

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF TRUSTEES  
OF FOX METRO WATER RECLAMATION DISTRICT  
HELD WEDNESDAY MAY 19, 2021**

The Board of Trustees met in a regular monthly meeting at 9:30 A.M. in the offices of the District at the Water Pollution Control Plant on Wednesday, May 19, 2021. Present were, Trustee Judith S. Sotir, Trustee Michael Funkey, Trustee Christopher F. Childress, Trustee Dave Krahn and Trustee Randall H. Brown. Also present were Attorney Gregg Ingemunson (via phone), Manager Thomas F. Muth, District Engineer, John Frerich from Deuchler Engineering (via phone), Assistant District Manager Karen Clementi, Human Resources Coordinator, Patrick Divine, IT Supervisor, Dan Vargas, and Norma Rodriguez.

10818

The bills were presented and read. It was moved by Trustee Childress that the bills that have been presented and paid during the month of April 2021 be approved in the amount of \$2,579,204.34, Motion was seconded by Trustee Krahn, put to vote and unanimously carried that the bills be paid as presented.

10819

It was moved by Trustee Childress seconded by Trustee Krahn, put to vote and unanimously carried that the Treasurer's Report for April, 2021 be approved as submitted.

10820

It was moved by Trustee Childress, seconded by Trustee Krahn, put to vote, and the Motion was unanimously carried that the minutes of the April 21, 2021 Board Meeting and the minutes from the May 5, 2021 Special Board Meeting be approved as amended. Each of the Trustees having received and read copies of said minutes before the meeting.

In Public Comments, Trustee Sotir on behalf of the Board congratulated all of the employees who celebrated birthdays in the month of May.

Karen Clementi addressed the Board and advised them that Assistant Lab Coordinator, Eva Kiss was the Fox Pride recipient for the month of May. Eva is reliable and at work every single day. She really

stepped it up during COVID and she is a real leader for the Lab. Eva has been at the District since 1988 and began her career as an Intern.

The Board Congratulated Mustafa Zamir and Jose Garcia in the Operations Department for their 5 years of service at the District.

The Board of Trustees also congratulated Manager Muth for his 35 years of service at the District. Trustee Sotir said Manager Muth is the soul of this organization and the Board appreciates everything that he has done for the District over the years.

With no other Public Comments, it was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that the Regular Board Meeting be temporarily adjourned for the Committee of Local Improvements.

The Regular Board Meeting temporarily adjourned at 9:40 A.M.

In the Committee of Local Improvements, Manager Muth introduced Mr. Matt Brolley representing Pulte Homes and Mr. Russ Whitaker, Attorney representing Pulte Homes who is the purchaser of the Wolf's Crossing property. Mr. Whitaker addressed the Board and gave them a presentation regarding the proposed development of 339 acres south of Wolf's Crossing in the City of Aurora.

Mr. Whitaker said they have been working on this project for approximately 12 months and he reviewed a map where the project is located. The map outlined where the residential and commercial areas will be located.

Mr. Whitaker explained that Pulte is the contract purchaser of the property being discussed today. The property was originally annexed to Aurora back in the early 2000's and it was slated for a portion to be residential development and the vast majority of the property was slated to be industrial development. Given how the industrial world has transformed in the last couple of decades, industrial development is deemed to be very unlikely on a site like this because it did not have the transportation dynamics that the very large scale warehouse users would be looking for at this point and time.



Mr. Whitaker stated that Pulte has been working with the City of Aurora for an expanded period of time, they adjusted for a comprehensive plan, they went through a full zoning process, amended the Annexation Agreement and ultimately arrived at an Annexation Agreement which was approved by the City of Aurora last month to facilitate what is a six part development of the 525 acre parcel.

There are four different residential developments broken into different phases and two commercial development phases which will be future opportunities.

As mentioned before, Pulte is the contract purchaser of the entire site but they have the right to buy the property in a number of phases. They anticipate the first acquisition to occur in August, 2021. The second acquisition, which is the largest component of the property and is composed of approximately 250 acres will occur in March of 2022.

Mr. Whitaker said with respect to Fox Metro, they have been working with Manager Muth and staff discussing how to provide service to this area. It is a very difficult area both from road way metric and from a number of utility service perspectives. What was ultimately agreed on was to build a regional lift station. This regional lift station would not only serve this property but it would also allow Fox Metro to serve the Joliet Road service area which includes properties in Aurora, Oswego and Part of Plainfield.

The Pulte's 525 acres represents 27% of the area to be serviced within that Joliet service area and Pulte is committed to pay upwards of 78% of the cost of the lift station improvements associated with providing that service.

Mr. Whittaker reviewed with the Board a map of the area Pulte is looking to Annex addressed within the Annexation Agreement with Fox Metro. He said approximately 65 acres to the north was Annexed to Fox Metro in the early 2000's and they are re-addressing the Annexation Agreement for that portion and then Annexing the larger portion of the property.



Mr. Whittaker reviewed the north portion of the property and they are calling it Lincoln Crossing. He displayed a map and it showed the parcels designated to all detached traditional two story single family homes. This proposed project is very similar to other Pulte projects that have been built in Naperville and Deerbrook. In terms of timing, Pulte has submitted an actual plat on a portion of the project, it is currently pending with the City of Aurora. Pulte is expecting final approval in August and will move with development immediately thereafter. Mr. Whittaker continued to explain where the sewer service lines would be located and the method wastewater would be routed to Fox Metro.

The critical path of this project is the large component of the development which will be a Dell Webb Community, who is one of the most recognized brands in the housing community. This development will be an active adult senior housing and it will be restricted to residents 55 and older. Dell Webb is owned by Pulte and this will be a Pulte project but will be branded as a Dell Webb community. In total, this community will consist of 550 units and it will be broken into three phases. The three phases will be centered around an amenity center, which includes a 10,000 square foot club house, tennis court and other amenities typically associated with that active style type community. The perimeter will also be surrounded by large ponds.

The Dell Webb community will be a gated community and all the streets in the community will be privately operated and maintained. There will be three different series of homes within the Dell Webb Community and all them will be detached single family homes. They will all be ranch style design with a first floor master bedroom.

Mr. Whitaker reviewed with the Board a financial summary and Annexation terms regarding the proposed development. He believes all parties have reached mutually beneficial terms that will allow Pulte to move forward with the project while also providing the District with a long term investment in their infrastructure.

Pulte's plan is to work with the District to construct a regional lift station that will service the Joliet Road service area and as part of that project, Pulte will contribute 1 acre parcel of land for the lift station.



Pulte will construct the 24 inch gravity interceptor to serve the Lincoln Crossing portion of the development. Pulte will be responsible to construct the force main from the terminus of the interceptor all the way down to the proposed Regional lift station. Pulte will fund approximately one quarter of the cost of the lift station prior to District commencing construction. In addition to the typical permit fees, it will also include a voluntary contribution of \$300,000.00 from Pulte to help kick start the project. Over the life of the Agreement through annexation fees, IPF and connection fees, Pulte will fund approximately 78% of the total cost of the lift station improvements.

Right now only the first portion of the overall Lincoln Prairie property is being annexed so future development phases will be subject to an updated Annexation Agreement and any increases in fees. Mr. Whittaker said he believes the overall structure of the deal presents a great opportunity for the District and allows Pulte to move forward with the project immediately.

Trustee Childress inquired if the reason the commercial area of the property was not being annexed at this time was due to economic or financial issues. Mr. Whitaker responded that the District's typical process is that it collects certain fees up front. Pulte has 525 acres and they are only going to be working on a very small percentage of that acreage in the next year so it became a huge financial burden to try do the entire project at this point and time. Given that it is a long term project, the District is concerned about locking in all of its fees for the length that Pulte anticipates the overall project to last. There were benefits to both parties by identifying a small portion of the property knowing that they had to define rights to the first two phases of the project.

Trustee Childress asked with regard to the commercial property if Pulte planned to develop it and own it or develop and sell it. Mr. Whitaker said Pulte does not do any commercial developments so they will be developing and selling it and he explained the phases of development of the rest of the project.

10822

Extensive discussion ensued, Mr. Whitaker addressed all of the Board's questions and concerns, he also explained everything in detail with regard to the lift station and Pulte's proposed development project.

It was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that the Committee of Local Improvements temporarily adjourn to hold the Public Hearing for the 2021/2022 Fiscal Year Budget.

Attorney Ingemunson called for the Public Hearing at 10:00 A.M. regarding the 2021/2022 Fiscal Year Budget. Notice of said Public Hearing was duly published in the Beacon News. The Board of Trustees approved Ordinance No. 901 in tentative form at the April 21, 2021 Meeting.

There being no further questions from the Board and no comments from the public, Attorney Ingemunson presented Ordinance No. 901 to the Board for their approval.

10823

It was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that Ordinance No. 901, Appropriations Ordinance for FY 2021/2022 Budget, be approved as written.

ADOPTED by the Board of Trustees of Fox Metro Water Reclamation District this 19<sup>th</sup>, day of May, 2021 by a voice vote of 5 to 0.

10824

At 10:05 A.M. Manager Muth opened and read aloud bids received for Sewer Maintenance Contract as follows: Visu-Sewer – Total Bid \$1,162,770.00; Michaels Corporation – Total Bid \$1,315,835.00; Engineer's Estimate for this project is \$1,220,095.00. After Discussion and based on recommendation of staff, it was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that the bid from Visu-Sewer for \$1,162,770.00 and the bid from Michaels Corporation for \$1,315,835.00 be held pending specification review and approval by Fox Metro Water Reclamation District and Deuchler staff.



At this time the Public Hearing adjourned and the Committee of Local Improvements reconvened.

Mr. Whitaker continued reviewing the financial aspect of the Annexation Agreement, he explained the demographics of the project and addressed all of the questions from the Trustees.

Manager Muth stated that next month as part of the Public Hearing and approval the District will be receiving from Pulte a check in the amount of \$452,925.00 for the annexation of the full remainder, including the Dell Webb property.

Attorney Ingemunson is reviewing the Annexation Agreement and Manager Muth stated to the Board that it is his recommendation that the District proceeds with the Annexation. Discussion ensued regarding construction cost for the homes and the impact of inflation in building materials.

10825

With no other matters to come before the Committee of Local Improvements, it was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that the Committee of Local Improvements adjourn and the Regular Board Meeting reconvene.

The regular meeting reconvened at 10:40 A.M.

10826

Attorney Gregg Ingemunson Attorney addressed the Board with the Attorney's Report. He requested approval of Resolution No. 985 and Ordinance No. 900 for Annexation of Adam and Sarah Mastny property located in Aurora, Illinois. it was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that Resolution No. 985 and Ordinance No. 900 for Annexation of Adam and Sarah Mastny property located in Aurora, Illinois be approved as written.

Mr. John Frerich addressed the Board with the Engineer's Report and requested approval of Partial Payment No. 22 to Whittaker Construction, in the amount of \$1,004,759.47 for O&M Building Phase II Improvement Project.



Mr. Frerich requested approval of Partial Payment No. 3 to Dahme Mechanical in the amount of \$245,718.90 for Building K Raw Sewage Valve Replacement

Mr. Frerich requested approval of Partial Payment No. 7 to Valley Electrical in the amount of \$7,753.00 for Oswego Pump Station Electrical Upgrades Project.

Mr. Frerich requested approval of Partial Payment No. 3 to Frank Marshall Electric in the amount of \$13,852.80 for the Orchard Road Pump Station Electrical Upgrades Project.

Mr. Frerich requested approval of Partial Payment No. 1 to Impirium Group, Inc., in the amount of \$113,751.86 for the Fiber Optic Network Improvements Project

10827

It was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that the Engineer's Report be approved as published and payments be made as requested.

Manager Muth addressed the Board with the Managers Report. He asked the Board to seek tentative approval of the Lincoln Prairie/Lincoln Crossing Annexation Agreement and Authorize a Public Hearing for June 23, 2021 at 10:00 A.M., at the Board of Trustees Meeting. It was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that tentative approval be granted for the Lincoln Prairie/Lincoln Crossing and a Public Hearing be held at 10:00 A.M. at the June 23, 2021 Board of Trustees Meeting for final approval.

10828

The next item discussed was the issue with the Lobe Line Pumps. Manager Muth reported that one of the Lobe Line Pumps in Building K has failed. He explained that there are three pumps, the purpose of these pumps is to pull all of the solids out of the clarifiers and also explained the process and how these pumps serve a critical purpose. Right now there are two pumps that are working and if another one fails it can become critical for the plant.

Manager Muth said the issue is that this is an emergency repair and it is going to cost more than \$50,000.00, it is not in the budget and



that is why he wanted to advise the Board and ask for their approval to begin the emergency repairs.

Trustee Krahn inquired the length of the repair. Manager Muth said it may take approximately six to eight weeks to get the parts and three to four days to repair the pump. This is an unforeseen expense but it is a critical pump and it needs to get repaired.

Trustee Brown inquired if it would be better to get a new pump. Manager Muth said a new pump could take up to nine months to receive and that puts the Plant in a critical state because it just leaves us with two pumps. The other two pumps were rehabilitated approximately four years ago and staff is confident that they are in good shape but it is not guaranteed.

Trustee Childress asked what the cost of the parts would be. Manager Muth said to repair the pump it is going to cost approximately \$50,000.00 and the cost of a new one is approximately \$100,000.00. The issue is that it can take almost nine months to get a new pump, the repair parts are more available and District staff would perform the repairs. He said this pump was installed in 2004 and is confident that with the repairs it will last another ten years. Discussion ensued.

10829

It was moved by Trustee Funkey seconded by Trustee Childress put to vote and unanimously carried to approve the request of staff for the purchase of needed parts to repair the broken Lobe Line Pump in Building K. Board has been advised that this repair will cost approximately \$50,000.00 and it is not in the budget.

Manager Muth reported to the Board that the Building K Raw Sewage Valve Replacement project is going very well. The weather has been cooperating because we have not had any high flows like other years in May. The painting should be completed in approximately one week and will have to return to perform the quality control on the valves. This is a \$1.27M project and Dahme Mechanical Industries has done a fantastic job.

Manager Muth recognized the IT Department for being here during COVID and keeping the District technology running



smoothly. In the last six weeks the IT Department was able to perform the huge task of moving all of the work stations into the new O&M Building and getting them operational. He thanked the IT Supervisor Dan Vargas and his team for the great job they do every day for the District.

Trustee Childress inquired if things at the Plant are back to normal as far as all of the employees being together after COVID. Manger Muth said not at this time. Employees at the Plant are still being kept separated, for safety reasons but decisions will have to take place very soon regarding this issue. Half of the employees at the District are vaccinated and half are not. Staff still has the task to maintain all employees safe and that is why the District still has the trailers to maintain the plant employees separated. Trustee Funkey asked if the employees that have not been vaccinated have given a reason why they are not vaccinated. Manger Muth said there are HIPA laws and staff respects the employee's decision, the only thing staff can do is encourage them to get the vaccine. Trustee Funkey mentioned of incentives different businesses in different states are offering for people to get vaccinated. He asked if it would be a good idea to offer an incentive to the District employees who get vaccinated. Manager Muth said it would be better to give an incentive to the employees who have already received their vaccine. Trustee Funkey agreed and suggested either a monetary incentive or one day off of work with pay. The employee must show their vaccination card as proof that they have been vaccinated. Trustee Krahn suggested the PR Committee discuss this and try to come up with some ideas regarding this matter. Trustee Funkey said the District should recognize those employees that showed initiative and got vaccinated and he reiterated that those employees should receive one day off with pay.

Manger Muth reported that the District received the CURES reimbursement funds in the amount of \$89,634.09. These funds help partially reimburse the additional costs incurred during the pandemic, such as PPE, trailer rental, and the COVID-19 wastewater analysis tracing.



Manager Muth reported that advertising the Sanitary Sewer Overhead Assistance Program (SOAP) on the bimonthly bills has been generating ratepayer interest. The Engineering Department has received several inquiries, a few program applications and have had two customers that have utilized the program, one lives in North Aurora and the other in Aurora.

Manager Muth reported that staff is currently working with Progressive Energy Solutions and they have issued a Request for Proposal on the District's behalf for the next round of solar grant applications. Prospective bidder site walkthrough is scheduled for May 26<sup>th</sup>. The District thanks Progressive for their ongoing dedication to Fox Metro sustainability initiatives.

Manager Muth said the North Aurora Pump Station is on track and he will be updating the Board on the process at next month's Board Meeting.

10830

Manager Muth said staff has been changing some of the old tertiary filters clothes and installing new ones. There are nine filters. The filter clothes last approximately six years.

10831

With no other business to come before the Board, Manager Muth requested Executive Session to discuss Personnel, and related matters

10832

At this time it was moved by Trustee Funkey, seconded by Trustee Childress, put to vote and unanimously carried that this meeting be temporarily adjourned for Executive Session.

Regular Board Meeting temporarily adjourned for Executive Session at 11:09 A.M.

It was moved by Trustee Funkey seconded by Trustee Krahn put to vote and unanimously carried that the Executive Session be adjourned and resume the Regular Board Meeting.

Regular Board Meeting reconvened at 11:55 A.M

No decisions were made in Executive Session



10833

With no other business to come before the Board, it was moved by Trustee Funkey seconded by Trustee Childress put to vote and unanimously carried that this meeting be adjourned.

Meeting adjourned at 11:57 A.M.

R -512