

LEGISTAR: 210290
DISTRICT: ALL

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

_____ Resolution or Ordinance (Blue) _____ Waiver of First Requested
 X Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: VILLAGE PRESIDENT AND BOARD OF TRUSTEES
FROM: Scott Niehaus, Village Manager
DATE: September 15, 2021 (B of T) **Date:** October 7, 2021
TITLE: Amendment to Village Board Policy 6.D. – Sidewalk Policy
SUBMITTED BY: Carl S. Goldsmith, Director of Public Works *g*

BACKGROUND/POLICY IMPLICATIONS:

The Public Works Committee has reviewed and is recommending that the Village Board Policy regarding sidewalks be amended.

FISCAL IMPACT/FUNDING SOURCE:

Review (as necessary):
Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



September 15, 2021

TO: Village President and Board of Trustees

THROUGH: Scott Niehaus, Village Manager

FROM: Carl S. Goldsmith, Director of Public Works *g*

SUBJECT: **Deteriorated Sidewalks**

Staff has undertaken a review of other municipal programs regarding deteriorated sidewalks to ascertain how our program compares. The attached Village Board Policy 6.D. and Department of Public Works SOP #SE-15 detail the Village of Lombard’s program. Upon review of the Village’s current program, staff is recommending amending the policy to address deteriorated sidewalks that are not addressed in the policy. The intent of this policy amendment is to ensure that the Village’s infrastructure is maintained at the highest level and minimizes the Village’s liability. A detailed review of the various elements of the Village’s program can be found below.

Trip Hazards:

The Village defines a “Trip Hazard” as a difference in height in a walking path >1.25”. While the standard for a trip hazard is >1.25”, the Village takes action to alleviate deficient conditions that are below that threshold. When reported and confirmed, when a difference in elevation is noted that exceeds .5” the Village uses an in-house grinding for citizen reports of 0.5”-1.25”, and either slicing or temporary ramping/contractor replacement for citizen reports of >1.25”. In addition, a contractor is proceeding through 27 annual zones to slice anything that they find 0.5”-2.5”. The zones are based on the Village’s snow removal routes and the contractor is completing 2-3 zones per year. The Village’s FY21 contract to replace sidewalks, driveway aprons and curb & gutter is collectively \$357,000. An additional amount of \$25,000 is allocated for sidewalk slicing.

Deteriorated Sidewalks:

The Village has a long-standing 50-50 Sidewalk Replacement Program that replaces any length of sidewalk requested by residents when the residents provides a 50% contribution for each square, which is currently \$77.87/square. A property owner may seek to replace sidewalk due to poor drainage, unevenness, cracking, or spalling. Only a few other communities have a similar cost-share program including Villa Park, Addison, and Naperville. Many other communities appear to not have a well-defined policy but rather leave it up to the staff to decide which sidewalk warrants replacement at the full cost of the municipality. Below is a summary of non-trip hazard sidewalk replacement programs:

Community	Cost-Share?	Publicly Stated Policy?	Replace for Drainage?
<i>Lombard</i>	<i>Yes</i>	<i>Yes</i>	<i>No</i>
Glen Ellyn	No	No	Maybe
Villa Park	Yes	No	No
Downers Grove	No	No	No
Addison	No	Yes	No
Naperville	Yes	Yes	Yes, if water > 3 days
Community	Cost-Share?	Publicly Stated Policy?	Replace for Drainage?

Carol Stream	Yes	Yes	Yes, if >1/2" after 24 hrs
Woodridge	No	No	No

Example photos of non-trip hazard deterioration (locations not in Lombard):



The proposed policy amendment seeks to classify deteriorated sidewalks as either high severity or low severity. While falling short of the 1.25" criterium for a defined trip hazard, sidewalk squares may be considered high severity deterioration if they provide a particular difficulty for walking, and especially for toddlers, wheelchairs and strollers. The proposed amendment to the policy recommends that **high severity deterioration** may be defined as either (a) cracks greater than 0.5 inches wide or (b) depressions larger than 4 square inches and deeper than 1.0 inch within a square due to spalling, depressions or pop-outs as measured by a string line across the square. Staff suggests that the Village Board Policy may be amended to replace such high severity deteriorated sidewalks reported by residents at 100% Village cost. This change is estimated to cost \$2,000 annually based on a dozen locations being reported. The funding for the replacement of sidewalk squares under the high severity deterioration will come from the existing sidewalk program; RM 46.

The Public Works and Environmental Concerns Committee reviewed the proposed policy amendment at their September 14, 2021 meeting and unanimously supported the expanded program.

Recommendation:

The Public Works and Environmental Concerns Committee and staff recommend that the Village Board of Trustees amend Village Board Policy 6.D. to add a 100% Village responsibility to replace severely deteriorated sidewalk as reported by residents.



VILLAGE OF LOMBARD

VILLAGE BOARD POLICY MEMORANDUM

Subject: Sidewalk Policy **Section:** 6.D.
Dept.: PW
Date: January 20, 2005
Revised: May 4, 2017

I. Purpose

To establish the sidewalk installation, maintenance, and replacement programs in the Village of Lombard. This policy replaces all previous versions.

II. Procedures/Guidelines

A. SCHOOLS

1. **3-Block, 1-Side Rule:** All schools are entitled to sidewalks on one side of the street within three (3) blocks of the school property.
2. **Preferred Pedestrian School Route Plan (PPSRP):** School safety committees, the Village Transportation and Safety Committee, and Public Works staff developed the PPSRP in the early 1990s. Detailed studies were performed to determine the student walking routes to schools. The Village incorporated crucial segments of sidewalk into the Capital Improvement Plan and installed the necessary sidewalks.

B. FILL THE GAP & COMPLETE THE BLOCK

1. On improved residential streets, sidewalks will be installed in up to three (3) lots in a city block at 100% Village cost to complete the block. The installation of the sidewalks must complete a continuous walkway around a city block to qualify for this program. Irregular-shaped lots and blocks will be considered on a case by case basis. Funding cap is determined annually during the Capital Improvement Program development process. (Board decision May 20, 1999)
2. On improved residential streets, where there are more than three (3) lots in a city block that do not have sidewalks installed in the public right-of-way, the Village will construct the sidewalks to complete the block. The residents adjacent to the proposed sidewalks must pay for 50% of the cost of the work. The Village will only complete sidewalk improvements in the event that there is unanimous support for the extension of sidewalks. It is a first-come first-served program and applications for the current fiscal year will no longer be accepted once the funds are expended. This program is subject to funding of the program in the Capital Improvement Program.

C. STREET CONSTRUCTION PROJECTS

1. **Unimproved Streets & Special Assessments:** Sidewalks are a component of the street improvement program. Basic improvement costs, including sidewalks, are split 70% Village, 30% adjacent owner. Occasionally, corner lots on the special assessment roll are adjacent to an improved street on one side and an unimproved street on the

other. The basic improvement shall include the installation of sidewalk on both sides of the lot. Cost of the sidewalk on the improved street side of the lot shall also be split 70% Village, 30% adjacent owner.

2. **Reconstruction of Improved Streets:** The Village will install ADA ramps, replace trip hazards, replace construction damage; and replace all deteriorated sidewalks during street reconstruction projects at no cost to the owner. The Village provides 100% funding for the construction of new sidewalks adjacent to all streets under reconstruction where sidewalks did not previously exist. In accordance with Village Board Policy 6.D., a bituminous overlay or a concrete panel replacement do not constitute a reconstruction project. (Board decision January 6, 2000)
3. **Subdivisions:** The Subdivision Ordinance requires sidewalks on both sides for the full length of right-of-way in all cases of plat approvals and developments. ~~Exceptions are rare.~~ Whenever public, sidewalk is required as part of the subdivision ordinance, sidewalk replacement is required in the event that broken or out of proper grade sidewalk is encountered.
4. ~~**Downtown Central Business District Tax Increment Financing District:** Due to the historic nature of the downtown area, brick pavers are incorporated into the sidewalks as a decorative element. Brick pavers are the standard sidewalk construction material for downtown sidewalks or sections of sidewalks in the downtown area.~~
5. **Annexation Agreements:** Construction of sidewalks as part of any unimproved street, special assessment project or as a stand-alone project will be planned and scheduled in accordance with the annexation agreement.

D. TRIP HAZARDS & DETERIORATED SIDEWALK

Sidewalk Management: This program is 100% funded by the Village. The purpose of this program is to have a system that responds to resident calls for trip hazards in sidewalks.

Resident reported trip hazards: Sidewalks with a ~~1 and 1/4 inch~~ difference of one and one quarter (1¼) inch in elevation are considered to be a trip hazard. The Village will address the elevation difference, on a case-by-case basis, via the following process:

1. The Village may temporarily ramp the location within two (2) business days of being notified and will have the hazard corrected within ~~in~~ 1 year.
 2. The Village may grind the sidewalk to alleviate trip hazards in situations where the sidewalk will remain in compliance with the Section 500.12 of the Lombard Specification Manual. The cross section of the ground sidewalk must meet the following criteria:
 - a. The minimum transverse (cross) slope shall be 2%.
 - b. The maximum transverse (cross) slope shall not exceed 4%
 - c. The maximum longitudinal slope shall not exceed 6%
- ~~3.~~ The Village may slice the edge of the sidewalk to eliminate the elevation difference. The slicing of sidewalks is being conducted in accordance with Village's Sidewalk Transition Plan.

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High Severity Deteriorated Sidewalk: Sidewalk squares are individual squares that contain either (a) cracks greater than 0.5 inches wide or (b) depressions larger than four (4) square inches and deeper than one (1) inch within a square due to spalling, depressions or pop-outs as measured by a string line across the square. Squares that meet the standard shall be replaced at 100% by the Village of Lombard. The Village has the sole responsibility to determine if a square meets the criteria for the High Severity Deteriorated Sidewalk Program. An example of a square meeting the High Severity Deteriorated Sidewalk standards can be found below.



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Low Severity Deteriorated sidewalk: An annual program of Lombard's sidewalk budget with a not to exceed of \$20,000 per year. The purpose of the program is to support Lombard residents' efforts to maintain their homes. Low Severity Deterioration includes pop-outs, spalling or surface defects that do not impact the entire square, as depicted on the image below.



The program is a ~~first-come first-served~~ first-come first-served program and applications for the current fiscal year will no longer be accepted once the funds are expended. The resident must pay for 50% of the cost of the work.

The program is based on Lombard's fiscal year (~~January~~ ~~to~~ December). Residents can submit requests to be considered for the current fiscal year. Any request accepted but not funded will not automatically be carried over from one fiscal year to the residents who were accepted but not funded. Residents on the carry over list must notify Public Works beginning 15 April that they want to participate in the upcoming fiscal year's program.

E. SPECIAL SERVICE AREA (SSA)

Occasionally, a SSA is used to finance the installation of sidewalks in an area not part of another construction project.

SUMMARY OF SIDEWALK POLICIES

1. Installation at 100% Village cost

- a. Near schools - 3 block, 1 side rule; PPSRP
- b. Near Prairie Path or Great Western Trail (trail connections)
- c. Construction damage, ADA, after regrading (during a Village construction project)
- d. Trip hazards of 1¼ "
- e. Gaps of 3 lots or less in a continuous walkway around city block
- f. All gaps in an improved street construction area
- g. Major trail or pedways
- h. State or Federal assistance (STP, TCM or CMAQ) ~~—~~
- i. High Severity Deteriorated Sidewalk Program

2. Installation at 70% Village cost; 30% resident cost

Special Assessment street improvement (part of basic improvement)

3. Installation at 50% Village cost; 50% owner cost

- a. Low Severity Deteriorated ~~sidewalk~~ Sidewalk program
- b. Complete the Block

4. Installation at 100% owner cost

- a. Special Service Areas (such as Roosevelt Road sidewalks)
- b. New subdivisions
- c. New "in-fill" home construction

III. Legislation/Documentation

- A. Village Board of Trustees meeting May 4, 2017
- B. Public Works Committee meeting March 14, 2017
- C. Public Works Committee meeting January 14, 2014
- D. Public Works Committee meeting November 25, 2013
- E. Minutes Board of Trustees meeting January 20, 2005
- B. Minutes Board of Trustees meeting January 6, 2000
- C. Minutes Board of Trustees meeting June 17, 1999

D. Minutes Board of Trustees meeting June 3, 1999
E. Minutes Board of Trustees meeting May 20, 1999



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- 2.** On improved residential streets, where there are more than three (3) lots in a city block that do not have sidewalks installed in the public right-of-way, the Village will construct the sidewalks to complete the block. The residents adjacent to the proposed sidewalks must pay for 50% of the cost of the work. The Village will only complete sidewalk improvements in the event that there is unanimous support for the extension of sidewalks. It is a first-come first-served program and applications for the current fiscal year will no longer be accepted once the funds are expended. This program is subject to funding of the program in the Capital Improvement Program.

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4. **Central Business District:** Due to the historic nature of the downtown area, brick pavers are incorporated into the sidewalks as a decorative element.
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**VILLAGE OF LOMBARD
DEPARTMENT OF PUBLIC WORKS
STANDARD OPERATING PROCEDURES**



SOP: Sidewalk Trip Hazard Repair

SOP #: SE-15

Division(s): Streets/Electrical

Date: 10/19/2009

Revised: 4/1/2021

Approved: 

Purpose:

The purpose of this procedure is to limit liability to the Village by providing a timely investigation into a report of a possible trip hazard in the public sidewalk, and providing a temporary “ramp” between displaced sections of sidewalk that meet the standard of a trip hazard. In addition to removing potential trip hazards, this procedure provides for the improvement of locations that do not meet the criteria for a trip hazard, but have minor displacement between sections of sidewalk. The Village’s definition of a trip hazard is displacement of 1.25” or greater between sidewalk slabs.

Procedure:

When a call is received informing the village of a possible trip hazard, a request will be entered into Cartegraph to inspect for a possible trip hazard. A text will be sent out to “10” the Street Division service distribution group through InformaCast. This request will be investigated as soon as possible. The request must be investigated within two (2) business days of being notified of the possible trip hazard. Employees must wear all appropriate PPE while performing this task. This includes steel-toe boots and a retro-reflective vest. If it is necessary to use the sidewalk grinder, safety glasses, hearing protection and an appropriate respirator will be required in addition to the previously stated PPE. Employees should reference the PPE matrix for detailed information regarding protective equipment requirements. Equipment to be used includes a pickup truck and the trip hazard trailer. On the trailer there will be brooms, shovels, tamper, cold patch, tape measure, angle finding digital level, garbage can, sidewalk grinder, HEPA vacuum and generator.

- 1. Displacement greater than 1.25”:** Employees will ramp the difference in height with cold patch and tamp down the material in order to create a smooth transition. Any excess or loose material will be cleaned up once the ramp is completed. A “Trip Hazard Investigate” task will be created in Cartegraph. The 1.25” or greater option will be selected from the dropdown menu and the ramped box checked. Resources will be entered in Cartegraph to reflect the time and materials used to complete the task. The Cartegraph entry will be done in the field as the work is completed. Once the task is completed the request will automatically be closed and a task created for engineering to replace the section of sidewalk that is displaced. 1 employee is required for this procedure.

2. **Displacement less than 1.25” and Greater than .5”:** Employees will not place any ramp between displaced sections of sidewalk. A “Trip Hazard Investigate” task will be created and the .5” to 1.25” option will be selected from the dropdown menu. Notes and resources will be entered. The Cartegraph entry will be done in the field as the work is completed. Once the task is completed the request will automatically be closed and a “Sidewalk Grind” task will be generated to be completed at a later time. When conditions warrant grinding of the sidewalk, the employee will use the sidewalk grinder to grind down the raised section of sidewalk to create a smooth transition between the two slabs of sidewalk. The HAPA vacuum will be attached to the grinder and run any time sidewalk grinding is to be done. The vacuum will also be used to clean up any residual dust left behind from grinding. Once completed, the ground section between the sidewalk slabs will not exceed 6 percent longitudinal slope and 4 percent cross slope. The “Grind Sidewalk” task in Cartegraph will be completed to reflect the time and materials used to complete the task. The Cartegraph entry will be done in the field as the work is completed. 1 Employee is required for this procedure.

3. **Displacement less than .5”:** If displacement less than .5” is found a “Trip Hazard Investigate” task will be created and under .5” will be selected from the dropdown menu. Notes will be added to indicate nothing was found and the task closed. Closing the task will automatically close the request. The Cartegraph entry will be done in the field as the work is completed. 1 Employee is required for this procedure.