendations.

#### **J. Insurance:**

The contractor agrees that it has either attached a copy of all required insurance certificates or that said insurance is not required due to the nature and extent of the types of services rendered hereunder (not applicable as having been previously supplied).

#### **K. Additional Terms or Modification:**

The terms of this agreement shall be further modified as provided on the attached Exhibits. Except for those terms included on the Exhibits, no additional terms are included as a part of this agreement. All prior understandings and agreements between the parties are merged into this agreement, and this agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties. In the event that any provisions of this agreement shall be held to be invalid or unenforceable, the remaining provisions shall be valid and binding on the parties. The list of Exhibits is as follows:

**Exhibit 1:** Summary of Estimated Level of Effort

**Exhibit 2:** Location Map

#### **L. Notices:**

All notices required to be given under the terms of this agreement shall be given mail, addressed to the parties as follows:

For the City:

City Administrator and City Clerk  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560

For the Contractor:

Engineering Enterprises, Inc.  
52 Wheeler Road  
Sugar Grove, IL 60554

Either of the parties may designate in writing from time to time substitute addresses or persons in connection with required notices.

Agreed to this \_\_\_\_ day of \_\_\_\_\_, 2016.

United City of Yorkville

Engineering Enterprises, Inc.:

\_\_\_\_\_  
Gary Golinski  
Mayor

  
\_\_\_\_\_  
Brad Sanderson, P.E.  
Vice President

\_\_\_\_\_  
Beth Warren  
City Clerk

  
\_\_\_\_\_  
Angie Smith  
Executive Assistant







**EXHIBIT 1 - ESTIMATE OF LEVEL OF EFFORT AND ASSOCIATED COST**  
**PROFESSIONAL ENGINEERING SERVICES**

ILLINOIS RAILNET QUIET ZONE  
 United City of Yorkville, IL

WORK ITEM NO.	WORK ITEM	ENTITY:	ENGINEERING				SURVEYING			DRAFTING		ADMIN.	WORK ITEM HOUR SUMM.	COST PER ITEM
		PROJECT ROLE:	PRINCIPAL IN CHARGE	PROJECT MANAGER	SENIOR PROJECT ENGINEER	PROJECT ENGINEER	PROJECT MANAGER	SENIOR PROJECT SURVEYOR I	PROJECT TECHNICIAN	CAD MANAGER	SENIOR PROJECT TECHNICIAN	ADMIN.		
		HOURLY RATE:	\$185	\$163	\$141	\$129	\$163	\$141	\$117	\$163	\$129	\$78		
PHASE A														
1	PRELIMINARY INVESTIGATION/RISK INDEX		2	20								4	26	\$ 3,942
2	INITIAL COORDINATION WITH GOVERNING ENTITIES		4	20									24	\$ 4,000
PROJECT TOTAL:			6	40	-	-	-	-	-	-	-	4	50	7,942

DIRECT EXPENSES	
Printing =	\$ -
Supplies & Misc. =	\$ -
DLZ (Traffic Counts) =	\$ -
<b>DIRECT EXPENSES =</b>	<b>\$ -</b>

LABOR SUMMARY	
Engineering Expenses =	\$ 7,630
Surveying Expenses =	\$ -
Drafting Expenses =	\$ -
Administrative Expenses =	\$ 312
<b>TOTAL LABOR EXPENSES =</b>	<b>\$ 7,942</b>

<b>TOTAL EXPENSES =</b>	<b>\$ 7,942</b>
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\\Mapcity\EEI - Storage\Doc\Public\Yorkville\2014\PD1409-Q Quiet Zone Initiative\PSA\Illinois Railnet Review\Phase A Only\Attachment B - Fee Estimate.xlsx\Fee Summary Illinois Railnet

## Bart Olson

---

**From:** Bart Olson  
**Sent:** Wednesday, December 17, 2008 9:44 AM  
**To:** [REDACTED]  
**Subject:** RE: Re: FW: Train Whistles

Hello [REDACTED]

The Public Works Committee asked that I send you an email about the outcome of last night's discussion on the quiet zone engineering contract. They chose not to move forward with the engineering contract for many of the same reasons as 6 months ago (lack of funds in the budget, timing with the improvements). However, they did tell staff to keep an eye on the Grande Reserve development for its progression - as more units are built and we get closer to the trigger for the railroad crossing improvements, they asked that the agreement be looked at again in the future. They set a 6-month reminder on the agenda to look at the agreement again, and that's only if nothing warrants it between now and then.

They held the meeting last night, even with the snow, and recognized that it was probably not a good idea for most people to be driving in it. They encouraged me to reach out to you because of that - if you have anything that you would like me to forward to the Committee at next month's meeting on your behalf, please do not hesitate to call or email. If you wanted to attend the next meeting and address them directly, that would be fine too.

Thanks,

Bartholomew A. Olson  
Assistant City Administrator  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 office  
630-308-0582 cell  
bolson@yorkville.il.us  
www.yorkville.il.us

P Please consider the environment before printing this e-mail -----Original Message-----

**From:** Bart Olson  
**Sent:** Thursday, December 11, 2008 4:06 PM  
**To:** [REDACTED]  
**Subject:** RE: Re: FW: Train Whistles

Hello [REDACTED]

One final reminder, the item is on the Public Works Committee agenda for December 16th at 6:00 pm at City Hall. You are welcome to attend.

Thanks,

Bartholomew A. Olson  
Assistant City Administrator  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 office  
630-308-0582 cell  
bolson@yorkville.il.us



www.yorkville.il.us

P Please consider the environment before printing this e-mail

-----Original Message-----

From: Bart Olson

Sent: Thursday, December 11, 2008 8:38 AM

To: [REDACTED]

Subject: RE: Re: FW: Train Whistles

Hello [REDACTED]

I do appreciate the kind words. You had the definition of a four way gate correct. The cost to install the gate is similar to the cost of installing the median (around \$100,000). Even if we had the money for those gates (or the median, or any of the other improvements that we could to satisfy the quiet zone rules), we would still have to go through the quiet zone application process which will take 12-18 months and cost more money. I bring that point up only to emphasize the point that there is no quick fix to this process. We can not simply install the gates (or the median) and then petition the Federal Railroad Administration and the BNSF to stop blowing their horns. Both of those parties are required to agree to whatever we put in, and they won't agree until they are sure that whatever is planned will not decrease safety at the intersection.

To answer your question about the median - the median is but one of the options among a list of many to satisfy the requirements for a quiet zone. Four way gates are another, and stationary horns are another. One of the reasons the median is recommended is because the cost of the median will be paid for by the developer.

Have you ever contacted our building department with any of these issues? While they might not be able to help with some of them (i.e. street lights), they might have fixes or advice on phone lines and cable lines. If you're still having issues with the builder, we are always here to help.

Thanks,

Bartholomew A. Olson  
Assistant City Administrator  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 office  
630-308-0582 cell  
bolson@yorkville.il.us  
www.yorkville.il.us

P Please consider the environment before printing this e-mail -----Original Message-----

From: [REDACTED]

Sent: Wednesday, December 10, 2008 9:38 PM

To: Bart Olson

Subject: RE: Re: FW: Train Whistles

Hello-

I appreciate the information. Your answers have always been done in a professional manner and I have always felt that you have treated me with respect. Unfortunately, the same can not be said for the Mayor. I understand everything you have said but our opinion all along has been that simply making the crossing gates extend across both lanes of traffic would do the trick. I assume this is what is meant by a four way crossing gate. This would assure that no cars could move around the gates making the intersection safe without the need for a horn. Extending the length of the crossing gate should be a very inexpensive and quick fix.



I agree that building a median would be expensive but is this really necessary? Would a four way crossing gate be enough to make all parties happy? The actual intersection can be improved down the road, we just want the trains to stop blowing their horns.

Our frustration on this entire subject stems from a long line of problems with Pasquinelli. To start, when we bought our home, the sales office was conveniently located off of Galena, well away from the noise of the tracks. Since the sales office moved, no new homes have been started and none of the units that had already been built have sold. On the day we were forced to close, we had no phone line, no cable line, and no street lights. Since the day we signed our contract to build, Pasquinelli has done nothing to help us out. Buying your first home is supposed to be a wonderful experience, but for us it has not been. Most of my neighbors feel the same way. We are all very frustrated and we just want someone to hear us and to try their best to help us out. Having the trains go quiet would be a huge lift to our spirits and would make living in the area much more enjoyable.

Thank You

[REDACTED]

--- On Mon, 12/8/08, Bart Olson <BOlson@yorkville.il.us> wrote:

> From: Bart Olson <BOlson@yorkville.il.us>  
> Subject: RE: Re: FW: Train Whistles  
> To: [REDACTED]  
> Cc: "val.burd@comcast.net" <val.burd@comcast.net>, "Brendan  
> McLaughlin" <BMcLaughlin@yorkville.il.us>  
> Date: Monday, December 8, 2008, 1:12 PM Hello [REDACTED]  
>  
> Mayor Burd asked me to forward the following information to  
> you:  
>  
> 1. Pasquinelli has not filed for bankruptcy. A portion of their  
> property is in foreclosure. The agreement is attached to the land,  
> and is still valid. From the agreement:  
> "Successors and Assigns. This Agreement shall inure to the benefit of  
> and be binding upon the OWNERS, DEVELOPER and their successors in  
> title and interest, and upon the CITY, and any successor  
> municipalities of the CITY. It is understood and agreed that this  
> Agreement shall run with the land and as such, shall be assignable to  
> and binding upon each and every subsequent grantee and successor in  
> interest of the OWNERS and DEVELOPER, and the CITY. The foregoing to  
> the contrary notwithstanding, the obligations and duties of OWNERS and  
> DEVELOPER hereunder shall not be deemed transferred to or assumed by  
> any purchaser of a empty lot or a lot improved with a dwelling unit  
> who acquires the same for residential occupation, unless otherwise  
> expressly agreed in writing by such purchaser.  
>  
> 2. No. As stated above, the agreement applies to whoever owns the  
> land.  
>  
> 3. Any new developer is obligated to the terms of the agreement.  
>  
> 4. We recognize your request has not been met and the frustration  
> this has caused you. The committee stated they were not prepared to  
> spend money that isn't budgeted applying for items that are temporary.  
>

> 5 (second #3). I'm not sure which \$100,000  
> you're referring to - as I've stated below, the process to create a  
> quiet zone consists of three steps:  
> engineering an intersection to be quiet zone compliant, completing the  
> application for the quiet zone, and constructing the improvements.  
> The City of Yorkville will have to bear the cost of engineering the  
> intersection and completing the application - the developer is  
> required by the annexation agreement to improve Mill Road. Those  
> improvements coincidentally include improvements that will make the  
> intersection quiet zone complaint (i.e. the third step).  
>  
> 6 (second #4). In order for a quiet zone to be established, several  
> physical improvements can be considered as options. You can create a  
> four-way crossing gate, mount a stationary horn at the intersection so  
> the sound is directed only at traffic, create a raised median between  
> eastbound and westbound traffic, and/or a few other options.  
> The Federal Railroad Administration looks at the intersection,  
> traffic data, crash history, railroad traffic data when determining  
> which (and how many) improvements need to be installed to create a  
> quiet zone. Our staff's early operating assumption is that the  
> relatively low traffic counts (compared to other intersections in the  
> region), absence of crashes, and low railroad traffic will result in  
> only requiring a raised median between eastbound and westbound  
> traffic. To note, the improvements required in the annexation  
> agreement include creating a raised median between eastbound and  
> westbound traffic - which is what we've been referencing as  
> improvements the developer is required to make at their cost.  
>  
> 7 (#5). 204 permits have been issued in neighborhoods 1-5.  
> As you've probably picked up from the agreement, the developer is  
> required to make the improvements to Mill Road within 1 year of  
> hitting 500 permits in that area. While the past buildout would not  
> indicate we will hit 500 anytime in the near future, one of those  
> neighborhoods is a condominium/apartment neighborhood. When that unit  
> is developed, it is likely the builder developer will build all  
> 320 units at once. However, the City has not received any indication  
> from the developer that those units will be built in the near future.  
>  
> Bartholomew A. Olson  
> Assistant City Administrator  
> United City of Yorkville  
> 800 Game Farm Road  
> Yorkville, IL 60560  
> 630-553-8537 office  
> 630-308-0582 cell  
> bolson@yorkville.il.us  
> www.yorkville.il.us  
> P Please consider the environment before printing this e-mail  
> -----Original Message-----  
>  
> ----- Forwarded Message: -----  
> From: [REDACTED]  
> To: val.burd@comcast.net  
> Subject: Re: FW: Train Whistles  
> Date: Mon, 8 Dec 2008 13:26:28 +0000  
> > Hello-  
> > I have read the documents you sent to me and I have

> several questions about them.  
> >  
> > #1. One of the "developers", Pasquinelli,  
> has closed its sales offices and has filed for bankruptcy.  
> Is the contract you sent me still valid or is it nul> and void?  
> >  
> > #2. If a new developer takes over, will a new  
> contract have to be drawn up?  
> >  
> > #3. If a new developer does not agree to the  
> established contract, who then will pay for the improvements?  
> >  
> > #4. If the City of Yorkville will not help out our  
> area, would you consider ceding us to a neighboring town, say Oswego,  
> or Montgomery. They might do a better job of helping us out?  
> >  
> > #3. Does the \$100,000 bid to work on the train  
> intersections include the  
> > development of a quiet zone?  
> >  
> > #4. I keep hearing that quiet zones would cost alot  
> of money. Can you tell me exactly what has to be done to the  
> intersections to make them quiet zone compliant. You must know since  
> you keep saying it would be so expensive.  
> >  
> > #5. How many building permits have been given out for  
> neighborhoods 1-5?  
> >  
> > I look forward to your answers. I find the  
> >  
> > Thank You  
> >  
> >  
> >  
> > --- On Mon, 12/1/08, val.burd@comcast.net  
> <val.burd@comcast.net> wrote:  
> >  
> > From: val.burd@comcast.net  
> <val.burd@comcast.net>  
> > Subject: Re: FW: Train Whistles  
> > To: [REDACTED]  
> > Date: Monday, December 1, 2008, 5:16 PM  
> >  
> > [REDACTED]  
> >  
> > I will have staff send you a hard copy of the  
> agreement. Re your comments:  
> >  
> > 1. Yes -- that is exactly why we want commercial  
> development -- and this  
> > isn't about "me." That is why we have  
> an economic development  
> > committee of the City Council. The city doesn't  
> benefit from residential  
> > development because it costs us more to provide  
> services than we get in taxes.  
> > Its the commercial developments, without any school

> children to add to the  
> > schools, that provide us with the revenues we need to  
> run our city.  
> >  
> > 2. Although Rt. 47, Rt. 34, etc. are state highways,  
> it is the developments  
> > that pay for improvements to intersections, for new  
> access to the roads,  
> > widening lanes, etc. when the improvements are caused  
> by development. Check out  
> > the improvements to Rt. 34 in front of the new Kendall  
> Marketplace. The state  
> > did not pay for these improvements -- the developer  
> did. Not the taxpayers. If  
> > we had to rely on the state -- we'd still be  
> sitting here with nothing done.  
> > The state hasn't passed a capitol bill in nine  
> years.  
> >  
> > 3. About the schools -- check out how your Grande  
> Reserve Elementary School  
> > was built. The School District could not get  
> referendums passed in large enough  
> > amounts to pay for building the schools needed. So  
> the City, School District,  
> > and the developer got together with a local bank. The  
> developer paid upfront --  
> > the down payment for the loan -- and the district will  
> pay it down using new tax  
> > revenues coming in from NEW RESIDENTS. This was done  
> for Grande Reserve,  
> > Bristol Bay Elementary School, and the new middle  
> school. So you see, new  
> > development is paying its own way.  
> >  
> > But all of these discussions are not addressing your  
> issue. The reason the  
> > committee recommended not to go ahead with your  
> request is that staff and  
> > aldermen do not think it is financially prudent to use  
> tax dollars to make  
> > improvements that will just be torn out in a few years  
> and replaced. We have to  
> > use our money carefully. There is a train that runs  
> through our downtown area  
> > and by high-end houses in Rivers Edge and White Oak  
> subdivisions. They were  
> > here before your area was built; they also have a  
> claim to our help in  
> > establishing quiet zones. The quiet zone by your  
> house will be established --  
> > but probably not within the next fiscal year.  
> >  
> > Valerie Burd  
> > ----- Original message  
> -----  
> > From: [REDACTED]

> > > This must be why you were pushing for high end  
> shopping stores to be built on the old countryside site.  
> The residents of Yorkville have plenty of money to spend at these  
> stores. Also the water park you mentioned is off of a state road,  
> Rte. 47, which the state is responsible for improving.  
>  
> Lastly, when new subdivisions go up, won't these areas need new  
> schools? I guess we wont have to pay for these new schools. I guess  
> each neighborhood will have to pay for the construction of their own  
> school and then pay for its up keep and its staff.  
> Your logic makes no sense. We are a community and we all have to  
> pitch in to help out. I am paying for someone else's school, they  
> should help to pay for quiet zones.  
> Putting in a quiet zone will only improve the value of the land around  
> the tracks and bring more home buyers into the area. Until you act,  
> the area will remain the way it is now, dead!  
>  
> > > The copy I requested was sent to me. This file  
> did not open. Please  
> > re-send a  
> > > hard copy to my address: [REDACTED] Preston Drive,  
> Yorkville, IL.  
> > >  
> > >  
> > >  
> > >  
> > > --- On Tue, 11/25/08, val.burd@comcast.net  
> <val.burd@comcast.net>  
> > wrote:  
> > >  
> > > > From: val.burd@comcast.net  
> <val.burd@comcast.net>  
> > > > Subject: Re: FW: Train Whistles  
> > > > To: [REDACTED]  
> > > > Date: Tuesday, November 25, 2008, 2:51 PM [REDACTED]  
> > > >  
> > > > I thought you had been notified of this  
> issue when it came  
> > > > before the committee, and that you had  
> attended the public  
> > > > works meeting. All of this was discussed at  
> that meeting.  
> > > > I am sorry if you did not get that  
> information.  
> > > >  
> > > > As for our approach to development -- Now as  
> a resident of  
> > > > our community, you will not be asked to pay  
> for  
> > > > infrastructure improvements when, for  
> instance, a water park  
> > > > or new shopping area requires improvements  
> to our streets.  
> > > > You won't have to foot the bill for new  
> subdivisions if  
> > > > growth starts up again and we have to build  
> wider roads

> > > > around those developments. Look at your tax  
> bill.  
> > > > Don't you agree that you are already  
> paying a lot?  
> > > > Kendall County has one of the heaviest tax  
> burdens in the  
> > > > state, mainly because we were not  
> commercialized or  
> > > > industrialized. In 2002 Yorkville  
> residents, all 8,000 of  
> > > > us, could not afford all those improvements  
> that were needed  
> > > > to almost double the size of our city. Its  
> not that we  
> > > > didn't want new residents; we  
> couldn't afford to pay  
> > > > for the services and improvements needed.  
> You have to be  
> > > > aware of the current economic crisis in our  
> country. We are  
> > > > in very tight times. We have to look at all  
> the demands and  
> > > > try to meet those that do the mos t for the most people.  
> > > >  
> > > > You will get a copy of the agreement asap.  
> > > >  
> > > > Valerie Burd  
> > > >  
> > > > ----- Original message  
> -----  
> > > > From: [REDACTED]  
> [REDACTED]  
> > > > So much for the United City of Yorkville.  
> What a lie. It  
> > > > sounds like the residents of Yorkville do  
> not want new  
> > > > residents at all. I guess I should not have  
> to pay for the  
> > > > Yorkville School System since I do not use  
> it!!!!  
> > > >  
> > > > I do not know why this information was not  
> given to me over  
> > > > a year ago when I started communicating with  
> you. What is  
> > > > going on in your office??  
> > > >  
> > > > I would like a copy of the agreement mailed  
> to my home:  
> > > > [REDACTED] Preston Drive, Yorkville. I hope the  
> residents of  
> > > > Yorkville can foot the bill for the stamp!  
> > > >  
> > > >  
> > > >  
> > > >  
> > > > --- On Thu, 11/20/08, val.burd@comcast.net

> > > > <val.burd@comcast.net> wrote:  
> > > >  
> > > > From: val.burd@comcast.net  
> <val.burd@comcast.net>  
> > > > Subject: Re: FW: Train Whistles  
> > > > To: [REDACTED]  
> > > > Date: Thursday, November 20, 2008, 5:01 PM  
> > > >  
> > > >  
> > > > [REDACTED] I knew what the  
> committee's decision  
> > > > was. I didn't know that they had  
> planned to review the  
> > > > decision in December. If you want to see  
> the actual  
> > > > agreement we have with Pasquinelli, we will  
> be happy to  
> > > > provide you with a copy of the document. We  
> have it in  
> > > > writing. You don't have to take  
> anyone's word for  
> > > > it. The document is enforceable in a court  
> of law. The  
> > > > reason Pasquinelli is on the line to make  
> the improvements  
> > > > is because the residents of Yorkville did  
> not believe that  
> > > > we should have to pay for improvements for  
> new residents  
> > > > moving in to our community. The idea was to  
> make  
> > > > development pay for itself, and that is what  
> this agreement  
> > > > calls for. The improvements to Kennedy Road  
> and to Bristol  
> > > > Road were paid for by the developer also  
> because of the  
> > > > increased traffic caused by new residents.  
> > > >  
> > > > Valerie Burd  
> > > >  
> > > > ----- Original message  
> -----  
> > > > From: [REDACTED]  
> [REDACTED]  
> > > > Thank you for the response but what you are  
> saying is in  
> > > > direct conflict with what we have been told  
> by Pasquinelli.  
> > > > If the developer has to pay for the new  
> crossing, does the  
> > > > developer own the road? Second, what  
> expensive changes are  
> > > > needed to make the intersection quiet? We  
> were told a  
> > > > simple extension of the crossing gates to  
> block both lanes



> > > > of traffic was all that is required.  
> Pasquinelli's  
> > > > position has been that the road belongs to  
> the city and the  
> > > > tracks are federal. Why would a developer  
> have to take on  
> > > > the expense to make a quiet zone on a  
> public, city road over  
> > > > a federal line. Dont we pay property tax to  
> the city and  
> > > > not Pasquinelli? It is clear that nothing  
> is going to get  
> > > > down and that one side is lying to the  
> homeowners. It is  
> > > > time to take the issue to the media.  
> > > > To the mayor- to not know what a committee  
> is doing shows  
> > > > very poor leadership qualities.  
> > > >  
> > > > --- On Wed, 11/19/08, Bart Olson <BOLson@yorkville.il.us> wrote:  
> > > >  
> > > > From: Bart Olson  
> <BOLson@yorkville.il.us>  
> > > > Subject: FW: Train Whistles  
> > > > To: [REDACTED]  
> > > > Cc: "Brendan McLaughlin"  
> <BMcLaughlin@yorkville.il.us>,  
> > > > "val.burd@comcast.net"  
> <val.burd@comcast.net>, "Valerie  
> Burd"  
> <VBurd@yorkville.il.us>  
> > > > Date: Wednesday, November 19, 2008, 11:20 AM  
> > > >  
> > > >  
> > > > Hello [REDACTED]  
> > > >  
> > > > The engineering contract to start the quiet  
> zone is indeed  
> > > > on the Public Works  
> > > > Committee agenda in December.  
> > > >  
> > > > Setting up a quiet zone involves three main  
> processes - 1)  
> > > > entering into an  
> > > > engineering contract for the quiet zone  
> application, study  
> > > > and design and  
> > > > completing said contract, 2) receiving  
> approval from the  
> > > > Federal Railroad  
> > > > Administration and the BNSF, and 3)  
> completing the physical  
> > > > improvements to the  
> > > > railroad crossing to make the crossing quiet  
> zone  
> > > > compliant.

> > > >  
 > > > > In July, the Committee chose not to enter  
 > into the  
 > > > > engineering contract  
 > > > > (process 1) for a couple reasons:  
 > > > >  
 > > > > 1) The cost of the contract (process #1  
 > above) was not  
 > > > > budgeted, and the  
 > > > > Committee did not anticipate being able to  
 > spend the money  
 > > > > on the contract in  
 > > > > this fiscal year.  
 > > > >  
 > > > > 2) The improvements required on the  
 > intersection (process  
 > > > > #3) in order to make  
 > > > > it quiet zone compatible are expensive, and  
 > those  
 > > > > improvements will be completed  
 > > > > at some point in the future at the  
 > developer's cost.  
 > > > >  
 > > > > The improvements to the intersection will be  
 > made by the  
 > > > > Grande Reserve  
 > > > > developer, as required in the annexation  
 > agreement, when a  
 > > > > certain number of  
 > > > > houses are built in an area north of the  
 > tracks and an area  
 > > > > south of the tracks.  
 > > > > Doing the improvements at the City's  
 > cost prior to the  
 > > > > trigger-point where  
 > > > > the developer is required to do the  
 > improvements would  
 > > > > constitute  
 > > > > "throwaway improvements".  
 > Meaning, the City  
 > > > > would be paying money to  
 > > > > establish a quiet zone, construct the  
 > improvements, and  
 > > > > then have to redo the  
 > > > > process (and cost) in total in the future.  
 > > > >  
 > > > > The Committee chose to look at the  
 > engineering contract  
 > > > > again in December to  
 > > > > judge the buildout of the Grande Reserve  
 > Subdivision and  
 > > > > the state of the  
 > > > > City's budget.  
 > > > >  
 > > > > I would encourage you to attend the Public  
 > Works Committee  
 > > > > meeting on December

> > > > 16th at 6:00 pm. The agenda and packet for  
> that meeting  
> > > > will be available on  
> > > > the City website by end of day on Friday,  
> December 12th.  
> > > > While there is no  
> > > > "citizen's comment" section of  
> the agenda, it  
> > > > is fairly typical  
> > > > for the Committee Chairman to allow an  
> interested citizen  
> > > > to make a statement  
> > > > and ask questions at the meeting. If you  
> can not attend  
> > > > the meeting, you may  
> > > > send me a letter or email that can be  
> distributed in the  
> > > > Committee packet.  
> > > > Should you choose to send a letter for the  
> packet, I would  
> > > > need it by Monday,  
> > > > December 8th.  
> > > >  
> > > > If you have any further questions on the  
> process, the  
> > > > proposal, the meeting, or  
> > > > any other item, please do not hesitate to  
> call or email.  
> > > >  
> > > > Thanks  
> > > >  
> > > > Bartholomew A. Olson  
> > > > Assistant City Administrator  
> > > > United City of Yorkville  
> > > > 800 Game Farm Road  
> > > > Yorkville, IL 60560  
> > > > 630-553-8537 office  
> > > > 630-308-0582 cell  
> > > > bolson@yorkville.il.us  
> > > > www.yorkville.il.us  
> > > > P Please consider the environment before  
> printing this  
> > > > e-mail  
> > > >  
> > > > -----Original Message-----  
> > > > From: [REDACTED]  
> [REDACTED]  
> > > > Sent: Tuesday, November 18, 2008 6:57 PM  
> > > > To: val.burd@comcast.net; Bart Olson  
> > > > Subject: Train Whistles  
> > > >  
> > > > Hello-  
> > > > I was told by Mr. Olson that the idea of  
> getting a quiet  
> > > > zone in Yorkville  
> > > > would be talked about at a meeting in  
> December. This time

> > > > is fast approaching.  
> > > > We have become very upset over the dragging  
> of the feet  
> > > > that has gone on in our  
> > > > area of Yorkville. We have lived in our  
> home for two years  
> > > > and nothing has been  
> > > > done to improve the train noise problem or  
> Mill Road. The  
> > > > city of Aurora has  
> > > > just passed quiet zones, why can't  
> Yorkville. By  
> > > > passing quiet zones you  
> > > > make the area more attractive to home buyers  
> and that means  
> > > > more revenue for the  
> > > > city. We can not understand why nothing has  
> been done. We  
> > > > once again urge you  
> > > > to start the ball rolling on getting quiet  
> zones in the  
> > > > town of Yorkville.  
> > > > Should our pleas go unheard we will begin to  
> work with the  
> > > > local media outlets  
> > > > to help in our fight.  
> > > >  
> > > > Thank You-  
> > > >  
> > > > [REDACTED]  
> > >  
> > >  
> > >  
> >  
> >  
> >  
> >  
> >  
> >  
> >

## Bart Olson

---

**From:** Bart Olson  
**Sent:** Thursday, December 11, 2008 4:06 PM  
**To:** [REDACTED]  
**Subject:** RE: Re: FW: Train Whistles

Hello [REDACTED]

One final reminder, the item is on the Public Works Committee agenda for December 16th at 6:00 pm at City Hall. You are welcome to attend.

Thanks,

Bartholomew A. Olson  
Assistant City Administrator  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 office  
630-308-0582 cell  
bolson@yorkville.il.us  
www.yorkville.il.us

P Please consider the environment before printing this e-mail

-----Original Message-----

**From:** Bart Olson  
**Sent:** Thursday, December 11, 2008 8:38 AM  
**To:** [REDACTED]  
**Subject:** RE: Re: FW: Train Whistles

Hello [REDACTED]

I do appreciate the kind words. You had the definition of a four way gate correct. The cost to install the gate is similar to the cost of installing the median (around \$100,000). Even if we had the money for those gates (or the median, or any of the other improvements that we could to satisfy the quiet zone rules), we would still have to go through the quiet zone application process which will take 12-18 months and cost more money. I bring that point up only to emphasize the point that there is no quick fix to this process. We can not simply install the gates (or the median) and then petition the Federal Railroad Administration and the BNSF to stop blowing their horns. Both of those parties are required to agree to whatever we put in, and they won't agree until they are sure that whatever is planned will not decrease safety at the intersection.

To answer your question about the median - the median is but one of the options among a list of many to satisfy the requirements for a quiet zone. Four way gates are another, and stationary horns are another. One of the reasons the median is recommended is because the cost of the median will be paid for by the developer.

Have you ever contacted our building department with any of these issues? While they might not be able to help with some of them (i.e. street lights), they might have fixes or advice on phone lines and cable lines. If you're still having issues with the builder, we are always here to help.

Thanks,

Bartholomew A. Olson  
Assistant City Administrator  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 office  
630-308-0582 cell  
bolson@yorkville.il.us  
www.yorkville.il.us

P Please consider the environment before printing this e-mail -----Original Message-----

From: [REDACTED]  
Sent: Wednesday, December 10, 2008 9:38 PM  
To: Bart Olson  
Subject: RE: Re: FW: Train Whistles

Hello-

I appreciate the information. Your answers have always been done in a professional manner and I have always felt that you have treated me with respect. Unfortunately, the same can not be said for the Mayor. I understand everything you have said but our opinion all along has been that simply making the crossing gates extend across both lanes of traffic would do the trick. I assume this is what is meant by a four way crossing gate. This would assure that no cars could move around the gates making the intersection safe without the need for a horn. Extending the length of the crossing gate should be a very inexpensive and quick fix. I agree that building a median would be expensive but is this really necessary? Would a four way crossing gate be enough to make all parties happy? The actual intersection can be improved down the road, we just want the trains to stop blowing their horns.

Our frustration on this entire subject stems from a long line of problems with Pasquinelli. To start, when we bought our home, the sales office was conveniently located off of Galena, well away from the noise of the tracks. Since the sales office moved, no new homes have been started and none of the units that had already been built have sold. On the day we were forced to close, we had no phone line, no cable line, and no street lights. Since the day we signed our contract to build, Pasquinelli has done nothing to help us out. Buying your first home is supposed to be a wonderful experience, but for us it has not been. Most of my neighbors feel the same way. We are all very frustrated and we just want someone to hear us and to try their best to help us out. Having the trains go quiet would be a huge lift to our spirits and would make living in the area much more enjoyable.

Thank You

[REDACTED]

--- On Mon, 12/8/08, Bart Olson <Bolson@yorkville.il.us> wrote:

> From: Bart Olson <Bolson@yorkville.il.us>  
> Subject: RE: Re: FW: Train Whistles  
> To: [REDACTED]  
> Cc: "val.burd@comcast.net" <val.burd@comcast.net>, "Brendan  
> McLaughlin" <BMcLaughlin@yorkville.il.us>  
> Date: Monday, December 8, 2008, 1:12 PM Hello [REDACTED]  
>  
> Mayor Burd asked me to forward the following information to  
> you:  
>  
> 1. Pasquinelli has not filed for bankruptcy. A portion of their  
> property is in foreclosure. The agreement is attached to the land,

> and is still valid. From the agreement:

> "Successors and Assigns. This Agreement shall inure to the benefit of

> and be binding upon the OWNERS, DEVELOPER and their successors in

> title and interest, and upon the CITY, and any successor

> municipalities of the CITY. It is understood and agreed that this

> Agreement shall run with the land and as such, shall be assignable to

> and binding upon each and every subsequent grantee and successor in

> interest of the OWNERS and DEVELOPER, and the CITY. The foregoing to

> the contrary notwithstanding, the obligations and duties of OWNERS and

> DEVELOPER hereunder shall not be deemed transferred to or assumed by

> any purchaser of a empty lot or a lot improved with a dwelling unit

> who acquires the same for residential occupation, unless otherwise

> expressly agreed in writing by such purchaser.

>

> 2. No. As stated above, the agreement applies to whoever owns the

> land.

>

> 3. Any new developer is obligated to the terms of the agreement.

>

> 4. We recognize your request has not been met and the frustration

> this has caused you. The committee stated they were not prepared to

> spend money that isn't budgeted applying for items that are temporary.

>

> 5 (second #3). I'm not sure which \$100,000

> you're referring to - as I've stated below, the process to create a

> quiet zone consists of three steps:

> engineering an intersection to be quiet zone compliant, completing the

> application for the quiet zone, and constructing the improvements.

> The City of Yorkville will have to bear the cost of engineering the

> intersection and completing the application - the developer is

> required by the annexation agreement to improve Mill Road. Those

> improvements coincidentally include improvements that will make the

> intersection quiet zone complaint (i.e. the third step).

>

> 6 (second #4). In order for a quiet zone to be established, several

> physical improvements can be considered as options. You can create a

> four-way crossing gate, mount a stationary horn at the intersection so

> the sound is directed only at traffic, create a raised median between

> eastbound and westbound traffic, and/or a few other options.

> The Federal Railroad Administration looks at the intersection,

> traffic data, crash history, railroad traffic data when determining

> which (and how many) improvements need to be installed to create a

> quiet zone. Our staff's early operating assumption is that the

> relatively low traffic counts (compared to other intersections in the

> region), absence of crashes, and low railroad traffic will result in

> only requiring a raised median between eastbound and westbound

> traffic. To note, the improvements required in the annexation

> agreement include creating a raised median between eastbound and

> westbound traffic - which is what we've been referencing as

> improvements the developer is required to make at their cost.

>

> 7 (#5). 204 permits have been issued in neighborhoods 1-5.

> As you've probably picked up from the agreement, the developer is

> required to make the improvements to Mill Road within 1 year of

> hitting 500 permits in that area. While the past buildout would not

> indicate we will hit 500 anytime in the near future, one of those

> neighborhoods is a condominium/apartment neighborhood. When that unit



> is developed, it is likely the builder developer will build all  
> 320 units at once. However, the City has not received any indication  
> from the developer that those units will be built in the near future.  
>  
> Bartholomew A. Olson  
> Assistant City Administrator  
> United City of Yorkville  
> 800 Game Farm Road  
> Yorkville, IL 60560  
> 630-553-8537 office  
> 630-308-0582 cell  
> bolson@yorkville.il.us  
> www.yorkville.il.us  
> P Please consider the environment before printing this e-mail  
> -----Original Message-----  
>  
> ----- Forwarded Message: -----  
> From: [REDACTED]  
> To: val.burd@comcast.net  
> Subject: Re: FW: Train Whistles  
> Date: Mon, 8 Dec 2008 13:26:28 +0000  
> > Hello-  
> > I have read the documents you sent to me and I have  
> several questions about them.  
> >  
> > #1. One of the "developers", Pasquinelli,  
> has closed its sales offices and has filed for bankruptcy.  
> Is the contract you sent me still valid or is it nul> and void?  
> >  
> > #2. If a new developer takes over, will a new  
> contract have to be drawn up?  
> >  
> > #3. If a new developer does not agree to the  
> established contract, who then will pay for the improvements?  
> >  
> > #4. If the City of Yorkville will not help out our  
> area, would you consider ceding us to a neighboring town, say Oswego,  
> or Montgomery. They might do a better job of helping us out?  
> >  
> > #3. Does the \$100,000 bid to work on the train  
> intersections include the  
> > development of a quiet zone?  
> >  
> > #4. I keep hearing that quiet zones would cost alot  
> of money. Can you tell me exactly what has to be done to the  
> intersections to make them quiet zone compliant. You must know since  
> you keep saying it would be so expensive.  
> >  
> > #5. How many building permits have been given out for  
> neighborhoods 1-5?  
> >  
> > I look forward to your answers. I find the  
> >  
> > Thank You  
> >  
> >  
> >

> > --- On Mon, 12/1/08, val.burd@comcast.net  
> <val.burd@comcast.net> wrote:  
> >  
> > From: val.burd@comcast.net  
> <val.burd@comcast.net>  
> > Subject: Re: FW: Train Whistles  
> > To: [REDACTED]  
> > Date: Monday, December 1, 2008, 5:16 PM  
> >  
> > [REDACTED]  
> >  
> > I will have staff send you a hard copy of the  
> agreement. Re your comments:  
> >  
> > 1. Yes -- that is exactly why we want commercial  
> development -- and this  
> > isn't about "me." That is why we have  
> an economic development  
> > committee of the City Council. The city doesn't  
> benefit from residential  
> > development because it costs us more to provide  
> services than we get in taxes.  
> > Its the commercial developments, without any school  
> children to add to the  
> > schools, that provide us with the revenues we need to  
> run our city.  
> >  
> > 2. Although Rt. 47, Rt. 34, etc. are state highways,  
> it is the developments  
> > that pay for improvements to intersections, for new  
> access to the roads,  
> > widening lanes, etc. when the improvements are caused  
> by development. Check out  
> > the improvements to Rt. 34 in front of the new Kendall  
> Marketplace. The state  
> > did not pay for these improvements -- the developer  
> did. Not the taxpayers. If  
> > we had to rely on the state -- we'd still be  
> sitting here with nothing done.  
> > The state hasn't passed a capitol bill in nine  
> years.  
> >  
> > 3. About the schools -- check out how your Grande  
> Reserve Elementary School  
> > was built. The School District could not get  
> referendums passed in large enough  
> > amounts to pay for building the schools needed. So  
> the City, School District,  
> > and the developer got together with a local bank. The  
> developer paid upfront --  
> > the down payment for the loan -- and the district will  
> pay it down using new tax  
> > revenues coming in from NEW RESIDENTS. This was done  
> for Grande Reserve,  
> > Bristol Bay Elementary School, and the new middle  
> school. So you see, new  
> > development is paying its own way.

> >  
> > But all of these discussions are not addressing your  
> issue. The reason the  
> > committee recommended not to go ahead with your  
> request is that staff and  
> > aldermen do not think it is financially prudent to use  
> tax dollars to make  
> > improvements that will just be torn out in a few years  
> and replaced. We have to  
> > use our money carefully. There is a train that runs  
> through our downtown area  
> > and by high-end houses in Rivers Edge and White Oak  
> subdivisions. They were  
> > here before your area was built; they also have a  
> claim to our help in  
> > establishing quiet zones. The quiet zone by your  
> house will be established --  
> > but probably not within the next fiscal year.  
> >  
> > Valerie Burd  
> > ----- Original message  
> -----  
> > [REDACTED]  
> > > This must be why you were pushing for high end  
> shopping stores to be built on the old countryside site.  
> The residents of Yorkville have plenty of money to spend at these  
> stores. Also the water park you mentioned is off of a state road,  
> Rte. 47, which the state is responsible for improving.  
>  
> Lastly, when new subdivisions go up, won't these areas need new  
> schools? I guess we won't have to pay for these new schools. I guess  
> each neighborhood will have to pay for the construction of their own  
> school and then pay for its upkeep and its staff.  
> Your logic makes no sense. We are a community and we all have to  
> pitch in to help out. I am paying for someone else's school, they  
> should help to pay for quiet zones.  
> Putting in a quiet zone will only improve the value of the land around  
> the tracks and bring more home buyers into the area. Until you act,  
> the area will remain the way it is now, dead!  
>  
> > > The copy I requested was sent to me. This file  
> did not open. Please  
> > re-send a  
> > > hard copy to my address: [REDACTED] Preston Drive,  
> Yorkville, IL.  
> > >  
> > >  
> > >  
> > >  
> > > --- On Tue, 11/25/08, val.burd@comcast.net  
> <val.burd@comcast.net>  
> > wrote:  
> > >  
> > > > From: val.burd@comcast.net  
> <val.burd@comcast.net>  
> > > > Subject: Re: FW: Train Whistles  
> > > > To: [REDACTED]

> > > > Date: Tuesday, November 25, 2008, 2:51 PM [REDACTED]  
> > > >  
> > > > I thought you had been notified of this  
> issue when it came  
> > > > before the committee, and that you had  
> attended the public  
> > > > works meeting. All of this was discussed at  
> that meeting.  
> > > > I am sorry if you did not get that  
> information.  
> > > >  
> > > > As for our approach to development -- Now as  
> a resident of  
> > > > our community, you will not be asked to pay  
> for  
> > > > infrastructure improvements when, for  
> instance, a water park  
> > > > or new shopping area requires improvements  
> to our streets.  
> > > > You won't have to foot the bill for new  
> subdivisions if  
> > > > growth starts up again and we have to build  
> wider roads  
> > > > around those developments. Look at your tax  
> bill.  
> > > > Don't you agree that you are already  
> paying a lot?  
> > > > Kendall County has one of the heaviest tax  
> burdens in the  
> > > > state, mainly because we were not  
> commercialized or  
> > > > industrialized. In 2002 Yorkville  
> residents, all 8,000 of  
> > > > us, could not afford all those improvements  
> that were needed  
> > > > to almost double the size of our city. Its  
> not that we  
> > > > didn't want new residents; we  
> couldn't afford to pay  
> > > > for the services and improvements needed.  
> You have to be  
> > > > aware of the current economic crisis in our  
> country. We are  
> > > > in very tight times. We have to look at all  
> the demands and  
> > > > try to meet those that do the most for the most people.  
> > > >  
> > > > You will get a copy of the agreement asap.  
> > > >  
> > > > Valerie Burd  
> > > >  
> > > > ----- Original message  
> -----  
> > > > From: [REDACTED]  
[REDACTED]  
> > > > So much for the United City of Yorkville.  
> What a lie. It

> > > > sounds like the residents of Yorkville do  
 > not want new  
 > > > > residents at all. I guess I should not have  
 > to pay for the  
 > > > > Yorkville School System since I do not use  
 > it!!!!  
 > > > >  
 > > > > I do not know why this information was not  
 > given to me over  
 > > > > a year ago when I started communicating with  
 > you. What is  
 > > > > going on in your office??  
 > > > >  
 > > > > I would like a copy of the agreement mailed  
 > to my home:  
 > > > > [REDACTED] Preston Drive, Yorkville. I hope the  
 > residents of  
 > > > > Yorkville can foot the bill for the stamp!  
 > > > >  
 > > > >  
 > > > >  
 > > > >  
 > > > > --- On Thu, 11/20/08, val.burd@comcast.net  
 > > > > <val.burd@comcast.net> wrote:  
 > > > >  
 > > > > From: val.burd@comcast.net  
 > <val.burd@comcast.net>  
 > > > > Subject: Re: FW: Train Whistles  
 > > > > To: [REDACTED]  
 > > > > Date: Thursday, November 20, 2008, 5:01 PM  
 > > > >  
 > > > >  
 > > > > [REDACTED] I knew what the  
 > committee's decision  
 > > > > was. I didn't know that they had  
 > planned to review the  
 > > > > decision in December. If you want to see  
 > the actual  
 > > > > agreement we have with Pasquinelli, we will  
 > be happy to  
 > > > > provide you with a copy of the document. We  
 > have it in  
 > > > > writing. You don't have to take  
 > anyone's word for  
 > > > > it. The document is enforceable in a court  
 > of law. The  
 > > > > reason Pasquinelli is on the line to make  
 > the improvements  
 > > > > is because the residents of Yorkville did  
 > not believe that  
 > > > > we should have to pay for improvements for  
 > new residents  
 > > > > moving in to our community. The idea was to  
 > make  
 > > > > development pay for itself, and that is what  
 > this agreement  
 > > > > calls for. The improvements to Kennedy Road

> and to Bristol  
> > > Road were paid for by the developer also  
> because of the  
> > > increased traffic caused by new residents.  
> > >  
> > > Valerie Burd  
> > >  
> > > ----- Original message  
> -----  
> > > From: [REDACTED]  
> [REDACTED]  
> > > Thank you for the response but what you are  
> saying is in  
> > > direct conflict with what we have been told  
> by Pasquinelli.  
> > > If the developer has to pay for the new  
> crossing, does the  
> > > developer own the road? Second, what  
> expensive changes are  
> > > needed to make the intersection quiet? We  
> were told a  
> > > simple extension of the crossing gates to  
> block both lanes  
> > > of traffic was all that is required.  
> Pasquinelli's  
> > > position has been that the road belongs to  
> the city and the  
> > > tracks are federal. Why would a developer  
> have to take on  
> > > the expense to make a quiet zone on a  
> public, city road over  
> > > a federal line. Dont we pay property tax to  
> the city and  
> > > not Pasquinelli? It is clear that nothing  
> is going to get  
> > > down and that one side is lying to the  
> homeowners. It is  
> > > time to take the issue to the media.  
> > > To the mayor- to not know what a committee  
> is doing shows  
> > > very poor leadership qualities.  
> > >  
> > > --- On Wed, 11/19/08, Bart Olson <BOlson@yorkville.il.us> wrote:  
> > >  
> > > From: Bart Olson  
> <BOlson@yorkville.il.us>  
> > > Subject: FW: Train Whistles  
> > > To: [REDACTED]  
> [REDACTED]  
> > > Cc: "Brendan McLaughlin"  
> > > <BMcLaughlin@yorkville.il.us>,  
> > > "val.burd@comcast.net"  
> > > <val.burd@comcast.net>, "Valerie  
> Burd"  
> > > <VBurd@yorkville.il.us>  
> > > Date: Wednesday, November 19, 2008, 11:20 AM  
> > >

> > > >  
 > > > > Hello [REDACTED]  
 > > > >  
 > > > > The engineering contract to start the quiet  
 > zone is indeed  
 > > > > on the Public Works  
 > > > > Committee agenda in December.  
 > > > >  
 > > > > Setting up a quiet zone involves three main  
 > processes - 1)  
 > > > > entering into an  
 > > > > engineering contract for the quiet zone  
 > application, study  
 > > > > and design and  
 > > > > completing said contract, 2) receiving  
 > approval from the  
 > > > > Federal Railroad  
 > > > > Administration and the BNSF, and 3)  
 > completing the physical  
 > > > > improvements to the  
 > > > > railroad crossing to make the crossing quiet  
 > zone  
 > > > > compliant.  
 > > > >  
 > > > > In July, the Committee chose not to enter  
 > into the  
 > > > > engineering contract  
 > > > > (process 1) for a couple reasons:  
 > > > >  
 > > > > 1) The cost of the contract (process #1  
 > above) was not  
 > > > > budgeted, and the  
 > > > > Committee did not anticipate being able to  
 > spend the money  
 > > > > on the contract in  
 > > > > this fiscal year.  
 > > > >  
 > > > > 2) The improvements required on the  
 > intersection (process  
 > > > > #3) in order to make  
 > > > > it quiet zone compatible are expensive, and  
 > those  
 > > > > improvements will be completed  
 > > > > at some point in the future at the  
 > developer's cost.  
 > > > >  
 > > > > The improvements to the intersection will be  
 > made by the  
 > > > > Grande Reserve  
 > > > > developer, as required in the annexation  
 > agreement, when a  
 > > > > certain number of  
 > > > > houses are built in an area north of the  
 > tracks and an area  
 > > > > south of the tracks.  
 > > > > Doing the improvements at the City's  
 > cost prior to the



> > > trigger-point where  
 > > > the developer is required to do the  
 > improvements would  
 > > > constitute  
 > > > "throwaway improvements".  
 > Meaning, the City  
 > > > would be paying money to  
 > > > establish a quiet zone, construct the  
 > improvements, and  
 > > > then have to redo the  
 > > > process (and cost) in total in the future.  
 > > >  
 > > > The Committee chose to look at the  
 > engineering contract  
 > > > again in December to  
 > > > judge the buildout of the Grande Reserve  
 > Subdivision and  
 > > > the state of the  
 > > > City's budget.  
 > > >  
 > > > I would encourage you to attend the Public  
 > Works Committee  
 > > > meeting on December  
 > > > 16th at 6:00 pm. The agenda and packet for  
 > that meeting  
 > > > will be available on  
 > > > the City website by end of day on Friday,  
 > December 12th.  
 > > > While there is no  
 > > > "citizen's comment" section of  
 > the agenda, it  
 > > > is fairly typical  
 > > > for the Committee Chairman to allow an  
 > interested citizen  
 > > > to make a statement  
 > > > and ask questions at the meeting. If you  
 > can not attend  
 > > > the meeting, you may  
 > > > send me a letter or email that can be  
 > distributed in the  
 > > > Committee packet.  
 > > > Should you choose to send a letter for the  
 > packet, I would  
 > > > need it by Monday,  
 > > > December 8th.  
 > > >  
 > > > If you have any further questions on the  
 > process, the  
 > > > proposal, the meeting, or  
 > > > any other item, please do not hesitate to  
 > call or email.  
 > > >  
 > > > Thanks  
 > > >  
 > > > Bartholomew A. Olson  
 > > > Assistant City Administrator  
 > > > United City of Yorkville

> > > > 800 Game Farm Road  
> > > > Yorkville, IL 60560  
> > > > 630-553-8537 office  
> > > > 630-308-0582 cell  
> > > > bolson@yorkville.il.us  
> > > > www.yorkville.il.us  
> > > > P Please consider the environment before  
> printing this  
> > > > e-mail  
> > > >  
> > > > -----Original Message-----  
> > > > From: [REDACTED]  
> [REDACTED]  
> > > > Sent: Tuesday, November 18, 2008 6:57 PM  
> > > > To: val.burd@comcast.net; Bart Olson  
> > > > Subject: Train Whistles  
> > > >  
> > > > Hello-  
> > > > I was told by Mr. Olson that the idea of  
> getting a quiet  
> > > > zone in Yorkville  
> > > > would be talked about at a meeting in  
> December. This time  
> > > > is fast approaching.  
> > > > We have become very upset over the dragging  
> of the feet  
> > > > that has gone on in our  
> > > > area of Yorkville. We have lived in our  
> home for two years  
> > > > and nothing has been  
> > > > done to improve the train noise problem or  
> Mill Road. The  
> > > > city of Aurora has  
> > > > just passed quiet zones, why can't  
> Yorkville. By  
> > > > passing quiet zones you  
> > > > make the area more attractive to home buyers  
> and that means  
> > > > more revenue for the  
> > > > city. We can not understand why nothing has  
> been done. We  
> > > > once again urge you  
> > > > to start the ball rolling on getting quiet  
> zones in the  
> > > > town of Yorkville.  
> > > > Should our pleas go unheard we will begin to  
> work with the  
> > > > local media outlets  
> > > > to help in our fight.  
> > > >  
> > > > Thank You-  
> > > >  
> > > > [REDACTED]  
> > > >  
> > > >  
> > > >  
> > > >  
> > > >

> >  
> >  
> >  
> >

## Bart Olson

---

**From:** Bart Olson  
**Sent:** Thursday, December 11, 2008 8:38 AM  
**To:** [REDACTED]  
**Subject:** RE: Re: FW: Train Whistles

Hello [REDACTED]

I do appreciate the kind words. You had the definition of a four way gate correct. The cost to install the gate is similar to the cost of installing the median (around \$100,000). Even if we had the money for those gates (or the median, or any of the other improvements that we could to satisfy the quiet zone rules), we would still have to go through the quiet zone application process which will take 12-18 months and cost more money. I bring that point up only to emphasize the point that there is no quick fix to this process. We can not simply install the gates (or the median) and then petition the Federal Railroad Administration and the BNSF to stop blowing their horns. Both of those parties are required to agree to whatever we put in, and they won't agree until they are sure that whatever is planned will not decrease safety at the intersection.

To answer your question about the median - the median is but one of the options among a list of many to satisfy the requirements for a quiet zone. Four way gates are another, and stationary horns are another. One of the reasons the median is recommended is because the cost of the median will be paid for by the developer.

Have you ever contacted our building department with any of these issues? While they might not be able to help with some of them (i.e. street lights), they might have fixes or advice on phone lines and cable lines. If you're still having issues with the builder, we are always here to help.

Thanks,

Bartholomew A. Olson  
Assistant City Administrator  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 office  
630-308-0582 cell  
bolson@yorkville.il.us  
www.yorkville.il.us

P Please consider the environment before printing this e-mail -----Original Message-----

**From:** [REDACTED]  
**Sent:** Wednesday, December 10, 2008 9:38 PM  
**To:** Bart Olson  
**Subject:** RE: Re: FW: Train Whistles

Hello-

I appreciate the information. Your answers have always been done in a professional manner and I have always felt that you have treated me with respect. Unfortunately, the same can not be said for the Mayor. I understand everything you have said but our opinion all along has been that simply making the crossing gates extend across both lanes of traffic would do the trick. I assume this is what is meant by a four way crossing gate. This would assure that no cars could move around the gates making the intersection safe without the need for a horn. Extending the length of the crossing gate should be a very inexpensive and quick fix. I agree that building a median would be expensive but is this really necessary? Would a four

way crossing gate be enough to make all parties happy? The actual intersection can be improved down the road, we just want the trains to stop blowing their horns.

Our frustration on this entire subject stems from a long line of problems with Pasquinelli. To start, when we bought our home, the sales office was conveniently located off of Galena, well away from the noise of the tracks. Since the sales office moved, no new homes have been started and none of the units that had already been built have sold. On the day we were forced to close, we had no phone line, no cable line, and no street lights. Since the day we signed our contract to build, Pasquinelli has done nothing to help us out. Buying your first home is supposed to be a wonderful experience, but for us it has not been. Most of my neighbors feel the same way. We are all very frustrated and we just want someone to hear us and to try their best to help us out. Having the trains go quiet would be a huge lift to our spirits and would make living in the area much more enjoyable.

Thank You

[REDACTED]

--- On Mon, 12/8/08, Bart Olson <BOlson@yorkville.il.us> wrote:

> From: Bart Olson <BOlson@yorkville.il.us>  
> Subject: RE: Re: FW: Train Whistles  
> To: [REDACTED]  
> Cc: "val.burd@comcast.net" <val.burd@comcast.net>, "Brendan  
> McLaughlin" <BMcLaughlin@yorkville.il.us>  
> Date: Monday, December 8, 2008, 1:12 PM Hello [REDACTED]  
>  
> Mayor Burd asked me to forward the following information to  
> you:  
>  
> 1. Pasquinelli has not filed for bankruptcy. A portion of their  
> property is in foreclosure. The agreement is attached to the land,  
> and is still valid. From the agreement:  
> "Successors and Assigns. This Agreement shall inure to the benefit of  
> and be binding upon the OWNERS, DEVELOPER and their successors in  
> title and interest, and upon the CITY, and any successor  
> municipalities of the CITY. It is understood and agreed that this  
> Agreement shall run with the land and as such, shall be assignable to  
> and binding upon each and every subsequent grantee and successor in  
> interest of the OWNERS and DEVELOPER, and the CITY. The foregoing to  
> the contrary notwithstanding, the obligations and duties of OWNERS and  
> DEVELOPER hereunder shall not be deemed transferred to or assumed by  
> any purchaser of a empty lot or a lot improved with a dwelling unit  
> who acquires the same for residential occupation, unless otherwise  
> expressly agreed in writing by such purchaser.  
>  
> 2. No. As stated above, the agreement applies to whoever owns the  
> land.  
>  
> 3. Any new developer is obligated to the terms of the agreement.  
>  
> 4. We recognize your request has not been met and the frustration  
> this has caused you. The committee stated they were not prepared to  
> spend money that isn't budgeted applying for items that are temporary.  
>  
> 5 (second #3). I'm not sure which \$100,000

> you're referring to - as I've stated below, the process to create a  
> quiet zone consists of three steps:  
> engineering an intersection to be quiet zone compliant, completing the  
> application for the quiet zone, and constructing the improvements.  
> The City of Yorkville will have to bear the cost of engineering the  
> intersection and completing the application - the developer is  
> required by the annexation agreement to improve Mill Road. Those  
> improvements coincidentally include improvements that will make the  
> intersection quiet zone complaint (i.e. the third step).  
>  
> 6 (second #4). In order for a quiet zone to be established, several  
> physical improvements can be considered as options. You can create a  
> four-way crossing gate, mount a stationary horn at the intersection so  
> the sound is directed only at traffic, create a raised median between  
> eastbound and westbound traffic, and/or a few other options.  
> The Federal Railroad Administration looks at the intersection,  
> traffic data, crash history, railroad traffic data when determining  
> which (and how many) improvements need to be installed to create a  
> quiet zone. Our staff's early operating assumption is that the  
> relatively low traffic counts (compared to other intersections in the  
> region), absence of crashes, and low railroad traffic will result in  
> only requiring a raised median between eastbound and westbound  
> traffic. To note, the improvements required in the annexation  
> agreement include creating a raised median between eastbound and  
> westbound traffic - which is what we've been referencing as  
> improvements the developer is required to make at their cost.  
>  
> 7 (#5). 204 permits have been issued in neighborhoods 1-5.  
> As you've probably picked up from the agreement, the developer is  
> required to make the improvements to Mill Road within 1 year of  
> hitting 500 permits in that area. While the past buildout would not  
> indicate we will hit 500 anytime in the near future, one of those  
> neighborhoods is a condominium/apartment neighborhood. When that unit  
> is developed, it is likely the builder developer will build all  
> 320 units at once. However, the City has not received any indication  
> from the developer that those units will be built in the near future.  
>  
> Bartholomew A. Olson  
> Assistant City Administrator  
> United City of Yorkville  
> 800 Game Farm Road  
> Yorkville, IL 60560  
> 630-553-8537 office  
> 630-308-0582 cell  
> bolson@yorkville.il.us  
> www.yorkville.il.us  
> P Please consider the environment before printing this e-mail  
> -----Original Message-----  
>  
> ----- Forwarded Message: -----  
> From: [REDACTED]  
> To: val.burd@comcast.net  
> Subject: Re: FW: Train Whistles  
> Date: Mon, 8 Dec 2008 13:26:28 +0000  
> > Hello-  
> > I have read the documents you sent to me and I have  
> several questions about them.

> >  
> > #1. One of the "developers", Pasquinelli,  
> has closed its sales offices and has filed for bankruptcy.  
> Is the contract you sent me still valid or is it nul> and void?  
> >  
> > #2. If a new developer takes over, will a new  
> contract have to be drawn up?  
> >  
> > #3. If a new developer does not agree to the  
> established contract, who then will pay for the improvements?  
> >  
> > #4. If the City of Yorkville will not help out our  
> area, would you consider ceding us to a neighboring town, say Oswego,  
> or Montgomery. They might do a better job of helping us out?  
> >  
> > #3. Does the \$100,000 bid to work on the train  
> intersections include the  
> > development of a quiet zone?  
> >  
> > #4. I keep hearing that quiet zones would cost alot  
> of money. Can you tell me exactly what has to be done to the  
> intersections to make them quiet zone compliant. You must know since  
> you keep saying it would be so expensive.  
> >  
> > #5. How many building permits have been given out for  
> neighborhoods 1-5?  
> >  
> > I look forward to your answers. I find the  
> >  
> > Thank You  
> >  
> >  
> >  
> > --- On Mon, 12/1/08, val.burd@comcast.net  
> <val.burd@comcast.net> wrote:  
> >  
> > From: val.burd@comcast.net  
> <val.burd@comcast.net>  
> > Subject: Re: FW: Train Whistles  
> > To: [REDACTED]  
> > Date: Monday, December 1, 2008, 5:16 PM  
> >  
> > [REDACTED]  
> >  
> > I will have staff send you a hard copy of the  
> agreement. Re your comments:  
> >  
> > 1. Yes -- that is exactly why we want commercial  
> development -- and this  
> > isn't about "me." That is why we have  
> an economic development  
> > committee of the City Council. The city doesn't  
> benefit from residential  
> > development because it costs us more to provide  
> services than we get in taxes.  
> > Its the commercial developments, without any school  
> children to add to the

> > schools, that provide us with the revenues we need to  
> run our city.  
> >  
> > 2. Although Rt. 47, Rt. 34, etc. are state highways,  
> it is the developments  
> > that pay for improvements to intersections, for new  
> access to the roads,  
> > widening lanes, etc. when the improvements are caused  
> by development. Check out  
> > the improvements to Rt. 34 in front of the new Kendall  
> Marketplace. The state  
> > did not pay for these improvements -- the developer  
> did. Not the taxpayers. If  
> > we had to rely on the state -- we'd still be  
> sitting here with nothing done.  
> > The state hasn't passed a capitol bill in nine  
> years.  
> >  
> > 3. About the schools -- check out how your Grande  
> Reserve Elementary School  
> > was built. The School District could not get  
> referendums passed in large enough  
> > amounts to pay for building the schools needed. So  
> the City, School District,  
> > and the developer got together with a local bank. The  
> developer paid upfront --  
> > the down payment for the loan -- and the district will  
> pay it down using new tax  
> > revenues coming in from NEW RESIDENTS. This was done  
> for Grande Reserve,  
> > Bristol Bay Elementary School, and the new middle  
> school. So you see, new  
> > development is paying its own way.  
> >  
> > But all of these discussions are not addressing your  
> issue. The reason the  
> > committee recommended not to go ahead with your  
> request is that staff and  
> > aldermen do not think it is financially prudent to use  
> tax dollars to make  
> > improvements that will just be torn out in a few years  
> and replaced. We have to  
> > use our money carefully. There is a train that runs  
> through our downtown area  
> > and by high-end houses in Rivers Edge and White Oak  
> subdivisions. They were  
> > here before your area was built; they also have a  
> claim to our help in  
> > establishing quiet zones. The quiet zone by your  
> house will be established --  
> > but probably not within the next fiscal year.  
> >  
> > Valerie Burd  
> > ----- Original message  
> -----  
> > From: [REDACTED]  
> > > This must be why you were pushing for high end



> shopping stores to be built on the old countryside site.  
> The residents of Yorkville have plenty of money to spend at these  
> stores. Also the water park you mentioned is off of a state road,  
> Rte. 47, which the state is responsible for improving.  
>  
> Lastly, when new subdivisions go up, won't these areas need new  
> schools? I guess we wont have to pay for these new schools. I guess  
> each neighborhood will have to pay for the construction of their own  
> school and then pay for its up keep and its staff.  
> Your logic makes no sense. We are a community and we all have to  
> pitch in to help out. I am paying for someone else's school, they  
> should help to pay for quiet zones.  
> Putting in a quiet zone will only improve the value of the land around  
> the tracks and bring more home buyers into the area. Until you act,  
> the area will remain the way it is now, dead!  
>  
> > > The copy I requested was sent to me. This file  
> did not open. Please  
> > re-send a  
> > > hard copy to my address: [REDACTED] Preston Drive,  
> Yorkville, IL.  
> > >  
> > >  
> > >  
> > >  
> > > --- On Tue, 11/25/08, val.burd@comcast.net  
> <val.burd@comcast.net>  
> > wrote:  
> > >  
> > > > From: val.burd@comcast.net  
> <val.burd@comcast.net>  
> > > > Subject: Re: FW: Train Whistles  
> > > > To: [REDACTED]  
> > > > Date: Tuesday, November 25, 2008, 2:51 PM [REDACTED]  
> > > >  
> > > > I thought you had been notified of this  
> issue when it came  
> > > > before the committee, and that you had  
> attended the public  
> > > > works meeting. All of this was discussed at  
> that meeting.  
> > > > I am sorry if you did not get that  
> information.  
> > > >  
> > > > As for our approach to development -- Now as  
> a resident of  
> > > > our community, you will not be asked to pay  
> for  
> > > > infrastructure improvements when, for  
> instance, a water park  
> > > > or new shopping area requires improvements  
> to our streets.  
> > > > You won't have to foot the bill for new  
> subdivisions if  
> > > > growth starts up again and we have to build  
> wider roads  
> > > > around those developments. Look at your tax

> bill.

> > > > Don't you agree that you are already  
> paying a lot?

> > > > Kendall County has one of the heaviest tax  
> burdens in the  
> > > > state, mainly because we were not  
> commercialized or  
> > > > industrialized. In 2002 Yorkville  
> residents, all 8,000 of  
> > > > us, could not afford all those improvements  
> that were needed  
> > > > to almost double the size of our city. Its  
> not that we  
> > > > didn't want new residents; we  
> couldn't afford to pay  
> > > > for the services and improvements needed.  
> You have to be  
> > > > aware of the current economic crisis in our  
> country. We are  
> > > > in very tight times. We have to look at all  
> the demands and  
> > > > try to meet those that do the most for the most people.  
> > > >  
> > > > You will get a copy of the agreement asap.  
> > > >  
> > > > Valerie Burd  
> > > >  
> > > > ----- Original message  
> -----  
> > > > From: [REDACTED]  
> <[REDACTED]>  
> > > > So much for the United City of Yorkville.  
> What a lie. It  
> > > > sounds like the residents of Yorkville do  
> not want new  
> > > > residents at all. I guess I should not have  
> to pay for the  
> > > > Yorkville School System since I do not use  
> it!!!!  
> > > >  
> > > > I do not know why this information was not  
> given to me over  
> > > > a year ago when I started communicating with  
> you. What is  
> > > > going on in your office??  
> > > >  
> > > > I would like a copy of the agreement mailed  
> to my home:  
> > > > [REDACTED] Preston Drive, Yorkville. I hope the  
> residents of  
> > > > Yorkville can foot the bill for the stamp!  
> > > >  
> > > >  
> > > >  
> > > >  
> > > > --- On Thu, 11/20/08, val.burd@comcast.net  
> > > > <val.burd@comcast.net> wrote:

> > > >  
> > > > From: val.burd@comcast.net  
> <val.burd@comcast.net>  
> > > > Subject: Re: FW: Train Whistles  
> > > > To: [REDACTED]  
> > > > Date: Thursday, November 20, 2008, 5:01 PM  
> > > >  
> > > >  
> > > > [REDACTED] I knew what the  
> committee's decision  
> > > > was. I didn't know that they had  
> planned to review the  
> > > > decision in December. If you want to see  
> the actual  
> > > > agreement we have with Pasquinelli, we will  
> be happy to  
> > > > provide you with a copy of the document. We  
> have it in  
> > > > writing. You don't have to take  
> anyone's word for  
> > > > it. The document is enforceable in a court  
> of law. The  
> > > > reason Pasquinelli is on the line to make  
> the improvements  
> > > > is because the residents of Yorkville did  
> not believe that  
> > > > we should have to pay for improvements for  
> new residents  
> > > > moving in to our community. The idea was to  
> make  
> > > > development pay for itself, and that is what  
> this agreement  
> > > > calls for. The improvements to Kennedy Road  
> and to Bristol  
> > > > Road were paid for by the developer also  
> because of the  
> > > > increased traffic caused by new residents.  
> > > >  
> > > > Valerie Burd  
> > > >  
> > > > ----- Original message  
> -----  
> > > > From: [REDACTED]  
> [REDACTED]  
> > > > Thank you for the response but what you are  
> saying is in  
> > > > direct conflict with what we have been told  
> by Pasquinelli.  
> > > > If the developer has to pay for the new  
> crossing, does the  
> > > > developer own the road? Second, what  
> expensive changes are  
> > > > needed to make the intersection quiet? We  
> were told a  
> > > > simple extension of the crossing gates to  
> block both lanes  
> > > > of traffic was all that is required.

> Pasquinelli's  
> > > position has been that the road belongs to  
> the city and the  
> > > tracks are federal. Why would a developer  
> have to take on  
> > > the expense to make a quiet zone on a  
> public, city road over  
> > > a federal line. Dont we pay property tax to  
> the city and  
> > > not Pasquinelli? It is clear that nothing  
> is going to get  
> > > down and that one side is lying to the  
> homeowners. It is  
> > > time to take the issue to the media.  
> > > To the mayor- to not know what a committee  
> is doing shows  
> > > very poor leadership qualities.  
> > >  
> > > --- On Wed, 11/19/08, Bart Olson <BOlson@yorkville.il.us> wrote:  
> > >  
> > > From: Bart Olson  
> <BOlson@yorkville.il.us>  
> > > Subject: FW: Train Whistles  
> > > To: [REDACTED]  
> > > Cc: "Brendan McLaughlin"  
> <BMcLaughlin@yorkville.il.us>,  
> > > "val.burd@comcast.net"  
> <val.burd@comcast.net>, "Valerie  
> Burd"  
> <VBurd@yorkville.il.us>  
> > > Date: Wednesday, November 19, 2008, 11:20 AM  
> > >  
> > >  
> > > Hello [REDACTED]  
> > >  
> > > The engineering contract to start the quiet  
> zone is indeed  
> > > on the Public Works  
> > > Committee agenda in December.  
> > >  
> > > Setting up a quiet zone involves three main  
> processes - 1)  
> > > entering into an  
> > > engineering contract for the quiet zone  
> application, study  
> > > and design and  
> > > completing said contract, 2) receiving  
> approval from the  
> > > Federal Railroad  
> > > Administration and the BNSF, and 3)  
> completing the physical  
> > > improvements to the  
> > > railroad crossing to make the crossing quiet  
> zone  
> > > compliant.  
> > >

> > > > In July, the Committee chose not to enter  
 > into the  
 > > > > engineering contract  
 > > > > (process 1) for a couple reasons:  
 > > > >  
 > > > > 1) The cost of the contract (process #1  
 > above) was not  
 > > > > budgeted, and the  
 > > > > Committee did not anticipate being able to  
 > spend the money  
 > > > > on the contract in  
 > > > > this fiscal year.  
 > > > >  
 > > > > 2) The improvements required on the  
 > intersection (process  
 > > > > #3) in order to make  
 > > > > it quiet zone compatible are expensive, and  
 > those  
 > > > > improvements will be completed  
 > > > > at some point in the future at the  
 > developer's cost.  
 > > > >  
 > > > > The improvements to the intersection will be  
 > made by the  
 > > > > Grande Reserve  
 > > > > developer, as required in the annexation  
 > agreement, when a  
 > > > > certain number of  
 > > > > houses are built in an area north of the  
 > tracks and an area  
 > > > > south of the tracks.  
 > > > > Doing the improvements at the City's  
 > cost prior to the  
 > > > > trigger-point where  
 > > > > the developer is required to do the  
 > improvements would  
 > > > > constitute  
 > > > > "throwaway improvements".  
 > Meaning, the City  
 > > > > would be paying money to  
 > > > > establish a quiet zone, construct the  
 > improvements, and  
 > > > > then have to redo the  
 > > > > process (and cost) in total in the future.  
 > > > >  
 > > > > The Committee chose to look at the  
 > engineering contract  
 > > > > again in December to  
 > > > > judge the buildout of the Grande Reserve  
 > Subdivision and  
 > > > > the state of the  
 > > > > City's budget.  
 > > > >  
 > > > > I would encourage you to attend the Public  
 > Works Committee  
 > > > > meeting on December  
 > > > > 16th at 6:00 pm. The agenda and packet for

> that meeting  
 > > > will be available on  
 > > > the City website by end of day on Friday,  
 > December 12th.  
 > > > While there is no  
 > > > "citizen's comment" section of  
 > the agenda, it  
 > > > is fairly typical  
 > > > for the Committee Chairman to allow an  
 > interested citizen  
 > > > to make a statement  
 > > > and ask questions at the meeting. If you  
 > can not attend  
 > > > the meeting, you may  
 > > > send me a letter or email that can be  
 > distributed in the  
 > > > Committee packet.  
 > > > Should you choose to send a letter for the  
 > packet, I would  
 > > > need it by Monday,  
 > > > December 8th.  
 > > >  
 > > > If you have any further questions on the  
 > process, the  
 > > > proposal, the meeting, or  
 > > > any other item, please do not hesitate to  
 > call or email.  
 > > >  
 > > > Thanks  
 > > >  
 > > > Bartholomew A. Olson  
 > > > Assistant City Administrator  
 > > > United City of Yorkville  
 > > > 800 Game Farm Road  
 > > > Yorkville, IL 60560  
 > > > 630-553-8537 office  
 > > > 630-308-0582 cell  
 > > > bolson@yorkville.il.us  
 > > > www.yorkville.il.us  
 > > > P Please consider the environment before  
 > printing this  
 > > > e-mail  
 > > >  
 > > > -----Original Message-----  
 > > > From: [REDACTED]  
 > [REDACTED]  
 > > > Sent: Tuesday, November 18, 2008 6:57 PM  
 > > > To: val.burd@comcast.net; Bart Olson  
 > > > Subject: Train Whistles  
 > > >  
 > > > Hello-  
 > > > I was told by Mr. Olson that the idea of  
 > getting a quiet  
 > > > zone in Yorkville  
 > > > would be talked about at a meeting in  
 > December. This time  
 > > > is fast approaching.

> > > > We have become very upset over the dragging  
> of the feet  
> > > > that has gone on in our  
> > > > area of Yorkville. We have lived in our  
> home for two years  
> > > > and nothing has been  
> > > > done to improve the train noise problem or  
> Mill Road. The  
> > > > city of Aurora has  
> > > > just passed quiet zones, why can't  
> Yorkville. By  
> > > > passing quiet zones you  
> > > > make the area more attractive to home buyers  
> and that means  
> > > > more revenue for the  
> > > > city. We can not understand why nothing has  
> been done. We  
> > > > once again urge you  
> > > > to start the ball rolling on getting quiet  
> zones in the  
> > > > town of Yorkville.  
> > > > Should our pleas go unheard we will begin to  
> work with the  
> > > > local media outlets  
> > > > to help in our fight.  
> > > >  
> > > > Thank You-  
> > > >  
> > > > [REDACTED]  
> > >  
> > >  
> > >  
> >  
> >  
> >  
> >  
> >  
> >

## Bart Olson

---

**From:** [REDACTED]  
**Sent:** Wednesday, December 10, 2008 9:38 PM  
**To:** Bart Olson  
**Subject:** RE: Re: FW: Train Whistles

Hello-

I appreciate the information. Your answers have always been done in a professional manner and I have always felt that you have treated me with respect. Unfortunately, the same can not be said for the Mayor. I understand everything you have said but our opinion all along has been that simply making the crossing gates extend across both lanes of traffic would do the trick. I assume this is what is meant by a four way crossing gate. This would assure that no cars could move around the gates making the intersection safe without the need for a horn. Extending the length of the crossing gate should be a very inexpensive and quick fix. I agree that building a median would be expensive but is this really necessary? Would a four way crossing gate be enough to make all parties happy? The actual intersection can be improved down the road, we just want the trains to stop blowing their horns.

Our frustration on this entire subject stems from a long line of problems with Pasquinelli. To start, when we bought our home, the sales office was conveniently located off of Galena, well away from the noise of the tracks. Since the sales office moved, no new homes have been started and none of the units that had already been built have sold. On the day we were forced to close, we had no phone line, no cable line, and no street lights. Since the day we signed our contract to build, Pasquinelli has done nothing to help us out. Buying your first home is supposed to be a wonderful experience, but for us it has not been. Most of my neighbors feel the same way. We are all very frustrated and we just want someone to hear us and to try their best to help us out. Having the trains go quiet would be a huge lift to our spirits and would make living in the area much more enjoyable.

Thank You

[REDACTED]

--- On Mon, 12/8/08, Bart Olson <BOlson@yorkville.il.us> wrote:

```
> From: Bart Olson <BOlson@yorkville.il.us>
> Subject: RE: Re: FW: Train Whistles
> To: [REDACTED]
> Cc: "val.burd@comcast.net" <val.burd@comcast.net>, "Brendan
> McLaughlin" <BMcLaughlin@yorkville.il.us>
> Date: Monday, December 8, 2008, 1:12 PM Hello [REDACTED]
>
> Mayor Burd asked me to forward the following information to
> you:
>
> 1. Pasquinelli has not filed for bankruptcy. A portion of their
> property is in foreclosure. The agreement is attached to the land,
> and is still valid. From the agreement:
> "Successors and Assigns. This Agreement shall inure to the benefit of
> and be binding upon the OWNERS, DEVELOPER and their successors in
> title and interest, and upon the CITY, and any successor
> municipalities of the CITY. It is understood and agreed that this
> Agreement shall run with the land and as such, shall be assignable to
> and binding upon each and every subsequent grantee and successor in
```



> interest of the OWNERS and DEVELOPER, and the CITY. The foregoing to  
> the contrary notwithstanding, the obligations and duties of OWNERS and  
> DEVELOPER hereunder shall not be deemed transferred to or assumed by  
> any purchaser of a empty lot or a lot improved with a dwelling unit  
> who acquires the same for residential occupation, unless otherwise  
> expressly agreed in writing by such purchaser.  
>  
> 2. No. As stated above, the agreement applies to whoever owns the  
> land.  
>  
> 3. Any new developer is obligated to the terms of the agreement.  
>  
> 4. We recognize your request has not been met and the frustration  
> this has caused you. The committee stated they were not prepared to  
> spend money that isn't budgeted applying for items that are temporary.  
>  
> 5 (second #3). I'm not sure which \$100,000  
> you're referring to - as I've stated below, the process to create a  
> quiet zone consists of three steps:  
> engineering an intersection to be quiet zone compliant, completing the  
> application for the quiet zone, and constructing the improvements.  
> The City of Yorkville will have to bear the cost of engineering the  
> intersection and completing the application - the developer is  
> required by the annexation agreement to improve Mill Road. Those  
> improvements coincidentally include improvements that will make the  
> intersection quiet zone complaint (i.e. the third step).  
>  
> 6 (second #4). In order for a quiet zone to be established, several  
> physical improvements can be considered as options. You can create a  
> four-way crossing gate, mount a stationary horn at the intersection so  
> the sound is directed only at traffic, create a raised median between  
> eastbound and westbound traffic, and/or a few other options.  
> The Federal Railroad Administration looks at the intersection,  
> traffic data, crash history, railroad traffic data when determining  
> which (and how many) improvements need to be installed to create a  
> quiet zone. Our staff's early operating assumption is that the  
> relatively low traffic counts (compared to other intersections in the  
> region), absence of crashes, and low railroad traffic will result in  
> only requiring a raised median between eastbound and westbound  
> traffic. To note, the improvements required in the annexation  
> agreement include creating a raised median between eastbound and  
> westbound traffic - which is what we've been referencing as  
> improvements the developer is required to make at their cost.  
>  
> 7 (#5). 204 permits have been issued in neighborhoods 1-5.  
> As you've probably picked up from the agreement, the developer is  
> required to make the improvements to Mill Road within 1 year of  
> hitting 500 permits in that area. While the past buildout would not  
> indicate we will hit 500 anytime in the near future, one of those  
> neighborhoods is a condominium/apartment neighborhood. When that unit  
> is developed, it is likely the builder developer will build all  
> 320 units at once. However, the City has not received any indication  
> from the developer that those units will be built in the near future.  
>  
> Bartholomew A. Olson  
> Assistant City Administrator  
> United City of Yorkville

> 800 Game Farm Road  
> Yorkville, IL 60560  
> 630-553-8537 office  
> 630-308-0582 cell  
> bolson@yorkville.il.us  
> www.yorkville.il.us  
> P Please consider the environment before printing this e-mail  
> -----Original Message-----  
>  
> ----- Forwarded Message: -----  
> From: [REDACTED]  
> To: val.burd@comcast.net  
> Subject: Re: FW: Train Whistles  
> Date: Mon, 8 Dec 2008 13:26:28 +0000  
> > Hello-  
> > I have read the documents you sent to me and I have  
> several questions about them.  
> >  
> > #1. One of the "developers", Pasquinelli,  
> has closed its sales offices and has filed for bankruptcy.  
> Is the contract you sent me still valid or is it nul> and void?  
> >  
> > #2. If a new developer takes over, will a new  
> contract have to be drawn up?  
> >  
> > #3. If a new developer does not agree to the  
> established contract, who then will pay for the improvements?  
> >  
> > #4. If the City of Yorkville will not help out our  
> area, would you consider ceding us to a neighboring town, say Oswego,  
> or Montgomery. They might do a better job of helping us out?  
> >  
> > #3. Does the \$100,000 bid to work on the train  
> intersections include the  
> > development of a quiet zone?  
> >  
> > #4. I keep hearing that quiet zones would cost alot  
> of money. Can you tell me exactly what has to be done to the  
> intersections to make them quiet zone compliant. You must know since  
> you keep saying it would be so expensive.  
> >  
> > #5. How many building permits have been given out for  
> neighborhoods 1-5?  
> >  
> > I look forward to your answers. I find the  
> >  
> > Thank You  
> >  
> >  
> >  
> > --- On Mon, 12/1/08, val.burd@comcast.net  
> <val.burd@comcast.net> wrote:  
> >  
> > From: val.burd@comcast.net  
> <val.burd@comcast.net>  
> > Subject: Re: FW: Train Whistles  
> > To: [REDACTED]

> > Date: Monday, December 1, 2008, 5:16 PM  
> >  
> > [REDACTED]  
> >  
> > I will have staff send you a hard copy of the  
> agreement. Re your comments:  
> >  
> > 1. Yes -- that is exactly why we want commercial  
> development -- and this  
> > isn't about "me." That is why we have  
> an economic development  
> > committee of the City Council. The city doesn't  
> benefit from residential  
> > development because it costs us more to provide  
> services than we get in taxes.  
> > Its the commercial developments, without any school  
> children to add to the  
> > schools, that provide us with the revenues we need to  
> run our city.  
> >  
> > 2. Although Rt. 47, Rt. 34, etc. are state highways,  
> it is the developments  
> > that pay for improvements to intersections, for new  
> access to the roads,  
> > widening lanes, etc. when the improvements are caused  
> by development. Check out  
> > the improvements to Rt. 34 in front of the new Kendall  
> Marketplace. The state  
> > did not pay for these improvements -- the developer  
> did. Not the taxpayers. If  
> > we had to rely on the state -- we'd still be  
> sitting here with nothing done.  
> > The state hasn't passed a capitol bill in nine  
> years.  
> >  
> > 3. About the schools -- check out how your Grande  
> Reserve Elementary School  
> > was built. The School District could not get  
> referendums passed in large enough  
> > amounts to pay for building the schools needed. So  
> the City, School District,  
> > and the developer got together with a local bank. The  
> developer paid upfront --  
> > the down payment for the loan -- and the district will  
> pay it down using new tax  
> > revenues coming in from NEW RESIDENTS. This was done  
> for Grande Reserve,  
> > Bristol Bay Elementary School, and the new middle  
> school. So you see, new  
> > development is paying its own way.  
> >  
> > But all of these discussions are not addressing your  
> issue. The reason the  
> > committee recommended not to go ahead with your  
> request is that staff and  
> > aldermen do not think it is financially prudent to use  
> tax dollars to make

> > improvements that will just be torn out in a few years  
> and replaced. We have to  
> > use our money carefully. There is a train that runs  
> through our downtown area  
> > and by high-end houses in Rivers Edge and White Oak  
> subdivisions. They were  
> > here before your area was built; they also have a  
> claim to our help in  
> > establishing quiet zones. The quiet zone by your  
> house will be established --  
> > but probably not within the next fiscal year.  
> >  
> > Valerie Burd  
> > ----- Original message  
> -----  
> > From: [REDACTED]  
> > > This must be why you were pushing for high end  
> shopping stores to be built on the old countryside site.  
> The residents of Yorkville have plenty of money to spend at these  
> stores. Also the water park you mentioned is off of a state road,  
> Rte. 47, which the state is responsible for improving.  
>  
> Lastly, when new subdivisions go up, won't these areas need new  
> schools? I guess we won't have to pay for these new schools. I guess  
> each neighborhood will have to pay for the construction of their own  
> school and then pay for its upkeep and its staff.  
> Your logic makes no sense. We are a community and we all have to  
> pitch in to help out. I am paying for someone else's school, they  
> should help to pay for quiet zones.  
> Putting in a quiet zone will only improve the value of the land around  
> the tracks and bring more home buyers into the area. Until you act,  
> the area will remain the way it is now, dead!  
>  
> > > The copy I requested was sent to me. This file  
> did not open. Please  
> > re-send a  
> > > hard copy to my address: [REDACTED] Preston Drive,  
> Yorkville, IL.  
> > >  
> > >  
> > >  
> > >  
> > > --- On Tue, 11/25/08, val.burd@comcast.net  
> <val.burd@comcast.net>  
> > wrote:  
> > >  
> > > > From: val.burd@comcast.net  
> <val.burd@comcast.net>  
> > > > Subject: Re: FW: Train Whistles  
> > > > To: [REDACTED]  
> > > > Date: Tuesday, November 25, 2008, 2:51 PM [REDACTED]:  
> > > >  
> > > > I thought you had been notified of this  
> issue when it came  
> > > > before the committee, and that you had  
> attended the public  
> > > > works meeting. All of this was discussed at

> that meeting.

> > > I am sorry if you did not get that

> information.

> > >

> > > As for our approach to development -- Now as

> a resident of

> > > our community, you will not be asked to pay

> for

> > > infrastructure improvements when, for

> instance, a water park

> > > or new shopping area requires improvements

> to our streets.

> > > You won't have to foot the bill for new

> subdivisions if

> > > growth starts up again and we have to build

> wider roads

> > > around those developments. Look at your tax

> bill.

> > > Don't you agree that you are already

> paying a lot?

> > > Kendall County has one of the heaviest tax

> burdens in the

> > > state, mainly because we were not

> commercialized or

> > > industrialized. In 2002 Yorkville

> residents, all 8,000 of

> > > us, could not afford all those improvements

> that were needed

> > > to almost double the size of our city. Its

> not that we

> > > didn't want new residents; we

> couldn't afford to pay

> > > for the services and improvements needed.

> You have to be

> > > aware of the current economic crisis in our

> country. We are

> > > in very tight times. We have to look at all

> the demands and

> > > try to meet those that do the most for the most people.

> > >

> > > You will get a copy of the agreement asap.

> > >

> > > Valerie Burd

> > >

> > > ----- Original message

> -----

> > > From: [REDACTED]

> [REDACTED]

> > > So much for the United City of Yorkville.

> What a lie. It

> > > sounds like the residents of Yorkville do

> not want new

> > > residents at all. I guess I should not have

> to pay for the

> > > Yorkville School System since I do not use

> it!!!!

> > >

> > > > I do not know why this information was not  
 > given to me over  
 > > > > a year ago when I started communicating with  
 > you. What is  
 > > > > going on in your office??  
 > > > >  
 > > > > I would like a copy of the agreement mailed  
 > to my home:  
 > > > > [REDACTED] Preston Drive, Yorkville. I hope the  
 > residents of  
 > > > > Yorkville can foot the bill for the stamp!  
 > > > >  
 > > > >  
 > > > >  
 > > > >  
 > > > > --- On Thu, 11/20/08, val.burd@comcast.net  
 > > > > <val.burd@comcast.net> wrote:  
 > > > >  
 > > > > From: val.burd@comcast.net  
 > <val.burd@comcast.net>  
 > > > > Subject: Re: FW: Train Whistles  
 > > > > To: [REDACTED]  
 > > > > Date: Thursday, November 20, 2008, 5:01 PM  
 > > > >  
 > > > >  
 > > > > [REDACTED] I knew what the  
 > committee's decision  
 > > > > was. I didn't know that they had  
 > planned to review the  
 > > > > decision in December. If you want to see  
 > the actual  
 > > > > agreement we have with Pasquinelli, we will  
 > be happy to  
 > > > > provide you with a copy of the document. We  
 > have it in  
 > > > > writing. You don't have to take  
 > anyone's word for  
 > > > > it. The document is enforceable in a court  
 > of law. The  
 > > > > reason Pasquinelli is on the line to make  
 > the improvements  
 > > > > is because the residents of Yorkville did  
 > not believe that  
 > > > > we should have to pay for improvements for  
 > new residents  
 > > > > moving in to our community. The idea was to  
 > make  
 > > > > development pay for itself, and that is what  
 > this agreement  
 > > > > calls for. The improvements to Kennedy Road  
 > and to Bristol  
 > > > > Road were paid for by the developer also  
 > because of the  
 > > > > increased traffic caused by new residents.  
 > > > >  
 > > > > Valerie Burd  
 > > > >

> > > > ----- Original message  
> -----  
> > > > From: [REDACTED]  
[REDACTED]  
> > > > Thank you for the response but what you are  
> saying is in  
> > > > direct conflict with what we have been told  
> by Pasquinelli.  
> > > > If the developer has to pay for the new  
> crossing, does the  
> > > > developer own the road? Second, what  
> expensive changes are  
> > > > needed to make the intersection quiet? We  
> were told a  
> > > > simple extension of the crossing gates to  
> block both lanes  
> > > > of traffic was all that is required.  
> Pasquinelli's  
> > > > position has been that the road belongs to  
> the city and the  
> > > > tracks are federal. Why would a developer  
> have to take on  
> > > > the expense to make a quiet zone on a  
> public, city road over  
> > > > a federal line. Dont we pay property tax to  
> the city and  
> > > > not Pasquinelli? It is clear that nothing  
> is going to get  
> > > > down and that one side is lying to the  
> homeowners. It is  
> > > > time to take the issue to the media.  
> > > > To the mayor- to not know what a committee  
> is doing shows  
> > > > very poor leadership qualities.  
> > > >  
> > > > --- On Wed, 11/19/08, Bart Olson <BOlson@yorkville.il.us> wrote:  
> > > >  
> > > > From: Bart Olson  
> <BOlson@yorkville.il.us>  
> > > > Subject: FW: Train Whistles  
> > > > To: [REDACTED]  
[REDACTED]  
> > > > Cc: "Brendan McLaughlin"  
> > > > <BMcLaughlin@yorkville.il.us>,  
> > > > "val.burd@comcast.net"  
> > > > <val.burd@comcast.net>, "Valerie  
> Burd"  
> > > > <VBurd@yorkville.il.us>  
> > > > Date: Wednesday, November 19, 2008, 11:20 AM  
> > > >  
> > > >  
> > > > [REDACTED]  
> > > >  
> > > > The engineering contract to start the quiet  
> zone is indeed  
> > > > on the Public Works  
> > > > Committee agenda in December.

> > > >  
 > > > > Setting up a quiet zone involves three main  
 > processes - 1)  
 > > > > entering into an  
 > > > > engineering contract for the quiet zone  
 > application, study  
 > > > > and design and  
 > > > > completing said contract, 2) receiving  
 > approval from the  
 > > > > Federal Railroad  
 > > > > Administration and the BNSF, and 3)  
 > completing the physical  
 > > > > improvements to the  
 > > > > railroad crossing to make the crossing quiet  
 > zone  
 > > > > compliant.  
 > > > >  
 > > > > In July, the Committee chose not to enter  
 > into the  
 > > > > engineering contract  
 > > > > (process 1) for a couple reasons:  
 > > > >  
 > > > > 1) The cost of the contract (process #1  
 > above) was not  
 > > > > budgeted, and the  
 > > > > Committee did not anticipate being able to  
 > spend the money  
 > > > > on the contract in  
 > > > > this fiscal year.  
 > > > >  
 > > > > 2) The improvements required on the  
 > intersection (process  
 > > > > #3) in order to make  
 > > > > it quiet zone compatible are expensive, and  
 > those  
 > > > > improvements will be completed  
 > > > > at some point in the future at the  
 > developer's cost.  
 > > > >  
 > > > > The improvements to the intersection will be  
 > made by the  
 > > > > Grande Reserve  
 > > > > developer, as required in the annexation  
 > agreement, when a  
 > > > > certain number of  
 > > > > houses are built in an area north of the  
 > tracks and an area  
 > > > > south of the tracks.  
 > > > > Doing the improvements at the City's  
 > cost prior to the  
 > > > > trigger-point where  
 > > > > the developer is required to do the  
 > improvements would  
 > > > > constitute  
 > > > > "throwaway improvements".  
 > Meaning, the City  
 > > > > would be paying money to



> > > > establish a quiet zone, construct the  
 > improvements, and  
 > > > > then have to redo the  
 > > > > process (and cost) in total in the future.  
 > > > >  
 > > > > The Committee chose to look at the  
 > engineering contract  
 > > > > again in December to  
 > > > > judge the buildout of the Grande Reserve  
 > Subdivision and  
 > > > > the state of the  
 > > > > City's budget.  
 > > > >  
 > > > > I would encourage you to attend the Public  
 > Works Committee  
 > > > > meeting on December  
 > > > > 16th at 6:00 pm. The agenda and packet for  
 > that meeting  
 > > > > will be available on  
 > > > > the City website by end of day on Friday,  
 > December 12th.  
 > > > > While there is no  
 > > > > "citizen's comment" section of  
 > the agenda, it  
 > > > > is fairly typical  
 > > > > for the Committee Chairman to allow an  
 > interested citizen  
 > > > > to make a statement  
 > > > > and ask questions at the meeting. If you  
 > can not attend  
 > > > > the meeting, you may  
 > > > > send me a letter or email that can be  
 > distributed in the  
 > > > > Committee packet.  
 > > > > Should you choose to send a letter for the  
 > packet, I would  
 > > > > need it by Monday,  
 > > > > December 8th.  
 > > > >  
 > > > > If you have any further questions on the  
 > process, the  
 > > > > proposal, the meeting, or  
 > > > > any other item, please do not hesitate to  
 > call or email.  
 > > > >  
 > > > > Thanks  
 > > > >  
 > > > > Bartholomew A. Olson  
 > > > > Assistant City Administrator  
 > > > > United City of Yorkville  
 > > > > 800 Game Farm Road  
 > > > > Yorkville, IL 60560  
 > > > > 630-553-8537 office  
 > > > > 630-308-0582 cell  
 > > > > bolson@yorkville.il.us  
 > > > > www.yorkville.il.us  
 > > > > P Please consider the environment before

> printing this  
> > > e-mail  
> > >  
> > > -----Original Message-----  
> > > From: [REDACTED]  
> > > [REDACTED]  
> > > Sent: Tuesday, November 18, 2008 6:57 PM  
> > > To: val.burd@comcast.net; Bart Olson  
> > > Subject: Train Whistles  
> > >  
> > > Hello-  
> > > I was told by Mr. Olson that the idea of  
> getting a quiet  
> > > zone in Yorkville  
> > > would be talked about at a meeting in  
> December. This time  
> > > is fast approaching.  
> > > We have become very upset over the dragging  
> of the feet  
> > > that has gone on in our  
> > > area of Yorkville. We have lived in our  
> home for two years  
> > > and nothing has been  
> > > done to improve the train noise problem on  
> Mill Road. The  
> > > city of Aurora has  
> > > just passed quiet zones, why can't  
> Yorkville. By  
> > > passing quiet zones you  
> > > make the area more attractive to home buyers  
> and that means  
> > > more revenue for the  
> > > city. We can not understand why nothing has  
> been done. We  
> > > once again urge you  
> > > to start the ball rolling on getting quiet  
> zones in the  
> > > town of Yorkville.  
> > > Should our pleas go unheard we will begin to  
> work with the  
> > > local media outlets  
> > > to help in our fight.  
> > >  
> > > Thank You-  
> > >  
> > > [REDACTED]  
> > >  
> > >  
> > >  
> >  
> >  
> >  
> >  
> >  
> >

## Bart Olson

---

**From:** Bart Olson  
**Sent:** Monday, December 08, 2008 1:12 PM  
**To:** [REDACTED]  
**Cc:** val.burd@comcast.net; Brendan McLaughlin  
**Subject:** RE: Re: FW: Train Whistles

Hello [REDACTED]

Mayor Burd asked me to forward the following information to you:

1. Pasquinelli has not filed for bankruptcy. A portion of their property is in foreclosure. The agreement is attached to the land, and is still valid. From the agreement: "Successors and Assigns. This Agreement shall inure to the benefit of and be binding upon the OWNERS, DEVELOPER and their successors in title and interest, and upon the CITY, and any successor municipalities of the CITY. It is understood and agreed that this Agreement shall run with the land and as such, shall be assignable to and binding upon each and every subsequent grantee and successor in interest of the OWNERS and DEVELOPER, and the CITY. The foregoing to the contrary notwithstanding, the obligations and duties of OWNERS and DEVELOPER hereunder shall not be deemed transferred to or assumed by any purchaser of a empty lot or a lot improved with a dwelling unit who acquires the same for residential occupation, unless otherwise expressly agreed in writing by such purchaser.

2. No. As stated above, the agreement applies to whoever owns the land.

3. Any new developer is obligated to the terms of the agreement.

4. We recognize your request has not been met and the frustration this has caused you. The committee stated they were not prepared to spend money that isn't budgeted applying for items that are temporary.

5 (second #3). I'm not sure which \$100,000 you're referring to - as I've stated below, the process to create a quiet zone consists of three steps: engineering an intersection to be quiet zone compliant, completing the application for the quiet zone, and constructing the improvements. The City of Yorkville will have to bear the cost of engineering the intersection and completing the application - the developer is required by the annexation agreement to improve Mill Road. Those improvements coincidentally include improvements that will make the intersection quiet zone complaint (i.e. the third step).

6 (second #4). In order for a quiet zone to be established, several physical improvements can be considered as options. You can create a four-way crossing gate, mount a stationary horn at the intersection so the sound is directed only at traffic, create a raised median between eastbound and westbound traffic, and/or a few other options. The Federal Railroad Administration looks at the intersection, traffic data, crash history, railroad traffic data when determining which (and how many) improvements need to be installed to create a quiet zone. Our staff's early operating assumption is that the relatively low traffic counts (compared to other intersections in the region), absence of crashes, and low railroad traffic will result in only requiring a raised median between eastbound and westbound traffic. To note, the improvements required in the annexation agreement include creating a raised median between eastbound and westbound traffic - which is what we've been referencing as improvements the developer is required to make at their cost.

7 (#5). 204 permits have been issued in neighborhoods 1-5. As you've probably picked up from the agreement, the developer is required to make the improvements to Mill Road within 1

year of hitting 500 permits in that area. While the past buildout would not indicate we will hit 500 anytime in the near future, one of those neighborhoods is a condominium/apartment neighborhood. When that unit is developed, it is likely the builder developer will build all 320 units at once. However, the City has not received any indication from the developer that those units will be built in the near future.

Bartholomew A. Olson  
Assistant City Administrator  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 office  
630-308-0582 cell  
bolson@yorkville.il.us  
www.yorkville.il.us

P Please consider the environment before printing this e-mail -----Original Message-----

----- Forwarded Message: -----

From: [REDACTED]  
To: val.burd@comcast.net  
Subject: Re: FW: Train Whistles  
Date: Mon, 8 Dec 2008 13:26:28 +0000  
> Hello-  
> I have read the documents you sent to me and I have several questions about them.  
>  
> #1. One of the "developers", Pasquinelli, has closed its sales offices and has filed for bankruptcy. Is the contract you sent me still valid or is it nul> and void?  
>  
> #2. If a new developer takes over, will a new contract have to be drawn up?  
>  
> #3. If a new developer does not agree to the established contract, who then will pay for the improvements?  
>  
> #4. If the City of Yorkville will not help out our area, would you consider ceding us to a neighboring town, say Oswego, or Montgomery. They might do a better job of helping us out?  
>  
> #3. Does the \$100,000 bid to work on the train intersections include  
> the development of a quiet zone?  
>  
> #4. I keep hearing that quiet zones would cost alot of money. Can you tell me exactly what has to be done to the intersections to make them quiet zone compliant. You must know since you keep saying it would be so expensive.  
>  
> #5. How many building permits have been given out for neighborhoods 1-5?  
>  
> I look forward to your answers. I find the  
>  
> Thank You  
>  
>  
>  
> --- On Mon, 12/1/08, val.burd@comcast.net <val.burd@comcast.net> wrote:  
>  
> From: val.burd@comcast.net <val.burd@comcast.net>  
> Subject: Re: FW: Train Whistles  
> To: [REDACTED]  
> Date: Monday, December 1, 2008, 5:16 PM

>  
> [REDACTED]  
>  
> I will have staff send you a hard copy of the agreement. Re your comments:  
>  
> 1. Yes -- that is exactly why we want commercial development -- and  
> this isn't about "me." That is why we have an economic development  
> committee of the City Council. The city doesn't benefit from  
> residential development because it costs us more to provide services than we get in taxes.  
> Its the commercial developments, without any school children to add to  
> the schools, that provide us with the revenues we need to run our city.  
>  
> 2. Although Rt. 47, Rt. 34, etc. are state highways, it is the  
> developments that pay for improvements to intersections, for new  
> access to the roads, widening lanes, etc. when the improvements are  
> caused by development. Check out the improvements to Rt. 34 in front  
> of the new Kendall Marketplace. The state did not pay for these  
> improvements -- the developer did. Not the taxpayers. If we had to rely on the state --  
we'd still be sitting here with nothing done.  
> The state hasn't passed a capitol bill in nine years.  
>  
> 3. About the schools -- check out how your Grande Reserve Elementary  
> School was built. The School District could not get referendums  
> passed in large enough amounts to pay for building the schools needed.  
> So the City, School District, and the developer got together with a  
> local bank. The developer paid upfront -- the down payment for the  
> loan -- and the district will pay it down using new tax revenues  
> coming in from NEW RESIDENTS. This was done for Grande Reserve,  
> Bristol Bay Elementary School, and the new middle school. So you see, new development is  
paying its own way.  
>  
> But all of these discussions are not addressing your issue. The  
> reason the committee recommended not to go ahead with your request is  
> that staff and aldermen do not think it is financially prudent to use  
> tax dollars to make improvements that will just be torn out in a few  
> years and replaced. We have to use our money carefully. There is a  
> train that runs through our downtown area and by high-end houses in  
> Rivers Edge and White Oak subdivisions. They were here before your  
> area was built; they also have a claim to our help in establishing  
> quiet zones. The quiet zone by your house will be established -- but probably not within  
the next fiscal year.  
>  
> Valerie Burd  
> ----- Original message -----  
> From: [REDACTED]  
> > This must be why you were pushing for high end shopping stores to be built on the old  
countryside site. The residents of Yorkville have plenty of money to spend at these stores.  
Also the water park you mentioned is off of a state road, Rte. 47, which the state is  
responsible for improving.

Lastly, when new subdivisions go up, won't these areas need new schools? I guess we wont  
have to pay for these new schools. I guess each neighborhood will have to pay for the  
construction of their own school and then pay for its up keep and its staff. Your logic  
makes no sense. We are a community and we all have to pitch in to help out. I am paying for  
someone else's school, they should help to pay for quiet zones. Putting in a quiet zone will  
only improve the value of the land around the tracks and bring more home buyers into the  
area. Until you act, the area will remain the way it is now, dead!

> > The copy I requested was sent to me. This file did not open.  
> > Please  
> re-send a  
> > hard copy to my address: [REDACTED] Preston Drive, Yorkville, IL.  
> >  
> >  
> >  
> >  
> > --- On Tue, 11/25/08, val.burd@comcast.net <val.burd@comcast.net>  
> wrote:  
> >  
> > > From: val.burd@comcast.net <val.burd@comcast.net>  
> > > Subject: Re: FW: Train Whistles  
> > > To: [REDACTED]  
> > > Date: Tuesday, November 25, 2008, 2:51 PM [REDACTED]  
> > >  
> > > I thought you had been notified of this issue when it came before  
> > > the committee, and that you had attended the public works meeting.  
> > > All of this was discussed at that meeting.  
> > > I am sorry if you did not get that information.  
> > >  
> > > As for our approach to development -- Now as a resident of our  
> > > community, you will not be asked to pay for infrastructure  
> > > improvements when, for instance, a water park or new shopping area  
> > > requires improvements to our streets.  
> > > You won't have to foot the bill for new subdivisions if growth  
> > > starts up again and we have to build wider roads around those  
> > > developments. Look at your tax bill.  
> > > Don't you agree that you are already paying a lot?  
> > > Kendall County has one of the heaviest tax burdens in the state,  
> > > mainly because we were not commercialized or industrialized. In  
> > > 2002 Yorkville residents, all 8,000 of us, could not afford all  
> > > those improvements that were needed to almost double the size of  
> > > our city. Its not that we didn't want new residents; we couldn't  
> > > afford to pay for the services and improvements needed. You have  
> > > to be aware of the current economic crisis in our country. We are  
> > > in very tight times. We have to look at all the demands and try  
> > > to meet those that do the mos t for the most people.  
> > >  
> > > You will get a copy of the agreement asap.  
> > >  
> > > Valerie Burd  
> > >  
> > > ----- Original message -----  
> > > From: [REDACTED] So much for the  
> > > United City of Yorkville. What a lie. It sounds like the  
> > > residents of Yorkville do not want new residents at all. I guess  
> > > I should not have to pay for the Yorkville School System since I  
> > > do not use it!!!!  
> > >  
> > > I do not know why this information was not given to me over a year  
> > > ago when I started communicating with you. What is going on in  
> > > your office??  
> > >  
> > > I would like a copy of the agreement mailed to my home:  
> > > [REDACTED] Preston Drive, Yorkville. I hope the residents of Yorkville

> > > can foot the bill for the stamp!  
> > >  
> > >  
> > >  
> > >  
> > > --- On Thu, 11/20/08, val.burd@comcast.net <val.burd@comcast.net>  
> > > wrote:  
> > >  
> > > From: val.burd@comcast.net <val.burd@comcast.net>  
> > > Subject: Re: FW: Train Whistles  
> > > To: [REDACTED]  
> > > Date: Thursday, November 20, 2008, 5:01 PM  
> > >  
> > >  
> > > [REDACTED] I knew what the committee's decision was. I didn't  
> > > know that they had planned to review the decision in December. If  
> > > you want to see the actual agreement we have with Pasquinelli, we  
> > > will be happy to provide you with a copy of the document. We have  
> > > it in writing. You don't have to take anyone's word for it. The  
> > > document is enforceable in a court of law. The reason Pasquinelli  
> > > is on the line to make the improvements is because the residents  
> > > of Yorkville did not believe that we should have to pay for  
> > > improvements for new residents moving in to our community. The  
> > > idea was to make development pay for itself, and that is what this  
> > > agreement calls for. The improvements to Kennedy Road and to  
> > > Bristol Road were paid for by the developer also because of the  
> > > increased traffic caused by new residents.  
> > >  
> > > Valerie Burd  
> > >  
> > > ----- Original message -----  
> > > From: [REDACTED] Thank you for the  
> > > response but what you are saying is in direct conflict with what  
> > > we have been told by Pasquinelli.  
> > > If the developer has to pay for the new crossing, does the  
> > > developer own the road? Second, what expensive changes are needed  
> > > to make the intersection quiet? We were told a simple extension  
> > > of the crossing gates to block both lanes of traffic was all that  
> > > is required. Pasquinelli's position has been that the road  
> > > belongs to the city and the tracks are federal. Why would a  
> > > developer have to take on the expense to make a quiet zone on a  
> > > public, city road over a federal line. Dont we pay property tax  
> > > to the city and not Pasquinelli? It is clear that nothing is  
> > > going to get down and that one side is lying to the homeowners.  
> > > It is time to take the issue to the media.  
> > > To the mayor- to not know what a committee is doing shows very  
> > > poor leadership qualities.  
> > >  
> > > --- On Wed, 11/19/08, Bart Olson  
> > > <BOlson@yorkville.il.us> wrote:  
> > >  
> > > From: Bart Olson <BOlson@yorkville.il.us>  
> > > Subject: FW: Train Whistles  
> > > To: [REDACTED]  
> > >  
> > > Cc: "Brendan McLaughlin"  
> > > <BMcLaughlin@yorkville.il.us>,

> > > "val.burd@comcast.net"

> > > <val.burd@comcast.net>, "Valerie Burd"

> > > <VBurd@yorkville.il.us>

> > > Date: Wednesday, November 19, 2008, 11:20 AM

> > >

> > >

> > > Hello [REDACTED]

> > >

> > > The engineering contract to start the quiet zone is indeed on the

> > > Public Works Committee agenda in December.

> > >

> > > Setting up a quiet zone involves three main processes - 1)

> > > entering into an engineering contract for the quiet zone

> > > application, study and design and completing said contract, 2)

> > > receiving approval from the Federal Railroad Administration and

> > > the BNSF, and 3) completing the physical improvements to the

> > > railroad crossing to make the crossing quiet zone compliant.

> > >

> > > In July, the Committee chose not to enter into the engineering

> > > contract (process 1) for a couple reasons:

> > >

> > > 1) The cost of the contract (process #1 above) was not budgeted,

> > > and the Committee did not anticipate being able to spend the money

> > > on the contract in this fiscal year.

> > >

> > > 2) The improvements required on the intersection (process

> > > #3) in order to make

> > > it quiet zone compatible are expensive, and those improvements

> > > will be completed at some point in the future at the developer's

> > > cost.

> > >

> > > The improvements to the intersection will be made by the Grande

> > > Reserve developer, as required in the annexation agreement, when a

> > > certain number of houses are built in an area north of the tracks

> > > and an area south of the tracks.

> > > Doing the improvements at the City's cost prior to the

> > > trigger-point where the developer is required to do the

> > > improvements would constitute "throwaway improvements". Meaning,

> > > the City would be paying money to establish a quiet zone,

> > > construct the improvements, and then have to redo the process (and

> > > cost) in total in the future.

> > >

> > > The Committee chose to look at the engineering contract again in

> > > December to judge the buildout of the Grande Reserve Subdivision

> > > and the state of the City's budget.

> > >

> > > I would encourage you to attend the Public Works Committee meeting

> > > on December 16th at 6:00 pm. The agenda and packet for that

> > > meeting will be available on the City website by end of day on

> > > Friday, December 12th.

> > > While there is no

> > > "citizen's comment" section of the agenda, it is fairly typical

> > > for the Committee Chairman to allow an interested citizen to make

> > > a statement and ask questions at the meeting. If you can not

> > > attend the meeting, you may send me a letter or email that can be

> > > distributed in the Committee packet.

> > > Should you choose to send a letter for the packet, I would need it





## Bart Olson

---

**From:** Bart Olson  
**Sent:** Thursday, May 08, 2008 11:44 AM  
**To:** 'Jeff Freeman'  
**Subject:** FW: Resident complaint - train whistle

Jeff,

Do you know if Jason, through his work with other municipalities, has a contact person with the train company that runs trains on the track that is just south of the Fox River through Yorkville? I would like to inquire as to the resident's complaint that some trains are not sounding their horns and some are.

Bartholomew A. Olson  
Assistant City Administrator  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 office  
630-308-0582 cell  
bolson@yorkville.il.us

---

**From:** Bart Olson  
**Sent:** Thursday, May 08, 2008 11:42 AM  
**To:** Bonnie Olsem  
**Subject:** RE: Resident complaint - train whistle


I called her just now. I mentioned:

- 1) that we will look at establishing a quiet zone along that stretch as well, and that it will take a minimum of 12 months before something could be established
- 2) that residents in the area should contact us in support of the quiet zone
- 3) she mentioned that only certain trains do it, and I said I'd look into it. I told her that they are probably required by federal law to sound their horn.

Bartholomew A. Olson  
Assistant City Administrator  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 office  
630-308-0582 cell  
bolson@yorkville.il.us

---

**From:** Bonnie Olsem  
**Sent:** Thursday, May 08, 2008 11:22 AM  
**To:** Bart Olson  
**Cc:** Bonnie Olsem  
**Subject:** Resident complaint - train whistle

 River Road (just recently incorporated into city)

Called 5/8; 11:15am to report a train whistle blares for almost a minute at approximately 1:45am. It has happened approx 5 times in the last 2 weeks and she wants someone to contact the railroad to tell the person responsible to please stop it.

She wants to know if the city can do anything about it.

Bonnie Olsem  
Admin Secretary  
United City of Yorkville  
630-553-8563 office  
630-553-7575 fax  
[Bolsem@yorkville.il.us](mailto:Bolsem@yorkville.il.us)

## Bart Olson

---

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**Sent:** Thursday, May 08, 2008 11:42 AM  
**To:** Bonnie Olsem  
**Subject:** RE: Resident complaint - train whistle


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- 2) that residents in the area should contact us in support of the quiet zone
- 3) she mentioned that only certain trains do it, and I said I'd look into it. I told her that they are probably required by federal law to sound their horn.

Bartholomew A. Olson  
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800 Game Farm Road  
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---

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**Sent:** Thursday, May 08, 2008 11:22 AM  
**To:** Bart Olson  
**Cc:** Bonnie Olsem  
**Subject:** Resident complaint - train whistle

 River Road (just recently incorporated into city)  
630.553.3353

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She wants to know if the city can do anything about it.

Bonnie Olsem  
Admin Secretary  
United City of Yorkville  
630-553-8563 office  
630-553-7575 fax  
[Bolesem@yorkville.il.us](mailto:Bolesem@yorkville.il.us)

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Tuesday, May 27, 2008 10:52 AM  
**To:** [REDACTED]  
**Subject:** RE: Quiet Zone Info.

**Follow Up Flag:** Followup  
**Due By:** Friday, June 13, 2008 1:00 PM

Hello [REDACTED]

Yes, it is open to the public. If the agreement makes it onto the agenda, the meeting would be at 7pm here in the City Hall conference room (the conference room is adjacent to the City Council Chambers). The agenda for that meeting must be finalized 48 hours in advance of the meeting, which means we should know by June 13<sup>th</sup> (the last workday before the deadline) if the agreement is on the agenda for discussion.

Thanks,

Bartholomew A. Olson  
Assistant City Administrator  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 office  
630-308-0582 cell  
bolson@yorkville.il.us

---

**From:** [REDACTED]  
**Sent:** Tuesday, May 27, 2008 10:44 AM  
**To:** Bart Olson  
**Subject:** RE: Quiet Zone Info.

Hello-

Thank you for the information. Is the meeting you speak of open to the public? If it is, can you pass along the time and place.

Thank You

[REDACTED]

--- On **Thu, 5/22/08**, Bart Olson <BOlson@yorkville.il.us> wrote:

From: Bart Olson <BOlson@yorkville.il.us>  
Subject: RE: Quiet Zone Info.  
To: [REDACTED]  
Cc: "Brendan McLaughlin" <BMcLaughlin@yorkville.il.us>, "Valerie Burd" <VBurd@yorkville.il.us>  
Date: Thursday, May 22, 2008, 11:56 AM

Hello again [REDACTED]

City staff met with EEI yesterday to discuss the creation of a quiet zone. A consulting agreement with EEI will have to be approved by the City Council, and that will be first discussed at the June 17<sup>th</sup> Public Works committee meeting. If anything regarding that date changes between now and then, I will send you an email.

Thanks,

Bartholomew A. Olson

Assistant City Administrator

United City of Yorkville

800 Game Farm Road

Yorkville, IL 60560

630-553-8537 office

630-308-0582 cell

[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

---

**From:** Bart Olson  
**Sent:** Monday, May 05, 2008 9:52 AM  
**To:** [REDACTED]; [val.burd@comcast.net](mailto:val.burd@comcast.net)  
**Cc:** ' [bmclaughlin@yorkville.il.us](mailto:bmclaughlin@yorkville.il.us) '  
**Subject:** RE: Quiet Zone Info.

Hello [REDACTED]

I have been in contact with our consulting engineers, Engineering Enterprises, Inc. (EEI), who have some experience in establishing quiet zones in Sugar Grove and Aurora . I have attached the email from EEI, should you be interested in some of the general details of the process. Unfortunately, the process for getting a quiet zone approved takes about a year.

City staff will be meeting with EEI to discuss an engineering contract in the near future; this contract will have to be approved by City Council, which means it will be presented at a committee meeting prior to City Council approval. If you provide me with your phone number, I can make a note to call you prior to the committee meeting date. As always, committee agendas are posted on the City website a minimum of 48 hours in advance of the City Council meeting. My guess is that proposal would start at either the Public Works or Public Safety committee in May or June.

Please do not hesitate to call if you have questions.

Thanks,

Bartholomew A. Olson

Assistant City Administrator

United City of Yorkville

800 Game Farm Road

Yorkville, IL 60560

630-553-8537 office

630-308-0582 cell

[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

---

**From:** [REDACTED]  
**Sent:** Monday, May 05, 2008 9:35 AM  
**To:** val.burd@comcast.net ; Bart Olson  
**Subject:** Quiet Zone Info.

Hello-

Do you have an update on the Quiet Zone? Our Home Owners meeting is this week and I would like to share any information you have gathered in the last five weeks.

Thank You-

[REDACTED]

---

Be a better friend, newshound, and know-it-all with Yahoo! Mobile. [Try it now.](#)

## Bart Olson

---

**From:** Travis Miller [TMiller@yorkville.il.us]  
**Sent:** Wednesday, August 12, 2009 4:17 PM  
**To:** rosea00@aol.com  
**Cc:** Brendan McLaughlin; Valerie Burd; Meghan Gehr; Joe Wywrot  
**Subject:** RE: Train whistles  
**Attachments:** TRAIN\_HORN\_RULE\_FactSheet.pdf

City Council has been bcc'd

Rose,

Yes. The Federal Railroad Administration does require whistle blowing at all public grade crossings. Attached is a fact sheet downloaded from the FRA's website regarding the rule.

As you will recall, establishing a quiet zone in the vicinity of Grande Reserve has been discussed at the Public Works Committee multiple times. EEI prepared a proposal to conduct the engineering services necessary to establish a quiet zone in June 2008 - Below is an excerpt from the December 12, 2008 PWC meeting minutes. The topic did return to the Committee in June 2009 (six month period) and no changes in the timing of the Grande Reserve development nor the Mill or Kennedy Crossings have occurred since 2008.

"PW 2008-94 (December 12, 2008 PWC minutes) Quiet Zone Engineering Services Agreement - This was presented to the committee 6 months ago when a resident brought it to the committee's attention. Gr. Reserve has not built out additional units, nor is there money in the budget for engineering the contract, the application, design, or construction of the improvements. Mr. Olson is asking the committee if they should start the contract prior to the developer building the crossing at Mill / Kennedy Roads. The city could begin improvements, only to find that the developer needed further upgrades to be approved by federal quiet zone guidelines. The council members are not opposed to the quiet zone, but at this time do not feel it in the city's best interest to move forward with spending. The council members will be willing to visit with the resident regarding this matter, should the resident wish to attend the next public works meeting. If not, the item will come back to this committee in 6 months."

Let me know if you need any additional information.

Thanks,  
Travis

---

From: [rosea00@aol.com](mailto:rosea00@aol.com) [<mailto:rosea00@aol.com>]  
Sent: Thursday, August 06, 2009 11:21 AM  
To: Travis Miller  
Subject: Train whistles

Travis,

I hope you had a wonderful vacation, enjoyed Grandpa's birthday celebration and the Buffet concert!

Following is an inquiry I received from a Grande Reserve resident. Do you have an answer?



I have one quick question for you? I was wondering is there any law or rule for the Train Whistle Blowing? These would be for the trains that run right behind Grand Reserve.

The reason why I ask is, because they are blowing the horns all hours of the night.

Thank you.

Rose Spears

## Bart Olson

---

**From:** Laura Schraw [LSchraw@yorkville.il.us]  
**Sent:** Monday, December 07, 2009 3:44 PM  
**To:** Bart Olson  
**Subject:** FW: Railroad

Just to let you know, I have tried now twice via e-mail and I also called again and have heard nothing.

Thank you,

Laura

---

**From:** Laura Schraw  
**Sent:** Friday, November 13, 2009 12:20 PM  
**To:** 'hmusgrave@omnitrax.com'; 'ddilly@omnitrax.com'  
**Cc:** Travis Miller; Bart Olson; Scott Sleezer  
**Subject:** RE: Railroad

Dawn and Henry,

I wanted to follow up to my previous e-mail and phone call about the possibility of acquiring an easement near Riverfront Park in downtown Yorkville.

We are currently working on a conceptual park design for Riverfront Park which is located north of Hydraulic Ave, west of Route 47, and south of the Fox River in Yorkville, IL. As part of this park design, we are looking to install a parking lot to accommodate the number of people that will be using for the canoe/kayak chute. The state expects to be done with construction by the summer of 2010.

Currently IDNR has a temporary easement to access their storage area from Hydraulic Ave, paralleling the tracks. Our question is whether we have to acquire a permanent easement, or can have a long-term easement agreement to continue using that road for access to future parking. It would act as an extension of Hydraulic Ave, and become a park /parking lot/ canoe chute access road.

Please let me know the process to obtaining an easement to access a future parking lot on your right-of-way.

Thank you,

Laura

**Laura Schraw, ASLA**  
**City Park Designer**  
**Community Development Department**

***United City of Yorkville***  
***800 Game Farm Rd.***  
***Yorkville, IL 60560***  
***p: 630.553.8574***  
***f: 630.553.3436***

 Please consider the environment before printing this e-mail

## Bart Olson

---

**From:** [REDACTED]  
**Sent:** Friday, October 23, 2009 6:18 PM  
**To:** vburd@yorkville.il.us  
**Subject:** RE: please reply

Thank you Mayor Burd for responding. Since Grande Reserve's builders and developers have now gone bankrupt, does the responsibility of the road now become a city matter since we pay our taxes to the city? Our entire community is confused and worried about safety.

Thanks!  
Gina Krizman

---

**From:** VBurd@yorkville.il.us  
**To:** [REDACTED]  
**Date:** Fri, 23 Oct 2009 14:00:03 -0500  
**Subject:** RE: please reply

Dear [REDACTED]

I apologize for taking so long to get back to you. I have asked the staff to review your comments and I now have a response from the City Engineer. He reports that he has gone out to Preston Drive and found two potholes, one near Havenhill Court and the other near Evans Court. He has contacted the property manager for Bank of America to direct them to repair these potholes. Apparently, these are not yet dedicated as city streets, but under the care of Grande Reserve.

As for the Quiet Zone – this has gone through the City's Public Works Committee two times. Engineering Enterprises, Inc. prepared a proposal in 2008 for the cost of engineering necessary to establish a quiet zone. That cost came in at \$17,000. The estimated cost of construction is around \$25,000 for pavement work, and if changes to the RR signal itself are necessary, it could be quite a bit more – up to more than \$250,000. Mill Road is supposed to be reconstructed at developers' cost per the Grande Reserve agreement at the time the project is farther along. The Public Works committee decided not to proceed with the work because it was not budgeted and because any construction done now for the quiet zone would have to be torn out later.

Mill Road from Kennedy to the RR tracks is still a typical narrow country road. It is slated for reconstruction as growth continues, and that will be funded by the Grande Reserve developer. There are some areas where patching can be performed, and the City Engineer has contacted the city's public works dept. to request it evaluate the road for patching.

I hope this answers some of your questions. If you would like to talk to me about these problems some more, or if you would like to address the aldermen at the public works committee, please contact me or call Bonnie, my secretary, at 553-4540.

Valerie Burd

---

**From:** [REDACTED]  
**Sent:** Wednesday, October 21, 2009 8:15 PM  
**To:** Valerie Burd  
**Subject:** Re: please reply

Sorry Mayor, my email sent before I wanted it to. Below is my original email from October 11.

Hi Mayor Burd,

My name is [REDACTED]. My husband and I live in The Commons subdivision off of Mill Road by Loving Arms day care. On our subdivision's main road, Preston Drive, there is a huge pot hole. It has been outlined with spray paint for months, but this is barely visible now. I am extremely concerned that if this is not fixed before winter that the chances of hitting the pothole will increase immensely due to poor weather and snow plows. The size and depth of the pot hole would most likely cause damage to our cars. Please, please, please have this fixed asap.

Secondly, our subdivision sits a few hundred feet from a railroad crossing. When we bought our town home, Pasquinneli was misleading about the location of the subdivision compared to the tracks. I know that this is not within your control; however, I have heard that a quiet zone can be activated for the city of Yorkville. Several trains use the track daily. It is very loud. Please help to quiet our lives.

Finally, Mill Road from the Grande Reserve West subdivision to the intersection of Kennedy and Mill is HORRIBLE. The road is narrow, uneven, and dangerous. Last winter I saw a bus drive off the road. This road needs to be repaved, evened out, made wider, and have identifiable shoulders. Please also consider this.

As you can see, my email focuses on safety and quality of life. I know many would benefit from these improvements.

Thank you,  
[REDACTED]

---

From: [REDACTED]  
To: vburd@yorkville.il.us  
Subject: please reply  
Date: Wed, 21 Oct 2009 20:12:27 -0500

Hi Mayor Burd,

I sent you an email on October 11, 2009 regarding road safety conditions within my subdivision, The Commons, and Mill Road between Gates Creek West Subdivision and Kennedy. I've copied my original email below. I would appreciate a response.

Thank you,  
[REDACTED]

---

Hotmail: Trusted email with powerful SPAM protection. [Sign up now.](#)

---

Hotmail: Free, trusted and rich email service. [Get it now.](#)

---

Hotmail: Trusted email with Microsoft's powerful SPAM protection. [Sign up now.](#)

---

Windows 7: It works the way you want. [Learn more.](#)

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Tuesday, April 07, 2009 11:53 AM  
**To:** [REDACTED]; val.burd@comcast.net  
**Cc:** Meghan Gehr  
**Subject:** RE: Quiet Zones

Hello [REDACTED]

The cost estimate came from our City Engineer and consulting engineers, as a reasonable expectation based on a variety of different options we have in constructing improvements to meet quiet zone standards.

Stimulus money might be able to be used on some crossing improvements, but unfortunately the City has not received any money for such improvements.

You are in Ward 4. Your aldermen are Rose Spears and Joe Besco. Contact information for both is listed on the City website here - [http://www.yorkville.il.us/gov\\_officials.php](http://www.yorkville.il.us/gov_officials.php). Alternatively, you may also contact Meghan Gehr (attached) who forwards communication between aldermen and residents regularly

Thanks,

Bartholomew A. Olson  
Interim Director of Parks and Recreation  
Assistant City Administrator  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 office  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

---

**From:** [REDACTED]  
**Sent:** Friday, April 03, 2009 9:41 AM  
**To:** [val.burd@comcast.net](mailto:val.burd@comcast.net); Bart Olson  
**Subject:** Quiet Zones

Hello-

My first email fell upon deaf ears so I thought I would send it again. It is copied below. Besides our initial question on how the crossing gates could cost \$100,000, we also would like to know what ward we are a part of and how we can contact the representative of our ward?

Thank You-

[REDACTED]

Hello-

This evening on the nightly news a story covered three more towns getting quiet zones including Berwyn and Riverside. The story went on to say that the rail line was even going to help pay for the upgrades that were necessary. It is clear that more and more town are getting quiet zones. Over the past few weeks I have seen in the Kendall Record a break down of the possible projects stimulus package money is to be used for. There was no mention of Mill Road or quiet zones. Mill road is falling apart and is in need of desperate repair. Quiet zones would benefit the entire area. Waiting for the developer to do it could take years if they do it at all. Why cant stimulus money be used toward these projects? This stimulus money is ultimately taxpayer money and it

should go toward projects that the citizens want. This is a perfect opportunity to fix a problem, make people happy, and make the area attractive to future home buyers.

Also, our HOA wanted to know how the \$100,000 figure was gotten. If all that is needed is to extend the gates to cover both lanes of traffic, how could this cost \$100,000?

Further, as plans are starting to bring a train station to the current park n ride, quiet zones must be a part of that equation.

Thank You-

[REDACTED]

## Bart Olson

---

**From:** [REDACTED]  
**Sent:** Monday, March 16, 2009 9:33 PM  
**To:** val.burd@comcast.net; bolson@yorkville.il.us  
**Subject:** Train Quiet Zone Update

Hello-

This evening on the nightly news a story covered three more towns getting quiet zones including Berwyn and Riverside. The story went on to say that the rail line was even going to help pay for the upgrades that were necessary. It is clear that more and more town are getting quiet zones. Over the past few weeks I have seen in the Kendall Record a break down of the possible projects stimulus package money is to be used for. There was no mention of Mill Road or quiet zones. Mill road is falling apart and is in need of desperate repair. Quiet zones would benefit the entire area. Waiting for the developer to do it could take years if they do it at all. Why cant stimulus money be used toward these projects? This stimulus money is ultimately taxpayer money and it should go toward projects that the citizens want. This is a perfect opportunity to fix a problem, make people happy, and make the area attractive to future home buyers.

Also, our HOA wanted to know how the \$100,000 figure was gotten. If all that is needed is to extend the gates to cover both lanes of traffic, how could this cost \$100,000?

Further, as plans are starting to bring a train station to the current park n ride, quiet zones must be a part of that equation!

Thank You-

[REDACTED]



## Bart Olson

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**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Wednesday, March 10, 2010 11:47 AM  
**To:** [REDACTED]  
**Cc:** Valerie Burd  
**Subject:** RE: Quiet zones  
**Attachments:** 70531QuietZoneFeasibilityReport\_Chesterfield.pdf; Daily Herald \_ Elburn consi...pdf; flowchart\_explanatory\_textv4\_0806.pdf; Jeff Freeman Email.pdf; QZ SSM notes.pdf; Libertyville website - QZ.pdf; QZ article 1.pdf; QZ article 2.pdf; QZ article 3.pdf; QZ article 4.pdf; QZ report, Galesburg.pdf; Lemont website.pdf

Hello [REDACTED],

I am not interested in having a conversation with you if you are going to make accusations about my honesty. Please accept this as my last correspondence to you on this matter.

The consultants I have spoken with are Jason Bauer of Engineering Enterprises, Jeff Freeman of Engineering Enterprises, Jim Testin of Robert E Hamilton Engineers, and the attached materials and articles.

Again, you stated that I am incorrect on Bank of America being a third party on the Windett Ridge issue. Bank of America is now the developer of the subdivision – they are not a third party.

Regards,

Bart Olson  
City Administrator  
Interim Director of Parks and Recreation  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 office  
630-308-0582 cell  
bolson@yorkville.il.us

---

**From:** [REDACTED]  
**Sent:** Tuesday, March 09, 2010 7:00 PM  
**To:** Bart Olson  
**Cc:** Valerie Burd  
**Subject:** RE: Quiet zones

Hello-

It has almost been a week and still I have not heard from you. For more then three years I have sought the placement of quiet zones along Mill Road. I have been told over that time that the crossings were not quiet zone compliant and that it would take \$100,000 plus to make them so. I accepted this answer for years, but then I began to look into the matter myself. Since then, I have asked for you to reference the specific articles or documents that you have been quoting over the past few years that supports the answers you have given me. I would like to see the specific page numbers etc.. that say that the crossings are not quiet zone compliant already and what exactly is needed to make them so. Your inability to produce such documents confirms my suspicions all along that you have not been honest with your answers to me and that you never have truly looked into the matter. It is this type of government that is infuriating. I have saved all of the my emails. When it is election time, I will make sure the people of Yorkville know what kind of politicians we currently have in office!

--- On **Mon, 3/1/10, Bart Olson** <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)> wrote:

From: Bart Olson <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)>

Subject: RE: Quiet zones

To: [REDACTED]

Date: Monday, March 1, 2010, 9:21 AM

There are many variables that go into quiet zone compliance – accident history, traffic levels, types of safety features at the crossing, etc. There is no chance that either of those crossings are quiet zone ready without further improvements. My information comes from talking to two different engineers who prepare quiet zone applications for their engineering firms, from reading articles about quiet zones, and from reading the quiet zone application materials from the Federal Railroad Administration.

You're incorrect on the Windett Ridge problem. The drainage issue was fixed by Bank of America, which took over the property from the developer (becoming, in fact, the developer). They fixed it because the engineering plans for the subdivision were prepared incorrectly by their original design engineer, and they were fixing a stormwater engineering deficiency.

We're not treating you any differently – we have been working with Bank of America to get the infrastructure in the subdivision completed and maintained. You should be seeing progress even when there is snow on the ground, as they have been working to repair streetlights. When the snow melts, we'll be making sure the fields are mowed by the developer. I wish I could help you with property values – unfortunately, I think everyone has seen that occur.

Bart Olson

City Administrator

Interim Director of Parks and Recreation

United City of Yorkville

800 Game Farm Road

Yorkville, IL 60560

630-553-8537 office

630-308-0582 cell

[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

---

**From:** [REDACTED]

**Sent:** Monday, March 01, 2010 7:54 AM

**To:** Bart Olson

**Subject:** Re: Quiet zones

Hello-

Thank you for the email. Can you explain to me why the crossings are not already quiet zone compliant? Everything I have read says that they are. There are other quiet zones in the area that do not have medians, directional horns, gates etc... Can you give me the website or location where your information is coming from? Also I would like to point out that a flooding problem was fixed in another subdivision. I believe it was Windett Ridge or something similar. That was a problem that was supposed to get fixed by the developer, and yet it was fixed by a third party instead to appease the homeowners. We are in the same boat. Our developer was supposed to make the improvements to Mill Road and put in the quiet zones and, therefore, we expect to have our problems fixed too. We expect the same and equal treatment since we pay taxes just like the residents in the before mentioned subdivision. Waiting another year plus simply is not a satisfactory answer. We are an extremely frustrated group of people. In the three and a half years since we have moved into the area we have seen the following happen:

Our streets have fallen into disrepair

Our green fields are no longer being mowed and have turned into weed fields

Mill Road is crumbling and is no longer safe

Our home values have dropped 25 - 30%

Our taxes have continued to increase !!!!!!!

We need something positive to happen in our area. Drive around and look at all the homes that are for sale in the area. People are frustrated and want out of Yorkville or they can't afford to stay. Improving Mill Road and placing the quiet zones makes the area more attractive to home buyers and the area can begin to grow again. The mayor keeps pushing her downtown agenda, while the people / neighborhoods who are responsible for the growth of Yorkville and all of the new business that have come into the area, are dying on the vine.

Please help us.

Thank You-

[REDACTED]

--- On **Thu, 2/25/10**, **Bart Olson** <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)> wrote:

From: Bart Olson <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)>

Subject: Quiet zones

To: [REDACTED]

Date: Thursday, February 25, 2010, 2:35 PM

Hello [REDACTED]

Mayor Burd forwarded me your most recent email and asked me to contact you. Thank you for your continued interest in quiet zones along Mill Road and Kennedy Road. As Bank of America works with us to fix their issues in the Grande Reserve subdivision, and as developers express interest in purchasing pieces of the subdivision and developing those pieces, we will get closer to a quiet zone. We are also in the middle of the budget process for next year and will be weighing the merits of many capital projects, including road improvements and crossing improvements that could satisfy the construction requirements of a quiet zone.

Thanks,

Bart Olson

City Administrator

Interim Director of Parks and Recreation

United City of Yorkville

800 Game Farm Road

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[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

## Bart Olson

---

**From:** val.burd@comcast.net  
**Sent:** Thursday, November 11, 2010 12:20 PM  
**To:** [REDACTED]  
**Cc:** Bart Olson  
**Subject:** Re: Train Horn Blowing at Mill Road & Kennedy Road Crossings

[REDACTED]

The City Administrator, Bart Olson, tells me that other alternatives were investigated and there were no other options besides a Quiet Zone. I had brought it to City Council, and we had an engineering firm, EEI, look into how much it would cost, etc. It was voted against because of the cost. It was revisited six months later, and times were even tougher, so once again it was turned down. I will have someone on staff send you the minutes, and the report from the engineers. The referendum only addressed putting a bike path in, I believe. It did not include the additional cost of a Quiet Zone. Our agreements with developers at Grande Reserve required them to put in a Quiet Zone when construction is farther along. I will check what is required for the bike path and have them get back to you. Thank you for your patience on this.

Valerie Burd

----- Original Message -----

**From:** [REDACTED]  
**To:** "val burd" <[val.burd@comcast.net](mailto:val.burd@comcast.net)>  
**Cc:** "Bart Olson" <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)>  
**Sent:** Thursday, November 11, 2010 10:54:53 AM  
**Subject:** Re: Train Horn Blowing at Mill Road & Kennedy Road Crossings

Thanks for looking into this Mayor Burd,

If those intersections were to become quiet zones, it would help out the Grande Reserve communities a lot. Do you know what criteria need to be changed for it to become a quiet zone? For instance, is most of the cost in changing the crosswalks or adding a sidewalk, etc?

Also, was updating this crossing in the referendum for the bike path down Kennedy Road from Mill to 47? If we do end up changing the crossing for the bike path, but don't make the necessary accommodations to make it into a quiet zone at the same time, we may end up putting more money into it overall when we update the crossing again at a later time.

Thanks Again,  
[REDACTED]

On Mon, Nov 1, 2010 at 4:47 PM, <[val.burd@comcast.net](mailto:val.burd@comcast.net)> wrote:  
Dear [REDACTED]

Other residents have also complained. The City Council looked into putting in a Quiet Zone, but the cost is \$150,000 or more at that site, money the City doesn't have at this time. We did not look in to any other alternatives, I don't believe. I will have staff check it out and get back to you.

Valerie Burd

----- Original Message -----

From: [REDACTED]

To: "val burd" <[val.burd@comcast.net](mailto:val.burd@comcast.net)>, "Valerie Burd" <[VBurd@yorkville.il.us](mailto:VBurd@yorkville.il.us)>

Sent: Monday, November 1, 2010 2:47:48 PM

Subject: Train Horn Blowing at Mill Road & Kennedy Road Crossings

Dear Mayor Burd,

I have noticed that the trains passing the crossings of Mill road and Kennedy road blow their horns at alarmingly loud levels and for quite a long duration. I have also noticed that in many of the suburbs east of Yorkville, the trains are not required to blow their horns. Do you know what we can do as citizens to change this policy? I'm sure we could get a petition together if that is what is required.

Thanks for your time,

[REDACTED]

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Monday, November 01, 2010 5:13 PM  
**To:** val.burd@comcast.net  
**Subject:** RE: Train Horn Blowing at Mill Road & Kennedy Road Crossings

A petition won't help, and there are not other options other than establishing a quiet zone.

Bart Olson  
City Administrator  
Interim Director of Parks and Recreation  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

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**From:** [val.burd@comcast.net](mailto:val.burd@comcast.net) [<mailto:val.burd@comcast.net>]  
**Sent:** Monday, November 01, 2010 4:47 PM  
**To:** [REDACTED]  
**Cc:** Bart Olson  
**Subject:** Re: Train Horn Blowing at Mill Road & Kennedy Road Crossings

Dear [REDACTED]

Other residents have also complained. The City Council looked into putting in a Quiet Zone, but the cost is \$150,000 or more at that site, money the City doesn't have at this time. We did not look in to any other alternatives, I don't believe. I will have staff check it out and get back to you.

Valerie Burd

----- Original Message -----

**From:** [REDACTED]  
**To:** "val burd" <[val.burd@comcast.net](mailto:val.burd@comcast.net)>, "Valerie Burd" <[VBurd@yorkville.il.us](mailto:VBurd@yorkville.il.us)>  
**Sent:** Monday, November 1, 2010 2:47:48 PM  
**Subject:** Train Horn Blowing at Mill Road & Kennedy Road Crossings

Dear Mayor Burd,

I have noticed that the trains passing the crossings of Mill road and Kennedy road blow their horns at alarmingly loud levels and for quite a long duration. I have also noticed that in many of the suburbs east of Yorkville, the trains are not required to blow their horns. Do you know what we can do as citizens to change this policy? I'm sure we could get a petition together if that is what is required.

Thanks for your time,  
[REDACTED]

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Monday, March 01, 2010 9:22 AM  
**To:** [REDACTED]  
**Subject:** RE: Quiet zones

There are many variables that go into quiet zone compliance – accident history, traffic levels, types of safety features at the crossing, etc. There is no chance that either of those crossings are quiet zone ready without further improvements. My information comes from talking to two different engineers who prepare quiet zone applications for their engineering firms, from reading articles about quiet zones, and from reading the quiet zone application materials from the Federal Railroad Administration.

You're incorrect on the Windett Ridge problem. The drainage issue was fixed by Bank of America, which took over the property from the developer (becoming, in fact, the developer). They fixed it because the engineering plans for the subdivision were prepared incorrectly by their original design engineer, and they were fixing a stormwater engineering deficiency.

We're not treating you any differently – we have been working with Bank of America to get the infrastructure in the subdivision completed and maintained. You should be seeing progress even when there is snow on the ground, as they have been working to repair streetlights. When the snow melts, we'll be making sure the fields are mowed by the developer. I wish I could help you with property values – unfortunately, I think everyone has seen that occur.

Bart Olson  
City Administrator  
Interim Director of Parks and Recreation  
United City of Yorkville  
800 Game Farm Road  
Yorkville, IL 60560  
630-553-8537 office  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

---

**From:** [REDACTED]  
**Sent:** Monday, March 01, 2010 7:54 AM  
**To:** Bart Olson  
**Subject:** Re: Quiet zones

Hello-

Thank you for the email. Can you explain to me why the crossings are not already quiet zone compliant? Everything I have read says that they are. There are other quiet zones in the area that do not have medians, directional horns, gates etc... Can you give me the website or location where your information is coming from? Also I would like to point out that a flooding problem was fixed in another subdivision. I believe it was Windett Ridge or something similar. That was a problem that was supposed to get fixed by the developer, and yet it was fixed by a third party instead to appease the homeowners. We are in the same boat. Our developer was supposed to make the improvements to Mill Road and put in the quiet zones and, therefore, we expect to have our problems fixed too. We expect the same and equal treatment since we pay taxes just like the residents in the before mentioned subdivision. Waiting another year plus simply is not a satisfactory answer. We are an extremely frustrated group of people. In the three and a half years since we have moved into the area we have seen the following happen:

Our streets have fallen into disrepair

Our green fields are no longer being mowed and have turned into weed fields

Mill Road is crumbling and is no longer safe

Our home values have dropped 25 - 30%

Our taxes have continued to increase !!!!!!!



We need something positive to happen in our area. Drive around and look at all the homes that are for sale in the area. People are frustrated and want out of Yorkville or they can't afford to stay. Improving Mill Road and placing the quiet zones makes the area more attractive to home buyers and the area can begin to grow again. The mayor keeps pushing her downtown agenda, while the people / neighborhoods who are responsible for the growth of Yorkville and all of the new business that have come into the area, are dying on the vine. Please help us.

Thank You-

[REDACTED]

--- On **Thu, 2/25/10, Bart Olson** <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)> wrote:

From: Bart Olson <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)>

Subject: Quiet zones

To: [REDACTED]

Date: Thursday, February 25, 2010, 2:35 PM

Hello [REDACTED],

Mayor Burd forwarded me your most recent email and asked me to contact you. Thank you for your continued interest in quiet zones along Mill Road and Kennedy Road. As Bank of America works with us to fix their issues in the Grande Reserve subdivision, and as developers express interest in purchasing pieces of the subdivision and developing those pieces, we will get closer to a quiet zone. We are also in the middle of the budget process for next year and will be weighing the merits of many capital projects, including road improvements and crossing improvements that could satisfy the construction requirements of a quiet zone.

Thanks,

Bart Olson

City Administrator

Interim Director of Parks and Recreation

United City of Yorkville

800 Game Farm Road

Yorkville, IL 60560

630-553-8537 office

630-308-0582 cell

[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)



## Bart Olson

---

**From:** val.burd@comcast.net  
**Sent:** Thursday, February 04, 2010 11:02 AM  
**To:** Valerie Burd  
**Subject:** Re: Prestwick Permits

[REDACTED]

I did act before threats were made. I immediately put your request -- two years ago -- on a City Council agenda. It went before four aldermen -- including one from your ward. The staff and four aldermen determined they did not want to move ahead with a Quiet Zone, not me. Mayors are not dictators. They can't just do what they want without buy-in from the City Council. The Public Works Committee reviewed its decision and once again decided not to move forward with the Quiet Zone. You now, recently, have sent me information that you say you have gotten that shows we don't have to improve the train crossing -- which is contrary to what the engineers and other consultants have told us. I am not an authority on Quiet Zones. I did recently talk to a Community Development person from another community and after that talk I was going to get back to you to see if you and a few others would be willing to get this information together to re-present to the Council's Public Works committee. After Pasquinelli's area gets out of receivership, we could then work on negotiating with the bank to see if we could get whatever funds are needed to improve that crossing.

Once again, you seem uniformed about Prestwick. The City is spending NO MONEY on the Prestwick issue. That is all funded by the developer. If he doesn't perform, we have HIS bonds in place to use to get the work done. I have not made your case, because like I said before, there is no comparison. Also FYI this week four vacant homes in your area in Grande Reserve that were getting ready for inspection for their occupancy permit were also vandalized, just like in Prestwick. So you see, it does affect your area. We have to get these homes occupied and have residents there, so that these homes don't deteriorate and add to the downward trend.

I can't spend \$4 million to get a road repaved downtown. Do you see us repaving a road? We have been working on trying to get Rt. 47 widened for 10 years -- long before you moved to town. That is a safety issue. It will cost us more than \$1 million. I have to find the funding for that. Your Quiet Zone is not a safety issue -- it is a quality of life issue. Mr. Scarpino, as you so often say to me, I'd like to invite you to take a drive around the entire City. That "road in the downtown" that you say I am repairing for \$4 million (but that we don't have the money to do, even with a 50/50 grant) is too narrow and falling apart and guess what? It's the road that gives access to the high school, city library and city hall. It has pot holes. It doesn't even have a sidewalk all along it to give access to the school.

I am not a miracle worker. We can't keep taxes at the same rate, have falling revenues, cut our number of staff members, keep our services up, and make everyone happy. If you know someone who can do all this, please let me know. I am looking for solutions and problem solvers.

Valerie Burd

----- Original Message -----

From: "Valerie Burd" <VBurd@yorkville.il.us>  
To: "val burd" <val.burd@comcast.net>  
Cc: "Bonnie Olsem" <BOlsem@yorkville.il.us>  
Sent: Thursday, February 4, 2010 8:18:23 AM GMT -06:00 US/Canada Central  
Subject: FW: Prestwick Permits

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**From:** [REDACTED]  
**Sent:** Wednesday, February 03, 2010 10:24 PM  
**To:** Valerie Burd  
**Subject:** RE: Prestwick Permits

Its amazing that after three years and my "explosive" email, suddenly you want to organize a committee about quiet zones. How interesting? The truth about quiet zones is that to get one you only need to have a crossing that is safer then the set national standards for a crossing. We have gates and lights and therefore we are already set. Others crossings in the area, on rte. 34, and 111th. have no gates and yet they are quiet zones. You do not need the curbs, and medians and directional horns. These excuses have been used in the past. If you contact the right people, quiet zones can be in place in 30-90 days. As for the qualities I would look for in a mayor, how about someone who would act before threats have to be made. How about someone who knows the conditions of the neighborhoods where people are actually are living, sees when the city needs to step in, and acts. If you say that the city does not have the money to help out Grande Reserve, then you have made my case about Prestwick.

You want to make me and the people of our neighborhood happy, get the quiet zones in. If you can spend \$4,000,000 to repave a road downtown you can get the quiet zone in. Find a grant and get it done. Also, Mill Road is falling apart, is too narrow, and is unsafe, but you know that right? You don't need to email me back. I'll know if you are listening 30-90 days from now. But maybe by then our house will have sold.

--- On **Mon, 2/1/10, Valerie Burd** <[VBurd@yorkville.il.us](mailto:VBurd@yorkville.il.us)> wrote:

From: Valerie Burd <[VBurd@yorkville.il.us](mailto:VBurd@yorkville.il.us)>  
Subject: RE: Prestwick Permits  
To: [REDACTED]  
Date: Monday, February 1, 2010, 12:57 PM

[REDACTED]

I don't know why you are on the warpath again. There is nothing comical or insulting about the Prestwick decision if you look at it rationally. This issue with Prestwick has no similarity to what is going on in Grande Reserve North. In Prestwick we have the opportunity to push the developer to get the street lights working and to get people into homes so that vandalism will stop in the area. Without this action, we have a deserted subdivision with vacant homes that are being vandalized. The police dept. has to provide extra policing to the area. That's not a good situation for our taxpayers. We have letters of credit to cover the work in Prestwick if it does not get done by April 15. This solves a problem. I have to think about the whole city, not just Grande Reserve. I CAN NOT push a developer to do things for Grande Reserve North because there is no developer. Your development is in receivership, under the control of a judge. Bank of America doesn't even have control of the area. The City can't get anything done unless a judge approves it. We have had several negotiations with Bank of America in the past few weeks, trying to get streetlights and road improvements in the central area of the development, but the company responsible for managing the northern area (your area) keeps dropping the ball in getting the court to approve paying out to fix the streetlights and other issues. There were supposed to fix the potholes, but didn't and the city had to go in and fill streets that we don't even have control of. No, we will not be putting in the streetlights or fixing potholes in Prestwick . There is a developer still in control of Prestwick .

Are you interested in facts or in attacking without foundation? You can feed in to the negativity that some aldermen are promoting, but they vote against everything. Every solution that is proposed. Take a look at how they voted in our negotiations with Windett Ridge. If the City had followed their leadership, the streets would still be unpaved and Claremont Court drainage wouldn't be fixed. Someone can promise you all kinds of things, but no one can resolve these issues in Grande Reserve North without approval of the court. That is a fact. Carrying on and yelling isn't going to get things resolved. . If Bank of America does get control of your area, I can tell you one thing – they don't respond well to

threats. I know from experience. Would you really want someone representing you who would act like that? Please tell me what you think some other mayor could do?

Strangely enough, I had planned on contacting you (before you wrote this explosive email) to discuss the quiet zone issue. I had a meeting with someone today about it and thought maybe I could set up a small committee to look into what steps need to be taken, and if there are other areas of the City that quiet zones would be needed in and I was going to ask you if you would be interested.

Valerie Burd  
Mayor, United City of Yorkville

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**From:** [REDACTED]  
**Sent:** Saturday, January 30, 2010 6:05 PM  
**To:** Valerie Burd  
**Cc:** RoseA00@aol.com; diane\_teeling@yahoo.com; gilsonward1@comcast.net  
**Subject:** Prestwick Permits

Mayor Burd-

The article in this weeks paper about the issuing of permits to empty homes at Prestwick was down right comical and insulting to the home owners of Grande Reserve North. The attorney who represented the developer is quoted as saying that, " the more building permits the developer pulls in the future, the more revenue for the city and other taxing bodies." I have used this argument with you for years in trying to get things down in Grande Reserve North. When we moved in the street lights did not work and when we called the city to turn them on, we were told it was the developers job. The city wanted to do nothing to help us.

Further, your quote of we need to think outside the box is just as bad. We have been trying to get quiet zones along the tracks to help bring new home buyers into the area and our cries have always fallen on deaf ears.

Now you are going to start up a new development that only has vacant homes in it and leave us out to dry once again. Do you plan on filling their pot holes, and mowing their fields, and completing their walking paths too?

You should be focusing on the neighborhoods that already have homeowners in them and that need help instead of creating even more of a mess. The next mayoral election can't come soon enough.

## Bart Olson

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**From:** Bart Olson on behalf of Bart Olson [BOLson@yorkville.il.us]  
**Sent:** Monday, October 10, 2011 9:43 AM  
**To:** 'Larry Kot'; [REDACTED]; jackie2ward@sbcglobal.net  
**Subject:** RE: Question regarding excessive horn usage by train...

Hello all,

Alderman Kot is right on with history of the problem. The BNSF line on the north side of town has heavier traffic and we have been discussing the matter with the residents in that area for the past four years. Unfortunately, Federal Railroad Administration guidelines require them to sound the horn whenever they are going through an intersection, regardless of time of day. As far as differences between engineers goes, I will ask IL Railnet (operator) for their thoughts and input.

The only option we have is to establish a quiet zone. Depending on the traffic in the area and the accident history at the crossings, different improvements have to be made at each crossing. These could range from a four-way crossing gate, to a raised median, to directional/stationary horns. Unfortunately, the cheapest option out of that is north of \$50,000 per intersection. The past few years we have talked about it, the Public Works Committee determined it wasn't worth the \$20,000 engineering contract to start the process with the FRA. I do anticipate this will be brought up every year in the budget process, until we are able to afford it.

Thanks,

Bart Olson  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

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**From:** Larry Kot [<mailto:kot.ward2@yahoo.com>]  
**Sent:** Monday, October 10, 2011 7:46 AM  
**To:** [REDACTED]; [jackie2ward@sbcglobal.net](mailto:jackie2ward@sbcglobal.net)  
**Cc:** Bart Olson  
**Subject:** Re: Question regarding excessive horn usage by train...

[REDACTED] the issue of the train blowing it's horn in residential areas has been a problem for a long time. I know there are rules they are governed by which require them to sound the horn when approaching intersections. I tried many years ago to get them to add gates but to was not successful.

Bart - have you had any recent discussions with the railroad on this matter? It seems some engineers use the horn more than others. I notice that from where I live several blocks away. Maybe a call to management might get them to ease up a little, especially in the middle of the night. Please let me know your thoughts on this.

Thanks

Larry

**From:** [REDACTED]  
**To:** [kot.ward2@yahoo.com](mailto:kot.ward2@yahoo.com); [jackie2ward@sbcglobal.net](mailto:jackie2ward@sbcglobal.net)  
**Sent:** Thursday, October 6, 2011 10:47 AM  
**Subject:** Question regarding excessive horn usage by train...

Dear Aldermen Kott and Milschewski,

I just recently moved into your ward and I have a question on how to petition for restrictions on horn usage by the Canadian National train that goes right through the residential area on the south side of the river. During the day, i can understand, but late and night and very early in the morning, there have been several occasions where the engineer is just laying on the horn. This morning, they did this at 4:30 am. How do I petetion to get some noise restrictions placed ont hem? If i got in my car and went down the street with my horn blaring, I would have the YPD swarming all over me. There is no excuse for this amount of excessive noise levels during this time frame. People are trying to sleep. Instead of blaring the horn...how about putting some warning lights at the crossings? That would certainly be better than disrupting people's sleep every night. I would like to discuss this. Via email is fine or you can call me at [REDACTED]

Thanks

[REDACTED]  
[REDACTED] W. Van Emmon Street [REDACTED]

## Bart Olson

---

**From:** val.burd@comcast.net  
**Sent:** Tuesday, March 15, 2011 4:23 PM  
**To:** Bart Olson  
**Subject:** Fwd: Train horns at Kennedy Rd and Mill Rd

----- Forwarded Message -----

**From:** "Valerie Burd" <[VBurd@yorkville.il.us](mailto:VBurd@yorkville.il.us)>  
**To:** "val burd" <[val.burd@comcast.net](mailto:val.burd@comcast.net)>  
**Cc:** "Bonnie Olsem" <[BOlsem@yorkville.il.us](mailto:BOlsem@yorkville.il.us)>  
**Sent:** Friday, March 11, 2011 8:05:25 AM  
**Subject:** FW: Train horns at Kennedy Rd and Mill Rd

FYI -

---

**From:** [REDACTED]  
**Sent:** Thursday, March 10, 2011 6:00 PM  
**To:** Valerie Burd  
**Subject:** Train horns at Kennedy Rd and Mill Rd

Mayor of Yorkville,

Hello, I am a resident of the Mill Crossing on Bailey Rd in Yorkville. I bought my home back in 2008, told by the seller there are about 3 trains a day. Now, I can count 3 in an hour easily. It has become a disturbance in general, not to mention loss of sleep every night with all of the trains. Not only are there more, but horns are excessively loud by certain trains (why the difference?). Anyways, can we please enact a train quiet zone in this area. Other communities have it and we seem to be setup very close to being able to do it with the arms and lights at each intersection. My house is one of the closest to the tracks and we feel every vibration and get the full sound of the horn along with that. I can't open windows because it becomes a safety issue with the high decibel level. I know we have financial issues everywhere, but this should be a priority. It affects the neighborhood value of the homes (my home has decreased in value by over \$100k in less than 3 years). Please help!!!

Sincerely,

[REDACTED]



## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Monday, August 22, 2011 2:49 PM  
**To:** [REDACTED] Gary Golinski  
**Subject:** RE: Train horns at Kennedy Rd and Mill Rd - NEED QUIET ZONE

Hello [REDACTED]

Thanks for contacting us about this. The cost of study and the construction is still the same, and unfortunately, our ability to pay for it has not changed either. Our current budget year ends April 30, 2012, and we'll be beginning the discussion for next year's needs in the next few months. I anticipate that this will be brought up for discussion on funding at some point between now and April; but I do not know where it will fall on the City Council's capital project list.

Thanks,

Bart Olson  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

---

**From:** [REDACTED]  
**Sent:** Monday, August 22, 2011 8:26 AM  
**To:** Bart Olson; Gary Golinski  
**Subject:** Train horns at Kennedy Rd and Mill Rd - NEED QUIET ZONE

TO:  
Bart Olson - City Administrator  
Gary Golinski - Mayor of Yorkville

Please see my original email to Valerie back in March, along with her response below it. I am looking for an update to this issue. Can anything be done?

Sent March 10th, 2011:

Hello, I am a resident of the Mill Crossing on Bailey Rd in Yorkville. I bought my home back in 2008, told by the seller there are about 3 trains a day. Now, I can count 3 in an hour easily. It has become a disturbance in general, not to mention loss of sleep every night with all of the trains. Not only are there more, but horns are excessively loud by certain trains (why the difference?). Anyways, can we please enact a train quiet zone in this area. Other communities have it and we seem to be setup very close to being able to do it with the arms and lights at each intersection. My house is one of the closest to the tracks and we feel every vibration and get the full sound of the horn along with that. I can't open windows because it becomes a safety issue with the high decibel level. I know we have financial issues everywhere, but this should be a priority. It affects the neighborhood value of the homes (my home has decreased in value by over \$100k in less than 3 years). Please help!!!

Sincerely,

[REDACTED]

----- Forwarded message -----

From: <[val.burd@comcast.net](mailto:val.burd@comcast.net)>

Date: Tue, Mar 15, 2011 at 4:27 PM

Subject: quiet zone

To: [REDACTED]

[REDACTED]

I've passed your email on to the city administrator, Bart Olson. He will get back to you soon to explain what the city has done so far. I know there are a lot of residents in your area of Yorkville who have to put up with this major annoyance. I am hoping that we will be able to find some solution that won't cost us a lot of money because I know you realize that at this time we don't have any extra money in our budget. I did bring this to the City Council's public works committee two years ago. We hired EEI to do a study and they came back and said it would cost between \$100,000 and \$200,000 to resolve the problem. The Council voted against moving forward. But we need to keep looking for other options.

Valerie

## Bart Olson

---

**From:** golinski@fnal.gov  
**Sent:** Monday, August 22, 2011 12:34 PM  
**To:** bolson@yorkville.il.us  
**Subject:** Fw: Train horns at Kennedy Rd and Mill Rd - NEED QUIET ZONE

----- Forwarded by Gary Golinski/Fermilab/US on 08/22/2011 12:33 PM -----



08/22/2011 08:25  
AM

[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us),  
[ggolinski@comcast.net](mailto:ggolinski@comcast.net)

To

cc

Subject

Train horns at Kennedy Rd and Mill  
Rd - NEED QUIET ZONE

TO:  
Bart Olson - City Administrator  
Gary Golinski - Mayor of Yorkville

Please see my original email to Valerie back in March, along with her response below it. I am looking for an update to this issue. Can anything be done?

Sent March 10th, 2011:

Hello, I am a resident of the Mill Crossing on Bailey Rd in Yorkville. I bought my home back in 2008, told by the seller there are about 3 trains a day. Now, I can count 3 in an hour easily. It has become a disturbance in general, not to mention loss of sleep every night with all of the trains.

Not only are there more, but horns are excessively loud by certain trains (why the difference?). Anyways, can we please enact a train quiet zone in this area. Other communities have it and we seem to be setup very close to being able to do it with the arms and lights at each intersection. My house is one of the closest to the tracks and we feel every vibration and get the full sound of the horn along with that. I can't open windows because it becomes a safety issue with the high decibel level. I know we have financial issues everywhere, but this should be a priority. It affects the neighborhood value of the homes (my home has decreased in value by over \$100k in less than 3 years). Please help!!!

Sincerely,



----- Forwarded message -----

From: <[val.burd@comcast.net](mailto:val.burd@comcast.net)>

Date: Tue, Mar 15, 2011 at 4:27 PM

Subject: quiet zone

To: [REDACTED]

[REDACTED]

I've passed your email on to the city administrator, Bart Olson. He will get back to you soon to explain what the city has done so far. I know there are a lot of residents in your area of Yorkville who have to put up with this major annoyance. I am hoping that we will be able to find some solution that won't cost us a lot of money because I know you realize that at this time we don't have any extra money in our budget. I did bring this to the City Council's public works committee two years ago. We hired EEI to do a study and they came back and said it would cost between \$100,000 and \$200,000 to resolve the problem. The Council voted against moving forward. But we need to keep looking for other options.

Valerie

## Bart Olson

---

**From:** [REDACTED]  
**Sent:** Monday, August 22, 2011 8:26 AM  
**To:** bolson@yorkville.il.us; ggolinski@comcast.net  
**Subject:** Train horns at Kennedy Rd and Mill Rd - NEED QUIET ZONE

TO:  
Bart Olson - City Administrator  
Gary Golinski - Mayor of Yorkville

Please see my original email to Valerie back in March, along with her response below it. I am looking for an update to this issue. Can anything be done?

Sent March 10th, 2011:

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Sincerely,

[REDACTED]

----- Forwarded message -----

From: <[val.burd@comcast.net](mailto:val.burd@comcast.net)>  
Date: Tue, Mar 15, 2011 at 4:27 PM  
Subject: quiet zone  
To: [REDACTED]

[REDACTED]

I've passed your email on to the city administrator, Bart Olson. He will get back to you soon to explain what the city has done so far. I know there are a lot of residents in your area of Yorkville who have to put up with this major annoyance. I am hoping that we will be able to find some solution that won't cost us a lot of money because I know you realize that at this time we don't have any extra money in our budget. I did bring this to the City Council's public works committee two years ago. We hired EEI to do a study and they came back and said it would cost between \$100,000 and \$200,000 to resolve the problem. The Council voted against moving forward. But we need to keep looking for other options.

Valerie

## Bart Olson

---

**From:** Joe Wywrot [JWywrot@yorkville.il.us]  
**Sent:** Tuesday, February 15, 2011 4:40 PM  
**To:** val.burd@comcast.net  
**Cc:** Bart Olson; Krysti Barksdale-Noble  
**Subject:** RE: Train Question

Mayor,

The Route 126 RR crossing of the Canadian National railroad is part of a quiet zone corridor that extends from 119th Street to Lockport Road. This corridor is about 4 miles long and includes 11 surface crossings. Each crossing within the corridor has to have certain minimum safety measures, those being a constant-warning train detection system and crossing gates. Other safety measures such as centerline barrier curb and flexible delineators are optional so long as the average risk index for the entire corridor meets a certain level of safety. Factors that are used to determine the risk index would include items like the volumes of roadway, train, and pedestrian traffic, roadway safety measures, etc.

Krysti and I worked together on this. She lives in Plainfield and was familiar with the crossing.  
Joe

Joe Wywrot  
Yorkville City Engineer  
(630)553-8527  
(630)553-3436 fax  
(630)878-2021 mobile

---

**From:** [val.burd@comcast.net](mailto:val.burd@comcast.net) [<mailto:val.burd@comcast.net>]  
**Sent:** Monday, February 14, 2011 1:50 PM  
**To:** Joe Wywrot  
**Subject:** Fwd: Train Question

Joe: Please look into this and see if this would be something we could do in Yorkville. Thanks.  
Valerie

----- Forwarded Message -----

From: "Valerie Burd" <[VBurd@yorkville.il.us](mailto:VBurd@yorkville.il.us)>  
To: "val burd" <[val.burd@comcast.net](mailto:val.burd@comcast.net)>  
Sent: Monday, February 14, 2011 8:27:20 AM  
Subject: FW: Train Question

FYI -

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**From:** [REDACTED]  
**Sent:** Sunday, February 13, 2011 6:22 PM  
**To:** Valerie Burd  
**Subject:** Train Question

Mayor Burd-

Yesterday, we were driving through Plainfield and noticed a very interesting sign. Just before a set of railroad tracks there was a yellow "no horn" sign that indicated a quiet zone. This set of tracks was just east of Rte. 59 and crossed over the road we were on, Rte. 126. What was especially interesting was that this crossing had no center median and the crossing gates could clearly cover only side of the road. In the past I have always been told that to make a RR crossing quiet zone compliant we would need to put in a center median and longer gates to prevent a car from driving around the gates.

At this crossing in Plainfield that clearly is not the case. Can you look into this matter for us and see how Plainfield was able to get a quiet zone on this busy stretch of road? Rte. 126 feeds right onto highway 55 so it is a road that gets a lot of traffic.

Thank You



## Bart Olson

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**From:** Valerie Burd [VBurd@yorkville.il.us]  
**Sent:** Sunday, January 09, 2011 7:51 AM  
**To:** val.burd@comcast.net  
**Subject:** FW: Just a Thought

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**From:** [REDACTED]  
**Sent:** Friday, January 07, 2011 6:16 PM  
**To:** Valerie Burd  
**Subject:** Just a Thought

Mayor Burd-

I recently read the article from the Kendall Record about promoting Yorkville to visitors. In the article, you say we need to be out in front and that we need to get the vacant homes and vacant lots filled. I agree with all of this, however, you never once mention the chance of getting a quiet zone. To get people to come we need to make the area attractive and while improving the downtown will help, getting rid of the train noise would as well. Most of the vacant lots and homes within the Grande Reserve area are within ear shot of four RR crossings: Near Caterpillar, Mill, Kennedy, and Bristol. That means that for every train that rolls by we hear 12 whistles. Until this problem is addressed, selling homes in the area will be difficult. Perhaps you could send out a survey to see if people would like to get quiet zones. The responses might be interesting. Further, Sugar Grove, one of the towns that you say we are competing against, already has quiet zones. Tying the proposed trail systems and quiet zones together might be a good solution. Just food for thought. Thank you for your time.

[REDACTED]

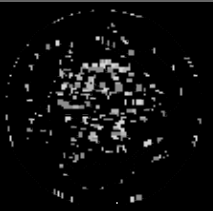


## Bart Olson

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**From:** [REDACTED]  
**Sent:** Monday, November 19, 2012 11:16 AM  
**To:** Rich Hart; Gary Golinski; Ken Koch Forwarder; yorkvilleone@gmail.com  
**Cc:** b davidson@co.kendall.il.us; jpurcell@co.kendall.il.us; nmartin@co.kendall.il.us; spetrella@co.kendall.il.us  
**Subject:** RE: Train

That is ridiculous they are allowed to do something that I, as a citizen, would get legally penalized for doing. There has to be something that can be done to reduce it. Laying on the horn the entire length of the residential area here in Yorkville is a public nuisance. It's no wonder properties don't sell around here. Who wants to live in a town where the city cares more about the companies that ride on through than they do about the citizens that live here. Real nice people. I guess that is what I get for moving to a Republican county.



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**From:** Rich Hart [mailto:rhart@yorkville.il.us]  
**Sent:** Monday, November 19, 2012 10:08 AM  
**To:** [REDACTED]; Gary Golinski; Ken Koch Forwarder; yorkvilleone@gmail.com  
**Cc:** b davidson@co.kendall.il.us; jpurcell@co.kendall.il.us; nmartin@co.kendall.il.us; spetrella@co.kendall.il.us  
**Subject:** RE: Train

[REDACTED]

As Sergeant Mikolasek explained to you Federal and State Law require trains to slow down in city limits and sound their horn when crossing streets/highways regardless of the time of day/night. As a City we cannot create ordinances that are more restrictive than Federal or State law. I am sorry but there is nothing that we can do stop trains from using their horns in town.

Rich Hart  
Chief of Police

---

**From:** [REDACTED]  
**Sent:** Monday, November 19, 2012 3:18 AM  
**To:** Rich Hart; Gary Golinski; Ken Koch Forwarder; [yorkvilleone@gmail.com](mailto:yorkvilleone@gmail.com)  
**Cc:** [b davidson@co.kendall.il.us](mailto:b davidson@co.kendall.il.us); [jpurcell@co.kendall.il.us](mailto:jpurcell@co.kendall.il.us); [nmartin@co.kendall.il.us](mailto:nmartin@co.kendall.il.us); [spetrella@co.kendall.il.us](mailto:spetrella@co.kendall.il.us)  
**Subject:** Train

I called to file a noise complaint against the train that comes through here. There is no excuse or purpose for this thing blaring the horn the entire time while going through the residential area west of 47 at 3am in the morning. Your officer, Ray Mikolosik refused to file a noise complaint. That is failing to do his job. A noise complaint will have my complaint

as part of the official record. The train is disturbing the peace above and beyond what is necessary for the time of night it is passing through. Surely there is a better way that they can warn the non-existent vehicles at 3am in the morning along Hydraulic St. that a train is coming without laying on the horn for 10 minutes and waking everyone up. I have a right to not be disturbed during normal sleep times. If I was going down the street blaring my horn at 3am in my car, I would be getting charged with disturbing the peace and violating noise ordinances. Just because the officer didn't want to do anything doesn't mean that he can't. He told me to call the train company, which I have in the past and they could give a rats behind as to what I have to say. That got me absolutely nowhere. I am tired of getting woken up every day at 3am. Excuse my language, but this is a bunch of bullshit. I expect better. I have a right to be able to sleep without this damn train waking me up every day.

Something needs to do something about this. Apparently the Yorkville Police don't care (big shocker...not that I expect them to do anything about their corporate masters), Canadian Central doesn't care. I doubt Hultgren will go against his corporate owners either...so who are we the people supposed to turn to?

W. Van Emmon Street  
Yorkville, IL 60560

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Monday, November 19, 2012 8:07 AM  
**To:** Gary Golinski  
**Subject:** Re: Train

Pretty simple answer, federal railroad administration laws require them to use their horn at all crossings, at any time of day.

Bart Olson  
City Administrator  
United City of Yorkville  
630-308-0582  
bolson@yorkville.il.us

Sent from my Verizon Wireless 4GLTE smartphone

----- Reply message -----

**From:** "ggolinski@comcast.net" <ggolinski@comcast.net>  
**To:** "Bart Olson" <BOlson@yorkville.il.us>  
**Subject:** Train  
**Date:** Mon, Nov 19, 2012 7:45 am

FYI

---

**From:** [REDACTED]  
**To:** rhart@yorkville.il.us, ggolinski@comcast.net, kenkoch80@gmail.com, yorkvilleone@gmail.com  
**Cc:** b davidson@co.kendall.il.us, jpurcell@co.kendall.il.us, nmartin@co.kendall.il.us, spetrella@co.kendall.il.us  
**Sent:** Monday, November 19, 2012 3:18:20 AM  
**Subject:** Train

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██████████  
██████████ W. Van Emmon Street ██████████  
Yorkville, IL 60560

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██████████ <i>OWNER/DEVELOPER</i>		<b>THREE RAVENS CONSULTING</b>	
██ <a href="http://www.threeravensconsulting.com">HTTP://WWW.THREERAVENSCONSULTING.COM</a>		██	
<u>WANT TO ALWAYS HAVE MY LATEST INFO?</u>		<u>WANT A SIGNATURE LIKE THIS?</u>	

## Bart Olson

---

**From:** [REDACTED]  
**Sent:** Monday, November 19, 2012 3:18 AM  
**To:** Rich Hart; Gary Golinski; Ken Koch Forwarder; yorkvilleone@gmail.com  
**Cc:** b davidson@co.kendall.il.us; jpurcell@co.kendall.il.us; nmartin@co.kendall.il.us; spetrella@co.kendall.il.us  
**Subject:** Train

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[REDACTED]  
[REDACTED] W. Van Emmon Street [REDACTED]  
Yorkville, IL 60560

		YOUR COLD FUSION DEVELOPMENT SOLUTION	
[REDACTED] OWNER/DEVELOPER		THREE RAVENS CONSULTING	
[REDACTED] <a href="http://www.threeravensconsulting.com">HTTP://WWW.THREERAVENSCONSULTING.COM</a>		[REDACTED]	
WANT TO ALWAYS HAVE MY LATEST INFO?		WANT A SIGNATURE LIKE THIS?	

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Tuesday, March 06, 2012 4:51 PM  
**To:** [REDACTED]  
**Subject:** RE: Train horns at Kennedy Rd and Mill Rd - NEED QUIET ZONE

Hello [REDACTED]

I'm not sure if anyone else responded to you individually – from my end, the response given in August hasn't changed. We have a public hearing on our budget at the next City Council meeting (March 13<sup>th</sup>). This particular project is not recommended for funding by staff, but the City Council has not weighed in on the budget yet.

Thanks,

Bart Olson  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

---

**From:** [REDACTED]  
**Sent:** Friday, March 02, 2012 6:01 PM  
**To:** Bart Olson  
**Cc:** Gary Golinski; [diane\\_teeling@yahoo.com](mailto:diane_teeling@yahoo.com); [RoseA00@aol.com](mailto:RoseA00@aol.com)  
**Subject:** Re: Train horns at Kennedy Rd and Mill Rd - NEED QUIET ZONE

TO:

Bart Olson - City Administrator

Gary Golinski - Mayor of Yorkville

Diane Teeling - Ward 4

Rose Ann Spears - Ward 4

Please provide an update to the quiet zone request near Mill Rd and Kennedy Rd. See below emails for previous conversations with Bart.

Thanks for your time,

[REDACTED]

On Mon, Aug 22, 2011 at 2:49 PM, Bart Olson <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)> wrote:

Hello [REDACTED]

Thanks for contacting us about this. The cost of study and the construction is still the same, and unfortunately, our ability to pay for it has not changed either. Our current budget year ends April 30, 2012, and we'll be beginning the discussion for next year's needs in the next few months. I anticipate that this will be brought up for discussion on funding at some point between now and April; but I do not know where it will fall on the City Council's capital project list.

Thanks,

Bart Olson

City Administrator

United City of Yorkville

[630-553-8537](tel:630-553-8537) direct

[630-553-4350](tel:630-553-4350) City Hall

[630-308-0582](tel:630-308-0582) cell

[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

---

**From:** [REDACTED]  
**Sent:** Monday, August 22, 2011 8:26 AM  
**To:** Bart Olson; Gary Golinski  
**Subject:** Train horns at Kennedy Rd and Mill Rd - NEED QUIET ZONE

TO:

Bart Olson - City Administrator

Gary Golinski - Mayor of Yorkville

Please see my original email to Valerie back in March, along with her response below it. I am looking for an update to this issue. Can anything be done?

Sent March 10th, 2011:

Hello, I am a resident of the Mill Crossing on Bailey Rd in Yorkville. I bought my home back in 2008, told by the seller there are about 3 trains a day. Now, I can count 3 in an hour easily. It has become a disturbance in general, not to mention loss of sleep every night with all of the trains. Not only are there more, but horns are excessively loud by certain trains (why the difference?). Anyways, can we please enact a train quiet zone in this area. Other communities have it and we seem to be setup very close to being able to do it with the arms and lights at each intersection. My house is one of the closest to the tracks and we feel every vibration and get the full sound of the horn along with that. I can't open windows because it becomes a safety issue with the high decibel level. I know we have financial issues everywhere, but this should be a priority. It affects the neighborhood value of the homes (my home has decreased in value by over \$100k in less than 3 years). Please help!!!

Sincerely,

[REDACTED]

----- Forwarded message -----

From: <[val.burd@comcast.net](mailto:val.burd@comcast.net)>

Date: Tue, Mar 15, 2011 at 4:27 PM

Subject: quiet zone

To: [REDACTED]

[REDACTED]

I've passed your email on to the city administrator, Bart Olson. He will get back to you soon to explain what the city has done so far. I know there are a lot of residents in your area of Yorkville who have to put up with this major annoyance. I am hoping that we will be able to find some solution that won't cost us a lot of money because I know you realize that at this time we don't have any extra money in our budget. I did bring this to the City Council's public works committee two years ago. We hired EEI to do a study and they came back and said it would cost between \$100,000 and \$200,000 to resolve the problem. The Council voted against moving forward. But we need to keep looking for other options.

Valerie



**Page 2, Q2. Please rate your satisfaction with each City service.**

138	Overall, I am very satisfied with city services. Mill Road and Kennedy need repaving.	Mar 3, 2012 9:06 AM
139	We are very concerned about the changes being considered with the REC center. Would like to see continued unified location of recreational services. Would also like the city to pursue bike paths and use state grants that have been awarded to the city.	Mar 3, 2012 8:37 AM
140	The "Quantity" questions won't tell you if we want more or less	Mar 3, 2012 7:56 AM
141	The current city government is hampered by some awful decisions of past administrators	Mar 2, 2012 10:43 PM
142	Fix the streets and sidewalks and not offer health insurance to elected alderman.	Mar 2, 2012 9:32 PM
143	we are happy with the water and waste services, however we are dissatisfied with how expensive it is	Mar 2, 2012 7:25 PM
144	property taxes are out of control for for what you get	Mar 2, 2012 5:41 PM
145	2 Comments: 1) The survey would more effective for many questions if, instead of level of satisfaction, we were given choices like "too much, not enough, or the right amount." It was hard for me to say I'm "very satisfied" with the quantity of recreation classes offered with my tax dollars. I feared to say dissatisfied, in case you took that as my approval to add more of them. 2 Not on the list, but I must take this opportunity to complain about the bike path rearing it's ugly head again, even though I (and a majority of sane Yorkillians,) have already voted twice against it!	Mar 2, 2012 5:39 PM
146	High taxes poor service	Mar 2, 2012 5:35 PM
147	Snow plows leave approx 18" or more of snow along curb on Redbud Dr	Mar 2, 2012 4:34 PM
148	Snow plowing very quick, streets could use some work. Wish we had more bike trails. I voted yes on the referendum!	Mar 2, 2012 4:29 PM
149	We need to implement quiet zones for homes near railroad tracks. The train volume is bad enough, let alone the horns. 6 trains in the middle of the night is unacceptable for the noise. We also need to follow up with building more parks that were originally planned in 2008. Mill Rd badly needs to be resurfaced and has a lot of daily traffic so usage is definitely there. Need more communication to the public from the city in general.	Mar 2, 2012 4:23 PM
150	this doesn't matter city will do what it wants ie bike path voted no 2 times they still passed it they won't listen to survey either if it is not what they want	Mar 2, 2012 3:33 PM
151	taxes are way to high for want I get.	Mar 2, 2012 12:57 PM

**Page 3, Q3. Which three of the items listed below do you think should receive the most emphasis from City leaders over the next two years? (Choose the three most important)**

93	I'm very comfortable with the current quality and quantity and quality of all of these things. Please don't increase the money spent on any of them.	Mar 2, 2012 5:46 PM
94	No need for improvements - Need to stay below budget	Mar 2, 2012 5:34 PM
95	My #1 is the train quiet zone, then Mill Rd, then # of parks, then rec classes	Mar 2, 2012 4:25 PM
96	Bike trails also go toward energy conservation	Mar 2, 2012 1:54 PM
97	Streets need to be repaved, not repaired	Mar 2, 2012 10:54 AM

**Page 10, Q19. What suggestions do you have to improve the quality of life in Yorkville?**

139	Keep it the same by keeping it clean, safe & affordable. Taxes are too high already. People will give things up to reduce taxes.	Mar 29, 2012 3:17 PM
140	The quality of life is already very good, but can't we get the railroad to stop blasting train horns so much?	Mar 29, 2012 2:29 PM
141	There is lots to do for kids but not enough to do for adults and seniors.	Mar 29, 2012 2:27 PM
142	Attract more business investors (i.e. manufacturers)	Mar 29, 2012 2:03 PM
143	There are a lot of unemployed who are loosing there homes, I would like to see alternative living such as a nice modular park.	Mar 29, 2012 12:04 PM
144	Improve the park district. Give older kids more things to do. Public Pools. There are a lot of bored, looking to get into trouble children out here.	Mar 29, 2012 11:38 AM
145	Too new to the area to comment	Mar 29, 2012 11:30 AM
146	lower taxes so Yorkville is more affordable	Mar 29, 2012 9:12 AM
147	More retail and manufacturing	Mar 29, 2012 9:10 AM
148	It would be nice to have a bike path that can take you from one end of the city to the other, also more sidewalks especially along Bridge St. and 34. It's a safety issue when people walk on the side of the street where there are no sidewalks.	Mar 29, 2012 9:06 AM
149	Get rid of the Rec Center ... too costly. Many Park and Rec Activities could center in schools rooms that are unused.	Mar 29, 2012 7:25 AM
150	Utility rates are higher than other communities and the water taste isn't very good. Smells like chlorine quite often.	Mar 29, 2012 7:01 AM
151	Manage our money better and bring in quality companies And services	Mar 28, 2012 9:17 PM
152	Help maintain areas where homes sites are vacant. Aid in completion of unfinished subdivisions.	Mar 28, 2012 9:13 PM
153	Support the newer neighborhoods or give us our tax money back	Mar 28, 2012 7:12 PM
154	push to have vacant and foreclosed homes sold before building new and finishing subdivisions.	Mar 28, 2012 6:00 PM
155	Improve Education - School system and have a Boys and Girls Club. Oh and MOVIE Theatre, and brand new Bowling	Mar 28, 2012 4:33 PM

**Page 10, Q19. What suggestions do you have to improve the quality of life in Yorkville?**

296	Keep the small town feel i always wanted to live in YORKVILLE for that reason. A little perking up of the downtown area would be nice. It is a beautiful area with the old buildings, river, and all.	Mar 2, 2012 4:46 PM
297	<b>Quiet Zone near Kennedy and Mill Rds for the railroad horns - Please!</b> Finish building the neighborhoods and parks that were expected. Add a BNSF train stop in Yorkville.	Mar 2, 2012 4:41 PM
298	prune trees on parkways also the parks need landscape help	Mar 2, 2012 4:17 PM
299	I would like to see more services for the amount of taxes that I have to pay or reduce the tax rate. Moving from another states all of the taxes here are high but the service are worse or not any better.	Mar 2, 2012 3:53 PM
300	improve communication, work on getting these subs completed so they do not look run dow, keep up on the cleaning up the community it is looking run down lik ethe south side of chicago	Mar 2, 2012 3:38 PM
301	Promote and foster renewable energy and sustainability. Improve school system.	Mar 2, 2012 3:08 PM
302	the taxes have gotten way out of hand and my housing value is dropping. Its getting to where I should have stayed in naperville.	Mar 2, 2012 1:14 PM
303	slow down spending, lower taxes	Mar 2, 2012 11:12 AM
304	No more subdivisions & better roads.	Mar 2, 2012 11:09 AM

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Thursday, December 19, 2013 12:21 PM  
**To:** Eric Dhuse  
**Subject:** FW: River's Edge Train Noise

Bart Olson, ICMA-CM  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)  
City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

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**From:** Bart Olson  
**Sent:** Thursday, December 19, 2013 11:41 AM  
**To:** [REDACTED]  
**Cc:** 'Jackie'; Larry Kot Forwarder  
**Subject:** RE: River's Edge Train Noise

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**Sent:** Thursday, December 19, 2013 11:29 AM  
**To:** [REDACTED]  
**Cc:** 'Jackie'; Larry Kot Forwarder  
**Subject:** RE: River's Edge Train Noise

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For whatever this is worth - we've talked about quiet zones for a number of years, and ultimately the hangup involves funding the crossing improvements. The quiet zone process has to be reviewed and approved by the Federal Railroad Administration (FRA) and they require any number of upgrades to the crossing to achieve a safety level based on the layout of the crossing, the amount of trains, the speed of the trains, the amount of cars, accident history, etc. It is a very time intensive and costly process, unfortunately. Our City engineers have completed them in other towns and they can run anywhere from \$100,000 to \$1,000,000 and usually take 12-18 months to complete. Additionally, we have multiple crossings all over town, which is great for traffic but bad for establishing quiet zones because you basically have to do multiple crossings at once to have any impact. It's definitely something we'd like to do to improve quality of life for residents near the tracks, but we haven't been able to fit it into our budget.

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**From:** Bart Olson  
**Sent:** Wednesday, December 18, 2013 5:40 AM  
**To:** Bart Olson  
**Subject:** Fwd: River's Edge Train Noise

Bart Olson  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

Sent from my Verizon Wireless 4G LTE Smartphone

----- Original message -----

From: Larry Kot <kot.ward2@yahoo.com>  
Date: 12/13/2013 11:29 PM (GMT-05:00)  
To: [REDACTED] Larry Kot <lkot@yorkville.il.us>, jackie2ward@sbcglobal.net, Bart Olson <BOlson@yorkville.il.us>  
Subject: Re: River's Edge Train Noise

[REDACTED] I am forwarding your e-mail to our City Administrator Bart Olson. I'd like to find out from the railroad if they are sounding the horn more now for a reason. I do not know what the criteria is for establishing a quiet zone or if it's even possible in Yorkville. I can assure you we will look into this and get back to you.

Bart - please note the attached e-mail from [REDACTED] I know the city has had previous discussions with the railroad about the horn noise, especially during the overnight hours. Could you please contact the railroad to express our concerns about the excessive sounding of the horn. Also, I would appreciate any information you have about creating a quiet zone in our residential neighborhoods.  
Thanks Larry

On Thursday, December 12, 2013 8:18 PM, [REDACTED] wrote:  
Good Evening Larry and Jackie,

My name is [REDACTED]. My family just moved to Yorkville this past July and we couldn't be happier with the move. We currently live at [REDACTED] Kelly Ave in the River's Edge subdivision. We have a train in our back yard. This is obviously something that we were quite aware of when we purchased this home. However, we have been noticing that within the past few weeks, the train whistle has been louder and longer. I know that with the loss of leaves on the trees lining the track, the train whistle/horn will be louder. But it doesn't seem that the train blows its horn in the neighborhood directly to the east and west of us.

Is there anyway that the neighborhoods lining the track could be deemed quiet zones so they trains do not blow their horns? I know this is not an easy task, and I know there are many steps involved, but just looking to see if this could ever be an option for our neighborhood.

Thank you for your time,  
[REDACTED]

## Bart Olson

---

**From:** [REDACTED]  
**Sent:** Thursday, December 19, 2013 11:48 AM  
**To:** Bart Olson  
**Cc:** Jackie; Larry Kot Forwarder  
**Subject:** Re: River's Edge Train Noise

Thanks for looking into this. We will just learn to deal with the horns.

[REDACTED]  
Sent from my iPhone

On Dec 19, 2013, at 11:40 AM, Bart Olson <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)> wrote:

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**Sent:** Thursday, December 19, 2013 11:29 AM  
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For whatever this is worth - we've talked about quiet zones for a number of years, and ultimately the hangup involves funding the crossing improvements. The quiet zone process has to be reviewed and approved by the Federal Railroad Administration (FRA) and they require any number of upgrades to the crossing to achieve a safety level based on the layout of the crossing, the amount of trains, the speed of the trains, the amount of cars, accident history, etc. It is a very time intensive and costly process, unfortunately. Our City engineers have completed them in other towns and they can run anywhere from \$100,000 to \$1,000,000 and usually take 12-18 months to complete. Additionally, we have multiple crossings all over town, which is great for traffic but bad for establishing quiet zones because you



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Thank you for your time,  
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## Bart Olson

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**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Thursday, December 19, 2013 11:41 AM  
**To:** Gary Golinski  
**Subject:** FW: River's Edge Train Noise

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Date: 12/13/2013 11:29 PM (GMT-05:00)

To: [REDACTED] Larry Kot <[lkot@yorkville.il.us](mailto:lkot@yorkville.il.us)>, [jackie2ward@sbcglobal.net](mailto:jackie2ward@sbcglobal.net), Bart Olson <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)>

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Hello [REDACTED]

If a quiet zone is not established at a railroad crossing, as is the case in River's Edge, the train horn must be sounded at every passing per the Federal Railroad Administration's guidelines. The City has no ability to overrule those regulations. If you're hearing more horns, it's likely because there are more trains. I say "likely" and not "definitely" because there is always a possibility that the railroad had a conductor who was not sounding the horn through the crossing, which I believe would be a clear violation of the FRA laws.

For whatever this is worth - we've talked about quiet zones for a number of years, and ultimately the hangup involves funding the crossing improvements. The quiet zone process has to be reviewed and approved by the Federal Railroad Administration (FRA) and they require any number of upgrades to the crossing to achieve a safety level based on the layout of the crossing, the amount of trains, the speed of the trains, the amount of cars, accident history, etc. It is a very time intensive and costly process, unfortunately. Our City engineers have completed them in other towns and they can run anywhere from \$100,000 to \$1,000,000 and usually take 12-18 months to complete. Additionally, we have multiple crossings all over town, which is great for traffic but bad for establishing quiet zones because you basically have to do multiple crossings at once to have any impact. It's definitely something we'd like to do to improve quality of life for residents near the tracks, but we haven't been able to fit it into our budget.

Thanks,

Bart Olson, ICMA-CM  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)  
City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

---

**From:** Bart Olson  
**Sent:** Wednesday, December 18, 2013 5:40 AM  
**To:** Bart Olson  
**Subject:** Fwd: River's Edge Train Noise

Bart Olson  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

Sent from my Verizon Wireless 4G LTE Smartphone

----- Original message -----

From: Larry Kot <kot.ward2@yahoo.com>

Date: 12/13/2013 11:29 PM (GMT-05:00)

To: [REDACTED] Larry Kot <lkot@yorkville.il.us>, jackie2ward@sbcglobal.net, Bart Olson <BOlson@yorkville.il.us>

Subject: Re: River's Edge Train Noise

[REDACTED] I am forwarding your e-mail to our City Administrator Bart Olson. I'd like to find out from the railroad if they are sounding the horn more now for a reason. I do not know what the criteria is for establishing a quiet zone or if it's even possible in Yorkville. I can assure you we will look into this and get back to you.

Bart - please note the attached e-mail from [REDACTED] I know the city has had previous discussions with the railroad about the horn noise, especially during the overnight hours. Could you please contact the railroad to express our concerns about the excessive sounding of the horn. Also, I would appreciate any information you have about creating a quiet zone in our residential neighborhoods.  
Thanks Larry

On Thursday, December 12, 2013 8:18 PM, [REDACTED] wrote:  
Good Evening Larry and Jackie,

My name is [REDACTED] My family just moved to Yorkville this past July and we couldn't be happier with the move. We currently live at [REDACTED] Kelly Ave in the River's Edge subdivision. We have a train in our back yard. This is obviously something that we were quite aware of when we purchased this home. However, we have been noticing that within the past few weeks, the train whistle has been louder and longer. I know that with the loss of leaves on the trees lining the track, the train whistle/horn will be louder. But it doesn't seem that the train blows its horn in the neighborhood directly to the east and west of us.

Is there anyway that the neighborhoods lining the track could be deemed quiet zones so they trains do not blow their horns? I know this is not an easy task, and I know there are many steps involved, but just looking to see if this could ever be an option for our neighborhood.

Thank you for your time,  
[REDACTED]

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Wednesday, December 18, 2013 5:40 AM  
**To:** Bart Olson  
**Subject:** Fwd: River's Edge Train Noise

Bart Olson  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-308-0582 cell  
bolson@yorkville.il.us

Sent from my Verizon Wireless 4G LTE Smartphone

----- Original message -----

From: Larry Kot <kot.ward2@yahoo.com>  
Date: 12/13/2013 11:29 PM (GMT-05:00)  
To: [REDACTED], Larry Kot <lkot@yorkville.il.us>, jackie2ward@sbcglobal.net, Bart Olson <BOlson@yorkville.il.us>  
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Thank you for your time,

[REDACTED]

## Bart Olson

---

**From:** Larry Kot Forwarder [kot.ward2@yahoo.com]  
**Sent:** Friday, December 13, 2013 10:29 PM  
**To:** [REDACTED] Larry Kot; jackie2ward@sbcglobal.net; Bart Olson  
**Subject:** Re: River's Edge Train Noise

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Thank you for your time,  
[REDACTED]

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Friday, November 15, 2013 12:39 PM  
**To:** Zach Borders  
**Cc:** Krysti Barksdale-Noble  
**Subject:** RE: Train horns?

Good thoughts – thanks.

Bart Olson, ICMA-CM  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)  
City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

---

**From:** Zach Borders [<mailto:zach@civcartworks.com>]  
**Sent:** Friday, November 15, 2013 12:26 PM  
**To:** Bart Olson  
**Cc:** Krysti Barksdale-Noble  
**Subject:** Re: Train horns?

Hi Bart -

Good question. The resident/business owner seems to be irked by the horn. Maybe they live or work near the tracks. If this is a nuisance that others also experience, maybe this is something to look into. Not sure yet without others chiming in.

Specifically, how does it relate to zoning? I would say similarly, for example, to the issues that relate to Yorkville's M-2 Districts. As defined in the draft ordinance: *The district is designed to accommodate industrial activities that have moderate environmental effects but are located in relatively remote areas as to not conflict with residential and business uses.* Manufacturing has been known to cause nuisances. Dust, truck traffic, loud machinery noises, etc. Hence, Yorkville has the position that they are not to conflict with those, more sensitive, uses (residential / businesses). Relate that to this issue. Total hypothetical (which I am not endorsing) - but - could this resident / business owner's concern be the genesis of a special zoning overlay that steers certain types of development away or attracts it to such areas in the future? Not sure until we hear more about this idea from others.

Maybe it will amount to nothing, but this person has had the opportunity to voice their concern and it may inspire chatter that is more closely related to the issues already being addressed in the zoning ordinance.

Best,  
Zach

**ZACH BORDERS** AICP CNU-A  
Principal / Director of Planning + Design  
**CIVIC ARTWORKS**

Historic Montgomery Ward Administration Building  
758 North Larrabee Street No. 222

Chicago, Illinois 60654-6446

T | 309.264.1007

www.civcartworks.com

On Nov 15, 2013, at 11:56 AM, Bart Olson wrote:

How does that relate to a zoning code amendment?

Bart Olson  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)

Sent from my Verizon Wireless 4G LTE Smartphone

## Bart Olson

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**From:** Zach Borders [zach@civcartworks.com]  
**Sent:** Friday, November 15, 2013 12:26 PM  
**To:** Bart Olson  
**Cc:** Krysti Barksdale-Noble  
**Subject:** Re: Train horns?

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Best,  
Zach

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This e-mail and any files transmitted with it are confidential and intended solely for the individual named. If you are not the named individual you should not disseminate, distribute or take any action in reliance on the material. If you have received this e-mail by mistake please notify the sender immediately by e-mail. This e-mail and any files transmitted with it are confidential and intended solely for the individual named. If you are not the named individual you should not disseminate, distribute or take any action in reliance on the material. If you have received this e-mail by mistake please notify the sender immediately by e-mail.

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Sent from my Verizon Wireless 4G LTE Smartphone



## Bart Olson

---

**From:** [REDACTED]  
**Sent:** Thursday, July 18, 2013 3:20 PM  
**To:** Bart Olson  
**Subject:** Re: Train Quiet Zone

Thanks for the quick response. I'll relay this information to the board.

regards,  
[REDACTED]  
  
[REDACTED]

On Thu, Jul 18, 2013 at 3:14 PM, Bart Olson <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)> wrote:

Hello [REDACTED]

You've got the process correct – we have to initiate it and manage it. We've had residents asking for them on the north side of town for years, and haven't been able to fund it. The quiet zone process is reviewed and approved by the Federal Railroad Administration, and they require any number of upgrades to the crossing to achieve a safety level based on the layout of the tracks and crossing, the amount of trains, the speed of the trains, the amount of cars, accident history, etc. It is a very time intensive and costly process, unfortunately. Our City engineers have completed them in other towns and they can run anywhere from \$100,000 to a \$1,000,000 and usually take 12-18 months to complete.

I'm not sure who had asked or when, but I seem to recall this request being brought up a few years ago. If I recall correctly, the distance between your crossing and the one in White Oak is problematic. Namely, we could implement a Quiet Zone in your subdivision but you'd still probably be impacted by train horns at the White Oak crossing. While we could add the White Oak crossing, that would be more cost to consider, and then the White Oak crossing is close enough to all the downtown crossings that it would create the same issue for your subdivision and White Oak.

At any rate, this is something that has been on our radar screen to improve the quality of life of anyone in the impacted subdivisions. I can't begin to guess when we'd try to tackle this. Obviously, as things improve in our budget we'll keep it in mind.

On the length of trains and blockage of the crossings, there is absolutely nothing we can do. If the trains stop and block the tracks, we have contacts at the railroad that we can call to ask them to move the trains. The FRA governs all use of the railroads, and we have no ability to ticket train operators for blocking crossings or to try to force them to shorten the trains. The emergency vehicles would have to wait – in extreme emergencies I'm sure BKFD would be looking at boat access, helicopter access, or trying to access your subdivision through the Hoover property.

Thanks,

Bart Olson, ICMA-CM

City Administrator

United City of Yorkville

[630-553-8537](tel:630-553-8537) direct

[630-553-4350](tel:630-553-4350) City Hall

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City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

---

**From:** [REDACTED]  
**Sent:** Thursday, July 18, 2013 2:23 PM  
**To:** Bart Olson  
**Subject:** Train Quiet Zone

Hi Bart,

I am on the HOA Board for the River's Edge neighborhood.

Some of our home owners have asked about establishing a quiet zone for the Railnet tracks that run through our neighborhood. I did some inquiry regarding this and was told that it had to be undertaken by a "responsible government agency". I am guessing that means the agency that has jurisdiction over the street where a crossing exists, which would eliminate the HOA.

I think requesting a quiet zone at night should suffice, but if the city is interested in pursuing this I would think other neighborhoods and resident will be consulted and they may have other opinions. We have seen a tremendous increase in train traffic in the overnight hours. Often it goes East around 10 pm and returns to the West around 2 or 3 AM. The train horn often wakes up those that are asleep and the resident have been complaining to our board.

We also have a question regarding safety related to the increase in the length of trains. When I moved here in 2006 the trains were usually less than 20 cars and passed over the street crossing in just a few minutes. The trains now have between 70 and 80 cars on average and often take more than 10 minutes to pass. Our neighborhood has many elderly residents that reside beyond the crossing on the North side of the neighborhood. Some of them have expressed concern about emergency vehicles access their home when a long train is crossing Poplar Drive.

I have pasted the text of the email from Joy Schaad ([JSchaad@cmap.illinois.gov](mailto:JSchaad@cmap.illinois.gov)) below.

Thanks you for your email. Establishing a new Quiet Zone is not a simple process and it can only be undertaken by the responsible government agency.

Attached is some background information on quiet zones. Much more information can be found at FRA's Train Horn Rule and Quiet Zones webpage - <http://www.fra.dot.gov/Page/P0104>

The DuPage Mayors and Managers Conference's "How to" write up is old, but I think it is a helpful guide as a starting point. ICC and FRA are more definitive sources of current info. There maybe a few points that differ because Kendall County is in IDOT's District 3 rather than the six county area that DMMC references (IDOT's District 1) – but none jumped out at me.

Also – the Illinois Commerce Commission will be able to give you more information on your specific issues. My contact is:

Steve Laffey, Railroad Safety Specialist  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62701  
Direct at office [\(217\) 785-9026](tel:2177859026)  
Fax [\(217\) 524-4637](tel:2175244637)

Please respond to me regarding the City of Yorkvilles ability to address these issues and if and when the city could move forward with a plan.

If you need more information feel free to give me a call at [REDACTED]

Thank you,



Yorkville River's Edge HOA board member

## Bart Olson

---

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**Sent:** Thursday, July 18, 2013 2:23 PM  
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[REDACTED]  
Yorkville River's Edge HOA board member

**Page 10, Q20. What suggestions do you have to improve the quality of life in Yorkville?**

	is 70 % of what I paid for, but by Real State taxes are the same, and refinancing is not there without a huge cost.	
35	Understand the tax dollars we pay should have a value to them.	May 3, 2013 3:55 PM
36	Fix neighborhood roads, Ilke Mill and Tuscany	May 3, 2013 1:21 PM
37	I don't believe we should have to pay an additional amount on our water bill to pay for all the road construction when it already comes out of our property taxes!!!!	May 3, 2013 1:15 PM
38	1) Provide sidewalks/bike paths as a means to get through town for all ages, especially around schools and primary/secondary roads. Install well lighted Crosswalks, well marked with large signs to make it obvious to even the most incompetent drivers. Install a few well located push button signals through town so pedestrians of all ages can stop traffic and cross major roads safely. Educate citizens of all ages of the rules and courtesies of the road and sidewalk or bike path. Vigorously enforce infractions of the rules of the road. 2) Bury all Power/Telephone lines (existing and future). They are an eyesore and detract from the beauty of our town. Very poor decision not to bury power lines through town during this construction project. Short term thinking should be outlawed! 3) Find a way to stop train horns in Yorkville. Close some of the underutilised RR crossings and make the remaining crossings safer with lighted signals. 4) Facilitate or partner to get passenger train service from downtown to Aurora station. Provide parking (car & bike) possible along Hydraulic for commuters. 5) Complete a sidewalk/bike path from Rt 47 west on Fox rd to Rivers Edge subdivision. Someone is going to get hurt or killed if we don't make this happen.	May 3, 2013 9:38 AM
39	Get the streets in our subdivision done- it is ludicrous that the city can't get the bonding company to live up to its agreement yet the city intends to tack on a charge on my utility bill to fix other streets in the city	May 3, 2013 9:35 AM
40	Do something about the drug problem. Kids are shooting heroin in the middle school bathrooms for crissake... Fix the roads. If the wagon trains had to drive on such horrible roads, the westward expansion of America would never have happened.	May 3, 2013 7:19 AM
41	More events, parks, recreation, paths. Clean energy choices. Renewable electricity providers	May 3, 2013 7:07 AM
42	More affordable family restaurants-open for lunch. More improvements to downtown and the riverwalk to draw people back downtown. Stop allowing the parks to be used as teenager hangouts. Their foul language and actions drive the families with small children away.	May 2, 2013 5:39 PM
43	Make it a more walk/bike friendly corridor along rt47, especially the downtown river area	May 2, 2013 5:04 PM
44	The quality of water needs to improve or the cost of the water (specifically the YBSD portion of the bill) needs to be lowered.	May 2, 2013 2:52 PM
45	Walk around the river on both sides	May 2, 2013 2:46 PM

**Page 10, Q20. What suggestions do you have to improve the quality of life in Yorkville?**

208	Keep empty lots clean. No loud music at all hours of the night. Keep handi-cap parking for those that are disabled. No rockets being fired at homes on July 4.	Mar 5, 2013 9:14 AM
209	To many to list	Mar 5, 2013 8:35 AM
210	lower taxes, especially school district which is out of control in spending	Mar 5, 2013 8:01 AM
211	Live within your revenue stream. Enforce the traffic laws.	Mar 4, 2013 6:37 PM
212	Get rid of the Yorkville Chamber of Commerce and get someone in here who knows how to bring commercial development to the city. Clean up areas of the city that have junk cars parked in the driveways and others that are unsightly.	Mar 4, 2013 3:41 PM
213	More retail especially another Grocery to compete with Jewel. Need more recreation such as bike paths.	Mar 4, 2013 2:34 PM
214	Less arguing from our city government and an effort to make this a safe and fun place to raise our kids.	Mar 4, 2013 12:12 PM
215	Additions of city swimming pool (not necessarily water park), golf course, better stocking of fishing areas (Silver Springs, Harris Forest Pres, etc)	Mar 4, 2013 10:28 AM
216	Maintain good fitness access	Mar 4, 2013 9:24 AM
217	We need jobs.	Mar 4, 2013 5:52 AM
218	Attract more jobs	Mar 3, 2013 10:08 PM
219	Not let the Rec Center go (even though I know it's a done deal). Letting the Rec Center go is a huge mistake. A lot of families will be negatively impacted by the loss of those currently offered activities at the Rec Center, that facility is a draw for many young families to come to this area which is vital to help Yorkville continue to grow and improve.	Mar 3, 2013 8:20 PM
220	Bike Paths and investment in the downtown area.	Mar 3, 2013 7:52 PM
221	A brewery on the river would be nice...	Mar 3, 2013 6:57 PM
222	Make residential areas be a no horn zone for the trains buy placing full gates	Mar 3, 2013 3:08 PM
223	Keep transportation for elderly, Add more walkways and bikeways connecting neighborhoods with schools, downtown and northside shopping.	Mar 3, 2013 3:06 PM
224	Lower Taxes!!!!!!	Mar 3, 2013 2:51 PM
225	Create more activities for young children by increasing recreation activities and developing a Park District or by focusing on more that just adult softball and little league	Mar 3, 2013 2:38 PM
226	Shut down the "concerts" at the PNA campground in the summertime. They make weekends unbearable for residents.	Mar 3, 2013 2:02 PM
227	Get rid of hunting near neighborhoods!!!	Mar 3, 2013 11:11 AM



## Bart Olson

---

**From:** Gary Golinski [ggolinski@comcast.net]  
**Sent:** Monday, September 22, 2014 4:24 PM  
**To:** Bart Olson  
**Subject:** RE: Last Night's Night Train

Woke me up

----- Original message -----

From: Bart Olson  
Date: 09/22/2014 3:19 PM (GMT-06:00)  
To: Johnnie DeClue  
Cc: Gary Golinski  
Subject: RE: Last Night's Night Train

Hello Johnnie,

A couple more phone calls this morning. They said things were particularly bad last week. The overnight guy seems to really lay on the horn for 30-40 seconds at a time.

Thanks,

Bart Olson, ICMA-CM  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
bolson@yorkville.il.us<mailto:bolson@yorkville.il.us>  
City of Yorkville 2.0: Facebook<<http://www.facebook.com/cityofyorkville>>,  
Twitter<<http://www.twitter.com/#!/cityofyorkville>>, and YouTube<<http://www.youtube.com/yorkvilleil>>

From: Bart Olson  
Sent: Monday, September 08, 2014 9:17 AM  
To: 'Johnnie DeClue'  
Cc: Gary Golinski  
Subject: RE: Last Night's Night Train

Hello Johnnie,

Not sure if it's been the same guy as the previous email - but, we've taken a few complaints again this past week. It seems to have gotten louder over night. After the previous email, I did reach out to a few different people in that area who indicated that the train seemed much quieter over night. So, maybe just a reminder to him.

Thanks,

Bart Olson, ICMA-CM  
City Administrator

United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
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bolson@yorkville.il.us<mailto:bolson@yorkville.il.us>  
City of Yorkville 2.0: Facebook<<http://www.facebook.com/cityofyorkville>>,  
Twitter<<http://www.twitter.com/#!/cityofyorkville>>, and YouTube<<http://www.youtube.com/yorkvilleil>>

From: Johnnie DeClue [mailto:jdeclue@omnitrax.com]  
Sent: Tuesday, July 29, 2014 12:32 PM  
To: Bart Olson  
Cc: Gary Golinski  
Subject: RE: Last Night's Night Train

We do have a new engineer. I will speak with him tonight when he comes ob duty.

Thank you

----- Original message -----

From: Bart Olson  
Date:07/29/2014 12:09 (GMT-06:00)  
To: Johnnie DeClue  
Cc: Gary Golinski  
Subject: FW: Last Night's Night Train  
Hello Johnnie,

We took this email last week, and I've had a few more phone call complaints from residents each night. Not sure if we've got a new engineer on the line, but I would appreciate it if you could ask him to be less aggressive on the horn.

Thanks,

Bart Olson, ICMA-CM  
City Administrator  
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630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
bolson@yorkville.il.us<mailto:bolson@yorkville.il.us>  
City of Yorkville 2.0: Facebook<<http://www.facebook.com/cityofyorkville>>,  
Twitter<<http://www.twitter.com/#!/cityofyorkville>>, and YouTube<<http://www.youtube.com/yorkvilleil>>

From:  
Sent: Wednesday, July 23, 2014 8:22 AM  
To: Gary Golinski; Bart Olson  
Subject: Last Night's Night Train

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Normally one sleeps through the trains at night because the horn normally sounds two long, one short, and one long at each crossing, in a staccato manner. Not last night.

If you have a contact person at Railnet, I would appreciate your making this known to someone in authority who can reprimand and re-educate this individual on proper protocol and basic human decency.

Thank you,

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Monday, September 22, 2014 3:19 PM  
**To:** Johnnie DeClue  
**Cc:** Gary Golinski  
**Subject:** RE: Last Night's Night Train

Hello Johnnie,

A couple more phone calls this morning. They said things were particularly bad last week. The overnight guy seems to really lay on the horn for 30-40 seconds at a time.

Thanks,

Bart Olson, ICMA-CM  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)  
City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

---

**From:** Bart Olson  
**Sent:** Monday, September 08, 2014 9:17 AM  
**To:** 'Johnnie DeClue'  
**Cc:** Gary Golinski  
**Subject:** RE: Last Night's Night Train

Hello Johnnie,

Not sure if it's been the same guy as the previous email – but, we've taken a few complaints again this past week. It seems to have gotten louder over night. After the previous email, I did reach out to a few different people in that area who indicated that the train seemed much quieter over night. So, maybe just a reminder to him.

Thanks,

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City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

---

**From:** Johnnie DeClue [mailto:jdeclue@omnitrax.com]  
**Sent:** Tuesday, July 29, 2014 12:32 PM  
**To:** Bart Olson  
**Cc:** Gary Golinski  
**Subject:** RE: Last Night's Night Train

We do have a new engineer. I will speak with him tonight when he comes ob duty.

Thank you

----- Original message -----

From: Bart Olson  
Date: 07/29/2014 12:09 (GMT-06:00)  
To: Johnnie DeClue  
Cc: Gary Golinski  
Subject: FW: Last Night's Night Train

Hello Johnnie,

We took this email last week, and I've had a few more phone call complaints from residents each night. Not sure if we've got a new engineer on the line, but I would appreciate it if you could ask him to be less aggressive on the horn.

Thanks,

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Normally one sleeps through the trains at night because the horn normally sounds two long, one short, and one long at each crossing, in a staccato manner. Not last night.

If you have a contact person at Railnet, I would appreciate your making this known to someone in authority who can reprimand and re-educate this individual on proper protocol and basic human decency.

Thank you,

## Bart Olson

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Thank you,

## Bart Olson

---

**From:** [REDACTED]  
**Sent:** Tuesday, July 29, 2014 12:54 PM  
**To:** Bart Olson  
**Cc:** Gary Golinski  
**Subject:** Re: Last Night's Night Train

Your action is much appreciated, Mr. Olson. Let's hope that railway officials will take this seriously.

---

**From:** Bart Olson <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)>  
**To:** [REDACTED]  
**Cc:** Gary Golinski <[ggolinski@comcast.net](mailto:ggolinski@comcast.net)>  
**Sent:** Tuesday, July 29, 2014 12:24 PM  
**Subject:** FW: Last Night's Night Train

Hello [REDACTED]

The Mayor and I have taken a few more complaints from residents, and I've forwarded the content of all of them to my point of contact at Omnitrax. I know when this popped up a few months ago we did the same thing, and Omnitrax appeared to successfully relay the message to the conductor. I suspect we'll see the same level of cooperation this time.

Thanks,

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Thank you,

[REDACTED]  
[REDACTED] White Oak Way

## Bart Olson

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Thank you,

[REDACTED]  
[REDACTED] White Oak Way

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Tuesday, July 29, 2014 12:09 PM  
**To:** Johnnie DeClue  
**Cc:** Gary Golinski  
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## Bart Olson

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**To:** Gary Golinski; Bart Olson  
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RE: BART OLSON'S EMAIL TO GARY GOLINSKI ON JULY 23, 2014, RE: THE RAILNET TRAIN CONDUCTOR'S HORN BLOWING. (1/23/14)

## Bart Olson

---

**From:** Bart Olson [BOLson@yorkville.il.us]  
**Sent:** Thursday, February 06, 2014 4:14 PM  
**To:** Johnnie DeClue  
**Subject:** Overnight horn complaints

Hello Johnnie,

Please see below for another message on overnight horn variance. I know the last time we had spoke, you mentioned you'd try to get your engineers on the same page for the overnight shift.

Thanks,  
Bart



### United City of Yorkville

I noticed a lot of people like me have issues with trains sounding their horns at all hours. If the funds are not available to make quiet zones, can something be worked out where there is a uniform way of sounding the horn after hours? Since I am able to hear every train that goes through my neighborhood, I have noticed some train operators try to give a light tap on the horn, where others let it rip no matter what time it is. Have they done a study of how many people are at an intersection at 3:00am and don't notice the flashing lights and bells, and the arm that comes down to block the oncoming train? Just curious...

[Like](#) · Yesterday at 1:33pm ·

•

•  likes this.

• 

• 

**United City of Yorkville** Train horns are operated by the individual engineers employed by the railroad companies, who are working under guidelines put forth by the Federal Railroad Administration. The City has no jurisdiction over the railroad companies or the rules they follow. We have contacted them in the past and they have indicated they would do their best to get their engineers on the same page as far as loudness and duration of the horns. We'll do so again, but we don't have the ability to force them to follow up.

[Like](#) · [Reply](#) · 8 minutes ago

Bart Olson, ICMA-CM  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)  
City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

## Bart Olson

---

**From:** Gary Golinski [ggolinski@comcast.net]  
**Sent:** Wednesday, July 30, 2014 11:08 AM  
**To:** Bart Olson  
**Subject:** Re: Thank you

My wife told me it was much better last night. The horn woke her the last several nights as I peacefully slept right through it.

---

**From:** "Olson, Bart" <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)>  
**To:** [REDACTED]  
**Cc:** "Gary Golinski" <[ggolinski@comcast.net](mailto:ggolinski@comcast.net)>  
**Sent:** Wednesday, July 30, 2014 11:03:34 AM  
**Subject:** RE: Thank you

Great – we had a couple other emails and calls, so it was helpful to present that information to Omnitrax. They did confirm they had a new operator recently and that they would talk with him.

Bart Olson, ICMA-CM  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
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[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)<<mailto:bolson@yorkville.il.us>>

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Twitter<<http://www.twitter.com/#!/cityofyorkville>>, and YouTube<<http://www.youtube.com/yorkvilleil>>

**From:** [REDACTED]  
**Sent:** Wednesday, July 30, 2014 10:57 AM  
**To:** Bart Olson  
**Subject:** Thank you

Hi Bart, Thank you for your effort in remedy to the abusive train horn. For starters last night was much improved. Again, we appreciate your help!

[REDACTED]



## Bart Olson

---

**From:** Johnnie DeClue [jdeclue@omnitrax.com]  
**Sent:** Tuesday, September 23, 2014 9:21 AM  
**To:** Gary Golinski  
**Cc:** Bart Olson  
**Subject:** RE: Train Again

I am addressing with my ops team.

----- Original message -----

**From:** [ggolinski@comcast.net](mailto:ggolinski@comcast.net)  
**Date:** 09/23/2014 08:58 (GMT-06:00)  
**To:** Johnnie DeClue  
**Cc:** "Olson, Bart"  
**Subject:** Fwd: Train Again

Johnnie,

This train horn situation is getting out of hand. I've lived next to the tracks for 12 years and have been awakened by the train horn more times in the last couple of months than I have been in the previous 11 years. There's no need for these conductors to lay on the horn in the middle of the night the way they do. If there's anything you can do to give us some relief from these horns, it would be greatly appreciated. The people complaining to me have now started copying county board members and state reps on their emails.

Sincerely,  
Gary Golinski  
Mayor  
United City of Yorkville

---

**From:**  
**To:**  
**Sent:** Monday, September 22, 2014 9:40:56 PM  
**Subject:** Train Again

This morning, September 22, at 1:30 a.m., the westbound Omnitrax train once again passed through downtown Yorkville, then through White Oak Estates, and then through RiversEdge, each time with one, long, loud blast on its siren. Chances are the engineer continued this at each crossing all the way to the terminus.

Is there anything that can be done?

## Bart Olson

---

**From:** Gary Golinski [ggolinski@comcast.net]  
**Sent:** Tuesday, September 23, 2014 8:58 AM  
**To:** Johnnie DeClue  
**Cc:** Bart Olson  
**Subject:** Fwd: Train Again

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Sincerely,  
Gary Golinski  
Mayor  
United City of Yorkville

---

**From:**  
**To:**  
**Sent:** Monday, September 22, 2014 9:40:56 PM  
**Subject:** Train Again

---

## Bart Olson

---

**From:** Larry Kot Forwarder [kot.ward2@yahoo.com]  
**Sent:** Wednesday, September 23, 2015 7:13 PM  
**To:** [REDACTED]  
**Cc:** Jackie Milschewski; Bart Olson  
**Subject:** Re: River's Edge Rialroad crossing

[REDACTED] - if approved, there would have been a study completed on all crossings for both rail lines running through Yorkville. Due to the distance that sound travels, I am under the impression that one crossing by itself wouldn't be granted "no train horn" status. If you are aware of other towns which allow this, please feel free to pass this information on for our review. Thanks again for your interest in this matter. Larry

On Tuesday, September 22, 2015 4:38 PM, [REDACTED] wrote:

Hi, Larry -

Thank you for your response and support of obtaining "no train horn" crossings. From what I can tell from the various meeting minutes, it appears that all of the rail road crossings in Yorkville were considered in the study. Per my original email, I have seen two (2) "no train horn" crossings in our area with the same gates as the gates in the River's Edge subdivision. My question would be if individual crossings can be considered for the "no train horn" option vs. the whole railway line through Yorkville?

Thanks so much,  
[REDACTED]

On Thursday, September 10, 2015 10:08 PM, Larry Kot <kot.ward2@yahoo.com> wrote:

[REDACTED] - for some reason I never received your original e-mail although Jackie did a great job responding to your request. I did support moving ahead with the study to determine the actual cost of the quiet zone but unfortunately was the only yes vote. Hopefully our financial situation will continue to improve to a point where this matter can be addressed again. However, I don't realistically anticipate that happening any time soon. Thank you for your interest in this matter. Larry

On Wednesday, September 9, 2015 6:18 PM, Jackie Milschewski <jackie2ward@gmail.com> wrote:

[REDACTED]

Here is a list of meetings where quiet zones were discussed:

Public Works – October 21, 2014  
Public Works – December 16, 2014  
Public Works – February 17, 2015  
Public Works – May 19, 2015  
Public Works – June 16, 2015  
City Council – June 23, 2015

You can go to the city's website to read the minutes and the information in the meeting packets. The information provided by staff in the packets outlines the costs and procedures need to create a quiet zone.

I hope this information is helpful.

Jackie

On Wednesday, September 9, 2015, [REDACTED] wrote:

I found the agenda item and minutes for the discussion on June 23, 2015.

Thank you,  
[REDACTED]

Sent from my iPad

On Sep 9, 2015, at 12:10 AM, [REDACTED] wrote:

If I'm reading the "Quiet Zone Establishment Brochure" (link at the bottom of the provided Federal Railroad Administration webpage, below) correctly, we meet condition #3 under Public Safety Considerations and already have Supplemental Safety Measures (SSMs) in place so I'm wondering what costs would be involved?

Are there meeting minutes for the meeting in which this was discussed and if so, where can I find these minutes? If minutes aren't taken, to whom else can I speak about the discussion that was had about establishing quiet zones?

<https://www.fra.dot.gov/Page/P0689>

Sent from my iPad

On Sep 8, 2015, at 11:42 PM, [REDACTED] wrote:

Thank you for your response, Jackie. Is it possible to have an itemized list of the costs involved?

Thank you for your consideration,  
[REDACTED]

Sent from my iPad

On Sep 8, 2015, at 11:38 PM, Jackie Milschewski  
<[jackie2ward@gmail.com](mailto:jackie2ward@gmail.com)> wrote:

[REDACTED]

The City Council investigated quiet zones in Yorkville earlier this year. It is quite an involved and expensive process which involves more than just the gates. Due to the

expense, the City Council determined moving ahead to be cost prohibitive at this time.

Jackie Milschewski

On Tuesday, September 8, 2015, [REDACTED]

[REDACTED] wrote:

Hi, Jackie and Larry-

Just following up on the below email. I would appreciate any response / information you may have about seeking out a "No Train Horn" crossing in River's Edge.

Thank you for your consideration,

[REDACTED]

Sent from my iPad

> On Sep 1, 2015, at 11:01 AM, [REDACTED]

[REDACTED] wrote:

>

> Hello, Jackie and Larry-

>

> I live in the River's Edge subdivision and have a question:

>

> I have seen two (2) railroad crossings in our area with "no train horn" limitations. One is located in Plainfield along 126 just east of Route 59 and the other is along Wolf's Crossing at the Normantown Rd. intersection (unsure of the actual town. Could be southwest Naperville). Both of these crossings have the exact same gates that are present at the River's Edge railroad crossing. So, my question is, can we please investigate getting a 'no train horn' crossing in River's Edge? Based on what I've seen, there wouldn't be a cost re: changing gates, lights, etc.

>

> It would add the to qualify of life of the residents of River's Edge

>

> Thank you for your time and consideration,

> [REDACTED]

>

> Sent from my iPad

## Bart Olson

---

**From:** Jackie Milschewski [jackie2ward@gmail.com]  
**Sent:** Wednesday, September 09, 2015 6:19 PM  
**To:** [REDACTED]  
**Cc:** Larry Kot; Bart Olson  
**Subject:** Re: River's Edge Rialroad crossing

[REDACTED]

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[REDACTED]

Sent from my iPad

> On Sep 1, 2015, at 11:01 AM, [REDACTED]

[REDACTED] wrote:

>

> Hello, Jackie and Larry-

>

> I live in the River's Edge subdivision and have a question:

>

> I have seen two (2) railroad crossings in our area with "no train horn" limitations. One is located in Plainfield along 126 just east

of Route 59 and the other is along Wolf's Crossing at the Normantown Rd. intersection (unsure of the actual town. Could be southwest Naperville). Both of these crossings have the exact same gates that are present at the River's Edge railroad crossing. So, my question is, can we please investigate getting a 'no train horn' crossing in River's Edge? Based on what I've seen, there wouldn't be a cost re: changing gates, lights, etc.

>

> It would add the to qualify of life of the residents of River's Edge

>

> Thank you for your time and consideration,

> 

>

> Sent from my iPad



## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Wednesday, November 04, 2015 12:54 PM  
**To:** [REDACTED]  
**Subject:** RE: Train Quiet Zone

Hello [REDACTED]

Welcome to Yorkville! We did discuss this a few weeks ago, and chose not to move forward with it. Most of the City Council would like to see it implemented, but they couldn't justify the resources it would take to do so. The process to implement a quiet zone takes a couple years and could be a few million dollars .

Thanks,

Bart Olson, ICMA-CM  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)  
City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 03, 2015 2:26 PM  
**To:** Bart Olson  
**Subject:** Train Quiet Zone

Hello,

We just moved here and over the last few nights noticed that there is a train that comes through around 2am and blows his horn loudly and for a while. I checked to see if we were in a quiet zone and saw we were not. I called city hall and the lady I spoke to said that the issue was brought up before and to contact you to see if it was still being pursued to be set up as a quiet zone. Please let me know.

Regards,

[REDACTED]

[REDACTED]

[REDACTED]

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## Bart Olson

---

**From:** Larry Kot Forwarder [kot.ward2@yahoo.com]  
**Sent:** Wednesday, September 23, 2015 7:13 PM  
**To:** [REDACTED]  
**Cc:** Jackie Milschewski; Bart Olson  
**Subject:** Re: River's Edge Rialroad crossing

On Tuesday, September 22, 2015 4:38 PM, [REDACTED] wrote:

On Thursday, September 10, 2015 10:08 PM, Larry Kot <kot.ward2@yahoo.com> wrote:

On Wednesday, September 9, 2015 6:18 PM, Jackie Milschewski <jackie2ward@gmail.com> wrote:

Public Works – October 21, 2014  
Public Works – December 16, 2014  
Public Works – February 17, 2015  
Public Works – May 19, 2015  
Public Works – June 16, 2015  
City Council – June 23, 2015

## Bart Olson

---

**From:** Bart Olson  
**Sent:** Monday, November 28, 2016 11:56 AM  
**To:** Gary Golinski  
**Subject:** RE: FW: Railroad whistles complaint -

I'm on the phone with [REDACTED] now. They moved in June 2016. I explained the issues and they somewhat understood. The husband was less accepting and wants to sell the house. His is going to do some more research.

Bart Olson, ICMA-CM  
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City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

---

**From:** GARY GOLINSKI [<mailto:ggolinski@comcast.net>]  
**Sent:** Monday, November 28, 2016 9:15 AM  
**To:** Bart Olson  
**Subject:** Re: FW: Railroad whistles complaint -

It was bad this morning.

On November 28, 2016 at 8:57 AM Bart Olson <[BOlson@yorkville.il.us](mailto:BOlson@yorkville.il.us)> wrote:

FYI, I'll call her.

Bart Olson, ICMA-CM  
City Administrator  
United City of Yorkville  
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630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)  
City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

---

**From:** Bonnie Olsem  
**Sent:** Monday, November 28, 2016 8:53 AM  
**To:** Bart Olson  
**Cc:** Bonnie Olsem  
**Subject:** Railroad whistles complaint -

Please call [REDACTED] @ [REDACTED]. She lives at [REDACTED] White Oak Way and is ready to start a petition with neighbors to stop the 3 L-O-N-G train whistles at 2-3AM – thank you.

Bonnie Olsem

Admin Secretary

United City of Yorkville

630.553.4350

[Bolsem@yorkville.il.us](mailto:Bolsem@yorkville.il.us)

[www.yorkville.il.us](http://www.yorkville.il.us)

## Bart Olson

---

**From:** Bart Olson  
**Sent:** Wednesday, December 07, 2016 9:16 AM  
**To:** Gary Golinski  
**Subject:** Railroad complaint

Took a complaint from someone on the north side of Rivers Edge that:

- 1) The trains are too long and the crossing was blocked for 18 minutes over the weekend.
- 2) The train horns are way too loud

I explained the issues with both and she seemed understanding. She wanted to know if there was someone at the federal level she could contact, and I encouraged her to make her opinion known to Congressman Hultgren. I also let her know she should type up an email to you and the City Council.

She's lived here around 12 years and said the trains used to not be an issue but now are a major issue.

Bart Olson, ICMA-CM  
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City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

## Bart Olson

---

**From:** City of Yorkville [do\_not\_reply@civicplus.com]  
**Sent:** Monday, December 12, 2016 12:40 PM  
**To:** Bart Olson  
**Cc:** Lisa Pickering; Erin Willrett; Nicole Kathman  
**Subject:** a request has been modified

### Recent Activity for Your Request

Comment added by on December 12, 2016 12:39 PM

Hello [REDACTED], Train horns are regulated by the Federal Railroad Administration, and the City has no authority to force the train to stop its horn or change its horn, except through the establishment of a quiet zone. Unfortunately, quiet zones are likely very expensive and take a few years to implement. We did propose a quiet zone study last year, and the City Council did not want to move forward with it at the time due to the cost involved with the ultimate improvements. The railroad operations manager is a Yorkville resident, and in the past he's been receptive to complaints and trying to get the train operators to change their horn pattern so it's a little less intense. I'll make sure to forward the message to him again. Thanks, Bart

### Miscellaneous requests

#120

[REDACTED] Poplar Drive  
Yorkville, IL 60560

[Log In To  
Request Tracker](#)

Something has to be done about the train whistles going through River's Edge subdivision. They are really long and loud waking us up every single night and often more than once. It is the worst thing about living here.

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Tuesday, October 25, 2016 8:30 AM  
**To:** Gary Golinski  
**Subject:** FW: train

FYI

Bart Olson, ICMA-CM  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)  
City of Yorkville 2.0: Facebook, Twitter, and YouTube

-----Original Message-----

From: Bart Olson  
Sent: Tuesday, October 25, 2016 8:30 AM  
To: [REDACTED]  
Subject: RE: train

Hello [REDACTED]

Unfortunately, railroads are regulated at the federal level. The Federal Railroad Administration prohibits any local regulations from applying to railroads.

In the past, I've had some limited success going directly to our local contacts with the railroad company. They do forward our complaints to the different operators, who sometimes are able to sound the horn in a less intense fashion. I'll forward your complaint along to them, and I'd encourage you to continue to let me or your aldermen know the text time its particularly bad.

Thanks,

Bart Olson, ICMA-CM  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)  
City of Yorkville 2.0: Facebook, Twitter, and YouTube

-----Original Message-----

From: [REDACTED]  
Sent: Monday, October 24, 2016 8:57 PM  
To: Bart Olson  
Subject: train

Hi Bart,



We live in River's Edge; our backyard is Hoover. We love our neighborhood and our lot. We've been here for over 13 years and have always been just fine with the train traveling through the woods behind us. Recently, the train has been coming through between 3:00 - 5:00 am, and sounding the horn in extreme patterns. Sometimes the it's just one extremely long horn. This morning is was approximately 30 really quick bursts of the horn. Either way, it wakes our entire household up. Are there any regulations in place for this? We do have gates in our neighborhood where the tracks cross Poplar, so I sometimes wonder why the train even needs to blare the horn. I have considered contacting the city for a few months but am never sure who to contact. I thought I'd start with you and see what i can find out.

Thank you!

[REDACTED]

## Bart Olson

---

**From:** Bonnie Olsem [BOlsem@yorkville.il.us]  
**Sent:** Wednesday, December 07, 2016 11:55 AM  
**To:** Bart Olson  
**Cc:** Bonnie Olsem  
**Subject:** RE: Train horn complaints

Besides the call I transferred to you this morning, this is the other one:

 White Oak Way

who claimed “if the trains don’t stop blowing the whistle in the middle of the night, she may have to leave Yorkville. Can’t ANYONE DO ANYTHING about it?!”

Do you know if the Police Dept have fielded any calls about it or do you already have their documentation?

Thank you,  
Bonnie

---

**From:** Bart Olson  
**Sent:** Wednesday, December 07, 2016 11:41 AM  
**To:** Bonnie Olsem; Lisa Pickering; Diane Long  
**Cc:** Nicole Kathman; Erin Willrett  
**Subject:** Train horn complaints

If you could compile all of your notes, emails, and records on train horn complaints over the last few months, I’d appreciate it. This is a rolling deadline and directive, and I’ll take whatever you can find before Tuesday afternoon, then.

Bart Olson, ICMA-CM  
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[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)  
City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Monday, December 19, 2016 8:46 AM  
**To:** [REDACTED] Gary Golinski  
**Subject:** RE: Train Noise

Hello [REDACTED]

The operations manager for the railroad actually lives in Yorkville, and we have a good relationship with him. We forward new complaints and compliments over to him and he's been somewhat effective in getting the operators to change their horn pattern. I say somewhat, because we have had a lot of complaints still – particularly the operator who lays on the horn. I'll make sure to forward your comments to him.

Thanks,

Bart Olson, ICMA-CM  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)  
City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

---

**From:** [REDACTED]  
**Sent:** Saturday, December 17, 2016 11:25 AM  
**To:** Bart Olson; Gary Golinski  
**Subject:** Train Noise

A suggestion. There is at least one train engineer on the Burlington (south side tracks) line who is extremely considerate. When he (or she) travels through Yorkville in either direction, he barely taps the horn. In fact, I've written to the railroad's headquarters expressing my appreciation for this individual.

Perhaps if City of Yorkville Administration contacted management down there asking them to instruct all their operators to follow his example? It does seem that some of them take perverse pleasure in long, loud blasts, especially during the night.

[REDACTED]  
[REDACTED] White Oak Way

## Bart Olson

---

**From:** Bart Olson [BOlson@yorkville.il.us]  
**Sent:** Friday, November 04, 2016 1:56 PM  
**To:** [REDACTED]  
**Subject:** RE: Train through River's Edge

Hello [REDACTED]

Thanks for forwarding this. Your comments help us communicate engineer problems to the railroad and they've been relatively helpful with trying to get the engineers to change their horn patterns. I will forward along your comments to the Mayor, who actually lives in your subdivision and has expressed concern over this, too.

Unfortunately, federal laws prohibit any local control over train horns or any other train operations. Federal laws do allow us to establish quiet zones, but the process to do so can be hundreds of thousands of dollars or more for a single crossing. We've looked at this in the past, but ultimately the City Council has declined to move forward with it because of the cost.

Thanks,

Bart Olson, ICMA-CM  
City Administrator  
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bolson@yorkville.il.us  
City of Yorkville 2.0: Facebook, Twitter, and YouTube

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Thursday, November 03, 2016 10:29 PM  
**To:** Bart Olson  
**Subject:** Train through River's Edge

Mr Olson,

I was given your name as a contact regarding the train through Yorkville. My family lives in Rivers Edge subdivision off of Fox Rd, west of 47. The train passing through our subdivision has become ridiculous. In the last months it has gone from 2 passes per day to many more, all of which seem to be between 9 pm and 4 am, with incessant horn blowing. It is too much. The engineer will regularly blow the horn 4 long blasts, each blast lasting 5 or 6 seconds. We get to hear the blasts from the crossing in the Forest Preserve, as well as the ones in our neighborhood and the next crossing east of us too, in White Oak.

Once in a while there seems to be a "polite engineer" who lightly toots the horn twice, instead of the long blasts.

Tonight, the train seemed to go back and forth 4 or 5 times - I am in bed and have been listening to it blowing it's horn for about 25 minutes now.

This is so difficult! We have lived here for 13 years, and have never experienced this like it has been over the past months. Half of River's Edge homeowners get woken up 3-4 times each night by this. I know that over the past years residents have contacted the city about this. Surely there is something the city can do to help promote a better environment for its residents? There are many neighborhoods where trains are not allowed to sound horns as they pass through.

Thank you for your thoughts and attention.

[REDACTED]

Sent from [REDACTED] iPhone

What do I need to do to express my concern regarding curbs on my street as a possibility during next year's resurfacing plan and also the excessive noise from the train horns through town? Do I need to attend city council meetings? Do I need to garner more support through fellow citizens? How does this all work. Thanks for any information!

OCT 7TH, 10:19AM

United City of Yorkville

Hi [REDACTED]

There are multiple ways that you can express your concerns regarding the items you mentioned. First, one way is to contact the aldermen of the ward in which you live in. Here's a link with more information, let me know if you have any questions: <http://www.yorkville.il.us/320/City-Council>. Furthermore, you may come and comment at any meeting, both City Council and Committee meetings. For the items you mentioned either a City Council or a Public Works Committee meeting would be the most appropriate. The calendar is on the home page of the website ([www.yorkville.il.us](http://www.yorkville.il.us)) under "Upcoming Meetings" which is below the main three feature stories. If you click on the left on Agendas & Packets, you can see what specifically is going to be discussed at each of the meetings. Finally, for any specific or more technical questions/concerns, I would be happy to pass along any you may have to our City Engineer, who would best be able to answer them. Feel free to either send them on here or you can email me at [nkathman@yorkville.il.us](mailto:nkathman@yorkville.il.us).

Best,

Nicole Kathman  
Administrative Intern  
630-553-8565  
[nkathman@yorkville.il.us](mailto:nkathman@yorkville.il.us)

#### City Council | Yorkville, IL - Official Website

City Council meetings are held on the 2nd and 4th Tuesday evenings of each month.

[yorkville.il.us](http://yorkville.il.us)

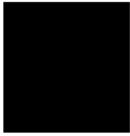



Sent by [Nicole Kathman](#)



Is this about thanks? [Yes](#) [No](#)

Thank you so much for all of the information!



  
November 26 at 10:28pm [Yorkville](#)

OMG....what is the deal with the damn train around here? Blowing his horn 43 times is a little excessive! And then constant for 2 mins. And it's not just once in awhile.....it's every night

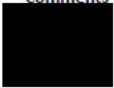
[40 Comments](#)

[18](#)  and 17 others

[Like](#)

Comment


Comments



 I live by home depot and I can hear it right now

[Like](#) [Reply](#) [November 26 at 10:32pm](#)



 Was that going straight for about 2 mins?

[Like](#) [Reply](#) [November 26 at 10:48pm](#)



Write a reply...



I have said the same thing! Seems like trains everywhere are so loud, even in the middle of the night. Ugh!

[Like](#) [Reply](#) [November 26 at 10:50pm](#)



I love train horns and I love living at the edge of rural America...."Dinah won't you blow your horn." 🤪

[Like](#) [Reply](#) [6](#) [November 26 at 11:02pm](#)



On the river there are two trains, they usually go by heading east about 7-9pm, one conductor might be more aggressive on the horn, then they'll be back around 2-4am heading west

[Like](#) [Reply](#) [1](#) [November 26 at 11:17pm](#) Edited



I live across the river from Hudson Crossing in Oswego, so we can hear the trains loud and clear! Some of the conductors have a bit of fun with their horn blowing techniques. My favorite is the one at about 11:00 p.m. I love the train whistles, most of the time! 😊

[Like](#) [Reply](#) [2](#) [November 26 at 11:14pm](#)



Who can we call about this?

[Like](#) [Reply](#) [November 26 at 11:16pm](#)



Train busters. 🤪🤪🤪 lol

[Like](#) [Reply](#) [4](#) [November 27 at 8:39am](#)





Write a reply...



<http://www.bnsf.com/>



### Freight transportation | BNSF Railway

BNSF operates one of the largest freight railroad networks in North America, with 32,500 miles of rail...

BNSF.COM

Like Reply 1 November 26 at 11:19pm



navigate the website to contact or complain

Like Reply November 26 at 11:21pm



The train on the south side of Yorkville is a private line run by Illinois Rail Net. It goes to the silica pits to Aurora.

Like Reply November 27 at 6:54am

[View more replies](#)



Write a reply...



also, complain to your local town hall, it's been done before

Like Reply [November 26 at 11:20pm](#)



Thanks for the info.

Like Reply [1](#) [November 26 at 11:22pm](#)



I understand if they have to blow the horn because someone is in the tracks or something like that, but it's getting a little out of hand. I counted 43 horns from 1 train

Like Reply [1](#) [November 26 at 11:24pm](#)



what I think they're doing is blowing the horn at crossings that have no signals, like little side streets by me, but they are over aggressive on that for sure

Like Reply [1](#) [November 26 at 11:27pm](#)



They legally have to blow the horns at crossings. There might not be crossing arms or signals either, which the horn law would come into place

Like Reply [5](#) [November 27 at 12:06am](#)



Well I don't think they cross over 43 streets...lol not in this little area

Like Reply [November 27 at 12:12am](#)



It is not one horn for a street. They all mean something. If you listen Long-Long-Short-Long is the signal for a crossing.

Like Reply [2](#) [November 27 at 12:15am](#)



Write a reply...



That's not a BN line, it's Illinois Railway, based in Ottawa. My father and fiancé both work for the railroad (not IR) and I have asked them both about why that horn blares for like five minutes straight and they are legally required to blow the horn at EVERY crossing...yes even the little side streets.

[Like](#) [Reply](#) [9](#) [November 27 at 12:12am](#)



THANK YOU!!!! I was beginning to think I was the ONLY one that knew this

[Like](#) [Reply](#) [6](#) [November 27 at 12:13am](#)



Yep! It's the law. The signal is:

"Looooooooonng

Looooooooonng...[See More](#)

[Like](#) [Reply](#) [4](#) [November 27 at 12:20am](#) [Edited](#)



Yup. My ex husband is bnsf. I know way more than I should about trains Lmao! They are required by law to sound it.

[Like](#) [Reply](#) [4](#) [November 27 at 12:40am](#)



Write a reply...



Also, good luck trying to propose a quiet zone where they aren't required to blow the horn...it can cost millions of dollars and I doubt Yorkville would be interested in that.

Like Reply 1 November 27 at 12:19am



You cant say that is a BNSF train unless you see it. There are othertrains that run the routes as well...Union Pacific, CSX, Norfolk Southern all run these tracks.

Like Reply November 27 at 12:56am



<https://www.google.com/.../ct-abn-yorkville-trains-st...>



### Yorkville decides against rail quiet zone study

CHICAGOTRIBUNE.COM | BY CHICAGO TRIBUNE

Like Reply 1 November 27 at 3:08am



I lived right by the tracks going through Bristol growing up, you'll get use to it and eventually not even notice them anymore

Like Reply 4 November 27 at 6:47am Edited



It's like this town has nothing better to do than complain. First about a freaking turkey raffle, now a train... smh

Like Reply 6 November 27 at 6:56am



It seems to be America's favorite past time 😊

Like Reply November 27 at 7:00am



It's like saying.. "hey, I bought a house next to an airport. Who do I call to see if I can get them to stop landing and taking off at night. Or at least have them quiet down..." never gonna happen. Not even worth it to complain. Shoulda thought about that before ya moved there lol

[Like](#) [Reply](#) [Z](#) [November 27 at 7:08am](#)



Exactly!

Oswego used to have a drag strip, people complained and now it's gone.

[Like](#) [Reply](#) [November 27 at 7:40am](#)



, Not exactly right! Try living behind business that was quiet when you bought and now is completely different and very annoying.....

[Like](#) [Reply](#) [November 27 at 8:14am](#)



Write a reply...



Gotta go to those we meetings....

[Like](#) [Reply](#) [November 27 at 7:11am](#)



You moved into a place that you knew had railroads nearby. You people are unbelievable

[Like](#) [Reply](#) [11](#) [November 27 at 8:21am](#)



██████████ They have to blow the horn at every intersection including driveways

Like Reply [1](#) [November 27 at 9:27am](#)

██████████ Hahahaha

Like Reply [November 27 at 11:13am](#)

[Hide 12 Replies](#)

██████████ I was wondering if you would respond to this after I posted it

Like Reply [1](#) [November 27 at 11:14am](#)

██████████ Lmao I looked at all the post and laughed, lots of humor on here.

Like Reply [November 27 at 11:15am](#)

██████████, your stupid noisy train is invading people's safe space.

Like Reply [2](#) [November 27 at 12:58pm](#)

██████████ Quiet hours are from 10 pm till 7 am.

Like Reply [1](#) [November 27 at 1:00pm](#)

██████████ Lmao...quiet hours...

Like Reply [November 27 at 6:11pm](#)

██████████ I'm like hey if you don't like the horn don't live by the tracks...it's not like they just put them in... lmao

Like Reply [2](#) [November 27 at 6:19pm](#)



I don't live by the tracks!

[Like](#) [Reply](#) [November 27 at 6:32pm](#)



Lmao...I do! The problem is it echoes off the river. I can hear them clear as day at my house but I'm use to it. I don't really hear train horns anymore

[Like](#) [Reply](#) [1](#) [November 27 at 6:35pm](#)



That's scary...lol

[Like](#) [Reply](#) [November 27 at 6:36pm](#)



Yeah I know...choo choo!

[Like](#) [Reply](#) [November 27 at 6:36pm](#)



- We've noticed that sound travels quite a distance and seems to be amplified by the river.

[Like](#) [Reply](#) [November 27 at 8:52pm](#)



big time...it's crazy

[Like](#) [Reply](#) [November 27 at 8:59pm](#)



Write a reply...



Yeah I noticed the other day too

[Like](#) [Reply](#) [November 27 at 6:01pm](#)



I cringe every time especially with a 6 month old...

[Like](#) [Reply](#) [November 27 at 6:16pm](#)



Your 6 month old will love them soon.

[Like](#) [Reply](#) [1](#) [November 27 at 6:21pm](#)



Dude I lived off van emmon and mill every damn night

[Like](#) [Reply](#) [November 27 at 6:31pm](#)



It's called "ambiance". It's like, a Johny Cash thing. Love it!

[Like](#) [Reply](#) [1](#) [November 27 at 6:49pm](#)



Cold weather affects sound. Thats why it sounds louder. :

The primary factor that makes people perceive sound as louder in the cold is the temperature itself. The speed of sound becomes slower as temperatures drop, which means that people perceive sound for slightly longer periods of time in the cold, and that longer period of perception is often perceived as loudness.

[Like](#) [Reply](#) [1](#) [November 27 at 7:25pm](#)



The sound is more noticeable after the trees shed their leaves in the fall.

[Like](#) [Reply](#) [November 27 at 9:01pm](#)



Write a reply...

Like Reply 3 November 27 at 7:28pm

I think he is just complaining in general about it

Like Reply November 27 at 7:29pm

Rumor has it they fixed up the tracks and crossing on that line to have more trains coming down those tracks. People will learn to get used to it.

Like Reply November 27 at 9:03pm

Ear plugs.


Like Reply November 27 at 9:08pm

Choo Choo...I hear it lol

Like Reply 1 November 27 at 9:20pm

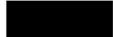
And they are still going!!

Like Reply November 27 at 9:34pm

 So that's 14 minutes of train horns and counting!

[Like](#) [Reply](#) [November 27 at 9:34pm](#)




 It's two trains back to back. 4 horns per crossing...

[Like](#) [Reply](#) [November 27 at 11:07pm](#)




Write a reply...



 Where is this exactly?


[Like](#) [Reply](#) [November 27 at 9:43pm](#)



 It's the train that goes over the tracks but the river


[Like](#) [Reply](#) [November 27 at 9:51pm](#)



 By\*

[Like](#) [Reply](#) [November 27 at 9:51pm](#)



 By foxes

[Like](#) [Reply](#) [November 27 at 9:51pm](#)



Write a comment...

## Bart Olson

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**From:** [REDACTED]  
**Sent:** Monday, January 09, 2017 1:36 PM  
**To:** Bart Olson  
**Subject:** Quiet Train Zone

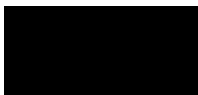
Hi Bart,

I just signed a petition on the train horn issue that I understand Council may revisit soon.

It IS an issue for us in White Oak Estates and I'm sure River Edge subdivisions. I'm sure there are no more than 25 cars A DAY that crosses the tracks at River Birch Drive. Seems like there was one train a day and now there are many more. I have worked many events at the park on the river too and it seems like they just "LAY ON THE HORN" the whole time they pass through the park.

Yesterday we got caught by a freight train right in downtown Elburn (on Rte. 47). There was NO horn sounded. The RR crossing on Wolf Crossing Road near Naperville has a sign that says "NO Train Horn".

Thanks as always for your help.



This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)

## Nicole Kathman

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**From:** Bart Olson  
**Sent:** Monday, January 09, 2017 9:04 PM  
**To:** Nicole Kathman  
**Cc:** Erin Willrett  
**Subject:** FW: Train noise

For the packet.

Bart Olson, ICMA-CM  
City Administrator  
United City of Yorkville  
630-553-8537 direct  
630-553-4350 City Hall  
630-308-0582 cell  
[bolson@yorkville.il.us](mailto:bolson@yorkville.il.us)  
City of Yorkville 2.0: [Facebook](#), [Twitter](#), and [YouTube](#)

---

**From:** [REDACTED]  
**Sent:** Monday, January 09, 2017 8:43 PM  
**To:** Bart Olson  
**Subject:** Train noise

Dear mr. Olson,

I live at [REDACTED] White Oak Way and have for more than 7 years. I knew a train ran behind my home twice a day and I wasn't upset about it. Actually, my grandfather worked for the Santa Fe for 51 years and I have a love for trains. However, in the recent past more and more trains are roaring through with horns blaring. It is a very rude awakening in the middle of the night!

I would very much like to attend the Public Works Committee meeting on 17 January but will be caring for my grandchildren. It is my hope the issue will be revisited and we can get some relief.

Thank you so much for listening.

Kindest regards,  
[REDACTED]  
[REDACTED] White Oak Way  
Yorkville  
[REDACTED]

Sent from XFINITY Connect Mobile App

## Nicole Kathman

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**From:** Bart Olson  
**Sent:** Thursday, January 12, 2017 6:14 AM  
**To:** Nicole Kathman; Erin Willrett  
**Subject:** Fwd: Request for Railroad Quiet Zone

Bart Olson  
City Administrator  
United City of Yorkville  
630-308-0582 cell  
[Bolson@yorkville.il.us](mailto:Bolson@yorkville.il.us)

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** [REDACTED]  
**Date:** 1/12/17 5:06 AM (GMT-06:00)  
**To:** Bart Olson <BOlson@yorkville.il.us>  
**Subject:** Request for Railroad Quiet Zone

Bart,

My family recently moved into the White Oak Estates subdivision. We love our new home, but we have experienced disrupted sleep due to the train horns at night. We have little ones at home and the trains have made things pretty difficult for us. My understanding is that train traffic has increased significantly in recent years. My request is for establishment of a quiet zone in our neighborhood. Our crossing would have to be upgraded to allow the train operators to move through without use of the train horn. I understand that this would cost some money, but I think it would be a great investment in the long run to attract and retain new residents.

I know there is other interest in our neighborhood to make this happen. I will make my best effort to attend the upcoming Public Works Committee meeting on January 17<sup>th</sup> to discuss this further.

Thanks,  
[REDACTED]

PETITION TO ESTABLISH A QUIET ZONE FOR THE RAILROAD CROSSINGS

LOCATED IN RIVERS EDGE (POPLAR DR) AND WHITE OAK ESTATES (RIVER BIRCH LANE) SUBDIVISIONS AND

MORGAN ST.

Date:

To: Honorable Mayor Gary Golinski and

City Council of the United City of Yorkville, Illinois

The number of trains using this track has greatly increased since the railroad upgraded the rails and crossings in 2016. Anytime, day or night, when a train approaches these railroad crossings, the extremely loud and piercing horn is blown a minimum of three times with varying duration. We want this disturbing requirement stopped.

Therefore, we, the residents of the United City of Yorkville, hereby petition you to pursue and achieve a "Quiet Zone" for the areas served by these railroad crossings.

Respectfully,

Name

Address

Rob & Sarah Froom  
Peg Toso & Dave McCormick  
Barbara Nelson  
Claymond D. Wolson  
Elizabeth Kolar  
Deanna Johnson  
Tim Whalen  
Charles Hoz  
Michael Hoz  
Gary Somers

635 White Oak Way  
631 White Oak Way  
625 White Oak Way  
625 White Oak Way  
651 White Oak Way, Yorkville  
639 White Oak Way  
639 White Oak Way  
442 NORWAY CR  
442 Norway Circle  
937 Stony Creek Lane

PETITION TO ESTABLISH A QUIET ZONE FOR THE RAILROAD CROSSINGS

LOCATED IN RIVERS EDGE (POPLAR DR) AND WHITE OAK ESTATES (RIVER BIRCH LANE) SUBDIVISIONS AND

MORGAN ST.

Date:

To: Honorable Mayor Gary Golinski and

City Council of the United City of Yorkville, Illinois

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Therefore, we, the residents of the United City of Yorkville, hereby petition you to pursue and achieve a "Quiet Zone" for the areas served by these railroad crossings.

Respectfully,

Name

Address

Carol Hirsch  
Don Hirsch  
Bob Strueter  
Diane Strueter  
Carol Papp  
Mike Papp  
Sharon Lowry  
Kelli Genter  
Joanna May  
Pat Milner  
Melissa Gleason  
Pati Bradstreet

649 White Oak Way Yorkville  
649 White Oak Way Yorkville  
653 White Oak Way Yorkville  
653 White Oak Way Yorkville  
657 White Oak Way Yorkville  
657 White Oak Way Yorkville  
206 Spruce Ct. Yorkville  
645 White Oak Way Yorkville  
202 Spruce Ct Yorkville IL 60560  
605 White Oak Yorkville IL 60560  
637 " " " "  
641 White Oak Yorkville IL  
645 White Oak " IL 60560



PETITION TO ESTABLISH A QUIET ZONE FOR THE RAILROAD CROSSING  
ONTO RIVER BIRCH DRIVE

Date: JANUARY 4, 2017

TO: Honorable Mayor Gary Golinski and  
City Council of Yorkville, Illinois

Anytime, night or day, when a train approaches our Railroad Crossing, the extremely loud and piercing horn is blown a minimum of three times with varying durations. We want this disturbing requirement waived/stopped.

Therefore, we, the residents of River Birch Drive, hereby petition you to pursue and achieve a "Quiet Zone" for the area served by the Railroad Crossing that provides access to our residential area.

Respectfully,

<u>NAME</u>	<u>ADDRESS</u>
<u>Valourant Peterson</u>	<u>605 RIVER BIRCH DR. YORKVILLE</u>
<u>Donna Peterson</u>	<u>605 River Birch Dr Yorkville</u>
<u>Marco Bary</u>	<u>603 RIVER BIRCH DR. YORKVILLE</u>
<u>E. Pia Lauzi</u>	<u>603 River Birch Dr. Yorkville</u>
<u>Tom Smith</u>	<u>609 River Birch Dr Yorkville</u>
<u>Bethany Braun</u>	<u>609 River Birch Dr Yorkville</u>
<u>Robert Patton</u>	<u>607 River Birch Dr Yorkville IL</u>
<u>Margaret A. Patton</u>	<u>607 River Birch Dr, Yorkville, IL.</u>
<u>Leatha E. Kimmel</u>	<u>617 RIVER BIRCH DR YORKVILLE, IL</u>
<u>Brenda Kimmel</u>	<u>617 River Birch Dr. Yorkville IL</u>
<u>Carolyn Owen</u>	<u>613 River Birch Dr. Yorkville, IL</u>



Reviewed By:	
Legal	<input checked="" type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Old Business #3

Tracking Number

PW 2016-21

### Agenda Item Summary Memo

**Title:** Leopardo Energy Update

**Meeting and Date:** Public Works Committee – January 17, 2017

**Synopsis:** See attached memo.

### Council Action Previously Taken:

Date of Action: N / A Action Taken: \_\_\_\_\_

Item Number: \_\_\_\_\_

**Type of Vote Required:** Majority

**Council Action Requested:** Table

**Submitted by:** Bart Olson Administration  
Name Department

### Agenda Item Notes:

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# Memorandum

To: Public Works Committee  
From: Bart Olson, City Administrator  
CC:  
Date: January 12, 2017  
Subject: Leopardo energy update

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## **Summary**

Discussion of the RFQ document submitted by Leopardo energy.

## **Background**

This item was discussed at the last Public Works committee meeting. At that meeting, the committee reviewed a thorough presentation from Leopardo and its partners about the basics of performance contracting. Leopardo has submitted a draft RFQ for our review and asked that we approve it as soon as next meeting.

I have reviewed the RFQ document and find it unacceptable. There are a number of requirements drafted within the document that appear to be at odds with what we would normally require in an RFQ and a few which don't seem to fit performance contracting. Further, I have spoken with a couple larger municipalities who have completed or considered performance contracting and they gave me some solid feedback about the process. One municipality who had completed the process recommended working through the DCEO to draft the RFQ and not accepting assistance from any vendor on the RFQ document. Another municipality ran into a major issue with competing vendors directly contacting elected officials during the bid process and suggested we add some language on prohibition of contact during the process.

The types of projects typically used with performance contracting lend themselves well to shared services efforts. For instance, should the City decide to replace every water meter in town and move towards a water-tower radio reading system, the City may be able to reduce its capital costs by sharing a tower antenna with Oswego. Oswego has postponed their discussion of performance contracting until after the Oswego-Yorkville purchasing manager has been hired. My recommendation is to delay the consideration of the RFQ until after the purchasing manager has been hired. We have interviews scheduled for the final week in January, and could possibly have someone in place by March 1.

## **Recommendation**

Staff recommends this item be tabled until after the hiring of the purchasing manager.

## **Legal Notice**

The United City of Yorkville is requesting proposals/qualifications from interested and qualified Energy Savings Performance Contractors for the implementation of a Guaranteed Energy Conservation Program utilizing the Local Government Energy Conservation Act ( 50 ILCS 515/1) Performance Contracting Legislation for City facilities. All qualified firms interested in providing the specified contracting services should contact the Public Works Director to obtain the required information package on 02/18/2017. All responses are due by 2 PM on 03/03/2017.

For information contact:  
Eric Dhuse  
Public Works Director  
Phone: (630) 553-4370  
By Order of The City of Yorkville

Advertisement Date – Resolution Date

# **United City of Yorkville, Illinois**

## **REQUEST FOR PROPOSALS/QUALIFICATIONS OF ENERGY SERVICE PROVIDERS FOR SELF FUNDING ENERGY EFFICIENCY IMPROVEMENTS**

### **A. GENERAL BACKGROUND AND PROJECT GOALS**

#### **Purpose**

The United City of Yorkville (Owner) is requesting proposals for the identification, design, and implementation of energy efficiency improvements on a self funding performance-contracting basis in accordance with Local Energy Conservation Act ( 50 ILCS 515/1).

The purpose for issuing this request is to identify and select a qualified provider, or energy services company, to perform the implementation of an energy savings performance contract.

Suppliers shall be able to provide comprehensive design-build construction, building management and energy services, including, but not limited to, the performance of investment grade energy audits, the program design by in-house professional engineers, selection of energy conservation measures, and installation of energy efficient systems, ongoing support and training services, assistance in securing financing for the transaction, and accountability for system performance, measurement and verification, and cost of operations savings.

Responses should be technically creative regarding modernization, energy conservation, energy management, maintenance, training, and overall service.

Qualified responders must have the below minimum qualifications:

1. Have in-house design/build installation capabilities with three (3) State of Illinois municipal project examples of similar size and scope that were competitively bid.
2. In-house engineering team to design all solutions with registered Professional Engineer (P.E.), Certified Energy Manager (CEM), at least one (1) LEED Accredited Professional, and minimum of four (4) engineers insuring accountability for customer design.
3. In-house dedicated retro-commissioning and service team shall have sufficient service vehicles available to complete the project as provided in the work schedule approved by the City.
4. Utilize in-house employees for project installations in such areas as controls, lighting, mechanical installations, service, retro-commissioning, and audits resulting in greater purchasing power for the customer.
5. Provider must have proof of twenty five (25) years in business showing stability.

#### **Overview of Goals and Objectives**

The Owner expects to achieve the following goals and objectives by entering into a guaranteed energy services contract with the selected provider:

1. Reduce operating costs to reinvest in deferred maintenance areas
2. Improve environmental conditions for employees and visitors to the facilities
3. Improve maintenance and operation of the facilities
4. Provide better working conditions in the identified facilities
5. Preserve capital funds for other requirement

#### **Included Facilities**

The Owner desires to implement the performance based contract at the following locations:

1. City Hall & Police Department
2. Beecher Community Center
3. Parks & Recreation
4. Parks Maintenance
5. Public Works
6. Library
7. Street Lighting
8. Fleet Services

Potential respondents must attend the bid preview meeting and facility tour to be eligible to respond to this request. The date for the preview meeting and facility tour is February 8th, 2017 at 9:00 AM at the City Office Building located at 800 Game Farm Road, Yorkville, IL 60560. A research information packet outlining square footage, utility data and related information for each facility will be supplied to interested vendors at this meeting.

### **Qualification Process**

The selection of the qualified respondents will be based on the responses to this request and the ability of the provider to best meet the needs of the Owner. The Owner reserves the right to accept or reject any offeror's proposal based on its sole determination of its best interests. This request is not an offer to contract. Acceptance of a proposal neither commits the Owner to award a contract to any vendor, even if all requirements stated in this request are met, nor limits our right to negotiate in our best interests. The Owner reserves the right to contract with a vendor for reasons other than lowest price. After selecting an energy service provider, the Owner intends to negotiate a performance based contract agreement with the selected provider.

### **Selection Process and Timing**

The following process will be used to select the preferred energy services provider.

Legal Advertisement	Week of 1/30/2017
Preview Meeting	2/08/2017
Site Surveys	2/08/2017
Submission of Proposal	3/03/2017
Selection/Notification to Provider	3/17/2017
Contract Presented to count board for approval	5/09/2017

### **Contact and Response Deadline**

In order to be considered, respondents must submit a complete and thorough response to this request. One original and four (4) copies (total of five (5) responses) must be submitted to the Owner at or before 2:00 p.m. CST on 12/20/2016. Responses must be submitted in a sealed envelope and clearly marked "ENERGY SAVINGS PROPOSAL." To ensure that your response is received before the deadline, either hand deliver or send submittal by registered mail to:

City of Yorkville  
800 Game Farm Road  
Yorkville, Illinois, 60560

All submissions become the property of the United City of Yorkville, and will not be returned to the vendor. All costs associated with the submission preparation will be the responsibility of the submitting ESCO and will not be reimbursed by the City. **NO EXTENSIONS TO THE ABOVE TIMELINE WILL BE GRANTED OR DISCUSSED.**

### **Response Preparation and Completeness**

An authorized representative of the offeror shall sign responses. All information requested must be submitted and organized using the letter and number format as listed below to assist the Owner in the qualification and evaluation process. Submission of e-mail and/or fax responses will not be considered and will result in elimination of a response otherwise received timely and in accordance with directions. Failure to submit all information as requested may result in the requester requiring immediate submission of the missing information within 24 hours from the requested notification, reducing the score for that component of the response and / or elimination of the respondent from consideration. Emphasis should be placed on completeness and clarity of content. Inclusion of unrelated or unrequested materials that do not address the attached format shall be considered unresponsive. Proposals received after the designated deadline will be returned unopened. Should such proposal(s) be opened inadvertently the Owner reserves the right to retain a copy for the files of the Owner.

### **Confidentiality**

Upon receipt, the proposals shall become the property of the Owner. Ownership of all data, materials, and documentation originated and pursuant to this request shall be subject to public inspection in accordance with prevailing public access laws. Trade secrets or proprietary information submitted by an offeror must be so identified on each page on which it is found and shall not be subject to public disclosure. The Owner may obtain clarifications from the respondent or its contractors at any time.

## **B. REQUEST FOR PROPOSAL FORMAT AND SPECIFICATIONS**

Each company must provide an energy conservation report as detailed below. The report must include certification under a registered professional engineer's seal that the report uses reasonable methods of analysis and estimation.

### **Executive Summary**

Responses shall include a summary overview of the respondent's proposal, approach and other pertinent information. The binding authority in the management of the firm must sign the summary overview.

### **Company Qualifications and Financial Strength**

#### **Company Profile / Product Independence**

1. Provide information specifying legal business classification, state of incorporation, audited annual report and summary of financial strength.
2. Address the company's ability to fulfill the financial guarantee terms and duration of the performance based contract. Include a summary of the extent and stability of business operations related to installation services for the last twenty five (25) years.
3. If the firm is a factory owned branch, specify the legal business classification, state of incorporation and where legal contracts will be executed. Specific information about the business unit (the specific branch, division, or office responding to this RFP only), project team and management dedicated to ensuring project performance as well as the ESCO will be evaluated. Inclusion of information or projects performed or developed outside of responding branch or office will not be considered.
4. Indicate whether the response is being submitted on behalf of a parent company (List any division or branch offices to be involved in this project); division (attach separate list if more than one is to be included); subsidiary; or branch office. Include the name, address, city, state, and zip code.
5. Address the firm's representation or affiliation with the manufacturing or installation of any line of energy related equipment, which may be utilized in this project. Specify what that equipment is and how it may impact the project.
6. Corporate Data - Indicate how many years your firm has been in business under its present business name. Provide the total number of employees of the responding branch only. Please identify the number of personnel or resources that are capable of supporting the project in the responding branch office. Give the name and address of the primary individual responsible for contract negotiation as well as all persons with authority for contract execution. This person should reside in responding branch.

#### **Project Team and Experience**

1. Provide a project team organizational chart including roles and responsibilities. Include concise resumes of company employees who will work on this project. Include resume(s) of a minimum of one (1) in-house Professional Engineer(s).
2. Include resumes of a minimum of one (1) in-house LEED AP professional and one (1) Certified Energy Manager (CEM). Include copies of certification licenses for each.
3. Briefly describe the relevant experience and qualifications for those team members (no more than 10 individuals) who will be directly responsible for design and implementation of this project. Please include individual resumes as attachments for review. All members should reside in responding branch, Corporate or regional support will not be accepted, please indicate location of each respondent.
4. Provide information on construction management capabilities with resumes.
5. Provide a listing of service and installation capabilities of your firm.
6. Provide a reference list identifying at least three (3) City/municipality projects. This list should include the project name, location, and scope of work and owner reference including contact name and phone number. These references should be by responding branch only. Reference from outside offices or corporate reference will not be accepted.
7. Identify all projects that did not meet the energy guarantee or have resulted in litigation. Providers not listing all outstanding litigation on guaranteed energy savings performance contracts will be rejected without further consideration. Identify the reasons!

#### **Insurance and Bonding**

1. Include evidence that the firm is able to provide a 100% project value performance bond for its faithful performance of the installation.
2. As an indication of your firm's financial stability provide your firm's cost of performance and payment bond per thousand dollars of contract value.
3. Include evidence that the firm is able to provide and maintain for the life of the contract insurance in the amounts of:
  - A. Commercial and general liability in amount not less than \$1,000,000 each occurrence.
  - B. Comprehensive automotive liability in amount not less than \$1,000,000 each occurrence.
  - C. Workman's compensation insurance not less than \$1,000,000 each occurrence.
  - D. Excess liability not less than \$3,000,000.

## **2. Technical Approach, Energy Efficiency and Energy Conservation Measures.**

1. Total turnkey project to include: project development, design, implementation, project management, financing, measurement and verification, and training.
2. Responses should include a detailed approach to meeting the goals and objectives for the facilities. Provide a measurement and verification plan in accordance with the international protocol, including the plan for execution identifying responsible parties. Provide an overview of the technical approach that is used to identify, evaluate and recommend energy conservation measures (ECMs).

## **3. Financial Approach**

The respondent should describe financial alternatives that will responsibly maximize the net economic benefit and minimize financial risk.

### **A. Financing Sources**

Provide descriptions of the sources and types and costs of financing available and recommended for use in this program.

### **B. Penalties and Other Costs**

Indicate any penalties or other costs that will be assessed in the event the decision is made not to proceed with this project at any point prior to mutual approval of a Contract Agreement.

### **C. Savings**

Describe the basis of cost of operations savings, its execution, and the methods of auditing

### **D. Financial Model**

1. Include the procedure for calculation of savings with related cost adjustments.
2. Include the procedure for handling excess savings.
3. Include the procedure for handling project delays and related cost adjustments

## **4. Services**

1. Operation and Maintenance / Partnership Plan – As part of this response provide pricing for three years of preventive maintenance for referenced facilities. Describe how cost effective maintenance strategies for the installed ECMs maximize savings performance. Identify and describe the roles and requirements of maintenance services.
2. Provide the estimated costs of annual reconciliation statements, measurement and verification and any required on-going services.
3. Provide information on your firm's ability to provide gas, electric and/or other innovative energy services.

## **5. Ability to Self-Perform / Other Benefits**

1. Define what aspects of the proposal could be self-performed by your company.
2. List proposed scope/trade work that would be subcontracted and your plan of utilizing sub-contractors.

### **Other Benefits:**

Describe any other benefits your firm can bring to the energy services program.

## **Advertisement for Request for Proposals**

The owner will be receiving responses to this request from companies interested in providing an Energy Savings Program per State of Illinois legislation.

Responses will be due by 2:00 P.M. CST on 03/03/2017:

### **City Contact**

Eric Dhuse  
Public Works Director  
Phone: (630) 553-4370

**All questions concerning this request must be directed to the above contact. Contacting elected officials will result in elimination from consideration as a qualified provider. The Owner reserves the right to accept the proposals/qualifications that, in its opinion, best serves the interest of the Owner.**