

Village of Lemont

Mayor

John Egofske

Village Clerk

Charlene Smollen

Administrator

George J. Schafer



Trustees

Janelle Kittridge

Ryan Kwasneski

Ken McClafferty

Dave Maher

Rick Sniegowski

Ronald Stapleton

VILLAGE BOARD MEETING

September 09, 2019 – 6:30 PM

Village Hall – Village Board Room

418 Main Street, Lemont, IL 60439

AGENDA

I. Pledge of Allegiance

II. Roll Call

III. Consent Agenda

A. Approval of Minutes

1. August 26, 2019 Village Board Meeting Minutes

B. Approval of Disbursements

C. An Ordinance Amending Title 5 of the Lemont Illinois Municipal Code

D. An Ordinance Amending Title 9 of The Lemont, Illinois Municipal Code

E. An Ordinance Amending Title 13 (Public Utilities) of The Village Municipal Code

IV. Mayor's Report

A. Audience Participation

V. Clerk's Report

A. Ordinance

1. An Ordinance Authorizing the issuance of Taxable General Obligation Refunding Bonds (Alternate Revenue Source), in one or more series, of the Village of Lemont, Cook, DuPage and Will Counties, Illinois, in an aggregate principal amount not to exceed \$3,600,000 for the purpose of refunding certain outstanding obligations of the Village and paying for costs related thereto

2. An Ordinance authorizing the issuance of Waterworks and Sewerage Revenue Bonds of the Village of Lemont, Cook, DuPage and Will Counties, Illinois, in an aggregate principal amount not to exceed \$6,000,000 or, in lieu thereof, General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source) (said bonds being general obligation bonds to be issued in one or more series, on a taxable or tax-exempt basis, for which property taxes, unlimited as to rate or amount, may be levied, but which are expected to be paid from the net revenues of the waterworks and sewerage system of said Village) in an aggregate principal amount not to exceed \$6,000,000, for the purpose of paying the costs of improving the waterworks and sewerage system of the Village

B. Resolution

1. A Resolution Authorizing Award of Contract for Stephen Resurfacing Illinois Street to River Street
2. A Resolution Approving a Final Plat of Subdivision of Lots 1A, 3A and 5A in the Townhomes at Seven Oaks Located at 14280 McCarthy Road in Lemont, IL (Seven Oaks Resubdivision)

- VI. Village Attorney Report
- VII. Village Administrator Report
- VIII. Board Reports
- IX. Staff Reports
- X. Unfinished Business
- XI. New Business
- XII. Executive Session Discussion Under Chapter 5 ILCS
 1. Real Estate Purchase or Lease 2(c)5
 2. Setting Price for Real Estate 2(c)6
 3. The compensation of an Employee(s) 2(c)1
- XIII. Action on Closed Session Item(s)
- XIV. Motion to Adjourn

Minutes
VILLAGE BOARD MEETING
Village Hall – 418 Main Street
August 26, 2019
6:30 p.m.

The regular meeting of the Lemont Village Board was held on Monday, August 12, 2019 at 6:30 p.m., with Mayor John Egofske presiding.

I. PLEDGE OF ALLEGIANCE

ROLL CALL: Kwasneski, Maher, McClafferty, Sniegowski, Stapleton, Kittridge; present.

II. CONSENT AGENDA

A. Approval of Minutes

1. August 12, 2019 Village Board Meeting Minutes
2. August 19, 2019 Village Board COW Meeting Minutes

B. Approval of Disbursements

C. Ordinance O-64-19 Creating Article XX111 (“Hotel and Motel Occupancy Tax”) of Chapter 3 (“Revenue and Finance”) of The Village Code of The Village of Lemont

D. Ordinance O-65-19 Amending Title 5 of The Lemont, Illinois Municipal Code

E. Resolution R-76-19 Authorizing the order and purchase of Police Vehicles

F. Resolution R-77-19 of Inducement Pertaining to Capital Improvement Projects to be Constructed in Conjunction with the Establishment of the Triangle TIF District by The Village of Lemont, Counties of Cook, Will and DuPage, Illinois

Motion to approve the consent agenda by Sniegowski, seconded by Maher, to approve the above items on the consent agenda by omnibus vote.

Roll call: Kwasneski, Maher, McClafferty, Sniegowski, Stapleton, Kittridge; 6 ayes.
Motion passed.

III. MAYOR'S REPORT

A. Mayor's Mention

1. Our Farmers Market, "Tuesday's on Talcott," is tomorrow and every Tuesday through October from 8 a.m. – 1 p.m. in the Talcott parking lot.
There are more new vendors. We have a family owned apple orchard, "Apples on Oak," bringing over 20 apple varieties with no pesticides or herbicides, and they will also bring apple pies.
"Gun-der-sen Orchards" is a small fruit farm from Michigan joining the market and bringing the freshest and tastiest fruits including peaches, plums, pears, berries, grapes and more.
Villas Nuts and Candy will be selling bulk nuts, candy, popcorn, caramel candy, Tamarind apples and Italian Ice. They will have chocolate items when the weather is cooler.
A local vendor will join the market for a few weeks selling French Macaroons.
"Making Memories with Butterflies" will be selling butterfly kits and will be at the market each week as long as she has butterflies.
Visit our website at, lemont.il.us/FarmersMarket , for more information.
2. The last Lemont Legends Cruise Night is this Wednesday from 6-9 p.m., in downtown Lemont. Visit, myhcba.com, for more information.
3. Another reminder to residents that Census 2020 Neighborhood Address Canvassing started on August 4 and continues through October 18. You may see hired Address Canvasser's in our neighborhood confirming residential locations to ensure the Census Bureau address list is accurate. Canvassers will have an official government badge with a photo ID, an official bag and an official laptop. If you have any questions regarding this, please contact the Chicago Regional Office in Oak Brook at 800-865-6384.
4. People are anxious and asking us when Rosebud Lemont is going to open, and there is a rumor starting that it is this weekend.

I can tell you that they are NOT opening this weekend. Most often, restaurants will have an unannounced soft opening. So, again I can let you know that it is NOT this weekend, and when the time comes, if they want us to share the opening date, we will.

B. Audience Participation- None

IV. CLERK'S REPORT

A. Ordinance

1. Ordinance O-66-19 Amending Title 10 of the Lemont, Illinois Municipal Code

Motion by Sniegowski, seconded by Maher, to adopt said ordinance. Roll call: Kwasneski, Maher, McClafferty, Sniegowski, Stapleton, Kittridge; 6 ayes. Motion passed.

2. Ordinance O-67-19 Amending the Zoning Map of The Village of Lemont from B-3 Arterial Commercial District to B-4 Commercial Recreation District at the Northwest corner of Walker Road and Main Street, 14501-14507 Main Street in Lemont, IL (The Forge Main Street Parcel)

Motion by McClafferty, seconded by Kittridge, to adopt said ordinance. Roll call: Kwasneski, Maher, McClafferty, Sniegowski, Stapleton, Kittridge; 6 ayes. Motion passed.

3. Ordinance O-68-19 Amending Title 17 of the Lemont Municipal Code, The Lemont Unified Development Ordinance of 2008 (UDO Amendments)

Motion by Stapleton, seconded by Kwasneski, to adopt said ordinance. Roll call: Kwasneski, Maher, McClafferty, Sniegowski, Stapleton, Kittridge; 6 ayes. Motion passed.

B. Resolution

1. Resolution R-78-19 Approving an Agreement with Terra Engineering, Ltd.

Motion by Maher, seconded by McClafferty, to adopt said resolution. Roll call: Kwasneski, Maher, McClafferty, Sniegowski, Stapleton, Kittridge; 6 ayes. Motion passed.

2. Resolution R-79-19 Approving an Agreement with Kane, McKenna and Associates, Inc. (I&M TIF)

Motion by Stapleton, seconded by McClafferty, to adopt said resolution. Roll call: Kwasneski, Maher, McClafferty, Sniegowski, Stapleton, Kittridge; 6 ayes. Motion passed.

3. Resolution R-80-19 Authorizing the Execution of Agreements for the Refunding and Selling of General Obligation Bonds

Motion by Maher, seconded by Sniegowski, to adopt said resolution. Roll call: Kwasneski, Maher, McClafferty, Sniegowski, Stapleton, Kittridge; 6 ayes. Motion passed.

V. VILLAGE ADMINISTRATOR REPORT- NONE

VI. BOARD REPORTS- None

VII. STAFF REPORTS-

Public Works-

1. Route 83 & Main St. has had many complaints. Both projects should be completed by November. Water mains should be in by mid-October.

Police-

1. Safety concerns have been made concerning Oakwood drop-off points
2. Passing a bus stop sign has increase in fine, plus a 3 month suspension.

Administration-

1. Checkout our new website covering businesses in town.
2. Click on website to give opinions on website on survey question.

VIII. UNFINISHED BUSINESS-

We are looking into the White Supremacist literature passed out last Sunday in many of our neighborhood.

IX. NEW BUSINESS- NONE

X. EXECUTIVE SESSION-

Motion by Sniegowski, seconded by McClafferty, to close regular session and to move into Executive Session Discussion under Chapter 5 ILCS 120 of the Open Meetings Act to discuss:

- A. Real Estate Purchase or Lease 2(c)5
- B. Setting Price for Real Estate 2(c)6
- C. Pending Litigation 2(c)11

Roll Call: Kwasneski, Maher, McClafferty, Sniegowski, Stapleton, Kittridge; 6 ayes. Motion passed.

XI. MOTION TO ADJOURN

There being no further business, a motion was made by Maher, seconded by Stapleton, to adjourn the meeting at 8:20 p.m. VV 6 ayes. Motion passed.

Payment Register

From Payment Date: 8/27/2019 - To Payment Date: 9/9/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
FM-Clearing - Accounts Payable									
Check									
19886	08/28/2019	Open			Utility Management Refund	KOSMONAS, VIDA	\$6.75		
			<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>		
			Single Family	102810-001	Refund final balance	08/28/2019	Refund		
19887	08/28/2019	Reconciled			09/04/2019 Utility Management Refund	WIECZOREK, MATTHEW	\$90.95	\$90.95	\$0.00
			<u>Account Type</u>	<u>Account Number</u>	<u>Description</u>	<u>Transaction Date</u>	<u>Transaction Type</u>		
			Single Family	204654-002	Refund final balance	08/28/2019	Refund		
19888	09/09/2019	Open			Accounts Payable	5th Avenue Construction	\$1,500.00		
			<u>Invoice</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>			
			2018-00000673	08/21/2019	refund clean up deposit - 12866 Collina Ln	\$1,000.00			
			2018-00000673(T)	08/21/2019	refund Temp Occ Bond - 12866 Collina Ln	\$500.00			
19889	09/09/2019	Open			Accounts Payable	Airy's Inc	\$805.95		
			<u>Invoice</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>			
			23297	08/15/2019	Keepataw Trails l/s inspection	\$805.95			
19890	09/09/2019	Open			Accounts Payable	Automatic Control Services	\$3,122.50		
			<u>Invoice</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>			
			4446	08/22/2019	well 5 & 6 repair	\$665.00			
			4449	08/22/2019	well 3 repair	\$2,457.50			
19891	09/09/2019	Open			Accounts Payable	Avalon Petroleum Company	\$11,319.33		
			<u>Invoice</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>			
			465343	08/19/2019	1495 gallons regular	\$3,866.08			
			465012	08/07/2019	1700 gallons regular	\$4,502.45			
			020089	08/26/2019	1200 gallons diesel	\$2,950.80			
19892	09/09/2019	Open			Accounts Payable	Azavar Audit Solutions	\$5.76		
			<u>Invoice</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>			
			148091	09/01/2019	Sep 2019 utility audit contingency pmt	\$5.76			
19893	09/09/2019	Open			Accounts Payable	Braniff Communications Inc.	\$10,410.00		
			<u>Invoice</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>			
			0032342	08/09/2019	Labor, Field Services	\$8,660.00			
			0032343	08/09/2019	Equipment Rental	\$1,750.00			
19894	09/09/2019	Open			Accounts Payable	Bruno's Tuckpointing, Inc.	\$8,890.00		
			<u>Invoice</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>			
			19-0742	08/21/2019	State & Illinois wall repair	\$6,995.00			
			19-0473	08/29/2019	State & Illinois wall repair	\$1,895.00			
19895	09/09/2019	Open			Accounts Payable	Chicago Parts Sound, LLC	\$1,640.46		
			<u>Invoice</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>			
			1-0090521	08/06/2019	parts	\$127.32			
			1-0090479	08/06/2019	parts	\$794.86			
			1-0094351	08/21/2019	parts	\$718.28			
19896	09/09/2019	Open			Accounts Payable	Chicago Street CCDD, LLC	\$1,230.00		
			<u>Invoice</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>			
			17899	07/31/2019	Dump fees 1 Rod Road	\$1,230.00			

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
19897	09/09/2019	Open			Accounts Payable	Chicago Tribune Media Group	\$90.52		
	Invoice		Date	Description		Amount			
	008358654000		08/01/2019	Public Hearings		\$90.52			
19898	09/09/2019	Open			Accounts Payable	Cintas Corporation	\$148.60		
	Invoice		Date	Description		Amount			
	5014531847		08/20/2019	0010444222 - First Aid cabinet service - P.D.		\$148.60			
19899	09/09/2019	Open			Accounts Payable	College of DuPage	\$799.00		
	Invoice		Date	Description		Amount			
	10383		08/19/2019	14537434 registration		\$799.00			
19900	09/09/2019	Open			Accounts Payable	ComEd	\$750.41		
	Invoice		Date	Description		Amount			
	19-08-8014		08/23/2019	3909078014 - street lights - illinois, e of stephen		\$39.95			
	19-08-8029		08/27/2019	0615008029 - EDBOSSERT DR METR 0 E STATE ST		\$42.53			
	19-08-0007		08/23/2019	1173160007 - street lights - talcott, e of stephen		\$236.05			
	19-08-4052		08/23/2019	2163104052 - street lights - stephen st 1 S river		\$83.09			
	19-08-9011(2)		08/29/2019	6534089011 - street lights - 411 Singer Ave Rear		\$279.45			
	19-08-2285		08/22/2019	1389012285 - 0 W State St, 1N Canal*Festival Lemont		\$69.34			
19901	09/09/2019	Open			Accounts Payable	Crawford, Murphy, Tilly, Inc.	\$92.50		
	Invoice		Date	Description		Amount			
	0205255		08/15/2019	Long Term Control Plan		\$92.50			
19902	09/09/2019	Open			Accounts Payable	Crystal Maintenance Services Corporation	\$3,025.00		
	Invoice		Date	Description		Amount			
	26236		08/20/2019	Cleaning Services		\$3,025.00			
19903	09/09/2019	Open			Accounts Payable	Dustcatchers, Inc.	\$68.10		
	Invoice		Date	Description		Amount			
	64434-00		08/09/2019	pd floor mats		\$68.10			
19904	09/09/2019	Open			Accounts Payable	Dynegy Energy Services LLC	\$40,254.66		
	Invoice		Date	Description		Amount			
	153917619081		08/28/2019	GMCVLG1004		\$8,395.78			
	9085319081		08/26/2019	GMCVLG1001		\$31,858.88			
19905	09/09/2019	Open			Accounts Payable	EJ USA, Inc.	\$429.00		
	Invoice		Date	Description		Amount			
	110190064796		08/14/2019	grates		\$429.00			
19906	09/09/2019	Open			Accounts Payable	Fred Bluder & Son Tree Service	\$2,600.00		
	Invoice		Date	Description		Amount			
	19-20-08		08/20/2019	tree and stump removal various dates and locations		\$2,600.00			
19907	09/09/2019	Open			Accounts Payable	GCS Supply, LLC	\$247.80		
	Invoice		Date	Description		Amount			
	IVC0130469		08/21/2019	marking paint		\$247.80			
19908	09/09/2019	Open			Accounts Payable	Guaranteed Technical Services And Consulting, Inc.	\$910.00		
	Invoice		Date	Description		Amount			
	2018818		08/27/2019	I.T. Support		\$910.00			

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
19909	09/09/2019	Open			Accounts Payable	Infinisource Benefit Services	\$27.45		
	Invoice		Date	Description		Amount			
	90678337		08/15/2019	COBRA Admin		\$27.45			
19910	09/09/2019	Open			Accounts Payable	Jessen, Kevin	\$196.86		
	Invoice		Date	Description		Amount			
	24836		07/29/2019	dial guage		\$23.05			
	25512		08/12/2019	tools		\$173.81			
19911	09/09/2019	Open			Accounts Payable	K-FAM LIMITED LIABLITY COMPANY	\$1,398.60		
	Invoice		Date	Description		Amount			
	17838		08/15/2019	19GM blackout		\$1,398.60			
19912	09/09/2019	Open			Accounts Payable	Klein Thorpe & Jenkins Ltd	\$268.62		
	Invoice		Date	Description		Amount			
	1184-003		08/26/2019	Tax Legal		\$222.62			
	4113-003		08/26/2019	Tax Legal		\$46.00			
19913	09/09/2019	Open			Accounts Payable	LocalGovNews.org	\$1,200.00		
	Invoice		Date	Description		Amount			
	10242019		07/30/2019	Local Government News 10/24/19 to 10/24/20		\$1,200.00			
19914	09/09/2019	Open			Accounts Payable	Marth Construction	\$6,500.00		
	Invoice		Date	Description		Amount			
	2018-00000915		08/20/2019	Clean Up Bond-12897 Belmont Pkwy		\$1,000.00			
	2018-00000915(L)		08/20/2019	Clean Up Bond-12897 Belmont Pkwy		\$5,500.00			
19915	09/09/2019	Open			Accounts Payable	Metropolitan Industries Inc	\$45.00		
	Invoice		Date	Description		Amount			
	INV008777		08/15/2019	data connection fee		\$45.00			
19916	09/09/2019	Open			Accounts Payable	Municipal Code Corporation	\$3,833.07		
	Invoice		Date	Description		Amount			
	00331441		07/29/2019	Code Book Printing		\$3,127.50			
	00332026		08/07/2019	Code Book Printing		\$705.57			
19917	09/09/2019	Open			Accounts Payable	National Power Rodding Corp	\$7,012.50		
	Invoice		Date	Description		Amount			
	50538		08/20/2019	sewer televising and cleaning		\$7,012.50			
19918	09/09/2019	Open			Accounts Payable	NiCor Gas	\$35.87		
	Invoice		Date	Description		Amount			
	19-08-1000 5		08/19/2019	84-38-99-1000 5 chestnut crossing l/s		\$35.87			
19919	09/09/2019	Open			Accounts Payable	Novotny Engineering	\$106.50		
	Invoice		Date	Description		Amount			
	18135-8		06/25/2019	Forge Engineering Services		\$106.50			
19920	09/09/2019	Open			Accounts Payable	Parent Petroleum Inc	\$313.34		
	Invoice		Date	Description		Amount			
	1294381		08/26/2019	supplies		\$313.34			
19921	09/09/2019	Open			Accounts Payable	PDC Laboratories	\$290.00		
	Invoice		Date	Description		Amount			
	I9382106		08/21/2019	sample testing		\$290.00			

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
19922	09/09/2019	Open			Accounts Payable	Poellot, Joshua, J	\$500.00		
	Invoice		Date	Description		Amount			
	30119		09/01/2019	Aug 2019 Community TV A/V Support		\$500.00			
19923	09/09/2019	Open			Accounts Payable	Proven Business Systems, LLC	\$509.12		
	Invoice		Date	Description		Amount			
	626083		08/19/2019	3726-07 pw copier		\$509.12			
19924	09/09/2019	Open			Accounts Payable	Quill Corporation	\$95.98		
	Invoice		Date	Description		Amount			
	9539199		08/16/2019	VH office, breakroom supplies		\$95.98			
19925	09/09/2019	Open			Accounts Payable	Rag's Electric	\$1,443.65		
	Invoice		Date	Description		Amount			
	22258		08/20/2019	street light repair 1183 128th street		\$1,443.65			
19926	09/09/2019	Open			Accounts Payable	Rainbow Printing	\$628.85		
	Invoice		Date	Description		Amount			
	413825		08/23/2019	#10 utility bill window envelopes		\$195.95			
	413829		09/03/2019	Notices		\$96.95			
	413824		08/23/2019	#10 envelope printing		\$335.95			
19927	09/09/2019	Open			Accounts Payable	Ray O'Herron Co., Inc.	\$69.98		
	Invoice		Date	Description		Amount			
	1945798-IN		08/20/2019	Uniforms-Police Dept.		\$69.98			
19928	09/09/2019	Open			Accounts Payable	Rod Baker Ford	\$151.91		
	Invoice		Date	Description		Amount			
	179057		08/29/2019	parts		\$151.91			
19929	09/09/2019	Open			Accounts Payable	Route 66 Asphalt Company a K-Five Company	\$22,177.39		
	Invoice		Date	Description		Amount			
	17834		08/19/2019	19GM blacktop		\$686.46			
	17579		08/12/2019	1 Rod Rd		\$17,855.76			
	17525		08/09/2019	1 Rod Rd		\$439.35			
	17578		08/12/2019	1 Rod Rd		\$1,639.30			
	17593		08/13/2019	1 Rod Rd		\$1,556.52			
19930	09/09/2019	Open			Accounts Payable	Shaw Media	\$334.00		
	Invoice		Date	Description		Amount			
	061910074589		06/30/2019	Farmer's Market-Back Page		\$334.00			
19931	09/09/2019	Open			Accounts Payable	Shred-It USA, LLC	\$107.00		
	Invoice		Date	Description		Amount			
	8127950795		08/22/2019	Shredding Services-PD		\$64.20			
	8127949224		08/22/2019	VH shredding 13316714		\$42.80			
19932	09/09/2019	Open			Accounts Payable	Snap-On Industrial	\$1,660.66		
	Invoice		Date	Description		Amount			
	40852412		08/12/2019	shop key		\$902.44			
	40756540		08/01/2019	shop key		\$758.22			
19933	09/09/2019	Open			Accounts Payable	Southwest Central Dispatch	\$23,330.07		
	Invoice		Date	Description		Amount			
	19-18-15		08/15/2019	SEP 2019 ASSESSMENT		\$23,330.07			

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
19934	09/09/2019	Open			Accounts Payable	Southwest Digital Printing, Inc.	\$50.00		
	Invoice						Amount		
	08-2208ma19		Date	Description			Amount		
			08/27/2019	Aug 2019 plotter maintenance			\$50.00		
19935	09/09/2019	Open			Accounts Payable	Third Millennium Associates Inc	\$2,117.74		
	Invoice						Amount		
	23800		Date	Description			Amount		
			08/26/2019	Vehicle Stickers			\$2,017.74		
	23801		08/26/2019	Vehicle Stickers - additional tags			\$100.00		
19936	09/09/2019	Open			Accounts Payable	Total Parking Solutions Inc.	\$6,660.00		
	Invoice						Amount		
	104668		Date	Description			Amount		
			07/31/2019	parking terminals 10/1/19 thru 9/30/20			\$3,780.00		
	104669		07/31/2019	monitoring for parking terminals 10/1/19 thru 9/30/20			\$2,880.00		
19937	09/09/2019	Open			Accounts Payable	Urban Forest Management, Inc.	\$906.25		
	Invoice						Amount		
	190722		Date	Description			Amount		
			08/26/2019	Plan Development - services for July 2019			\$290.00		
	190721		08/20/2019	Planning Development for July 2019			\$362.50		
	190723		08/20/2019	Planning Development for July 2019			\$253.75		
19938	09/09/2019	Open			Accounts Payable	Vulcan Materials	\$1,537.01		
	Invoice						Amount		
	32074886		Date	Description			Amount		
			08/20/2019	19GM gravel			\$305.72		
	32081158		08/27/2019	path screenings			\$516.57		
	32074887		08/20/2019	19GM gravel			\$714.72		
19939	09/09/2019	Open			Accounts Payable	WEX Fleet Universal	\$179.20		
	Invoice						Amount		
	61063597		Date	Description			Amount		
			08/31/2019	retail fuel August 2019			\$179.20		
19940	09/09/2019	Open			Accounts Payable	Zencity Technologies US Inc.	\$6,000.00		
	Invoice						Amount		
	1082		Date	Description			Amount		
			07/31/2019	Social Media Subscription			\$6,000.00		
19941	09/09/2019	Open			Accounts Payable	Illinois State Police	\$30.00		
	Invoice						Amount		
	2019096491		Date	Description			Amount		
			08/27/2019	T Udvare			\$30.00		
19942	09/09/2019	Open			Accounts Payable	Office of the Illinois Attorney General	\$30.00		
	Invoice						Amount		
	2019096491		Date	Description			Amount		
			08/27/2019	T. UDVARE			\$30.00		
19943	09/09/2019	Open			Accounts Payable	Treasurer, State of Illinois	\$5.00		
	Invoice						Amount		
	2019096491		Date	Description			Amount		
			08/27/2019	T. UDVARE			\$5.00		
19944	09/09/2019	Open			Accounts Payable	APO Custom Homes	\$6,500.00		
	Invoice						Amount		
	2016-00000987		Date	Description			Amount		
			08/27/2019	refund Clean Up Deposit, Landscape Bond, Temp. Occ Bond			\$6,500.00		
19945	09/09/2019	Open			Accounts Payable	Morgan Homes LLC	\$1,000.00		
	Invoice						Amount		
	2018-00001145		Date	Description			Amount		
			08/29/2019	Refund - 313 E. Logan Street			\$1,000.00		

Payment Register

From Payment Date: 8/27/2019 - To Payment Date: 9/9/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference	
19946	09/09/2019	Open			Accounts Payable	Morgan Homes LLC	\$1,000.00			
	Invoice		Date	Description		Amount				
	2018-00000477		08/20/2019	Refund - 604 Valley Dr.		\$1,000.00				
19947	09/09/2019	Open			Accounts Payable	Umbrella Property Services Corp.	\$1,000.00			
	Invoice		Date	Description		Amount				
	2019-00000119		08/21/2019	refund Clean up Deposit - 310 Freehauf		\$1,000.00				
19948	09/09/2019	Open			Accounts Payable	Verhoeven, Brian	\$84.00			
	Invoice		Date	Description		Amount				
	19-23-08 BV		08/23/2019	refund for Metra Parking Pass #0153		\$84.00				
Type Check Totals:										
EFT										
530										
	08/30/2019	Open			Accounts Payable	Illinois Municipal Retirement Fund	\$59,911.73			
	Invoice		Date	Description		Amount				
	81468		08/30/2019	Aug 2019 contributions		\$59,911.73				
531	09/09/2019	Open			Accounts Payable	CareerBuilder Employment Screening, LLC	\$140.65			
	Invoice		Date	Description		Amount				
	AUR1140384		08/31/2019	Background Search		\$140.65				
532	09/09/2019	Open			Accounts Payable	Neopost #6083457	\$2,000.00			
	Invoice		Date	Description		Amount				
	19-09-01		09/01/2019	via ACH - POC # 6083457		\$2,000.00				
533	09/09/2019	Open			Accounts Payable	PCM/TigerDirect Business	\$487.07			
	Invoice		Date	Description		Amount				
	B12407700101		08/20/2019	Keyboard and Mouse		\$487.07				
534	09/09/2019	Open			Accounts Payable	Tate, Jamie, M	\$946.00			
	Invoice		Date	Description		Amount				
	19-16		08/27/2019	08/05/19-08/18/19 planning services		\$946.00				
Type EFT Totals:										
FM-Clearing - Accounts Payable Totals										
							63 Transactions	\$187,772.91	\$90.95	\$0.00
							5 Transactions	\$63,485.45		

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	62	\$187,681.96	\$0.00
	Reconciled	1	\$90.95	\$90.95
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	63	\$187,772.91	\$90.95
EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	5	\$63,485.45	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	5	\$63,485.45	\$0.00
All	Status	Count	Transaction Amount	Reconciled Amount
	Open	67	\$251,167.41	\$0.00
	Reconciled	1	\$90.95	\$90.95
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00

Payment Register

From Payment Date: 8/27/2019 - To Payment Date: 9/9/2019

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
Grand Totals:					Total		68	\$251,258.36	\$90.95
Checks				Status	Count	Transaction Amount	Reconciled Amount		
				Open	62	\$187,681.96	\$0.00		
				Reconciled	1	\$90.95	\$90.95		
				Voided	0	\$0.00	\$0.00		
				Stopped	0	\$0.00	\$0.00		
				Total	63	\$187,772.91	\$90.95		
EFTs				Status	Count	Transaction Amount	Reconciled Amount		
				Open	5	\$63,485.45	\$0.00		
				Reconciled	0	\$0.00	\$0.00		
				Voided	0	\$0.00	\$0.00		
				Total	5	\$63,485.45	\$0.00		
All				Status	Count	Transaction Amount	Reconciled Amount		
				Open	67	\$251,167.41	\$0.00		
				Reconciled	1	\$90.95	\$90.95		
				Voided	0	\$0.00	\$0.00		
				Stopped	0	\$0.00	\$0.00		
				Total	68	\$251,258.36	\$90.95		

TO: Village Board
FROM: Chief Marc R. Maton
THROUGH: Village Administrator George Schafer
SUBJECT: License for solicitation in the public right-of-way.
DATE: September 9, 2019

SUMMARY/ BACKGROUND

The Village of Lemont has had an ordinance in place establishing rules and regulation for obtaining a license for solicitation in the public right of way. On May 8th, 2019. The Village of Lemont Traffic Safety Committee recommended the updating of the current ordinance to increase the safety of the general public and Solicitors.

ANALYSIS

Consistency with Village Policy

The Village has a stake in ensuring that motorist, pedestrians and solicitors have a safe environment in which to travel and work. The Traffic Safety Committee reviewed the current ordinance after receiving a complaint of unsafe conditions during solicitation events, and determined that the ordinance was too broad and lacked several basic safety restrictions. The additions to the ordinance will place appropriate restrictions on the amount of solicitation that is allowed and increase safety measures.

New recommendations include the mandated wearing of ANSI reflective safety vests, designations of certain intersections for in-street solicitation, limitations to Lemont area organizations, requirement for solicitor identification, and restrictions on hours of solicitation.

Budget (if applicable). Not applicable

Procurement Policy (if applicable). Not applicable.

Other Subheadings, as applicable. Please Specify.

Ordinance Section The Village Code, as amended, with deletions in strikethrough and additions in underlined text so that Section 5.10.020 shall be read as follows:

5.10.020. - License for solicitation in the public right-of-way.

- (a) *License eligibility.* The only individuals or entities permitted to apply for and obtain a license for solicitation in the public right-of-way, as provided in this section, are Village of Lemont based individuals or entities, or entities that support or benefit Village of Lemont residents, who solicit funds for patriotic, philanthropic, charitable, political or religious purposes.
- (b) *Application requirements.* Application for a license for solicitation in the public right-of-way shall be upon a form provided by the chief of police, and filed with the police department not later than ten business days before the date that the solicitation is to begin. The applicant shall truthfully state in full the information requested on the application, as follows:
 - (1) The name and address of the applicant;
 - (2) Description sufficient for identification of the subject matter of the solicitation which the applicant will engage in and the purpose for the activity which will include an outline of the methods to be used in conducting the solicitations;
 - (3) The date or dates and times of day when the solicitation is to occur;
 - (4) The location or locations where the solicitation is to occur along with a list of three alternate locations listed in order of preference;
 - (5) Proof of a valid liability insurance policy in the amount of at least \$1,000,000.00 insuring the applicant against bodily injury and property damage arising out of or in connection with the solicitation;
 - (6) Also, such additional information as the chief of police of the village may deem necessary to process the application.
- (c) *Public safety restrictions.* The following restrictions apply to solicitation in village rights-of-way:
 - (1) No more than one permit holder may solicit in any one intersection in a village right-of-way at one time.
 - (2) American National Standards Institute (ANSI) approved Reflective vests must be worn at all times.
 - (3) At least two individuals must be present at all times.
 - (4) All participants must be at least 18 years of age.
 - (5) All Participants must wear a badge or sticker which prominently displays the name of the organization for which the solicitation is being conducted.



- (6) All Participants must carry a Government issued photo ID card which verifies age.
 - (7) All Participants must refrain from yelling at or otherwise distracting motorists.
 - (8) No solicitation activities shall be conducted before sunrise or after sunset or in inclement weather during which, in the judgement of any Law Enforcement Officer, conducting solicitation activity would constitute a hazard to individuals conducting solicitation or to motorist.
 - (9) Any organization not abiding by these rules set in place may be asked to vacate the premises by any Law Enforcement Officer and have their solicitation application revoked for a period of time determined by the Chief of Police.
- (d) Intersection restrictions. Street solicitation is restricted to the following intersections:
- (1) Illinois Street and Stephen Street
 - (2) 127th Street and State Street
 - (3) Derby Road and Archer Avenue
- (ed) *Denial of application.* The chief of police, after consideration of the application and all information obtained relative thereto, shall deny the application if the applicant does not possess the qualifications for such license as herein required. Endorsement shall be made by the chief of police, upon the application, of the denial of the application.
- (fe) *Approval of application.* The chief of police will approve an application that meets the above requirements within five business days after the filing date of the application. The chief of police may, as a condition of approval, impose additional reasonable conditions in writing that are based on articulated public safety concerns.
- (gf) *Fees.* There is no fee for a license under this section.

(Ord. No. O-17-14, § 2, 3-24-2014)



STAFF RECOMMENDATION:

Staff recommends the updating of the Village Ordinance.

BOARD ACTION REQUESTED

Approval of the proposed ordinance.

ATTACHMENTS

Amendment to 5.10.020



VILLAGE OF LEMONT

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 5 OF THE
LEMONT ILLINOIS MUNICIPAL CODE**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LEMONT
THIS 9TH DAY OF SEPTEMBER 2019**

**Published in pamphlet form by
authority of the President and Board of
Trustees of the Village of
Lemont, Counties of Cook, Will and DuPage,
Illinois on this 9th day of September 2019**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 5 OF THE
LEMONT ILLINOIS MUNICIPAL CODE**

WHEREAS, the Village of Lemont (“Village”) is an Illinois Municipal Corporation pursuant to the Illinois Constitution of 1970 and the Statutes of the State of Illinois; and;

WHEREAS, the Village President and Board of Trustees desire to amend a certain provision of the Lemont, Illinois Municipal Code (“Village Code”); and;

WHEREAS, the Village finds that it is in the best interests of the Village and its residents to amend Title 5 of the Village Code in the manner set forth below;

NOW THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Lemont, Counties of Cook, Will and DuPage, Illinois, as follows:

SECTION ONE: The statements set forth in the preamble to this Ordinance are found to be true and correct and are incorporated into this Ordinance as if set forth in full.

SECTION TWO: The Village Code, as amended, is hereby further amended in Title 5-Business Licenses and Regulations, Chapter 5.10.020 – License for solicitation in the public right-of-way, with deletions in strikethrough an additions in underlined text so that Section 5.10.020 shall be read as follows:

5.10.020. - License for solicitation in the public right-of-way.

- (a) *License eligibility.* The only individuals or entities permitted to apply for and obtain a license for solicitation in the public right-of-way, as provided in this section, are Village of Lemont based individuals or entities, or entities that support or benefit Village of Lemont residents, who solicit funds for patriotic, philanthropic, charitable, political or religious purposes.
- (b) *Application requirements.* Application for a license for solicitation in the public right-of-way shall be upon a form provided by the chief of police, and filed with the police department not later than ten business days before the date that the solicitation is to begin. The applicant shall truthfully state in full the information requested on the application, as follows:
 - (1) The name and address of the applicant;
 - (2) Description sufficient for identification of the subject matter of the solicitation which the applicant will engage in and the purpose for the activity which will include an outline of the methods to be used in conducting the solicitations;

- (3) The date or dates and times of day when the solicitation is to occur;
 - (4) The location or locations where the solicitation is to occur along with a list of three alternate locations listed in order of preference;
 - (5) Proof of a valid liability insurance policy in the amount of at least \$1,000,000.00 insuring the applicant against bodily injury and property damage arising out of or in connection with the solicitation;
 - (6) Also, such additional information as the chief of police of the village may deem necessary to process the application.
- (c) *Public safety restrictions.* The following restrictions apply to solicitation in village rights-of-way:
- (1) No more than one permit holder may solicit in any one intersection in a village right-of-way at one time.
 - (2) American National Standards Institute (ANSI) approved Reflective vests must be worn at all times.
 - (3) At least two individuals must be present at all times.
 - (4) All participants must be at least 18 years of age.
 - (5) All Participants must wear a badge or sticker which prominently displays the name of the organization for which the solicitation is being conducted.
 - (6) All Participants must carry a Government issued photo ID card which verifies age.
 - (7) All Participants must refrain from yelling at or otherwise distracting motorists.
 - (8) No solicitation activities shall be conducted before sunrise or after sunset or in inclement weather during which, in the judgement of any Law Enforcement Officer, conducting solicitation activity would constitute a hazard to individuals conducting solicitation or to motorist.
 - (9) Any organization not abiding by these rules set in place may be asked to vacate the premises by any Law Enforcement Officer and have their solicitation application revoked for a period of time determined by the Chief of Police.
- (d) *Intersection restrictions.* Street solicitation is restricted to the following intersections:

- (1) Illinois Street and Stephen Street
- (2) 127th Street and State Street
- (3) Derby Road and Archer Avenue

- (ed) *Denial of application.* The chief of police, after consideration of the application and all information obtained relative thereto, shall deny the application if the applicant does not possess the qualifications for such license as herein required. Endorsement shall be made by the chief of police, upon the application, of the denial of the application.
- (fe) *Approval of application.* The chief of police will approve an application that meets the above requirements within five business days after the filing date of the application. The chief of police may, as a condition of approval, impose additional reasonable conditions in writing that are based on articulated public safety concerns.
- (gf) *Fees.* There is no fee for a license under this section.

(Ord. No. O-17-14, § 2, 3-24-2014)

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL AND DUPAGE, ILLINOIS on this 9th DAY OF SEPTEMBER 2019.

PRESIDENT AND VILLAGE BOARD MEMBERS:

	AYES:	NAYS:	ABSENT:	ABSTAIN
Janelle Kittridge	_____	_____	_____	_____
Ryan Kwasneski	_____	_____	_____	_____
Dave Maher	_____	_____	_____	_____
Ken McClafferty	_____	_____	_____	_____
Rick Sniegowski	_____	_____	_____	_____
Ron Stapleton	_____	_____	_____	_____

JOHN EGOFKSKE, Village President

ATTEST:

CHARLENE M. SMOLLEN, Village Clerk

TO: Village Board
FROM: Chief Marc R. Maton
THROUGH: Village Administrator George Schafer
SUBJECT: Curfew and Truancy for Minors
DATE: September 9th, 2019

SUMMARY/ BACKGROUND

The Village of Lemont has had an ordinance in place establishing curfew for minors. On July 12, 2019 Illinois Public Act 101-81 went into effect and eliminated state level truancy violations. State tickets can no longer be written to juvenile truants. Consequently, the Police Department intends to ticket the parent responsible for the care of the minor for the truancy violation.

ANALYSIS

Consistency with Village Policy

In partnership with our area school districts, the Village has a stake in ensuring that our area youth are attending mandatory school as prescribed by law. After the passage of Public Act 101-81, truancy by minors will only be enforced through local ordinance. The new act reads as follows:

“A school district may not refer a truant, chronic truant, or truant minor to any other local public entity, as defined under Section 1-206 of the Local Governmental and Governmental Employees Tort Immunity Act, for that local public entity to issue the child a fine or a fee as punishment for his or her truancy.”

Consequently, the Village Ordinance must be established to allow enforcement of truancy. Truancy will be enforced upon the parent having responsibility for care of the minor, under a defined section on parental responsibility.

Budget (if applicable).

Procurement Policy (if applicable). Not applicable.

Other Subheadings, as applicable. Please Specify.

Ordinance Section The Village Code, as amended, is hereby further amended in Title 9-Curfew and Truancy for Minors, Chapters 9.32.010- Parental Responsibility Established, with deletions in strikethrough and additions in underlined text so that Section 9.32.010 shall be read as follows:

9.32.010. - Parental responsibility established.

(a) *Definitions.* In this chapter:

Emergency means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term "emergency" includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Establishment means any privately-owned place of business operated for a profit to which the public is invited including, but not limited to, any place of amusement or entertainment.

Guardian means:

- (1) A person who, under court order, is the guardian of the person of a minor; or
- (2) A public or private agency with whom a minor has been placed by a court.

Minor means any person under 17 years of age.

Parent means a person who is a natural parent, adoptive parent, or step-parent of another person; or at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

Public place means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

Remain means to:

- (1) Linger or stay; or
- (2) Fail to leave the premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.

Serious bodily injury means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Permission - oral or written valid cause for absence, by a parent or guardian, which is provided to the minor's school, at the beginning of the school day, explaining the valid cause for the absence.



Truant – A “truant” is defined as a child who is subject to compulsory school attendance and who is absent without valid cause, as defined under this Section, from such attendance for more than 1% but less than 5% of the past 180 school days. The Student must be absent without cause for the entire school day for the day to count toward truancy.

Valid cause - for absence shall be illness, observance of a religious holiday, death in the immediate family, family emergency, and shall include such other situations beyond the control of the student as determined by the board of education in each district, or such other circumstances which cause reasonable concern to the parent for the mental, emotional, or physical health or safety of the student.

- (b) *Offenses.* It is unlawful for a person less than 17 years of age to remain in any public place or on the premises of any establishment:
 - (1) In the case of persons less than 13 years of age, between 9:00 p.m. and 6:00 a.m. the following day on any day of the week;
 - (2) In the case of persons at least 13 years of age, but not yet 17 years of age:
 - a. Between 11:00 p.m. on Sunday through Thursday, inclusive, and 6:00 a.m. the following day; and
 - b. Between 12:01 a.m. and 6:00 a.m. on Saturday or Sunday.
- (c) *Defenses.* It is a defense to a violation under this section that the minor engaged in the prohibited conduct while:
 - (1) Accompanied by the minor's parent or guardian or other person in custody or control of the minor;
 - (2) On an errand at the direction of the minor's parent or guardian, without any detour or stop;
 - (3) In a motor vehicle involved in interstate travel;
 - (4) Engaged in an employment activity or going to or returning home from an employment activity, without any detour or stop;
 - (5) Involved in an emergency;
 - (6) On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;
 - (7) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the minor;



- (8) Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly;
 - (9) Married or had been married or is an emancipated minor under the Emancipation of Minors Act (750 ILCS 30/1 et seq.); or
 - (10) Attending an activity conducted by a nonprofit or governmental entity that provides recreation, education, training, or other care under the supervision of one or more adults.
- (d) *Reasonable belief.* Before taking any enforcement action under this section, a law enforcement officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in subsection (c) of this section is present.
- (e) *Rebuttable presumption.* It is unlawful for a parent, legal guardian, custodian, or other person to knowingly permit a person in his custody or control to violate the provisions of subsection (b) of this section. It shall be a rebuttable presumption that a person has violated this section if someone under 17 years of age of whom such person has custody or control is present upon any public assembly, building, business, street or highway or other public place or public way in violation of subsection (b) of this section, and none of the defenses enumerated in subsection (c) of this section apply.
- (f) *Curfew Fines.* Any person convicted of a violation of subsection (c) of this section shall be fined:
- (1) \$100.00 for the first violation in any 12-month period;
 - (2) \$100.00 for a second violation in any 12-month period; and
 - (3) \$200.00 for a third or subsequent violation in any 12-month period.
- (g) *Truancy prohibited:*
- (1) It shall be unlawful for any student to be absent from a school day during a time when school is in session without parental permission or valid cause.
 - (2) Each day a student is absent from school, when school is in session, without parental permission or valid cause, represents a separate offense.
- (h) *Parental Responsibility:*
- (1) It shall be unlawful for a parent to knowingly or negligently permit or cause a student who is under the age of eighteen (18) to be truant.



- (2) A parent shall be considered to have knowingly or negligently permitted a student to be truant if the parent has actual knowledge or reasonable cause to know that the student has absented himself or herself from attendance during the school day during a time when school is in session if the parent fails to act to ensure that the student attends the school and classes in which he or she is enrolled.
- (3) It shall be an offense under the chapter for a parent to knowingly submit to a school a written excuse which explains the absence from school attendance of the student in their care that contains false information.
- (4) Each day a student is absent from attendance in school during a time when school is in session, when the parents knowingly permitted or caused that person to be truant, shall constitute a separate offense and shall be punishable as such.
- (i) Penalties – School districts are prohibiting from referring a truant, chronic truant, or truant minor to any local public entity in order for such entity to issue a fine or fee to the child. School district may still refer persons having custody or control of a truant, chronic truant, or truant minor to public entities for fines or fees for truancy only if the school district’s truant officer, regional office of education, or intermediate service center has been notified of the truant behavior and all appropriate and available supportive services have been offered to the child.
- (j) Truancy Fines: After a school district has made support services available, further action includes:
- Citation of fifty (\$50.00) dollars to the parent or guardian for each incident of truancy.
 - Must appear to local adjudication to parent or guardian
 - Arrest for non-compliance under 105 ILCS 5/26-10

If any section, paragraph, clause, or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

STAFF RECOMMENDATION:

Staff recommends the updating of the Village Ordinance to establish an ordinance allowing for the enforcement of truancy.



BOARD ACTION REQUESTED

Approval of proposed ordinance.

ATTACHMENTS

Amendment to 9.32.010



VILLAGE OF LEMONT

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 9 OF THE
LEMONT ILLINOIS MUNICIPAL CODE**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LEMONT
THIS 9TH DAY OF SEPTEMBER 2019**

**Published in pamphlet form by
authority of the President and Board of
Trustees of the Village of
Lemont, Counties of Cook, Will and DuPage,
Illinois on this 9th day of September 2019**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 9 OF THE
LEMONT ILLINOIS MUNICIPAL CODE**

WHEREAS, the Village of Lemont (“Village”) is an Illinois Municipal Corporation pursuant to the Illinois Constitution of 1970 and the Statutes of the State of Illinois; and;

WHEREAS, the Village President and Board of Trustees desire to amend a certain provision of the Lemont, Illinois Municipal Code (“Village Code”); and;

WHEREAS, the Village finds that it is in the best interests of the Village and its residents to amend Title 9 of the Village Code in the manner set forth below;

NOW THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Lemont, Counties of Cook, Will and DuPage, Illinois, as follows:

SECTION ONE: The statements set forth in the preamble to this Ordinance are found to be true and correct and are incorporated into this Ordinance as if set forth in full.

SECTION TWO: The Village Code, as amended, is hereby further amended in Title 9-Curfew and Truancy for Minors, Chapters 9.32.010 – Parental Responsibility Established, with deletions in strikethrough and additions in underlined text so that Section 9.32.010 shall be read as follows:

9.32.010. - Parental responsibility established.

(a) *Definitions.* In this chapter:

Emergency means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term "emergency" includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Establishment means any privately-owned place of business operated for a profit to which the public is invited including, but not limited to, any place of amusement or entertainment.

Guardian means:

- (1) A person who, under court order, is the guardian of the person of a minor; or
- (2) A public or private agency with whom a minor has been placed by a court.

Minor means any person under 17 years of age.

Parent means a person who is a natural parent, adoptive parent, or step-parent of another person; or at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

Public place means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

Remain means to:

- (1) Linger or stay; or
- (2) Fail to leave the premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.

Serious bodily injury means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Permission - oral or written valid cause for absence, by a parent or guardian, which is provided to the minor's school, at the beginning of the school day, explaining the valid cause for the absence.

Truant – A “truant” is defined as a child who is subject to compulsory school attendance and who is absent without valid cause, as defined under this Section, from such attendance for more than 1% but less than 5% of the past 180 school days. The Student must be absent without cause for the entire school day for the day to count toward truancy.

Valid cause - for absence shall be illness, observance of a religious holiday, death in the immediate family, family emergency, and shall include such other situations beyond the control of the student as determined by the board of education in each district, or such other circumstances which cause reasonable concern to the parent for the mental, emotional, or physical health or safety of the student.

- (b) *Offenses.* It is unlawful for a person less than 17 years of age to remain in any public place or on the premises of any establishment:
 - (1) In the case of persons less than 13 years of age, between 9:00 p.m. and 6:00 a.m. the following day on any day of the week;
 - (2) In the case of persons at least 13 years of age, but not yet 17 years of age:
 - a. Between 11:00 p.m. on Sunday through Thursday, inclusive, and 6:00 a.m. the following day; and
 - b. Between 12:01 a.m. and 6:00 a.m. on Saturday or Sunday.

- (c) *Defenses.* It is a defense to a violation under this section that the minor engaged in the prohibited conduct while:
- (1) Accompanied by the minor's parent or guardian or other person in custody or control of the minor;
 - (2) On an errand at the direction of the minor's parent or guardian, without any detour or stop;
 - (3) In a motor vehicle involved in interstate travel;
 - (4) Engaged in an employment activity or going to or returning home from an employment activity, without any detour or stop;
 - (5) Involved in an emergency;
 - (6) On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;
 - (7) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the minor;
 - (8) Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly;
 - (9) Married or had been married or is an emancipated minor under the Emancipation of Minors Act (750 ILCS 30/1 et seq.); or
 - (10) Attending an activity conducted by a nonprofit or governmental entity that provides recreation, education, training, or other care under the supervision of one or more adults.
- (d) *Reasonable belief.* Before taking any enforcement action under this section, a law enforcement officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in subsection (c) of this section is present.
- (e) *Rebuttable presumption.* It is unlawful for a parent, legal guardian, custodian, or other person to knowingly permit a person in his custody or control to violate the provisions of subsection (b) of this section. It shall be a rebuttable presumption that a person has violated this section if someone under 17 years of age of whom such person has custody or control is present upon any public assembly, building, business, street or highway or other public place or public way in violation of subsection (b) of this section, and none of the defenses enumerated in subsection (c) of this section apply.

(f) Curfew Fines. Any person convicted of a violation of subsection (c) of this section shall be fined:

- (1) \$100.00 for the first violation in any 12-month period;
- (2) \$100.00 for a second violation in any 12-month period; and
- (3) \$200.00 for a third or subsequent violation in any 12-month period.

(g) Truancy prohibited:

- (1) It shall be unlawful for any student to be absent from a school day during a time when school is in session without parental permission or valid cause.
- (2) Each day a student is absent from school, when school is in session, without parental permission or valid cause, represents a separate offense.

(h) Parental Responsibility:

- (1) It shall be unlawful for a parent to knowingly or negligently permit or cause a student who is under the age of eighteen (18) to be truant.
- (2) A parent shall be considered to have knowingly or negligently permitted a student to be truant if the parent has actual knowledge or reasonable cause to know that the student has absented himself or herself from attendance during the school day during a time when school is in session if the parent fails to act to ensure that the student attends the school and classes in which he or she is enrolled.
- (3) It shall be an offense under the chapter for a parent to knowingly submit to a school a written excuse which explains the absence from school attendance of the student in their care that contains false information.
- (4) Each day a student is absent from attendance in school during a time when school is in session, when the parents knowingly permitted or caused that person to be truant, shall constitute a separate offense and shall be punishable as such.

(i) Penalties – School districts are prohibiting from referring a truant, chronic truant, or truant minor to any local public entity in order for such entity to issue a fine or fee to the child. School district may still refer persons having custody or control of a truant, chronic truant, or truant minor to public entities for fines or fees for truancy only if the school district’s truant officer, regional office of education, or intermediate service center has been notified of the truant behavior and all appropriate and available supportive services have been offered to the child.

(j) Truancy Fines: After a school district has made support services available, further action includes:

- Citation of fifty (\$50.00) dollars to the parent or guardian for each incident of truancy.
- Must appear to local adjudication to parent or guardian
- Arrest for non-compliance under 105 ILCS 5/26-10

If any section, paragraph, clause, or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL AND DUPAGE, ILLINOIS on this 9th DAY OF SEPTEMBER 2019.

PRESIDENT AND VILLAGE BOARD MEMBERS:

	AYES:	NAYS:	ABSENT:	ABSTAIN
Janelle Kittridge	_____	_____	_____	_____
Ryan Kwasneski	_____	_____	_____	_____
Dave Maher	_____	_____	_____	_____
Ken McClafferty	_____	_____	_____	_____
Rick Sniegowski	_____	_____	_____	_____
Ron Stapleton	_____	_____	_____	_____

JOHN EGOFSKE, Village President

ATTEST:

CHARLENE M. SMOLLEN, Village Clerk

TO: Village Board
FROM: Ralph Pukula, Public Works Director
THROUGH:
SUBJECT: Amending Chapter 13, Sewer Use and Service, of the Lemont Municipal Code
DATE: September 9, 2019

SUMMARY/ BACKGROUND

Staff has been working with Crawford, Murphy, Tilly Inc. regarding the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) Infiltration and Inflow Control Program reporting. One of the mandates from MWRDGC is to prepare and submit a Private Sector Program (PSP) plan and a Capacity, Management, Operation, & Maintenance (CMOM) plan. It is necessary to update Chapter 13 of the Municipal Code to add section 13.05 Sewer Use and Service as it is referenced in these plans.

ANALYSIS***Consistency with Village Policy***

2014 Strategic Plan.

Lemont 2030 Comprehensive Plan.

5-Year Capital Improvement Plan (if applicable).

Budget (if applicable).

Procurement Policy (if applicable).

STAFF RECOMMENDATION

Adopt Ordinance revising Chapter 13 of the Lemont Municipal Code

BOARD ACTION REQUESTED

Motion and adoption of the attached Ordinance

ATTACHMENTS

- An Ordinance Amending Lemont Municipal Code Chapter 13, section 5: Sewer Use and Service



VILLAGE OF LEMONT

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 13 (PUBLIC UTILITIES) OF THE
VILLAGE MUNICIPAL CODE**

**ADOPTED BY THE PRESIDENT
AND BOARD OF TRUSTEES OF THE
VILLAGE OF LEMONT
THIS 9th DAY OF SEPTEMBER 2019**

**Published in pamphlet form
by authority of the
President and Board of
Trustees of the Village of
Lemont, Cook, Will and DuPage
Counties, Illinois on this 9th day of
September 2019**

Ordinance No. _____

AN ORDINANCE AMENDING TITLE 13 (PUBLIC UTILITIES) OF THE VILLAGE MUNICIPAL CODE

WHEREAS, the Village of Lemont, Counties of Cook, Will and DuPage, Illinois, (“Village”) is a municipality in the State of Illinois with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village: and

WHEREAS, the Village has authority and power to regulate for the protection of the public health and welfare;

WHEREAS, the President and Board of Trustees of the Village of Lemont (the “Corporate Authorities”) may amend the text of the Municipal Code of the Village from time to time to meet the changing needs of the Village; and

WHEREAS, the Village believes it is in the best interest of the Village to amend the Village Code to provide regulations regarding the use of sanitary sewers as further provided below.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Lemont, Counties of Cook, Will, and DuPage, Illinois, as follows:

SECTION ONE: The facts and statements contained in the preamble clauses to this Ordinance are found to be true and correct and are incorporated herein by reference.

SECTION TWO: Chapter 13.05 (Sewer Use and Service) is hereby added to Title 13 (Public Utilities) of the Village Code to provide as follows:

13.05.010: GENERAL PROVISIONS:

- A. Every building or structure in the village used for residence, business, trade, industry or meeting purposes shall be equipped with properly constructed and installed adequate sewage disposal facilities. The plumbing in all such places shall conform to the ordinances of the village and the laws of the state relative thereto.

- B. It shall be unlawful to use or occupy any premises as habitations, or for business, trade, industry or meeting purposes in the village unless such premises are equipped with sewage disposal facilities consisting of either a connection with a sanitary sewer system or a proper septic tank, as provided herein.

- C. Upon installation of a new separate storm sewer in combined sewer areas, all existing inlets and catch basins adjacent to the new separate storm sewer shall be connected to the new storm sewer within one year of construction. The former connection to the combined sewer shall be permanently sealed to prevent any future connection of clear water inflow.

- D. Prohibited Connections: No person(s) shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to public sanitary sewer.
- E. Any new construction so approved by the Village that generates stormwater runoff tributary to the combined sewer shall include appurtenances designed to minimize and/or delay stormwater inflow contribution to the combined sewer.
- F. If a new building sewer is constructed, it shall be distinct from the building inflow connection and building drain such that no inflow is allowed to enter the building sewer so that if a new storm sewer is constructed, the building drain can be connected to the newly constructed storm sewer.
- G. All industrial users generating industrial waste and located within the combined sewer area shall minimize the potential for stormwater runoff to enter the building sewer and/or building drain leading to the public sewer. This shall be accomplished by inspecting their facilities and making changes to plumbing, piping, drains, gutters, etc. to minimize the potential for stormwater runoff exposed to industrial pollutants from entering the building sewer and/or building drain.

13.05.020: DEFINITIONS:

GARBAGE: Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

INDUSTRIAL WASTES: Liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

INFLOW: Water other than wastewater that enters the building sewer and/or sanitary sewer from sources such as roof leaders, yard drains, area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross connections between storm drains and sanitary sewer, catch basins, cooling towers, stormwaters, surface runoff, street wash waters or drainage.

PROPERLY SHREDDED GARBAGE: The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions prevailing in public sewers with no particle greater than one-half inch ($\frac{1}{2}$ ") in any dimension.

SEWAGE FUND: The principal accounting designation for all revenues received in the operation of the sewerage system.

SEWAGE TREATMENT PLANT: Any arrangement of devices and structures used for treating sewage.

SLUG: Any discharge of water, sewage or industrial waste which has either: a) a concentration of a given constituent, or b) a rate of flow which exceeds, for any period of longer than fifteen (15) minutes, more than five (5) times the average concentration of the constituent or five (5)

times the flow during normal operation.

SUSPENDED SOLIDS: Solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.

USEFUL LIFE: The estimated period during which the collection system, and/or treatment works will be operated.

USER: May be used with reference to:

- A. Residential user shall be deemed to be the owner, tenant or occupant of a single-family dwelling connected to a village sanitary sewer main line.

- B. Multiple dwelling unit user shall be deemed the owner, tenant or occupant of a single-family dwelling unit in a building devoted to residence purposes which contains two (2) or more single-family dwellings, which building is directly or indirectly connected to a village sanitary sewer main line.

- C. Industrial or commercial user shall be deemed to be the owner, tenant or occupant of any establishment, not used for residence purposes as defined in this section but used instead for industrial or commercial purposes, and which establishment has sanitary sewer facilities directly or indirectly connected to a village sanitary sewer main line.

USER CHARGE: A charge levied on users of the sanitary sewerage system for the cost of operation, maintenance and replacement of such system as found in Chapter 13.09.

13.05.030: USE:

- A. Prohibited Discharge: No person shall discharge, or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

- B. Permitted Discharge: Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the director of public works. Industrial cooling water or unpolluted process waters may be discharged on approval of the director of public works, to a storm sewer, combined sewer, or natural outlet.

- C. Prohibited Wastes: No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
 - 1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

2. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant.
3. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, and milk containers, either whole or ground by garbage grinders.

D. Wastes Requiring Consideration: No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the director of public works that such wastes can harm either the sewers, sewage treatment process or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the director of public works will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in sewage treatment plant, and maximum limits established by regulatory agencies. The substances prohibited are:

1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F) (65°C).
2. Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of one hundred milligrams per liter (100 mg/l) or containing substances which may solidify or become viscous at temperatures between thirty two degrees (32°) and one hundred fifty degrees Fahrenheit (150°F) (0° and 65°C).
3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (³/₄) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the director of public works.
4. Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solution whether neutralized or not.
5. Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the director of public works for such materials.
6. Any waters or wastes containing phenols or other taste or odor producing substances in such concentrations exceeding limits which may be established by the director of public works as

necessary after treatment of the composite sewage to meet the requirements of the state, federal or other public agencies having jurisdiction for such discharge to the receiving waters.

7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the director of public works in compliance with applicable state or federal regulations.
8. Any wastes or waters having a pH in excess of 9.5.
9. Any mercury or any of its compounds in excess of 0.0005 mg/l as Hg at any time except as permitted by the director of public works in compliance with applicable state and federal regulations.
10. Total cyanide in excess of ten (10) PPM at any time except as permitted by the director of public works in compliance with applicable state and federal regulations.
11. Materials which exert or cause:
 - a. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);
 - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);
 - c. Unusual BOD, chemical oxygen demand, or chlorine requirements, in such quantities as to constitute a significant load on the sewage treatment works;
 - d. Unusual volume of flow or concentrations of wastes constituting slugs as defined herein.
12. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.
 - E. Action By Director Of Public Works: If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in subsection D of this section, and/or of which are in violation of the standards for pretreatment provided in 40 CFR 403, June 26, 1978, and any amendments thereto, and which in the judgment of the director of public works may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the director of public works may:
 1. Reject the wastes;
 2. Require pretreatment to an acceptable condition for discharge to the public sewers;
 3. Require control over the quantities and rates of discharge; and/or

4. Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges, under the provisions of subsection K of this section.

If the director of public works permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the director of public works and subject to the requirements of all applicable codes, ordinances, and laws.

F. Interceptors: Grease, oil and sand interceptors shall be provided when, in the opinion of the director of public works, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the director of public works, and shall be located as to be readily and easily accessible for cleaning and inspection.

G. Treatment Facilities: Where preliminary treatment or flow equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

H. Manholes: Each industry shall be required to install a control manhole and, when required by the director of public works, the owner of any property serviced by building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the director of public works. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

I. Laboratory Analysis: The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests, and analyses of waters and wastes to illustrate compliance with this Chapter and any special conditions for discharge established by the village or regulatory agencies having jurisdiction over the discharge.

The number, type, and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the village, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the federal, state and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the village at such times and in such a manner as prescribed by the village. The owner shall bear the expense of all measurements, analyses, and reporting required by the village. At such times as deemed necessary the village reserves the right to take measurements and samples for analysis by an outside laboratory service.

- J. Analysis Procedure: All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this section shall be determined in accordance with the latest edition of IEPA division of laboratories "Manual Of Laboratory Methods", and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. The particular analyses involved will determine whether a twenty four (24) hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty four (24) hour composites of all outfalls, whereas pHs are determined from periodic grab samples.
- K. Special Agreements: No statement contained in this section shall be construed as preventing any special agreement or arrangement between the village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the village for treatment upon payment, by the concern of the additional treatment costs.
- L. Future Combined Sewers Prohibited: In unsewered and separate sewer areas of the village it shall be unlawful for any land developer, owner, subdivider, contractor or builder to allow or cause storm water runoff to flow directly into any sanitary sewer or sanitary sewer main by means of pipes, French drains or swales.

13.05.040: CONSTRUCTION AND MAINTENANCE:

- A. Specifications: For specifications concerning construction of sanitary sewers and services, refer to Title 15 of this code.
- B. Installation: The applicant for sewer service shall, in all cases, pay for all costs of labor and materials required for installing the sewer service from the respective mains to the premises to be served. The construction work in connection with the sewer service shall be performed by a licensed plumber who has a properly executed bond on file in the office of the village clerk. For the connection charge, the village will inspect the sewer service to determine that the construction thereof is in accordance with specifications established by the village for the regulation of the water and sewer system.
- C. Maintenance: The proper maintenance and operation of a building service sewer, house connection or sanitary sewer line to the point of connection, including the connection to the village sanitary sewer system, shall be the responsibility of the owner of the premises served by said sanitary sewer. "Maintenance and operation" as used herein means keeping the sanitary sewer connection, sewer lines and other sewer facilities in satisfactory working

condition and a good state of repair (including, but not limited to, preventing any obstruction or extraneous material or flows from entering said facilities, protecting said facilities from any damage and keeping the same free from defects or malfunctions), and making necessary provisions and taking necessary precautions to assure that said sewer facilities are at all times capable of satisfactorily performing the services and adequately discharging the functions and producing the final results and purposes said facilities are intended to perform, discharge, and/or produce.

D. Repairs: The division of responsibility for the repair of a sanitary service shall be as follows:

1. All excavation, removal of the damaged pipe, pipe bedding, pipe installation, and backfill shall be made by and at the expense of the owners of the premises served. The village may, in case of an emergency, repair any service pipe. If this is done, the cost of such repair work shall be repaid to the village by the owner of the premises served.
2. The final restoration, including placement of no more than six inches (6") of topsoil, sod, pavement patching, and curb and gutter installation within the public right of way shall be performed by the village. Such restoration on private property shall be made by and at the expense of the owners of the premises served.

13.05.050: PROTECTION OF SANITARY SEWER WORKS FROM DAMAGE OR ILLEGAL CONNECTIONS:

It shall be unlawful for any person to maliciously, willfully or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is a part of the sanitary sewer system, or to make or allow any illegal drain, downspout or pump to be connected to said sewer system.

13.05.060: INSPECTION PROGRAM:

A. Right Of Entry: The Village and its authorized employees bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing to assure compliance with the provisions hereof.

B. Safety Rules Observed: While performing the necessary work on private properties pursuant to this Chapter, the Village shall observe all safety rules applicable to the premises.

C. Entry Through Easement: The Village and its duly authorized employees shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the easement pertaining to the private property involved.

13.05.070: PENALTY:

A. Violations: Any person found to be violating any provision of this chapter shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time

limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

B. Abatement Of Violations: The Director of Public Works, plumbing inspector, building inspector or other authorized employees of the Village may take such reasonable actions as are necessary to enforce the terms hereof or to abate violations hereof including, but not limited to, actions at law or equity for damages, penalties, temporary restraining order or injunction.

C. Penalties: Any person who shall continue any violation beyond the time limit provided for in subsection A of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

D. Liability For Loss: Any person violating any of the provisions of this chapter shall become liable to the Village for the expense, loss or damage occasioned the Village by reason of such violation.

13.05.080: ACCESS TO RECORDS:

The IEPA, USEPA or its authorized representative shall have access to any books, documents, papers and records of the village which are applicable to the village system of user charges or industrial cost recovery for the purpose of making audit, examination, excerpts and transcriptions thereof to ensure compliance with state and federal terms and conditions pertaining to any state or federal grant.

SECTION THREE: EFFECTIVE DATE.

This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

SECTION FOUR: REPEAL OF CONFLICTING PROVISIONS.

All Ordinances and Resolutions, or parts, thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

SECTION FIVE: SEVERABILITY.

If any provisions of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be give effect without the invalid applications or provision, and each invalid provision or invalid application of this Ordinance is severable.

PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL AND DUPAGE, ILLINOIS on this 9th day of September 2019.

PRESIDENT AND VILLAGE BOARD MEMBERS:

	AYES:	NAYS:	ABSENT:	ABSTAIN
Janelle Kittridge	_____	_____	_____	_____
Ryan Kwasneski	_____	_____	_____	_____
Dave Maher	_____	_____	_____	_____
Ken McClafferty	_____	_____	_____	_____
Rick Sniegowski	_____	_____	_____	_____
Ron Stapleton	_____	_____	_____	_____

JOHN EGOFSKE
President

ATTEST:

CHARLENE M. SMOLLEN
Village Clerk

TO: Village Board
FROM: Chris Smith, Finance Director
THROUGH: George Schafer, Village Administrator
SUBJECT: **AN ORDINANCE authorizing the issuance of Taxable General Obligation Refunding Bonds (Alternate Revenue Source), in one or more series, of the Village of Lemont, Cook, DuPage and Will Counties, Illinois, in an aggregate principal amount not to exceed \$3,600,000 for the purpose of refunding certain outstanding obligations of the Village and paying for costs related thereto.”**

DATE: September 9, 2019

SUMMARY/ BACKGROUND

On August 19, 2019, Bob Vail of Bernardi Securities presented to the Village Board bond refunding opportunities. This is the next step in the refunding process.

Taxable General Obligation Bonds Series 2012B were used to purchase and improve land at 83 and Main. These bonds are backed by Gateway TIF increment and sales tax. For the past several years Gateway TIF has not seen increment thus General Fund revenue has been used to make debt service payments. The last two years a small increment has been recognized. Since issuing these bonds the Gateway TIF has been restructured and staff would like to add Main/Archer TIF to the funding source. The aforementioned bonds are taxable and have a net interest cost of 4.54%. Staff is proposing to refund these bonds for a new estimated interest cost of 2.86% and add Main/Archer TIF to the funding source. Due to the change in the funding source, the attached Ordinance needs to be passed to start the process. The next steps will be notice for the Public Hearing as well as a 30-day petition process.

The next step for all the refunding issues and new issuance will be to compile an official statement, meet with the rating agencies, and present the Board with a Parameters Ordinance on October 28, 2019. The bonds are scheduled to be priced at the end of October.

As presented at the Committee of the Whole, staff is recommended that two taxable bonds be called/advanced refunded for an overall True Interest cost approximate 2.5% and an NPV savings of approximately \$713,000. The present value savings is estimated to be around 10%, which is significantly higher than the targeted 3%.

This agenda item is the beginning of this process.



STAFF RECOMMENDATION

Staff is recommending the passage of this ordinance.

VILLAGE BOARD ACTION

Pass AN ORDINANCE authorizing the issuance of Taxable General Obligation Refunding Bonds (Alternate Revenue Source), in one or more series, of the Village of Lemont, Cook, DuPage and Will Counties, Illinois, in an aggregate principal amount not to exceed \$3,600,000 for the purpose of refunding certain outstanding obligations of the Village and paying for costs related thereto.”



ORDINANCE NO. _____

AN ORDINANCE authorizing the issuance of Taxable General Obligation Refunding Bonds (Alternate Revenue Source), in one or more series, of the Village of Lemont, Cook, DuPage and Will Counties, Illinois, in an aggregate principal amount not to exceed \$3,600,000 for the purpose of refunding certain outstanding obligations of the Village and paying for costs related thereto.

WHEREAS, the Village of Lemont, Cook, DuPage and Will Counties, Illinois (the “**Village**”), is a duly organized and existing municipality created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, as amended (the “**Municipal Code**”), and having the powers, objects and purposes provided by said Municipal Code; and

WHEREAS, the President and Board of Trustees of the Village (the “**Corporate Authorities**”) have determined that it is advisable, necessary and in the best interests of the Village to (i) advance refund certain of the Village’s outstanding Taxable General Obligation Bonds (Alternate Revenue Source), Series 2012B (the “**2012B Bonds**”), which were initially issued to (a) finance land assembly, site preparation, including remediation, demolition, environmental studies and related work, professional and other redevelopment project costs, within or serving the Gateway Redevelopment Project Area, capitalized interest and related facilities, improvements and costs, and (b) pay for costs of issuance of the 2012B Bonds (the “**Purpose**”), and (ii) pay certain costs of issuance of the Bonds (as such term is hereinafter defined), all for the benefit of the inhabitants of the Village; and

WHEREAS, the estimated cost of the Purpose, including legal, financial, bond discount, if any, printing and publication costs, and other expenses (collectively, the “**Costs**”), will not exceed \$3,600,000, and there are insufficient funds on hand and lawfully available to pay such costs; and

WHEREAS, up to \$3,600,000 of alternate bonds need to be issued at this time pursuant to the Local Government Debt Reform Act of the State of Illinois, as amended, 30 ILCS 350/1 to 350/18 (the “**Act**”); and

WHEREAS, it is necessary for the best interests of the Village that the Purpose be completed, and in order to raise funds required for such purpose it will be necessary for the Village to borrow an aggregate principal amount of not to exceed \$3,600,000 and in evidence thereof to issue alternate bonds, being general obligation bonds payable from (i) incremental taxes derived from the Village’s Gateway TIF Redevelopment Project Area (the “**Gateway TIF Incremental Taxes**”), (ii) incremental taxes derived from the Village’s Main/Archer TIF District (the “**Main/Archer TIF Incremental Taxes**”) (iii) the Village’s receipts of the Retailer’s Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes (collectively, and subject to any prior lien or pledge, “**General Sales Taxes**”), and (iv) the Village’s distributive share of State of Illinois income taxes (such receipts referred to herein as the “**Revenue Sharing Receipts**,” and, together with the Gateway TIF Incremental Taxes, Main/Archer TIF District Incremental Taxes, and General Sales Taxes, constitute “**Pledged Revenues**”), in an aggregate principal amount not to exceed \$3,600,000, all in accordance with the Act; and

WHEREAS, if the Pledged Revenues are insufficient to pay the alternate bonds, ad valorem taxes of the Village for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount (the “**Pledged Taxes**”) are authorized to be extended to pay the principal of and interest on the alternate bonds;

WHEREAS, pursuant to and in accordance with the provisions of Section 15 of the Act, the Village is authorized to issue alternate bonds, in one or more series, in an aggregate principal amount not to exceed \$3,600,000 for the purpose of providing funds for the Purpose and to pay the Costs;

NOW THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Lemont, Cook, DuPage and Will Counties, Illinois, as follows:

Section 1. Incorporation of Preambles. The Corporate Authorities hereby find that all of the recitals contained in the preambles to this Ordinance are full, true and correct and do incorporate them into this Ordinance by this reference.

Section 2. Determination To Issue Bonds. It is necessary and in the best interests of the Village to complete the Purpose, and in order to complete the Purpose and paying the Costs, alternate bonds of the Village, in one or more series, are hereby authorized to be issued and sold in an aggregate principal amount not to exceed \$3,600,000, known as “Taxable General Obligation Refunding Bonds (Alternate Revenue Source)” (the “**Bonds**”), of the Village, said Bonds being payable from (i) incremental taxes derived from the Village’s Gateway TIF Redevelopment Project Area (the “**Gateway TIF Incremental Taxes**”), (ii) incremental taxes derived from the Village’s Main/Archer TIF District (the “**Main/Archer TIF Incremental Taxes**”), (iii) the Village’s receipts of the Retailer’s Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes (collectively, and subject to any prior lien or pledge, “**General Sales Taxes**”), (iv) the Village’s distributive share of State of Illinois income taxes (such receipts referred to herein as the “**Revenue Sharing Receipts**,” and, together with the Gateway TIF Incremental Taxes, Main/Archer TIF District Incremental Taxes, and General Sales Taxes, constitute the “**Pledged Revenues**”), and (v) ad valorem taxes of the Village for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount (the “**Pledged Taxes**”).

Section 3. Publication. This Ordinance, together with a notice in the statutory form, shall be published once by the Corporate Authorities in the *My Suburban Life-Lemont*, being a newspaper of general circulation within the Village, and if a petition, signed by 916 electors (said number being the greater of (i) seven and one-half percent (7½%) of the registered voters in the Village or (ii) the lesser of 200 registered voters or 15% of registered voters), asking that the question of the issuance of the Bonds (the “**Proposition**”) be submitted to the electors of the Village, is filed with the Village Clerk within thirty (30) days after the date of the publication, then the Proposition shall be submitted to the electors of the Village at the general primary election to be held on the 17th day of March, 2020, unless there are no voters scheduled to cast votes for any candidates for nomination for, election to or retention in public office, in which case the Proposition shall be submitted to the electors of the Village at the general election to be held on the 3rd day of November, 2020. If no petition is filed with the Village Clerk within said 30-day period, then this Ordinance shall be in full force and effect and the Bonds shall be authorized to be

issued. A petition form shall be provided by the Village Clerk at the principal office of the Village, located at 418 Main Street, Lemont, Illinois, to any individual requesting one.

Section 4. Additional Ordinances. If no petition meeting the requirements of applicable law is filed during the petition period hereinabove referred to, then the Corporate Authorities may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Bonds and prescribing all the details of the Bonds, so long as the maximum amount of the Bonds as set forth in this Ordinance is not exceeded and there is no material change in the purposes described herein. Such additional ordinances or proceedings shall in all instances become effective in accordance with applicable law. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the issuance of the Bonds under applicable law.

Section 5. Additional Proceedings. If no petition meeting the requirement of applicable law is filed during the petition period hereinabove referred to, then the preparation and distribution of a preliminary official statement relating to the Bonds is hereby approved, and the Mayor is hereby authorized to deem the preliminary official statement nearly final.

Section 6. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 7. Repealer. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 8. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

AYES: _____

NAYS: _____

ABSENT: _____

PASSED this 9th day of September, 2019.

APPROVED by me this 9th day of September, 2019.

By: _____
Its: John Egofske
Mayor, Village of Lemont, Cook, DuPage
and Will Counties, Illinois

ATTEST:

By: _____
Its: Charlene Smollen
Village Clerk, Village of Lemont,
Cook, DuPage and Will Counties, Illinois

**NOTICE OF INTENT TO ISSUE BONDS
AND RIGHT TO FILE PETITION
AND HEARING ON PROPOSED ISSUANCE**

Notice is hereby given that pursuant to Ordinance No. _____, adopted on September 9, 2019, the Village of Lemont, Cook, DuPage and Will Counties, Illinois (the “**Village**”), intends to issue alternate bonds, being general obligation bonds, in one or more series (the “**Bonds**”), payable from the hereinafter identified revenue source, in an aggregate principal amount not to exceed \$3,600,000, and bearing interest per annum at not to exceed the maximum rate authorized by law at the time the Bonds are sold, to (i) advance refund a portion of the Village’s outstanding Taxable General Obligation Bonds (Alternate Revenue Source), Series 2012B (the “**2012B Bonds**”), which were initially issued to (a) finance land assembly, site preparation, including remediation, demolition, environmental studies and related work, professional and other redevelopment project costs, within or serving the Gateway Redevelopment Project Area, capitalized interest and related facilities, improvements and costs, and (b) pay for costs of issuance of the 2012B Bonds, and (ii) pay certain costs of issuance of the Bonds. The Bonds shall be payable from (A) incremental taxes derived from the Village’s Gateway TIF Redevelopment Project Area, (B) incremental taxes derived from the Village’s Main/Archer TIF District, (C) the Village’s receipts of the Retailer’s Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes, (D) the Village’s distributive share of State of Illinois income taxes, and (E) ad valorem taxes of the Village for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount. The ordinance authorizing the issuance of bonds (the “**Ordinance**”) is attached hereto and appears below this notice.

Notice is hereby further given that if a petition signed by 916 or more electors of the Village (being equal to the greater of (i) 7.5% of the registered voters in the Village or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less) asking that the issuance of the Bonds be submitted to referendum is filed with the Village Clerk within thirty (30) days after the date of publication of the Ordinance and this notice, an election on the proposition (the “**Proposition**”) to issue the Bonds shall be held on the 17th day of March, 2020, unless there are no voters scheduled to cast votes for any candidates for nomination for, election to or retention in public office, in which case the Proposition shall be submitted to the electors of the Village at the general election to be held on the 3rd day of November, 2020. If no petition is filed with the Village Clerk within said 30-day period, then the Ordinance shall be in full force and effect and the Bonds shall be authorized to be issued. A form of petition is available from the Village Clerk at the principal office of the Village at 418 Main Street, Lemont, Illinois.

/s/ Charlene Smollen

Village Clerk
Village of Lemont, Cook, DuPage and Will
Counties, Illinois

PETITION

To the Village Clerk of Village of Lemont, Cook, DuPage and Will Counties, Illinois:

We, the undersigned, being registered voters of the Village of Lemont, Cook, DuPage and Will Counties, Illinois (the “**Village**”), do hereby petition you to cause the question of issuing Taxable General Obligation Refunding Bonds (Alternate Revenue Source), in one or more series (the “**Bonds**”) of the Village to (i) advance refund a portion of the Village’s outstanding Taxable General Obligation Bonds (Alternate Revenue Source), Series 2012B (the “**2012B Bonds**”), which were initially issued to (a) finance land assembly, site preparation, including remediation, demolition, environmental studies and related work, professional and other redevelopment project costs, within or serving the Gateway Redevelopment Project Area, capitalized interest and related facilities, improvements and costs, and (b) pay for costs of issuance of the 2012B Bonds, and (ii) pay certain costs of issuance of the Bonds, with said Bonds being payable from (A) incremental taxes derived from the Village’s Gateway TIF Redevelopment Project Area, (B) incremental taxes derived from the Village’s Main/Archer TIF District, (C) the Village’s receipts of the Retailer’s Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes, (D) the Village’s distributive share of State of Illinois income taxes, and (E) ad valorem taxes of the Village for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount to be certified to the County Clerks of Cook, DuPage and Will Counties, Illinois, and submitted to the electors of said Village at the next election to be held at which said question may be voted upon.

<u>Name</u>	<u>Address</u>	<u>Village</u>	<u>County</u>
_____	_____	Lemont,	_____ County, Illinois
_____	_____	Lemont,	_____ County, Illinois
_____	_____	Lemont,	_____ County, Illinois
_____	_____	Lemont,	_____ County, Illinois
_____	_____	Lemont,	_____ County, Illinois
_____	_____	Lemont,	_____ County, Illinois
_____	_____	Lemont,	_____ County, Illinois
_____	_____	Lemont,	_____ County, Illinois
_____	_____	Lemont,	_____ County, Illinois

I, _____ of _____ (insert residence address), _____, Illinois, do hereby certify that I am a citizen of the United States and at least 18 years of age or older, and in the Cook, DuPage, and Will Counties, Illinois, and that the signatures on this petition were signed in my presence, and are genuine, and, to the best of my knowledge and belief, the persons so signing were at the time of signing this petition registered voters of said Village and that their respective addresses are correctly stated herein.

/s/ _____

Subscribed and sworn to before me this _____ day of _____, 2019.

Illinois Notary Public

My Commission Expires: _____
(NOTARY SEAL)

BINA Notice Form

The President and Board of Trustees of the Village of Lemont, Cook, DuPage and Will Counties, Illinois will hold a public hearing on September 23, 2019 at 7:00 p.m. The hearing will be held at the Lemont Village Hall located at 418 Main Street, in Lemont, Illinois. The purpose of the hearing will be to receive public comments on the proposal to sell bonds in the amount of up to \$3,600,000 to (i) advance refund a portion of the Village’s outstanding Taxable General Obligation Bonds (Alternate Revenue Source), Series 2012B (the “**2012B Bonds**”), which were initially issued to (a) finance land assembly, site preparation, including remediation, demolition, environmental studies and related work, professional and other redevelopment project costs, within or serving the Gateway Redevelopment Project Area, capitalized interest and related facilities, improvements and costs, and (b) pay for costs of issuance of the 2012B Bonds, and (ii) pay certain costs of issuance of the Bonds.

By: /s/ Charlene Smollen

Title: Village Clerk

Note to Publisher: The above notice is to be published one time on or before 7 days before the hearing, but not prior to 30 days before the hearing. Suggest sometime in the week of _____, 2019. **The publication may be in the “legals” or “classified” section of the paper. NO SPECIAL BORDER IS REQUIRED FOR THIS PUBLICATION. DO NOT USE ANY SPECIAL BORDER.** Please send your statement to:

Village Administrator
Village of Lemont
418 Main Street
Lemont, Illinois 60439

and send two publication certificates (and text) to Ice Miller LLP, 200 West Madison Street, Suite 3500, Chicago, Illinois 60606-3417, Attention Jenine Phillips.

PUBLISHER: DO NOT PRINT THE FOLLOWING:

Mayor’s Approval and Order Setting Public Hearing:

The undersigned, Mayor of the above Municipality hereby approves and orders the setting of the above Bond Issue Notification Act hearing.

Date: _____, 2019

Mayor

When signed by the Mayor, please date and fax back to Ice Miller LLP, Attention: Jenine Phillips at 312/726-2694.

TO: Village Board
FROM: Chris Smith, Finance Director
THROUGH: George Schafer, Village Administrator

SUBJECT: **An Ordinance authorizing the issuance of Waterworks and Sewerage Revenue Bonds of the Village of Lemont, Cook, DuPage and Will Counties, Illinois, in an aggregate principal amount not to exceed \$6,000,000 or, in lieu thereof, General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source) (said bonds being general obligation bonds to be issued in one or more series, on a taxable or tax-exempt basis, for which property taxes, unlimited as to rate or amount, may be levied, but which are expected to be paid from the net revenues of the waterworks and sewerage system of said Village) in an aggregate principal amount not to exceed \$6,000,000, for the purpose of paying the costs of improving the waterworks and sewerage system of the Village**

DATE: September 9, 2019

SUMMARY/ BACKGROUND

On August 19, 2019, Bob Vail of Bernardi Securities presented to the Village Board bonding opportunities.

During the Capital Improvements Program discussions, staff presented various Water/Sewer infrastructure projects. The conversation included a new well and water tower. It is estimated that we will have \$800K left over from the previous bond issuance to assist with capital infrastructure. The balance needed is in this issuance. Interest rates are very low.

The attached ordinance will begin the process to issue bonds for previously mentioned projects. The recommendation is to issue 20 year bonds with principal payments beginning in December 2020, which is in Lemont's Fiscal Year 2021. Please note that even with the new bond issuance the Water/Sewer fund will have more than a 1.25x debt coverage through 2040.

The next steps will be notice for the Public Hearing as well as a 30-day petition process.

This agenda item is the beginning of this process.

STAFF RECOMMENDATION

Staff is recommending the passage of this ordinance.

VILLAGE BOARD ACTION

Pass An Ordinance authorizing the issuance of Waterworks and Sewerage Revenue Bonds of the Village of Lemont, Cook, DuPage and Will Counties, Illinois, in an aggregate principal amount not to exceed \$6,000,000 or, in lieu thereof, General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source) (said bonds being general obligation bonds to be issued in one or more series, on a taxable or tax-exempt basis, for which property taxes, unlimited as to rate or amount, may be levied, but which are expected to be paid from the net revenues of the waterworks and sewerage system of said Village) in an aggregate principal amount not to exceed \$6,000,000, for the purpose of paying the costs of improving the waterworks and sewerage system of the Village.



ORDINANCE NO. _____

An Ordinance authorizing the issuance of Waterworks and Sewerage Revenue Bonds of the Village of Lemont, Cook, DuPage and Will Counties, Illinois, in an aggregate principal amount not to exceed \$6,000,000 or, in lieu thereof, General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source) (said bonds being general obligation bonds to be issued in one or more series, on a taxable or tax-exempt basis, for which property taxes, unlimited as to rate or amount, may be levied, but which are expected to be paid from the net revenues of the waterworks and sewerage system of said Village) in an aggregate principal amount not to exceed \$6,000,000, for the purpose of paying the costs of improving the waterworks and sewerage system of the Village.

* * *

WHEREAS, the Village of Lemont, Cook, DuPage and Will Counties, Illinois (the “**Village**”), is a duly organized and existing municipality created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, as amended (the “**Municipal Code**”), and, having the powers, objects and purposes provided by said Municipal Code, has for many years owned and operated a municipally owned waterworks and sewerage system (the “**System**”) as set forth in Division 139 of Article 11 of the Municipal Code; and; and

WHEREAS, the President and Board of Trustees of the Village (the “**Corporate Authorities**”) have determined that it is advisable, necessary and in the best interests of the Village to finance the acquisition, construction and installation of various improvements, extensions and facilities of the System of the Village, and related facilities, improvements and costs, including the construction of a new water tower and a new well (collectively, the “**Project**”), and (ii) pay certain costs of issuance of the Bonds (as such term is hereinafter defined), all for the benefit of the inhabitants of the Village; and

WHEREAS, the estimated cost of the Project, including legal, financial, bond discount, if any, printing and publication costs, capitalized interest, if any, and other expenses (collectively, the “**Costs**”), will not exceed \$6,000,000, and there are insufficient funds on hand and lawfully available to pay such Costs; and

WHEREAS, up to \$6,000,000 of alternate bonds need to be issued at this time pursuant to the Local Government Debt Reform Act of the State of Illinois, as amended, 30 ILCS 350/1 to 350/18 (the “**Act**”); and

WHEREAS, the Corporate Authorities have further determined that it is advisable, necessary and in the best interests of the Village that the Project be constructed and, in order to finance the cost of the Project it will be necessary for the Village to issue up to \$6,000,000 of bonds payable from the net revenues derived from the operation of the System as authorized to be issued at this time pursuant to Division 139 of Article 11 of the Code (the “**Revenue Bonds**”) or,

in lieu thereof, up to \$6,000,000 of alternate bonds (the “**Alternate Bonds**”), being general obligation bonds payable from the (i) net revenues of the System, and (ii) to receive certain proceeds of the Retailers Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes (collectively, the “**Pledged Revenues**”), as authorized to be issued at this time pursuant to the Act; and

WHEREAS, if the Pledged Revenues are insufficient to pay the Alternate Bonds, ad valorem taxes of the Village for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount (the “**Pledged Taxes**”) are authorized to be extended to pay the principal of and interest on the alternate bonds;

WHEREAS, pursuant to and in accordance with the provisions of Section 15 of the Act, the Village is authorized to issue alternate bonds, in one or more series, on a taxable or tax-exempt basis, in an aggregate principal amount not to exceed \$6,000,000 for the purpose of providing funds for the Project and to pay the Costs;

NOW THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Lemont, Cook, DuPage and Will Counties, Illinois, as follows:

Section 1. Incorporation of Preambles. The Corporate Authorities hereby find that all of the recitals contained in the preambles to this Ordinance are full, true and correct and do incorporate them into this Ordinance by this reference.

Section 2. Determination To Issue Bonds. It is advisable, necessary and in the best interests of the Village to construct the Project for the public health, safety and welfare, in accordance with the estimate of costs as hereinabove described, and that for such purpose, there are hereby authorized to be issued and sold the Revenue Bonds in an aggregate principal amount not to exceed \$6,000,000 or, in lieu thereof, the Alternate Bonds in an aggregate principal amount not to exceed \$6,000,000.

Section 3. Publication. Within ten (10) days after the adoption of this Ordinance, this Ordinance, together with a notice in the statutory form, shall be published once by the Corporate Authorities in the *My Suburban Life-Lemont*, being a newspaper of general circulation within the Village, and if a petition, signed by 1,222 electors (said number being 10% of the registered voters in the Village), is filed with the Village Clerk within thirty (30) days after the date of the publication, asking that the question of the issuance of the Revenue Bonds (the “**Revenue Bond Proposition**”) be submitted to referendum, then the Revenue Bond Proposition shall be submitted to the electors of the Village at the general primary election to be held on the 17th day of March, 2020, unless there are no voters scheduled to cast votes for any candidates for nomination for, election to or retention in public office, in which case the Revenue Bond Proposition shall be submitted to the electors of the Village at the general election to be held on the 3rd day of November, 2020. If no petition is filed with the Village Clerk within said 30-day period, then this Ordinance shall be in full force and effect and the Revenue Bonds shall be authorized to be issued. A petition form shall be provided by the Village Clerk at the principal office of the Village, located at 418 Main Street, Lemont, Illinois, to any individual requesting one.

This Ordinance, together with a notice in the statutory form, shall be published once by the Corporate Authorities in the *My Suburban Life-Lemont*, being a newspaper of general circulation in the Village, and if a petition, signed by 916 electors (said number being the greater of (i) seven and one-half percent (7½%) of the registered voters in the Village or (ii) the lesser of 200 registered voters or 15% of registered voters), asking that the question of the issuance of the Bonds (the “**Alternate Bond Proposition**”) be submitted to the electors of the Village, is filed with the Village Clerk within thirty (30) days after the date of the publication, then the Alternate Bond Proposition shall be submitted to the electors of the Village at the general primary election to be held on the 17th day of March, 2020, unless there are no voters scheduled to cast votes for any candidates for nomination for, election to or retention in public office, in which case the Alternate Bond Proposition shall be submitted to the electors of the Village at the general election to be held on the 3rd day of November, 2020. If no petition is filed with the Village Clerk within said 30-day period, then this Ordinance shall be in full force and effect and the Bonds shall be authorized to be issued. A petition form shall be provided by the Village Clerk at the principal office of the Village, located at 418 Main Street, Lemont, Illinois, to any individual requesting one.

It is expressly provided that in the event that there shall be filed with the Village Clerk in a timely manner a petition, asking that the issuance of the Revenue Bonds be submitted to referendum, the Alternate Bonds shall not be authorized to be issued until such time as the issuance of the Revenue Bonds shall have been submitted to the electors of the Village and a majority of the votes cast on such question shall have been in favor thereof.

Section 4. Additional Ordinances. If no petition with respect to the issue of the Revenue Bonds or, in lieu thereof, the Alternate Bonds and meeting the requirements of applicable law is filed during the petition periods hereinabove referred to, then the Corporate Authorities may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Revenue Bonds or, in lieu thereof, the Alternate Bonds and prescribing all the details of the Revenue Bonds or, in lieu thereof, the Alternate Bonds, so long as the maximum aggregate principal amount of the Revenue Bonds or, in lieu thereof, the Alternate Bonds as set forth in this Ordinance is not exceeded and there is no material change in the Project. Such additional ordinances or proceedings shall in all instances become effective in accordance with applicable law. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the issuance of the Revenue Bonds or, in lieu thereof, the Alternate Bonds, under applicable law.

Section 5. Additional Proceedings. If no petition meeting the requirement of applicable law is filed during the petition period hereinabove referred to, then the preparation and distribution of a preliminary official statement relating to the Bonds is hereby approved, and the Mayor is hereby authorized to deem the preliminary official statement nearly final.

Section 6. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 7. Repealer. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 8. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

AYES: _____

NAYS: _____

ABSENT: _____

PASSED this 9th day of September, 2019.

APPROVED by me this 9th day of September, 2019.

By: _____
Its: John Egofske
Mayor, Village of Lemont, Cook, DuPage
and Will Counties, Illinois

ATTEST:

By: _____
Its: Charlene Smollen
Village Clerk, Village of Lemont,
Cook, DuPage and Will Counties, Illinois

**NOTICE OF INTENT TO ISSUE BONDS
AND RIGHT TO FILE PETITION
AND HEARING ON PROPOSED ISSUANCE**

Notice is hereby given that pursuant to Ordinance No. _____, adopted September 9, 2019 (the "Ordinance"), the Village of Lemont, Cook, DuPage and Will Counties, Illinois (the "**Village**"), intends to issue its Waterworks and Sewerage Revenue Bonds (the "**Revenue Bonds**") or, in lieu thereof, its General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source) (the "**Alternate Bonds**"), in the principal amount of not to exceed \$6,000,000, and bearing interest per annum at not to exceed the maximum rate authorized by law at the time of the sale thereof, to finance the acquisition, construction and installation of various improvements, extensions and facilities of the Waterworks and Sewerage System (the "**System**") of the Village, and related facilities, improvements and costs, including the construction of a new water tower and a new well of the Village. The Alternate Bonds would be payable from the (i) net revenues of the System, and (ii) to receive certain proceeds of the Retailers Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes (collectively, the "**Pledged Revenues**"). The Village will also levy ad valorem property taxes upon all taxable property in the Village without limitation as to rate or amount to pay the principal of and interest on the Alternate Bonds. A complete copy of the Ordinance follows this notice.

Notice is hereby further given that if a petition signed by 1,222 or more electors of the Village (the same being equal to 10% of the registered voters of the Village) asking that the question of improving the System, as provided in the Ordinance, and the issuance of the Revenue Bonds therefor, be submitted to the electors of the Village is filed with the Village Clerk within thirty (30) days after the date of publication of the Ordinance and this notice, an election on the proposition (the "**Revenue Bond Proposition**") to issue the Revenue Bonds shall be held on the 17th day of March, 2020, unless there are no voters scheduled to cast votes for any candidates for nomination for, election to or retention in public office, in which case the Revenue Bond Proposition shall be submitted to the electors of the Village at the general election to be held on the 3rd day of November, 2020. If no petition is filed with the Village Clerk within said 30-day period, then this Ordinance shall be in full force and effect and the Revenue Bonds shall be authorized to be issued.

Notice is hereby further given that if a petition signed by 916 or more electors of the Village (being equal to the greater of (i) 7.5% of the registered voters in the Village or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less) asking that the issuance of the Alternate Bonds be submitted to referendum is filed with the Village Clerk within thirty (30) days after the date of publication of the Ordinance and this notice, an election on the proposition (the "**Alternate Bond Proposition**") to issue the Alternate Bonds shall be held on the 17th day of March, 2020, unless there are no voters scheduled to cast votes for any candidates for nomination for, election to or retention in public office, in which case the Alternate Bond Proposition shall be submitted to the electors of the Village at the general election to be held on the 3rd day of November, 2020. If no petition is filed with the Village Clerk within said 30-day period, then this Ordinance shall be in full force and effect and the Alternate Bonds shall be authorized to be issued.

The forms of petitions shall be provided by the Village Clerk at the principal office of the Village, located at 418 Main Street, Lemont, Illinois, to any individual requesting one.

By order of the President and Board of Trustees of the Village.

Dated this 9th day of September, 2019.

/s/ Charlene Smollen

Village Clerk
Village of Lemont, Cook, DuPage and Will Counties,
Illinois

PETITION — ALTERNATE BONDS — COOK COUNTY, ILLINOIS

To the Village Clerk of the Village of Lemont, Cook County, Illinois:

We, the undersigned, being registered voters of the Village of Lemont, Cook County, Illinois, do hereby petition you to cause the following question to be certified to the County Clerk of The County of Cook, Illinois, and submitted to the electors of said Village at the next election to be held at which said question may be voted upon:

“Shall the Village of Lemont, Cook, DuPage and Will Counties, Illinois, issue its general obligation alternate bonds to the amount of not to exceed \$6,000,000 (said bonds being general obligation bonds for which property taxes, unlimited as to rate or amount, may be levied, but which are expected to be paid from the net revenues of the waterworks and sewerage system of said Village) to finance the acquisition, construction and installation of various improvements, extensions and facilities of the Waterworks and Sewerage System of the Village, and related facilities, improvements and costs, including the construction of a new water tower and a new well of said Village?”

SIGNATURE	ADDRESS
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois

The undersigned, being first duly sworn, deposes and certifies that he or she is at least 18 years of age, his or her residence address is _____ (Street Address), _____ (City, Village or Town), _____ County, _____ (State), that he or she is a citizen of the United States of America, that the signatures on the foregoing petition were signed in his or her presence and are genuine, that to the best of his or her knowledge and belief the persons so signing were at the time of signing said petition registered voters of said Village and that their respective residences are correctly stated therein.

Signed and sworn to before me this _____ day of _____, 2019.

Illinois Notary Public

My commission expires _____
(NOTARY SEAL)

PETITION — ALTERNATE BONDS — DUPAGE COUNTY, ILLINOIS

To the Village Clerk of the Village of Lemont, DuPage County, Illinois:

We, the undersigned, being registered voters of the Village of Lemont, DuPage County, Illinois, do hereby petition you to cause the following question to be certified to the County Clerk of The County of DuPage, Illinois, and submitted to the electors of said Village at the next election to be held at which said question may be voted upon:

“Shall the Village of Lemont, Cook, DuPage and Will Counties, Illinois, issue its general obligation alternate bonds to the amount of not to exceed \$6,000,000 (said bonds being general obligation bonds for which property taxes, unlimited as to rate or amount, may be levied, but which are expected to be paid from the net revenues of the waterworks and sewerage system of said Village) to finance the acquisition, construction and installation of various improvements, extensions and facilities of the Waterworks and Sewerage System of the Village, and related facilities, improvements and costs, including the construction of a new water tower and a new well of said Village?”

SIGNATURE	ADDRESS
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois

The undersigned, being first duly sworn, deposes and certifies that he or she is at least 18 years of age, his or her residence address is _____ (Street Address), _____ (City, Village or Town), _____ County, _____ (State), that he or she is a citizen of the United States of America, that the signatures on the foregoing petition were signed in his or her presence and are genuine, that to the best of his or her knowledge and belief the persons so signing were at the time of signing said petition registered voters of said Village and that their respective residences are correctly stated therein.

Signed and sworn to before me this _____ day of _____, 2019.

Illinois Notary Public

My commission expires _____
(NOTARY SEAL)

PETITION — ALTERNATE BONDS — WILL COUNTY, ILLINOIS

To the Village Clerk of the Village of Lemont, Will County, Illinois:

We, the undersigned, being registered voters of the Village of Lemont, Will County, Illinois, do hereby petition you to cause the following question to be certified to the County Clerk of The County of Will, Illinois, and submitted to the electors of said Village at the next election to be held at which said question may be voted upon:

“Shall the Village of Lemont, Cook, DuPage and Will Counties, Illinois, issue its general obligation alternate bonds to the amount of not to exceed \$6,000,000 (said bonds being general obligation bonds for which property taxes, unlimited as to rate or amount, may be levied, but which are expected to be paid from the net revenues of the waterworks and sewerage system of said Village) to finance the acquisition, construction and installation of various improvements, extensions and facilities of the Waterworks and Sewerage System of the Village, and related facilities, improvements and costs, including the construction of a new water tower and a new well of said Village?”

SIGNATURE	ADDRESS
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois

The undersigned, being first duly sworn, deposes and certifies that he or she is at least 18 years of age, his or her residence address is _____ (Street Address), _____ (City, Village or Town), _____ County, _____ (State), that he or she is a citizen of the United States of America, that the signatures on the foregoing petition were signed in his or her presence and are genuine, that to the best of his or her knowledge and belief the persons so signing were at the time of signing said petition registered voters of said Village and that their respective residences are correctly stated therein.

Signed and sworn to before me this _____ day of _____, 2019.

Illinois Notary Public

My commission expires _____
(NOTARY SEAL)

PETITION — REVENUE BONDS — COOK COUNTY, ILLINOIS

To the Village Clerk of the Village of Lemont, Cook County, Illinois:

We, the undersigned, being registered voters of the Village of Lemont, Cook County, Illinois, do hereby petition you to cause the following question to be certified to the County Clerk of The County of Cook, Illinois, and submitted to the electors of said Village at the next election to be held at which said question may be voted upon:

“Shall the Village of Lemont, Cook, DuPage and Will Counties, Illinois, finance the acquisition, construction and installation of various improvements, extensions and facilities of the Waterworks and Sewerage System of the Village, and related facilities, improvements and costs, including the construction of a new water tower and a new well of said Village, as provided for by Ordinance No. _____, and issue its waterworks and sewerage revenue bonds to the amount of not to exceed \$6,000,000 for the purpose of paying the costs thereof?”

SIGNATURE	ADDRESS
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois
_____	_____, Lemont, Cook County, Illinois

The undersigned, being first duly sworn, deposes and certifies that he or she is at least 18 years of age, his or her residence address is _____ (Street Address), _____ (City, Village or Town), _____ County, _____ (State), that he or she is a citizen of the United States of America, that the signatures on the foregoing petition were signed in his or her presence and are genuine, that to the best of his or her knowledge and belief the persons so signing were at the time of signing said petition registered voters of said Village and that their respective residences are correctly stated therein.

Signed and sworn to before me this _____ day of _____, 2019.

Illinois Notary Public

My commission expires _____
(NOTARY SEAL)

PETITION — REVENUE BONDS — DUPAGE COUNTY, ILLINOIS

To the Village Clerk of the Village of Lemont, DuPage County, Illinois:

We, the undersigned, being registered voters of the Village of Lemont, DuPage County, Illinois, do hereby petition you to cause the following question to be certified to the County Clerk of The County of DuPage, Illinois, and submitted to the electors of said Village at the next election to be held at which said question may be voted upon:

“Shall the Village of Lemont, Cook, DuPage and Will Counties, Illinois, finance the acquisition, construction and installation of various improvements, extensions and facilities of the Waterworks and Sewerage System of the Village, and related facilities, improvements and costs, including the construction of a new water tower and a new well of said Village, as provided for by Ordinance No. _____, and issue its waterworks and sewerage revenue bonds to the amount of not to exceed \$6,000,000 for the purpose of paying the costs thereof?”

SIGNATURE	ADDRESS
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois
_____	_____, Lemont, DuPage County, Illinois

The undersigned, being first duly sworn, deposes and certifies that he or she is at least 18 years of age, his or her residence address is _____ (Street Address), _____ (City, Village or Town), _____ County, _____ (State), that he or she is a citizen of the United States of America, that the signatures on the foregoing petition were signed in his or her presence and are genuine, that to the best of his or her knowledge and belief the persons so signing were at the time of signing said petition registered voters of said Village and that their respective residences are correctly stated therein.

Signed and sworn to before me this _____ day of _____, 2019.

Illinois Notary Public

My commission expires _____
(NOTARY SEAL)

PETITION — REVENUE BONDS — WILL COUNTY, ILLINOIS

To the Village Clerk of the Village of Lemont, Will County, Illinois:

We, the undersigned, being registered voters of the Village of Lemont, Will County, Illinois, do hereby petition you to cause the following question to be certified to the County Clerk of The County of Will, Illinois, and submitted to the electors of said Village at the next election to be held at which said question may be voted upon:

“Shall the Village of Lemont, Cook, DuPage and Will Counties, Illinois, finance the acquisition, construction and installation of various improvements, extensions and facilities of the Waterworks and Sewerage System of the Village, and related facilities, improvements and costs, including the construction of a new water tower and a new well of said Village, as provided for by Ordinance No. _____, and issue its waterworks and sewerage revenue bonds to the amount of not to exceed \$6,000,000 for the purpose of paying the costs thereof?”

SIGNATURE	ADDRESS
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois
_____	_____, Lemont, Will County, Illinois

The undersigned, being first duly sworn, deposes and certifies that he or she is at least 18 years of age, his or her residence address is _____ (Street Address), _____ (City, Village or Town), _____ County, _____ (State), that he or she is a citizen of the United States of America, that the signatures on the foregoing petition were signed in his or her presence and are genuine, that to the best of his or her knowledge and belief the persons so signing were at the time of signing said petition registered voters of said Village and that their respective residences are correctly stated therein.

Signed and sworn to before me this _____ day of _____, 2019.

Illinois Notary Public

My commission expires _____
(NOTARY SEAL)

BINA Notice Form

The President and Board of Trustees of the Village of Lemont, Cook, DuPage and Will Counties, Illinois will hold a public hearing on September 23, 2019 at 7:00 p.m. The hearing will be held at Lemont Village Hall located at 418 Main Street, in Lemont, Illinois. The purpose of the hearing will be to receive public comments on the proposal to sell bonds in the amount of up to \$6,000,000 to finance the acquisition, construction and installation of various improvements, extensions and facilities of the Waterworks and Sewerage System of the Village, and related facilities, improvements and costs, including the construction of a new water tower and a new well and to pay costs of issuance thereof.

By: /s/ Charlene Smollen

Title: Village Clerk

Note to Publisher: The above notice is to be published one time on or before 7 days before the hearing, but not prior to 30 days before the hearing. Suggest sometime in the week of _____, 2019. **The publication may be in the "legals" or "classified" section of the paper. NO SPECIAL BORDER IS REQUIRED FOR THIS PUBLICATION. DO NOT USE ANY SPECIAL BORDER.** Please send your statement to:

Village Administrator
Village of Lemont
418 Main Street
Lemont, Illinois 60439

and send two publication certificates (and text) to Ice Miller LLP, 200 West Madison Street, Suite 3500, Chicago, Illinois 60606-3417, Attention Jenine Phillips.

PUBLISHER: DO NOT PRINT THE FOLLOWING:

Village President's Approval and Order Setting Public Hearing:

The undersigned, Village President of the above Municipality hereby approves and orders the setting of the above Bond Issue Notification Act hearing.

Date: _____, 2019

Village President

When signed by the Village President, please date and fax back to Ice Miller LLP, Attention: Jenine Phillips at 312/726-2694.

TO: Mayor John Egofske
Village Board of Trustees

FROM: Ralph Pukula, Director of Public Works

SUBJECT: Stephen Street Resurfacing
Illinois Street to River Street

DATE: September 9, 2019

SUMMARY/ BACKGROUND

Four (4) bids were received on August 28, 2019 at 11:00 a.m. for the Stephen Street Resurfacing project, which includes hot-mix asphalt surface removal and resurfacing; combination curb and gutter repairs; brick paver removal and reset; ADA detectable warning ramps; thermoplastic and paint pavement markings; and all appurtenant construction. The low bid amount was submitted by K-Five Construction Corporation, in the amount of \$124,501.97, which is \$4,067.03 under the Engineer's estimate of \$128,569.00.

ANALYSIS

The purpose of this project is to rehabilitate Stephen Street with new HMA surface course and pavement striping, and to construct all new ADA ramps. This project is being funded in part by a \$100,000 State of Illinois DCEO grant.

STAFF RECOMMENDATION

Acceptance of the low bid for the Stephen Street Resurfacing Project.

BOARD ACTION REQUESTED

Approval of Resolution accepting the bid, and award of the contract.

ATTACHMENTS

- Resolution Authorizing Award of Contract;
- Letter of Award Recommendation;
- Bid Tabulation listing the bid received, including company name, address and amount of bid; and
- Location Map

VILLAGE OF LEMONT

RESOLUTION NO. _____

**AUTHORIZING AWARD OF CONTRACT FOR STEPHEN STREET RESURFACING ILLINOIS
STREET TO RIVER STREET**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LEMONT
THIS 9TH DAY OF SEPTEMBER 2019**

**Published in pamphlet form by
authority of the President and Board of
Trustees of the Village of
Lemont, Counties of Cook, Will and DuPage,
Illinois on this 9th day of September 2019**

RESOLUTION NO. _____

AUTHORIZING AWARD OF CONTRACT FOR STEPHEN STREET RESURFACING ILLINOIS STREET TO RIVER STREET

WHEREAS, The Village of Lemont requires that the Stephen Street Resurfacing Illinois Street to River Street project be completed; and

WHEREAS, the Village seeks to utilize the services of K-Five Construction Corporation for such work; and

WHEREAS, K-Five Construction Corporation submitted a low bid for such work in the amount of \$124,501.97; and

BE IT RESOLVED by the Village President and Board of Trustees of the Village of Lemont, Counties of Cook, Will, and DuPage, Illinois, as follows:

SECTION ONE: The agreement attached hereto as Exhibit A is hereby approved.

SECTION TWO: The Village Administrator is authorized to execute the Agreement and to make minor changes to the document prior to execution that do not materially alter the Village's obligations, to execute any other agreements and documentation as well as to take any other steps necessary to carry out this resolution.

SECTION THREE: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL AND DUPAGE, ILLINOIS on this 9TH DAY OF SEPTEMBER 2019.

PRESIDENT AND VILLAGE BOARD MEMBERS:

	AYES:	NAYS:	ABSENT:	ABSTAIN
Janelle Kittridge	_____	_____	_____	_____
Ryan Kwasneski	_____	_____	_____	_____
Dave Maher	_____	_____	_____	_____
Ken McClafferty	_____	_____	_____	_____
Rick Sniegowski	_____	_____	_____	_____
Ron Stapleton	_____	_____	_____	_____

JOHN EGOFSKE
President

ATTEST:

CHARLENE M. SMOLLEN
Village Clerk

Exhibit A
Stephen Street Resurfacing Illinois Street to River Street Contract Page

Contract for Stephen Street Resurfacing Illinois Street to River Street

1. **THIS AGREEMENT**, made and concluded the ____ day of __ between the **Village of Lemont**, acting by and through the **Village Administrator** as the party of the first part, and K-Five Construction Corp., 999 Oakmont Plaza, Suite 200, Westmont, IL 60559, his/their executors, administrators, successors or assigns, known as the party of the second part.

2. **WITNESSETH:** That for and in consideration of the payments and agreements mentioned in the Proposal hereto attached, to be made and performed by the party of the first part and according to the terms expressed in the Bond referring to these presents, the party of the second part agrees with said party of the first part at his/their own proper cost and expense to do all the work, furnish all the materials and all labor necessary to complete the work in accordance with the Plans and Specifications hereinafter described, and in full compliance with all of the terms of this agreement and the requirements of the Engineer under it.

3. **AND**, it is also understood and agreed that the Notice to Contractors, Special Provisions, Proposal and Contract Bond hereto attached, and the Plans as prepared by Novotny Engineering, and designated as Stephen Street Resurfacing Illinois Street to River Street all essential documents of this Contract, and are a part hereto.

4. **IN WITNESS WHEREOF**, the said parties have executed these presents on the date above mentioned.

Party of the First Part

ATTEST: The VILLAGE OF LEMONT

Charlene M. Smollen, Clerk By _____ George Schafer, Village Administrator

Party of the Second Part

(S E A L) _____ (If a Corporation)
Secretary Corporate Name K-Five Construction Corp.

(Corporate Seal) _____ President
(If a Co-Partnership)

(SEAL)

(SEAL)

Partners doing Business under the name
of _____
(If an Individual)

(SEAL)

Exhibit B
Stephen Street Resurfacing Illinois Street to River Street Project Letter of Award
Recommendation and Bid Tabulation, and Location Map



August 29, 2019

Mr. George Schafer
Administrator
Village of Lemont
418 Main Street
Lemont, IL 60439

Re: **Stephen Street Resurfacing**
Illinois Street to River Street

Dear George:

Listed below and on the attached *Tabulation of Bids* are the results of the August 28, 2019, bid opening for the above-captioned project. Four (4) bids were received and checked for accuracy, with no errors being found. A summary is as follows:

K-Five Construction	\$ 124,501.97
M&J Asphalt Paving	134,722.50
P.T. Ferro Construction	146,471.07
Brothers Asphalt Paving	157,785.77
Engineer's Estimate.....	\$ 128,569.00

The low bid submitted by K-Five Construction Corporation, in the amount of \$124,501.97, is \$4,067.03 (3.16%) under the Engineer's Estimate of \$128,569.00. K-Five Construction Corporation is qualified by IDOT to perform this work. Therefore, we recommend that the Contract be awarded to **K-Five Construction Corporation, 999 Oakmont Plaza, Suite 200, Westmont, IL 60559**, in the amount of **\$124,501.97**.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

NOVOTNY ENGINEERING

James L. Cainkar, P.E., P.L.S.

JLC/kes
Enclosure

cc: Mr. Ralph Pukula, Director of Public Works, w/Enc.
Ms. Linda Molitor, Executive Assistant, w/Enc.
Ms. Christina Smith, Finance Director, w/Enc.
File No. 18373

OWNER: VILLAGE OF LEMONT
PROJECT DESCRIPTION: STEPHEN STREET RESURFACING
 ILLINOIS STREET TO RIVER STREET
BID OPENING: AUGUST 28, 2019 @ 11:00 A.M.

PROJECT NO : 18373

Item No	Description	Unit	Quantity	Engineers Estimate		K-Five Construction Corp. 999 Oakmont Plaza, Ste. 200 Westmont, IL 60559 5% Bid Bond		M&J Asphalt Paving Co. 3124 S. 60th Court Cicero, IL 60804 5% Bid Bond		P.T. Ferro Construction Co. 700 S. Rowell Avenue Joliet, IL 60433 5% Bid Bond		Brothers Asphalt Paving 315 S. Stewart Avenue Addison, IL 60101 5% Bid Bond	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Bituminous Materials (Tack Coat)	POUND	1950	1.00	1,950.00	0.01	19.50	0.01	19.50	0.01	19.50	0.30	585.00
2	Hot-Mix Asphalt Surface Removal, 1-1/2"	SQ YD	300	4.00	1,200.00	3.50	1,050.00	4.00	1,200.00	6.00	1,800.00	5.00	1,500.00
3	Hot-Mix Asphalt Surface Removal, 2"	SQ YD	4010	5.00	20,050.00	5.00	20,050.00	3.35	13,433.50	6.00	24,060.00	5.00	20,050.00
4	Leveling Binder (Hand Method), N50	TON	20	250.00	5,000.00	100.00	2,000.00	108.00	2,160.00	215.00	4,300.00	120.00	2,400.00
5	Hot-Mix Asphalt Surface Course, Mix "D", N50, 2"	TON	482	90.00	43,380.00	95.00	45,790.00	108.00	52,056.00	100.00	48,200.00	120.00	57,840.00
6	P.C. Concrete Sidewalk, 5"	SQ FT	603	10.00	6,030.00	11.00	6,633.00	13.00	7,839.00	20.00	12,060.00	19.21	11,583.63
7	Combination Curb & Gutter Removal	FOOT	200	10.00	2,000.00	10.00	2,000.00	26.00	5,200.00	30.00	6,000.00	13.20	2,640.00
8	Combination Concrete Curb & Gutter, Type B-6:12	FOOT	200	50.00	10,000.00	36.00	7,200.00	45.00	9,000.00	55.00	11,000.00	41.80	8,360.00
9	Detectable Warnings	SQ FT	232	40.00	9,280.00	28.00	6,496.00	39.00	9,048.00	20.00	4,640.00	33.00	7,656.00
10	Brick Paver Removal	SQ FT	1000	5.00	5,000.00	6.00	6,000.00	10.00	10,000.00	4.00	4,000.00	11.00	11,000.00
11	Brick Paver Reset	SQ FT	350	15.00	5,250.00	16.00	5,600.00	26.50	9,275.00	30.00	10,500.00	16.50	5,775.00
12	Thermoplastic Pavement Marking - Line 4"	FOOT	2190	1.50	3,285.00	0.90	1,971.00	1.00	2,190.00	0.89	1,949.10	1.10	2,409.00
13	Thermoplastic Pavement Marking - Line 6"	FOOT	812	3.00	2,436.00	1.35	1,096.20	1.50	1,218.00	1.35	1,096.20	1.37	1,112.44
14	Thermoplastic Pavement Marking - Line 12"	FOOT	666	4.00	2,664.00	2.35	1,565.10	2.70	1,798.20	2.35	1,565.10	2.20	1,465.20
15	Thermoplastic Pavement Marking - Line 24"	FOOT	251	8.00	2,008.00	4.40	1,104.40	5.00	1,255.00	4.40	1,104.40	4.40	1,104.40
16	Thermoplastic Pavement Marking - Letters & Symbols	SQ FT	215	8.00	1,720.00	3.95	849.25	4.50	967.50	3.95	849.25	4.40	946.00
17	Paint Pavement Marking - Line 4"	FOOT	316	1.00	316.00	0.72	227.52	0.80	252.80	0.72	227.52	2.20	695.20
18	Traffic Control & Protection - Standard 701501	L SUM	1	2,000.00	2,000.00	12,500.00	12,500.00	5,200.00	5,200.00	10,000.00	10,000.00	15,000.00	15,000.00
19	Traffic Control & Protection - Standard 701801	L SUM	1	2,000.00	2,000.00	850.00	850.00	210.00	210.00	100.00	100.00	163.90	163.90
20	Railroad Protective Liability Insurance	L SUM	1	3,000.00	3,000.00	1,500.00	1,500.00	2,400.00	2,400.00	3,000.00	3,000.00	5,500.00	5,500.00
Totals:					128,569.00		124,501.97		134,722.50		146,471.07		157,785.77
Bid Error Corrections:													
Corrected Totals							124,501.97		134,722.50		146,471.07		157,785.77
Over / Under							-4,067.03		6,153.50		17,902.07		29,216.77
Percent							-3.16%		4.79%		13.92%		22.72%

PROJECT LOCATION MAP

RANGE 11 EAST

N.T.S.

3rd PRINCIPAL MERIDIAN

TOWNSHIP 37 NORTH



LEMONT TOWNSHIP

PROJECT LOCATION MAP

N.T.S.

■ DENOTES LOCATION OF IMPROVEMENT

LENGTH OF PROJECT

STEPHEN STREET RESURFACING 920 FT (0.17 MILES)

TO: Village Board
FROM: Jamie Tate, AICP, Consulting Planner
THROUGH: Jason Berry, AICP, Economic & Community Development Director
SUBJECT: Case 15-05 Townhomes at Seven Oaks Plat of Subdivision for 1A, 3A and 5A
DATE: September 9, 2019

SUMMARY/ BACKGROUND

John McDonnell of Castletown Homes, owner of the subject property, is seeking a Final Plat of Subdivision for 1A, 3A and 5A for the Townhomes of Seven Oaks (14280 McCarthy Road). The purpose of the request is to move the lot lines and buildings on Lots 1, 3 and 5 to avoid utility line conflicts while still maintaining setbacks and PUD standards in O-20-15. There are a total of six buildings in the subdivision, with two already complete, located on nearly 5.5 acres with each townhome building having between three and five units. Building 6 is currently under construction. The subdivision was annexed and zoned R-5 on June 22, 2015 and the Final PUD was approved by the Village Board at the same time.

The PZC held a meeting to discuss the Resubdivision on September 4, 2019. There was discussion surrounding the shift in the lots lines and how it will affect the sidewalk in the right-of-way adjacent to Lot 5. It was determined there is no change in the sidewalk or difference in how it will connect to any future development, therefore nothing needs to be addressed with the proposed change in lot lines. The PZC recommended approval of the proposed Final Plat of Subdivision (5-0) for Lots 1A, 3A and 5A of Townhomes at Seven Oaks.

BOARD ACTION REQUESTED

Motion and approval of the attached resolution.

ATTACHMENTS

1. A RESOLUTION APPROVING A FINAL PLAT OF SUBDIVISION OF LOTS 1A, 3A AND 5A IN THE TOWNHOMES AT SEVEN OAKS LOCATED AT 14280 MCCARTHY ROAD IN LEMONT, IL

VILLAGE OF LEMONT

RESOLUTION NO. _____

**A RESOLUTION APPROVING A FINAL PLAT OF SUBDIVISION OF LOTS
1A, 3A AND 5A IN THE TOWNHOMES AT SEVEN OAKS LOCATED AT
14280 MCCARTHY ROAD IN LEMONT, IL**

(Seven Oaks Resubdivision)

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LEMONT
THIS 9th DAY OF SEPTEMBER, 2019**

**Published in pamphlet form by
Authority of the President and
Board of Trustees of the Village of
Lemont, Counties of Cook, Will and
DuPage, Illinois, this 9th day of September, 2019**

RESOLUTION NO. _____

A RESOLUTION APPROVING A FINAL PLAT OF SUBDIVISION OF LOTS 1A, 3A AND 5A IN THE TOWNHOMES AT SEVEN OAKS LOCATED AT 14280 MCCARTHY ROAD IN LEMONT, IL

(Seven Oaks Resubdivision)

WHEREAS, John McDonnell of Castletown Homes (hereinafter referred to as “the Petitioner”), is the owner of the properties southeast of the intersection of Lacey Drive and McCarthy Road (Building 5; PIN#22-27-300-089-0000), (Building 3; PIN#22-27-300-087-0000), and (Building 1; PIN#22-27-300-085-0000) in Lemont, Illinois, legally described and depicted in the Final Plat of Subdivision titled “Plat of Subdivision of: Lots 1A, 3A and 5A in the Townhomes at Seven Oaks” attached hereto and incorporated herein as Exhibit “A”; and

WHEREAS, the Final PUD and Plat of Subdivision for the Townhomes of Seven Oaks was approved as O-20-15 on June 22, 2015; and

WHEREAS, the Petitioner submitted for a Plat of Resubdivision, dated 8/19/19, (hereinafter referred to as “Final Plat of Subdivision”) for final plat approval in accordance with the requirements of the Lemont Unified Development Ordinance; and

WHEREAS, the terms ‘Resubdivision’ and ‘Subdivision’ are used interchangeably for the purpose of this Resubdivision as the proposed Resubdivision for the Townhomes of Seven Oaks is a shift in lot lines regarding Lots 1, 3 and 5 due to utility conflicts; and

WHEREAS, on September 4, 2019, the Lemont Planning & Zoning Commission, in accordance with the requirements of the Illinois Municipal Code and Title 17 of the Lemont, Illinois Municipal Code, conducted a public meeting on the application for the Final Plat of Subdivision; and

WHEREAS, the Lemont Planning & Zoning Commission has found the petition substantially meets the standards for a Subdivision and approved PUD (O-20-15) and recommends approval (5-0) of the Final Plat of Subdivision; and

WHEREAS, the President and Board of Trustees have determined that the proposed Resubdivision is in the best interest of the Village of Lemont.

BE IT RESOLVED by the President and Board of Trustees of the Village of Lemont, Counties of Cook, DuPage, and Will, Illinois, as follows:

SECTION ONE: The President and Board of Trustees hereby finds and determines that the facts set forth in the preamble hereto are true and correct and hereby adopts same as part of this Resolution.

SECTION TWO: The Final Plat of Subdivision for 1A, 3A and 5A of the Townhomes of Seven Oaks be and is hereby approved in substantially the form attached hereto as Exhibit A.

SECTION THREE: That this Resolution shall be in full force and effect from and after its passage and approval as provided by law.

APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL, AND DUPAGE, ILLINOIS, on this 9th DAY OF SEPTEMBER, 2019.

PRESIDENT AND VILLAGE BOARD MEMBERS:

	AYES:	NAYS:	ABSENT:	ABSTAIN
Janelle Kittridge	_____	_____	_____	_____
Ryan Kwasneski	_____	_____	_____	_____
Dave Maher	_____	_____	_____	_____
Ken McClafferty	_____	_____	_____	_____
Rick Sniegowski	_____	_____	_____	_____
Ron Stapleton	_____	_____	_____	_____

JOHN EGOSKE, Village President

ATTEST:

CHARLENE M. SMOLLEN, Village Clerk

EXHIBIT A

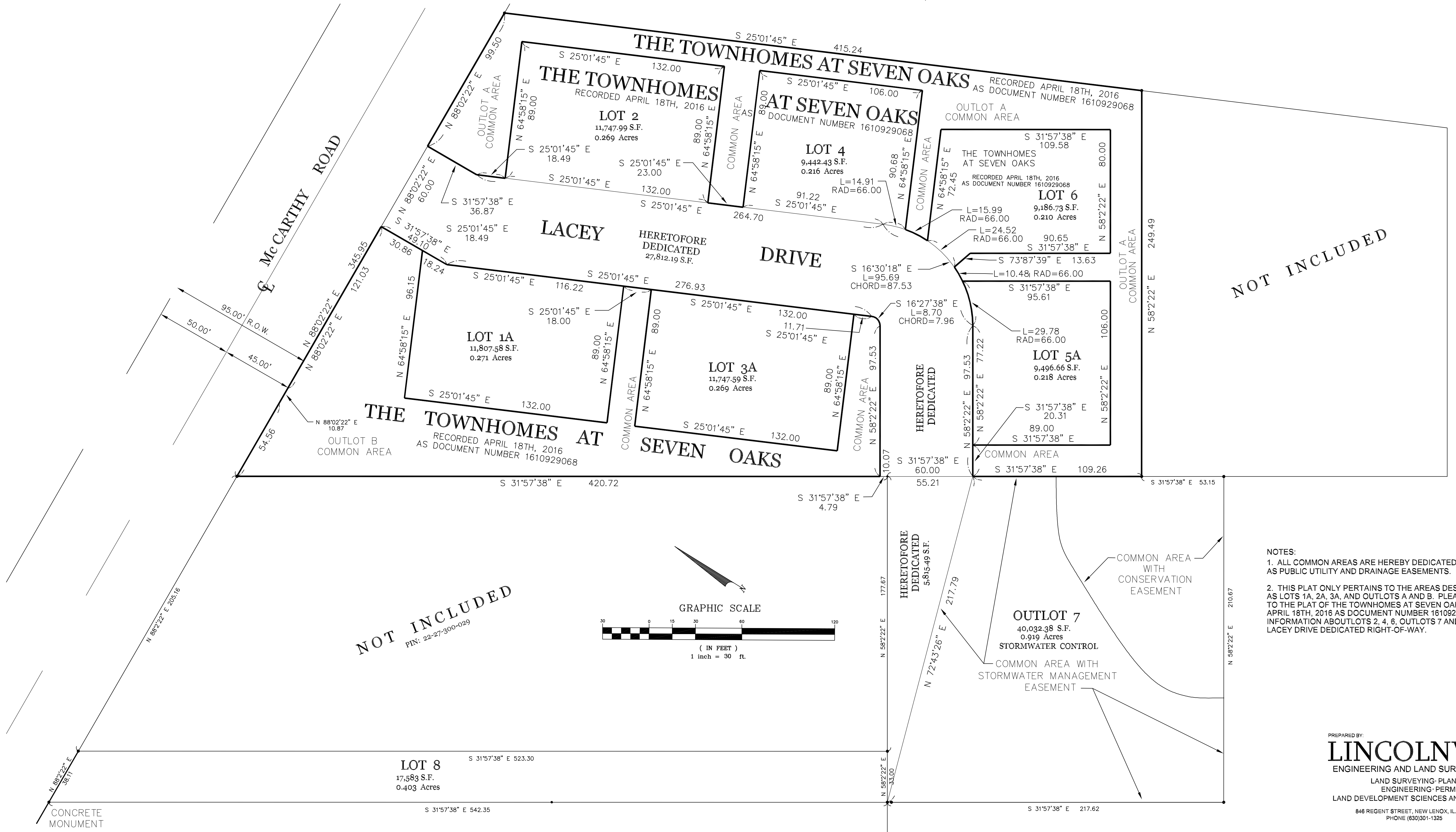
Final Plat of Subdivision titled
“Plat of Subdivision of: Lots 1A, 3A and 5A in the Townhomes at Seven Oaks” dated 8/19/2019

PLAT OF SUBDIVISION

of:

LOTS 1A, 3A AND 5A IN THE TOWNHOMES AT SEVEN OAKS

A RESUBDIVISION OF LOTS 1, 3, 5, OUTLOT A AND OUTLOT B IN THE TOWNHOMES AT SEVEN OAKS PLAT OF SUBDIVISION, PART OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED APRIL 18TH, 2016 AS DOCUMENT NUMBER 1610929068, IN COOK COUNTY, ILLINOIS.



NOT INCLUDED

NOT INCLUDED
PIN: 22-27-300-029

- NOTES:
1. ALL COMMON AREAS ARE HEREBY DEDICATED AS PUBLIC UTILITY AND DRAINAGE EASEMENTS.
 2. THIS PLAT ONLY PERTAINS TO THE AREAS DESIGNATED AS LOTS 1A, 2A, 3A, AND OUTLOTS A AND B. PLEASE REFER TO THE PLAT OF THE TOWNHOMES AT SEVEN OAKS RECORDED APRIL 18TH, 2016 AS DOCUMENT NUMBER 1610929068 FOR ALL INFORMATION ABOUT LOTS 2, 4, 6, OUTLOTS 7 AND 8 AND THE LACEY DRIVE DEDICATED RIGHT-OF-WAY.

PREPARED BY:
LINCOLNWAY
ENGINEERING AND LAND SURVEYING LTD.
LAND SURVEYING · PLANNING
ENGINEERING · PERMITS
LAND DEVELOPMENT SCIENCES AND CONSULTING
846 REGENT STREET, NEW LENOX, IL. 60451
PHONE (630)301-1328

PLAT OF SUBDIVISION

of:

LOTS 1A, 3A AND 5A IN THE TOWNHOMES AT SEVEN OAKS

SHEET 2 OF 2

Owner's Certificate

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

This is to certify that the undersigned is the President of Castletown Homes Inc., that is the owner of record of the land as described in the surveyors certificate, and has caused the same to be surveyed and subdivided, as shown on this plat of subdivision, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated:

The undersigned hereby dedicates for public use the lands shown on this plat, including but not limited to, thoroughfares, streets, alleys, walkways and public services; grants the telephone, gas, electric and any other public or private utility easements as stated and shown on this plat.

The undersigned further certifies that there are no unpaid deferred installments of outstanding unpaid special assessments affecting the land described and shown on this subdivision plat or, if any of said installments are not paid, then such installments have been divided in accordance with the subdivision and approved by the court which confirmed the special assessment and the proper collector of any such special assessment has so certified such division on the face of this subdivision plat.

President: _____
 John McDonnel, Castletown Homes

Notary Certificate

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, _____, a Notary Public in and for said County in the State aforesaid, do hereby certify that John McDonnel of Castletown Homes Inc. is personally known to me to be the same persons whose names are subscribed to this subdivision plat as President of Castletown Homes Inc., appeared before me this day in person and acknowledged that he signed this subdivision plat as his own free and voluntary act and the free and voluntary act of Castletown Homes Inc. for the uses and purposes therein set forth.

Given under my hand and seal this ____ day of _____, 20____.

Notary Public

Owner's Certificate - School Districts

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

This is to certify that the undersigned is the President of record of Castletown Homes Inc. the owner of the following described land, and here certifies that the subject property is located with the following school districts:

ELEMENTARY SCHOOL DISTRICT; LEMONT-BROMBEREK COMBINED DISTRICT 113A HIGH SCHOOL DISTRICT; LEMONT TOWNSHIP HIGH SCHOOL DISTRICT 210 COMMUNITY COLLEGE DISTRICT; JOLIET JUNIOR COLLEGE DISTRICT 525

in Cook, Dupage and Will, Counties, Illinois.

Dated this ____ day of _____, 20____.

By: _____
 John McDonnel, President

School District Notary Certificate

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, _____, a Notary Public in and for said County in the State aforesaid, so hereby certify that John McDonnel is personally known to me to be the President of Castletown Homes Inc. and the same persons whose names is subscribed to the forgoing instrument as such President appeared before me this day in person and acknowledged that he signed the subdivision plat as his own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal

This ____ Day of _____, 20____.

By: _____
 Notary Public

Surface Water Drainage Certificate

STATE OF ILLINOIS)
)SS
COUNTY OF WILL)

We hereby certify that the topographical and profile studies required by the Illinois Plat Act, Ill. Compiled Stat. ch. 109, sec. 1 et. seq., as now or hereafter amended, have been filed with the Village of Lemont, a municipal corporation in Cook, DuPage, and Will Counties, Illinois, and the certification as to drainage required by said Act made thereon.

Dated this 19TH day of AUGUST, 20 19

Matthew Dunn
Registered Professional
Engineer No. 062-047326
My License Expires 11-30-2021



John McDonnel, President of Castletown Homes

Mortgagee's Certificate

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

STATE BANK OF COUNTRYSIDE, as Mortgagee for the land described in this Plat hereby consents to said Dedication as shown and described on this Plat.

Dated this ____ day of _____, 20____.

By: _____ Title: _____

ATTEST: _____ Title: _____

Address

Surveyor's Certificate

STATE OF ILLINOIS)
)SS
COUNTY OF WILL)

I, MATTHEW D DUNN, Illinois Professional Land Surveyor No. 3107, do hereby certify that I have surveyed and re-subdivided the parcels described as follows:

LOTS 1, 3, 5, OUTLOT A AND OUTLOT B IN THE TOWNHOMES AT SEVEN OAKS PLAT OF SUBDIVISION, PART OF SECTION 27, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED APRIL 18TH, 2016 AS DOCUMENT NUMBER 1610929068, ALL IN COOK COUNTY, ILLINOIS.

as shown on this subdivision plat, which is a true and correct representation of said survey and subdivision. All distances are shown in feet and decimal parts thereof. I certify that iron rods were set at all lot corners and that monuments were placed at all lot corners as depicted per state statutes. I further certify that all regulations enacted by the Board of Trustees of the Village of Lemont, a municipal corporation in Cook, DuPage and Will Counties, Illinois, relative to plats and subdivisions have been complied within the preparation of this plat.

I further certify that no part of the property covered by this plat of subdivision is located within a special flood hazard area as identified by the Federal Emergency Management Agency and that no part of said property borders on or includes any public waters in which the State of Illinois has any property rights or property interests.

I further certify that this subdivision lies within the corporate limits of said Village of Lemont or within 1-1/2 miles of the corporate limits of said Village, which has adopted a city plan and is exercising the special powers authorized by Division 12 of Article 11 of the Illinois Municipal Code, as now or hereafter amended.

By my signature on this certificate, I hereby grant to the Village of Lemont, their respective successors and assigns, the authority to record this plat.

Given under my hand and seal at NEW LENOX, Illinois, this 19TH day of AUGUST, 20 19

Matthew D. Dunn
Illinois Registered Land Surveyor



Village Engineer's Certificate

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, _____, Village Engineer of the Village of Lemont, Illinois, hereby certify that the land improvements in this Subdivision, as shown by the Plans and Specifications therefore, meet the minimum requirements of said Village and have been approved by all public authorities having jurisdiction thereof. Dated at

Lemont, Illinois, Cook, Will, and DuPage Counties, Illinois, this ____ day of _____, 20____.

Village Engineer

Certificate as to Special Assessments

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, _____, Village Treasurer of the Village of Lemont, do hereby certify that there are no delinquent or unpaid current or forfeited special assessments, or any deferred installments of any outstanding unpaid special assessments which have not been divided in accordance with the proposed subdivision and duly approved by the court that confirmed the special assessment.

Dated at Lemont, COOK County, Illinois, this ____ day of _____.

20____.

Village Treasurer

Village Clerk's Certificate

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, _____, Village Clerk of the Village of Lemont, Illinois, hereby certifies that the annexed plat was presented to and by resolution duly approved by the Board of Trustees of said Village at it's meeting held on _____, 2019 and that the required bond or other guarantee has been posted for the completion of the improvements required by the regulations of said Village.

Dated at Lemont, Cook County, Illinois,

this ____ day of _____, 20____.

By: _____
 Village Clerk

Plan Commission Certificate:

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

Approved and accepted by the Plan Commission of the Village of Lemont, Cook, DuPage and Will Counties, Illinois at a meeting held:

this ____ day of _____, 20____.

By: _____
 Chairman, Plan Commission

President and Board of Trustees Certificate

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

Approved and accepted by the Board of Trustees of the Village of Lemont, Cook, DuPage and Will Counties, Illinois at a Public Meeting held:

this ____ day of _____, 20____.

By: _____
 President

Attest: _____
 Village Clerk

County Clerk Certificate

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, _____, County Clerk of COOK County, Illinois, do hereby certify that I find no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes, no delinquent or unpaid current special assessments, no redeemable tax sales against any of the land shown on this plat of subdivision and no deferred installments of any outstanding unpaid special assessments which have not been divided in accordance with the proposed subdivision and duly approved by the court that confirmed the special assessment.

Given under my hand and seal at COOK, County, Illinois, this ____ day of _____, 20____.

County Clerk

PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS

Non-exclusive, perpetual easements are hereby reserved and dedicated as depicted on this plat to the Village of Lemont and to those public utility companies operating within the Village of Lemont including, but not limited to, Commonwealth Edison Company, ATT, NICOR, Comcast Cable, and their successors and assigns over all areas marked "Public Utilities and Drainage Easement" those areas designated "P.U. & D.E." on this plat, Outlots A and B and Those parts of Lots 1A, 2A and 3A that are not used for residential buildings for the perpetual right, privilege and authority to construct, reconstruct, repair, inspect, maintain, and operate various utility transmission and distribution systems, and including but not limited to overhead drainage, storm and/or sanitary sewers, together with any and all necessary manholes, catch basins, connections, appliances and other structures and appurtenances as may be deemed necessary by said Village and/or utility companies, over, upon, along, under and through said indicated easement, together with right of access across the property for necessary personnel and equipment to do any of the above work. The right is also granted to cut down and trim or remove any fences, temporary structures, trees, shrubs, or other plants without obligation to restore or replace and without need for providing compensation therefore on the easement that interfere with a the operation of the sewers or other utilities. No permanent buildings or structures shall be placed on said easement, but some may be used for gardens, shrubs, landscaping, and other purposes that do not then or later interfere with the aforesaid uses or rights. Where an easement is used for both sewer and other utilities, the other utility installation shall be subject to the ordinances of the Village of Lemont and to Village approval as to design and location.

Perpetual easements are hereby reserved for and granted to the Village of Lemont and other governmental authorities having jurisdiction, over the entire easement area for ingress, egress, and the performance of municipal and other governmental services including water, storm and sanitary sewer service and maintenance and emergency and routine police, fire, and other public safety related services.

COM ED COMPANY AND AT&T CORPORATION

An easement is hereby reserved for and granted to ComEd Company and AT&T Corporation, their respective successors and assigns, jointly and severally, for the installation, maintenance, relocation, renewal and removal of overhead and underground electric and communications cables and appurtenances in, over under across, along and upon the surface of the property shown on the plat and designated on the plat and designated as "Public Utility and Drainage Easement" or "PU & DE" and the property designated on the plat for streets and alleys required to provide the Equestrian Meadows Subdivision and other property, weather or not contiguous thereto, with electric and communications services, together with the right to install required service connections over or under the surface of each lot to serve improvements thereon, or on adjacent lots, the right to cut, trim or remove trees, bushes and roots, as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes.

No buildings or other obstructions shall be placed over grantees' facilities or in, upon or over the property within the "Public Utility and Drainage Easement" or "PU & DE" without the prior written consent of grantees. Nor shall any other use be made thereof which will interfere with the easements reserved and granted hereby. After installation of any such facilities, the grade of subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

NICOR CORPORATION / NICOR GAS COMPANY

An easement is hereby reserved for and granted to Nicor Corporation and Nicor Gas Company, their successors and assigns, jointly and severally, for the installation, maintenance, relocation, renewal and removal of gas mains and appurtenances in, under, across, along and upon the surface of the property shown on the plat and designated as "Public Utility and Drainage Easement" or "PU & DE" and the property designated on the plat for streets and alleys as required to provide the Equestrian Meadows Subdivision and other property, whether not contiguous thereto, with gas supply services, together with the right to install required service connections for each lot. No buildings or other obstructions shall be constructed or erected in any such "Public Utility and Drainage Easement" or "PU & DE" areas, without the prior written consent of grantees. Nor shall any other use be made thereof which will interfere with the easements reserved and granted hereby.

COMCAST COMMUNICATIONS

An easement is hereby reserved for and granted to Comcast Communications Corporation operating within the Village of Lemont, it's successors and assigns, jointly and severally, for the installation, maintenance, relocation, renewal and removal of cable communication and broadcast signal systems in, under, across, along and upon the surface of the property shown on the plat and designated as "Public Utility and Drainage Easement" or "PU & DE" and the property designated on the plat for streets and alleys as required to provide the Equestrian Meadows Subdivision and other property, whether not contiguous thereto, with communication and broadcast TV services, together with the right to install required service connections for each lot. No buildings or other obstructions shall be constructed or erected in any such "Public Utility and Drainage Easement" or "PU & DE" areas, without the prior written consent of grantees. Nor shall any other use be made thereof which will interfere with the easements reserved and granted hereby.

PLEASE RETURN ONE RECORDED COPY OF THIS PLAT TO:
MATTHEW DUNN, P.E., P.L.S.
LINCOLNWAY ENGINEERING AND LAND SURVEYING LTD.
846 REGENT ST.
NEW LENOX, IL 60451

PREPARED BY:
LINCOLNWAY
ENGINEERING AND LAND SURVEYING LTD.
LAND SURVEYING-PLANNING
ENGINEERING-PERMITS
LAND DEVELOPMENT SCIENCES AND CONSULTING

846 REGENT STREET, NEW LENOX, IL 60451
PHONE (630)301-1325

SHEET 2 OF 2