



COMMITTEE OF THE WHOLE

Monday, May 1, 2023
immediately following the
City Council Meetings at 7pm

City Hall Council Chamber
109 James Street
Geneva, IL 60134

Meeting Link:

<https://attendee.gotowebinar.com/register/2079986159409048925>

AGENDA

Ald. Maladra, Chair

- 1. Call to Order**
- 2. Recommend Suspending the Rules to Permit Council Member Maladra to Chair this Meeting and to Vote on All Action Items on this Agenda.**
- 3. Approve Committee of the Whole Minutes from April 17, 2023.**
- 4. Items of Business**
 - a. Consider Draft Resolution Authorizing the Execution of a Sales Quotation with Tyler Technologies in the Estimated Amount of \$275,000.00 for Conversion to Tyler Payments Platform.
- 5. Public Comment / New Business**
- 6. Closed Session on the Purchase or Lease of Real Property for the Use of the Public Body (5 ILCS 120/2(c)(5)).**
- 7. Adjournment**

GENEVA COMMITTEE OF THE WHOLE MEETING MINUTES

Monday, April 17, 2023

City Hall Council Chambers
109 James St., Geneva, IL 60134

Elected Officials Present: Mayor Burns, Ald. Burghart, Ald. Hrubby, Ald. Kaven, Ald. Kilburg, Ald. Kosirog, Ald. Maladra, Ald. Marks, Ald. Mayer, Ald. Swanson, Clerk Kellick.

Elected Officials Attending by Teleconference: None.

Elected Officials Absent: Ald. Bruno.

Others Present: City Admin. Dawkins, Asst. City Admin. McCreedy, City Attny. Sandack, Supt. Van Gyseghem, Dir. Babica, H.R. Gen. Johnson.

Others attending by video or teleconference: None.

Call to Order

Council member Tara Burghart, serving as chair, called the meeting to order at 7:36 PM noting all council members except for Ald. Bruno were present.

Recommend Suspending the Rules to Permit Council Member Burghart to Chair this Meeting and to Vote on All Action Items on this Agenda.

Moved by Ald. Mayer, seconded by Ald. Swanson.

Voice Vote: 8-0 (Mayer abstaining).

MOTION CARRIED

Approve Committee of the Whole Minutes from March 20, 2023.

Moved by Ald. Marks, seconded by Ald. Kaven.

MOTION CARRIED unanimously by voice vote of those present 9-0.

Items of Business

Recommend Draft Resolution Authorizing Execution of a Contract with Boller Construction for Wastewater Digester Cleaning and Inspection at a Cost of \$978,200 with Change Orders for a Total Not-to-Exceed Amount of \$1,076,020.

Moved by Ald. Mayer, seconded by Ald. Kosirog.

On a question from Ald. Swanson, Supt. Van Gyseghem explained that the cost provided is a per unit cost based on the cubic feet of material processed. This is determined by whether the City can remove below a certain amount. If there is debris caught in the piping and pumps, the City may not be able to do that, but they will try. The cost quoted is based on the amount of material pulled from a digester of that size.

MOTION CARRIED unanimously by voice vote of those present 9-0.

Recommend Draft Resolution Rejecting Bids for the Water Treatment Plant HVAC System Rehabilitation Project.

Moved by Ald. Mayer, seconded by Ald. Marks.

MOTION CARRIED unanimously by voice vote of those present 9-0.

Recommend Draft Resolution Authorizing the City Administrator to Increase the Engineering Agreement for the Water Plant HVAC Rehabilitation Project with Engineering Solutions by \$6,000 to a Total Not-to-Exceed Amount of \$39,900.

Moved by Ald. Mayer, seconded by Ald. Kilburg.

On a question from Ald. Mayer, Supt. Van Gyseghem noted that this is an additional \$6,000 cost for additional work. On a second question from Ald. Mayer, Supt. Van Gyseghem confirmed that different bidders proposed different configurations that could save money.

On a question from Ald. Swanson, Supt. Van Gyseghem noted that a deeper dive into what changes to the product specifications might be needed. Parties expressed challenges to the specifications in the control systems so there will need to be a simplification of some of the items involved and a revision of the plans. On another question from Ald. Swanson, Supt. Van Gyseghem noted that the entire system is complex, and they will try to simplify the plans as best they can, especially for the bidding process in order to get the best price.

On a question from Ald. Kosirog, Admin. Dawkins noted that the facilities manager is getting involved with certain projects but that his first priority is to work on the facilities master plan RFP. He has been consulting on other smaller projects but not this large project as of now. He is a facilities manager, not an engineer.

On a question from Ald. Hruby, Supt. Van Gyseghem confirmed that the City is spending the additional \$6,000 to re-do some of the engineering as well as to simplify some of the plans for the control system. This is charged by the hour and as such, it could cost less. On another question from Ald. Hruby, Supt. Van Gyseghem noted that the consultant did not provide the wrong end result and had good faith intentions that this was a good plan moving forward. When the bids came back, they felt that re-working the bid specs would help to lower the costs.

On a question from Ald. Kilburg, Supt. Van Gyseghem noted that this is a replacement in some cases and a rehabbing in others. He noted that the five heating and air conditioning units will be replaced while the control system will be rehabbed.

Ald. Mayer noted that construction and major equipment pricing has increased more than 25% so it is difficult to estimate engineering costs. She commented that \$6,000 as an add-service seems reasonable for this project.

Roll call:

AYES: 9 (Burghart, Hruby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 1 (Bruno)

NAYS: 0

MOTION CARRIED

Recommend Draft Resolution Authorizing Execution of a Contract with Hampton, Lenzini and Renwick for Completion of 2023-24 Wetlands Management Services at the Water Treatment Plant in the Amount Not-to-Exceed \$23,600.

Moved by Ald. Kosirog, seconded by Ald. Mayer.

On a question from Ald. Kilburg, Supt. Van Gyseghem noted that the remote mower would not be used for wetland projects. Dir. Babica commented that the mower has been used in detention basins, to prep part of the Fox Run subdivision when electric utility lines had to be relocated, and to keep brush down along a right-of-way in the Allendale subdivision.

MOTION CARRIED unanimously by voice vote of those present 9-0.

Recommend Draft Resolution Authorizing Execution of Contract with Hampton, Lenzini and Renwick Inc. for Completion of 2023-24 Wetlands Management Services for Eagle Brook and On Brentwood's Pond Subdivisions in an Amount Not to Exceed \$45,200.

Moved by Ald. Mayer, seconded by Ald. Kilburg.

On a question from Ald. Hruby, Admin. Dawkins noted that this is paid out of SSA 11 and SSA 32.

On a question from Ald. Kilburg, Dir. Babica noted that there are ongoing basin and conveyance structures requiring maintenance but that overall, the wetlands are functioning in a high-capacity state.

On a question from Ald. Kosirog, Dir. Babica commented that in Eagle Brook the preferred maintenance is mowing as the proximity of properties there prevent burns.

MOTION CARRIED unanimously by voice vote of those present 9-0.

Recommend Draft Resolution Authorizing Execution of a Contract with Hey and Associates for Completion of the 2023 Special Service Area No. 11/Bent Tree Drive Landscape Architectural Services in the Amount of \$21,065 with Change Orders Not to Exceed 10% of the Proposal Amount.

Moved by Ald. Marks, seconded by Ald. Kosirog.

Ald. Kosirog thanked Dir. Babica and Dir. DeGroot for the success of the landscaping on Bent Tree Drive.

MOTION CARRIED unanimously by voice vote of those present 9-0.

Recommend Draft Resolution Authorizing Execution of a Contract with Clarke Environmental Mosquito Management Inc. for 2023-24 Mosquito Abatement Program in an Amount Not to Exceed \$54,640.

Moved by Ald. Kilburg, seconded by Ald. Kaven.

On a question from Ald. Kilburg, Dir. Babica noted that there were four aerial applications made last year. Such applications are made only as a result of a positive West Nile Virus human case or positive trap in the immediate area.

Applications are city-wide. On a question from Ald. Mayer, Dir. Babica noted that residents can opt out on the City's webpage.

MOTION CARRIED unanimously by voice vote of those present 9-0.

Recommend Draft Resolution Authorizing an Agreement with CP2 for Public Engagement Services (Strategic Plan Update) in an Amount to Exceed \$27,750.
Moved by Ald. Kosirog, seconded by Ald. Maladra.

On a question from Ald. Kilburg, SPAC chair Winnie Frankel noted that both in-person meetings and surveys will be used for feedback. Ms. Frankel noted that the cost of the services will include exclusive time and energy of a local woman-owned business.

On a question from Ald. Burghart, Ms. Frankel commented that she is expecting the timeline for the project to take 4-6 months. She noted that residents can receive information via the City website, Facebook, and Instagram.

Ald. Kilburg commented that it would be good to get a wide segment of the residents to respond. Ms. Frankel noted that CP2 had interesting ways to engage the community.

MOTION CARRIED unanimously by voice vote of those present 9-0.

Recommend Draft Resolution Adopting Updated City of Geneva Personnel Policy Manual.
Moved by Ald. Marks, seconded by Ald. Kosirog.

On a question from Ald. Kosirog, Admin. McCready commented that some updates to the policy manual include paid benefits leave, updated recruitment and retention of employees, paid leave benefit times, language and terminology updates, and leave carryover. Ald. Kosirog applauded the efforts of the City in getting this completed.

MOTION CARRIED unanimously by voice vote of those present 9-0.

Recommend Draft Ordinance Authorizing Execution of a First Amendment to Communication Facility Ground Lease By and Between the City of Geneva and Crown Castle GT Company, LLC.

Moved by Ald. Swanson, seconded by Ald. Mayer.

MOTION CARRIED unanimously by voice vote of those present 9-0.

Public Comment / New Business

Ald. Kilburg noted that there are two Earth Day events coming up. The first will be held by the Freshman and Sophomore classes at Geneva High School on Saturday, April 22 in which they will collect trash. Interested citizens can contact the high school for more information. The second event will be a Kane County all-volunteer cleanup of the Great Western Trail on Saturday, April 29.

Admin. Dawkins added that Geneva NRC will host Earth Day in concert with the Park District at Peck Farm Park on April 22 from 11:00 AM-2:00 PM. There will be free planting activities, vendors and food available.

Ald. Kilburg commented on the impact that Warehouse 5 would have on the oak trees of which Mr. Maher spoke at the last meeting. Ald. Kilburg noted that 75 trees will be impacted and that alderpersons should be aware of the trees and the potential impact that the loss of the trees may have. Ald. Hruby also noted that she will be meeting with Mr. Maher the following day.

Ald. Burghart commented that she and her family have attended several of the Chicago Steel games and that it is a wonderful family-friendly source of entertainment. She noted that the team will be in the playoffs and that the community is lucky to have them.

Adjournment

On a motion by Ald. Marks, the meeting was adjourned by unanimous voice vote at 8:24 PM.

- Submitted by Clerk Kellick



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item:	Tyler Technologies/Tyler Payments Resolution		
Presenter & Title:	Rita Kruse, Finance Director		
Date:	May 15, 2023		
<i>Please Check Appropriate Box:</i>			
<input checked="" type="checkbox"/>	Committee of the Whole Meeting	<input type="checkbox"/>	Special Committee of the Whole Meeting
<input checked="" type="checkbox"/>	City Council Meeting	<input type="checkbox"/>	Special City Council Meeting
<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	Other -
Associated Strategic Plan Goal/Objective: SG-I			
Estimated Cost: ~\$275,000		Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Other Funding? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<i>If "Other Funding," please explain how the item will be funded:</i>			
Executive Summary:			
<p>The City entered into an agreement with New World Systems (NWS) in 2011 for an enterprise resource planning (ERP) system which included financials, human resources, utility billing and community development ("Base Agreement"). New World Systems merged with Tyler Technologies (Tyler) in 2015.</p> <p>Tyler currently supports multiple payment processing platforms for their NWS ERP product. Tyler is limiting the number of providers to streamline their resources and is discontinuing the use of our current payment processing platform (Authorize.net) by the end of 2023.</p> <p>Tyler recommends that the city transition to the Tyler Payments platform. Tyler Payments is PCI-DSS compliant and has additional features to enhance the customer experience when paying for a utility bill online. The annual cost of the Tyler payments is comparable to the current cost.</p> <p>Pursuant to 65 ILCS 5/8-1-7(a) and (b)(3), the City Council may authorize the City Administrator to execute Sales Quotation for Tyler Payments between Tyler Technologies, and the City of Geneva, shown as shown as "Exhibit A," ("Quote") on behalf of the City based on the Base Agreement, as amended: (i) the Quote could be completed in a budget year if the City Council elects not to budget for the services provided pursuant to the Quote in a subsequent budget year and proper notice is given; and (ii) the Quote is for the provision of data processing equipment and services which could be completed within the Mayor's current term if the City Council elects not to budget for the data processing portion of the Quote in a subsequent budget year.</p>			
<ul style="list-style-type: none"> • Resolution and Exhibit 			
Voting Requirements:			
<i>This motion requires a simple majority of affirmative votes for passage.</i>			
Recommendation / Suggested Action: <i>(how the item should be listed on agenda)</i>			
Recommend Approval of Resolution No. 2023-xx Authorizing the Execution of the Sales Quotation with Tyler Technologies.			

RESOLUTION NO. 2023-XX

**RESOLUTION AUTHORIZING EXECUTION OF SALES QUOTATION
FOR TYLER PAYMENTS WITH TYLER TECHNOLOGIES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GENEVA, KANE COUNTY, ILLINOIS, as follows:

SECTION 1: That the City Administrator is hereby authorized to execute, on behalf of the City of Geneva, Sales Quotation for Tyler Payments between Tyler Technologies, and the City of Geneva, shown as shown as “Exhibit A” in the attached herewith.

SECTION 2: This Resolution shall become effective from and after its passage as in accordance with law.

PASSED by the City Council of the City of Geneva, Kane County, Illinois, this 15th day of May, 2023.

AYES: __ NAYS: __ ABSENT: __ ABSTAINING: __ HOLDING OFFICE: __

Approved by me this 15th day of May, 2023.

Mayor

ATTEST:

City Clerk



Quoted By:
 Quote Expiration:
 Quote Name:

Dudley Wellington
 9/6/23

Sales Quotation For:

City of Geneva
 22 S 1st St
 Geneva IL 60134-2291

Tyler Fees per Transaction

Description	Unit Price	Discount	Net Unit Price
Tyler One			
Payments			
New World Tyler Payments	\$ 0.00	\$ 0.00	\$ 0.00
Tyler Products			
Payments POS	\$ 0.00	\$ 0.00	\$ 0.00

3rd Party Hardware, Software and Services

Description	Quantity	Unit Price	Total	Annual
Tyler One				
Third Party Hardware, Software and Services				
Payments PCI Service Fee (Per Device)	4	\$ 0	\$ 0	\$ 720
Payments Lane 3000 Terminal Purchase	4	\$ 419	\$ 1,676	\$ 0
TOTAL			\$ 1,676	\$ 720

Fixed Fee Services

Description	Units	Price	Maintenance
New World ERP			
Other Services			
Project Management	1	\$ 0	\$ 0
TOTAL		\$ 0	\$ 0

Summary	One Time Fees	Recurring Fees
Total Tyler Software	\$ 0	\$ 0
Total SaaS	\$ 0	\$ 0
Total Tyler Services	\$ 0	\$ 0
Total Third-Party Hardware, Software, Services	\$ 1,676	\$ 720
Summary Total	\$ 1,676	\$ 720
Contract Total	\$ 2,396	

Comment

Your use of Payments and any related items included on this order is subject to the terms found at: <https://www.tylertech.com/terms/payment-card-processing-agreement>. By signing this order or the agreement in which it is included, you agree you have read, understand, and agree to such terms. Please see attached Tyler Payments fee schedule.

Client agrees that items in this sales quotation are, upon Client's signature or approval of same, hereby added to the existing agreement ("Agreement") between the parties and subject to its terms. Additionally, payment for said items, as applicable but subject to any listed assumptions herein, shall conform to the following terms, subject to payment terms in an agreement, amendment, or similar document in which this sales quotation is included:

- License fees for Tyler and third-party software are invoiced upon the earlier of (i) delivery of the license key or (ii) when Tyler makes such software available accessible.
 - Fees for hardware are invoiced upon delivery.
 - Fees for year one of hardware maintenance are invoiced upon delivery of the hardware.
 - Annual Maintenance and Support fees, SaaS fees, Hosting fees, and Subscription fees are first payable when Tyler makes the software accessible to the Client (for Maintenance) or on the first day of the month following the date this quotation was signed (for SaaS, Hosting, and Subscription), and any such fees are prorated to align with the applicable term under the agreement, with renewals invoiced annually thereafter in accord with the Agreement.
 - Fees for services included in this sales quotation shall be invoiced as indicated below.
 - o Implementation and other professional services fees shall be invoiced as delivered.
 - o Fixed-fee Business Process Consulting services shall be invoiced 50% upon delivery of the Best Practice Recommendations, by module, and 50% upon delivery of custom desktop procedures, by module.
 - o Fixed-fee conversions are invoiced 50% upon initial delivery of the converted data, by conversion option, and 50% upon Client acceptance to load the converted data into Live/Production environment, by conversion option. Where conversions are quoted as estimated, Tyler will invoice Client the actual services delivered on a time and material basis. "
 - o Except as otherwise provided, other fixed price services are invoiced upon complete delivery of the service. For the avoidance of doubt, where Project Planning Services are provided, payment shall be invoiced upon delivery of the Implementation Planning document. Dedicated Project Management services, if any, will be invoiced monthly in arrears, beginning on the first day of the month immediately following initiation of project planning.
 - o If Client has purchased any change management services, those services will be invoiced in accordance with the Agreement.
 - o Notwithstanding anything to the contrary stated above, the following payment terms shall apply to fees specifically for migrations: Tyler will invoice Client 50% of any Migration Services Fees listed above upon Client approval of the product suite migration schedule. The remaining 50%, by line item, will be billed upon the go-live of the applicable product suite. Tyler will invoice Client for any Project Management Fees listed above upon the go-live of the first product suite. Annual SaaS Fees will be invoiced upon availability of the hosted environment.
 - Expenses associated with onsite services are invoiced as incurred.
- Any SaaS or hosted solutions added to an agreement containing Client-hosted Tyler solutions are subject to Tyler’s SaaS Services terms found here: <https://www.tylertech.com/terms/tyler-saas-services>.

Unless otherwise indicated in the contract or amendment thereto, pricing for optional items will be held For six (6) months from the Quote date or the Effective Date of the Contract, whichever is later.

Customer Approval: _____ Date: _____

Print Name: _____

P.O.#: _____

Client Electronic Payment Costs If absorbing the transaction costs	
<p><u>Client Card Cost</u> – Interchange Plus – per card transaction with Visa, MasterCard, Discover, and American Express for all transactions on top of industry-driven rates for bank fees, card brand fees, interchange fees, dues, assessments, and other processing fees.</p> <p><u>Applied to:</u> New World Systems- online and over the counter</p> <ul style="list-style-type: none"> • Utility Billing • Permits • Miscellaneous 	0.50% + \$0.50
<u>Client eCheck Cost</u> – per electronic check transaction	\$1.95
Miscellaneous Costs	
<u>Credit Card Chargebacks</u> – if a card payer disputes a transaction at the card issuing bank (e.g. stolen card)	\$15.00
<u>eCheck Rejects</u> – when an eCheck transaction comes back as declined (e.g. bounced check)	\$5.00
<u>Card Terminal Rental</u> – Annual recurring fee per device. Covers cost of PCI compliance, service, maintenance, real-time integration and support	Lane 3000 : \$396 (annual recurring)
<u>Card Terminal Purchase</u> – Maintenance fee is an annual fee per device. Covers cost of PCI compliance, service, maintenance, real-time integration and support	Lane 3000 : \$419 (one-time fee) Plus \$180 Device Annual Support
<u>IVR</u> - per transaction on top of Card fee passed to the payer or absorbed	\$0.50