



Village of Faith

Mayor

Brian K. Reaves

Village Clerk

Charlene M. Smollen

Trustees

Debby Blatzer
Paul Chialdikas
Clifford Miklos
Rick Sniogowski
Ronald Stapleton
Jeanette Virgilio

Administrator

Benjamin P. Wehmeier

Administration

phone (630) 257-1590
fax (630) 243-0958

Building Department

phone (630) 257-1580
fax (630) 257-1598

**Planning & Economic
Development**

phone (630) 257-1595
fax (630) 243-0958

Engineering Department

phone (630) 243-2705
fax (630) 257-1598

Finance Department

phone (630) 257-1550
fax (630) 257-1598

Police Department

14600 127th Street
phone (630) 257-2229
fax (630) 257-5087

Public Works

16680 New Avenue
phone (630) 257-2532
fax (630) 257-3068

www.lemont.il.us

Village of Lemont

418 Main Street • Lemont, Illinois 60439

VILLAGE BOARD MEETING

FEBRUARY 25, 2013 - 7:00 P.M.

VILLAGE HALL – 418 MAIN ST.

AGENDA

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL
- III. CONSENT AGENDA (RC)
 - A. APPROVAL OF MINUTES
 1. FEBRUARY 11, 2013 VILLAGE BOARD MEETING MINUTES
 - B. APPROVAL OF DISBURSEMENTS
- IV. MAYOR'S REPORT
 - A. IMPACT AID
 - B. AUDIENCE PARTICIPATION
- V. CLERK'S REPORT
 - A. CORRESPONDENCE
 - B. ORDINANCES
 1. ORDINANCE AMENDING O-27-07 AND EXTENDING SPECIAL USE APPROVAL FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT (NOTTING HILL SUBDIVISION) LOCATED AT 15325 129TH STREET (PLANNING & ED)(STAPLETON)(BROWN/JONES)
 2. ORDINANCE VACATING A CERTAIN UNIMPROVED ALLEY (ADMINISTRATION)(REAVES)(WEHMEIER/SCHAFFER)
 - C. RESOLUTIONS
 1. RESOLUTION EXPRESSING THE VILLAGE'S DESIRE TO PARTICIPATE IN PUBLIC WORKS PROJECTS PURSUANT TO THE COOK COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (ADMIN./PUBLIC WORKS)(REAVES/BLATZER)(WEHMEIER/SCHAFFER/PUKULA)
 2. RESOLUTION APPROVING THE 2013 MFT MAINTENANCE PROGRAM (PUBLIC WORKS)(BLATZER)(PUKULA)
- VI. VILLAGE ADMINISTRATOR REPORT
- VII. BOARD REPORTS
- VIII. STAFF REPORTS

- IX. UNFINISHED BUSINESS**
- X. NEW BUSINESS**
- XI. MOTION FOR EXECUTIVE SESSION (RC)**
- XII. ACTION ON CLOSED SESSION ITEMS**
- XIII. MOTION TO ADJOURN (RC)**

MINUTES
VILLAGE BOARD MEETING
February 11, 2013

The regular meeting of the Lemont Village Board was held on Monday, February 11, 2013, at 7:00 p.m., President Brian Reaves presiding.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

Roll call: Miklos, Sniegowski, Stapleton, Virgilio, Blatzer, Chialdikas; present.

III. CONSENT AGENDA

Motion by Sniegowski, seconded by Blatzer, to approve the following items on the consent agenda by omnibus vote:

A. Approval of Minutes

1. January 28, 2013 Village Board Meeting

B. Approval of Disbursements

Roll call: Miklos, Sniegowski, Stapleton, Virgilio, Blatzer, Chialdikas; 6 ayes. Motion passed.

IV. MAYOR'S REPORT

- A. Public Hearing – Lemont Sports Complex – Public Hearing** was opened upon motion of Sniegowski, seconded by Stapleton at 7:07 p.m. VV 6 ayes. Motion passed.

The Mayor spoke and introduced Dan Martin who did the study. Fred Barofsky, Indoor Sports Management Corporation spoke about the financial assumptions. Jeff Stein, Village Attorney, spoke about MWRD getting IEPA approval and the 39 year \$5,000 per year lease. Bob Vale spoke about restructuring the bonds and explained the difference between alternative and general obligation bonds.

B. Audience Participation – Public Hearing Comments:

1. Mary Pollard – Thanked the Board for moving forward. Currently the Indian's pay \$30K a year to the Quarry Fieldhouse.
2. Bill Douglass – Lemont Lacrosse Organization. The Lacrosse League will come to Lemont if there's room here. Sees it as an opportunity for downtown economic development.
3. Lisa Bitsky – Questions if we will have enough teams coming in to support it. Feels it is too big and too expensive. Questioned where the revenue money comes from if we do not have enough revenue to support it.
4. Rick Lighthart – Feels the project is great, but the principle is wrong. He would like a referendum on this issue.
5. Tim Stieber – Thinks it's a great idea. Questioned the revenue stream and has a hard time believing the numbers. Thinks it's half the revenue stream.
6. James Ladas – Feels the Village has gone behind the residents' backs. Concerned about alternative sources of revenue stream. If it doesn't make it, will we see cuts in other services? Said he will have a meeting at his home on Wednesday at 7p.m. at 90 Timberline Dr.
7. Bob Wingo – Cited the inefficiency of Toyota Park in Bridgeview as an example of tax payers being saddled with higher taxes after it fails. What is the difference between this and Bridgeview?
8. Demetrios Dalmarez – Spoke on behalf of the Lemont Raiders, a #2 team in the nation. They can't wait for the completion of this project. They have 40 teams, 400 kids in the club and

will commit to bringing them to the Lemont Sports Complex. They pay approximately \$160,000 a year for fields.

9. Mike Gardner – Has two kids very involved in traveling sports. Would like to support this community. It's more than just a sports complex. It would get other people out of the house to see or participate in an event.
10. John Piazza – Encouraged residents to do their research before making a decision. A private sector could not afford such a project.
11. Jarrod Hanson – In support of the project. Hopes it will become a reality.
12. Ken Emerson – Stated that when businesses benefit, so do the residents. Lived in Orland for five years and their taxes continued to go down because businesses came into town. Lets not wait, the time is now.
13. Judy Techman – Bothers me that it is a “fast track.” Wants to see more time. Sounds wonderful, but thinks the residence should vote on it.
14. David Marseille – Has questions about the numbers given and number of people attending each week. Run the numbers at different scenario, talk to another consultant and are disaster scenarios in there?
15. Harvey Schlacter – Wants it to be successful, but feels residents weren't made aware of the project soon enough and we need more knowledge.
16. Ken Chlebick – Questioned what part IDOT will play, consideration of egress, parking and traffic lights. What kind of study has taken place on traffic in peak hours?
17. Dorothy Retzke – Stated in McCook there are 175 teams with 15 players on a team. They have 8,400 people there just on the weekends.
18. Maureen Mottl – Mentioned a study saying the number of players will decline. Feels more time is needed for cost review.

Motion by Miklos, seconded by Sniegowski to close said Public Hearing at 9:16 p.m. VV 6 ayes. Motion passed.

V. CLERK'S REPORT

A. Correspondence

B. Ordinances

1. **Ordinance O-11-13** Ordinance Amending Title 17 of the Lemont Municipal Code, The Lemont Unified Development Ordinance of 2008 (UDO Amendments). Motion by Stapleton, seconded by Miklos, to adopt said ordinance. Roll call: Miklos, Sniegowski, Stapleton, Virgilio, Blatzer, Chialdikas; 6 ayes. Motion passed.
2. **Ordinance O-12-13** Ordinance Amending Chapter 10 of the Lemont, Illinois Municipal Code Relating to no Parking Areas. Motion by Chialdikas, seconded by Stapleton, to adopt said ordinance. Roll call: Miklos, Sniegowski, Stapleton, Virgilio, Blatzer, Chialdikas; 6 ayes. Motion passed.

VI. VILLAGE ATTORNEY REPORT

VII. VILLAGE ADMINISTRATOR REPORT

VIII. BOARD REPORTS

IX. STAFF REPORTS

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

The Fiala property on New Avenue in Will County wants zoning to store containers. Our position is that we don't want unsightly units being stored. Zero lot frontage and no berm would not be acceptable.

XII. EXECUTIVE SESSION

XIII. ACTION ON CLOSED SESSION ITEMS

There being no further business, a motion was made by Blatzer, seconded by Stapleton, to adjourn the meeting at 9:25 p.m. Voice vote: 6 ayes.

Lemont, IL
Warrant list

Bank Account: Clearing - Accounts Payable

Batch Date: 02/25/2013

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: Clearing - Accounts Payable						
Check	02/25/2013	5495	Accounts Payable	Airgas USA, LLC		17.10
	Invoice		Date	Description		Amount
		9907126815	01/31/2013	welding gas tank rental		17.10
Check	02/25/2013	5496	Accounts Payable	Amalgamated Bank of Chicago		40.00
	Invoice		Date	Description		Amount
		13-01-01 9001(2)	01/01/2013	1853109001 Series 2008 bond service fee due		40.00
Check	02/25/2013	5497	Accounts Payable	Ameren Energy Marketing Company		22,162.16
	Invoice		Date	Description		Amount
		9085313011	02/01/2013	Jan 13 electric service		22,162.16
Check	02/25/2013	5498	Accounts Payable	American Society of Sanitary Engineering		85.00
	Invoice		Date	Description		Amount
		13-02-07	02/07/2013	membership-m. haidacher		85.00
Check	02/25/2013	5499	Accounts Payable	Armor Construction, Inc.		500.00
	Invoice		Date	Description		Amount
		061041	02/18/2013	Refund-679 Talcott Ave		500.00
Check	02/25/2013	5500	Accounts Payable	Ashland, Inc.		386.21
	Invoice		Date	Description		Amount
		130212192	02/07/2013	parts		87.12
		130204137	01/31/2013	parts		53.55
		130204138	01/31/2013	parts		108.82
		130201168	01/29/2013	parts		136.72
Check	02/25/2013	5501	Accounts Payable	AT&T Capital Services, Inc.		114.74
	Invoice		Date	Description		Amount
		2856445	02/01/2013	iPad lease payment		114.74
Check	02/25/2013	5502	Accounts Payable	AT&T Illinois		90.52
	Invoice		Date	Description		Amount
		630243373750113	01/13/2013	630 243-7375 749 4 - LCA phone svc		90.52
Check	02/25/2013	5503	Accounts Payable	AT&T Illinois		85.00
	Invoice		Date	Description		Amount
		13-01-31	01/31/2013	U-verse internet		85.00
Check	02/25/2013	5504	Accounts Payable	Avalon Petroleum Company		19,331.32

Lemont, IL
Warrant list

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Batch Date: 02/25/2013

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount	
				Invoice	Date	Description	Amount
				549751	01/30/2013	1050 gals unl fuel	3,465.00
				013850	01/29/2013	2100 gals dsl fuel	7,213.50
				549921	02/06/2013	1100 gals unl fuel	3,630.00
				013877	02/07/2013	1343 gals dsl fuel	5,022.82
Check	02/25/2013	5505	Accounts Payable	Avaya Financial Services		918.81	
				Invoice	Date	Description	Amount
				22834278	02/04/2013	Feb 13 phone sys lease	918.81
Check	02/25/2013	5506	Accounts Payable	Azavar Audit Solutions		1,103.96	
				Invoice	Date	Description	Amount
				9247	02/01/2013	utility audit contingency pmt	1,103.96
Check	02/25/2013	5507	Accounts Payable	Battery Service Corp.		63.50	
				Invoice	Date	Description	Amount
				229639	01/30/2013	parts	63.50
Check	02/25/2013	5508	Accounts Payable	Bourbonnais Supply Inc.		360.83	
				Invoice	Date	Description	Amount
				159780	02/04/2013	parts	360.83
Check	02/25/2013	5509	Accounts Payable	Bristol Hose & Fitting		239.90	
				Invoice	Date	Description	Amount
				00315238	01/24/2013	parts	123.02
				00315901	02/04/2013	parts	116.88
Check	02/25/2013	5510	Accounts Payable	Brown , James		110.06	
				Invoice	Date	Description	Amount
				13-02-20	02/20/2013	reimbursement	110.06
Check	02/25/2013	5511	Accounts Payable	Call One		1,233.59	
				Invoice	Date	Description	Amount
				13-02-15	02/15/2013	1010-7801-0000 gen., p.d., p.w. phones	1,233.59
Check	02/25/2013	5512	Accounts Payable	Callahan Plumbing & Irrigation		2,100.00	
				Invoice	Date	Description	Amount
				9551	02/07/2013	sewer rodding	775.00
				9552	02/07/2013	sewer rodding	1,325.00
Check	02/25/2013	5513	Accounts Payable	Cameo Interiors, Inc.		1,079.00	

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Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
		502323		parts		(13.01)
		496524(2)		bal due core charge not paid		35.00
Check	02/25/2013	5521	Accounts Payable	Chicago Stockyard Kilty Band		450.00
		Invoice	Date	Description		Amount
		13-02-19		3-9-13 St. Patrick's Day performance		450.00
Check	02/25/2013	5522	Accounts Payable	Closed Circuit Innovations		730.00
		Invoice	Date	Description		Amount
		5171		security camera maint fee		730.00
Check	02/25/2013	5523	Accounts Payable	Comcast Cable		470.14
		Invoice	Date	Description		Amount
		13/01-9805		v.h. internet, cable		228.35
		13-01-2700		p.d. cable/internet		241.79
Check	02/25/2013	5524	Accounts Payable	ComEd		188.75
		Invoice	Date	Description		Amount
		13/02-3016		9338003016 street lights - houston, 1 n schultz		15.59
		13/02-7033		2213017033 street lights - bell rd, main st		147.17
		13/02-2063		1443022063 street lights - K A Steel path		25.99
Check	02/25/2013	5525	Accounts Payable	Constellation NewEnergy, Inc.		4,269.04
		Invoice	Date	Description		Amount
		0008951182		1-KYU1JH - street lights - 55 stephen st		145.22
		0008951140		1-KYU1KE - street lights - 101 main		366.98
		0008939335		1-KYU1LB - street lights - 47 stephen		41.78
		0008950273		1-KYU1M8 - street lights - 44 stephen st		67.99
		0008913952		1-KYU1N5 - street lights - 411 singer ave		291.01
		0008900579		1-KYU1O2 - street lights - ed bossert dr		23.51
		0008859517		1-KYU1OZ - street lights - stephen st, sani canal		74.32
		0008859538		1-KYU1PW - street lights - 164 e peiffer		214.67
		0008859541		1-KYU1QT - street lights - 1080 norwalk rd		2,510.65
		0008859540		1-KYU1RQ - street lights - stephen st, alley off canal		532.91
Check	02/25/2013	5526	Accounts Payable	Courtney's Safety Lane Inc		105.00
		Invoice	Date	Description		Amount
		053380		safety inspections		105.00
Check	02/25/2013	5527	Accounts Payable	Dustcatchers, Inc.		47.84
		Invoice	Date	Description		Amount

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Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
		55698		02/07/2013	carpet mats svc	47.84
Check	02/25/2013	5528	Accounts Payable	Ehlers & Associates, Inc.		6,000.00
		Invoice		Date	Description	Amount
		345905		02/11/2013	TIF study plan amendment	6,000.00
Check	02/25/2013	5529	Accounts Payable	Emergency Vehicle Technologies		799.95
		Invoice		Date	Description	Amount
		2321		01/31/2013	K-9 Tahoe laptop docking station	799.95
Check	02/25/2013	5530	Accounts Payable	First Communications		1,446.24
		Invoice		Date	Description	Amount
		11811332		02/05/2013	1FC022002003109	1,446.24
Check	02/25/2013	5531	Accounts Payable	Frank Novotny & Associates, Inc.		20,739.53
		Invoice		Date	Description	Amount
		11043-10		01/30/2013	Logan Dam engineering	254.32
		11340-4		01/30/2013	McCarthy Rd water main eng	1,928.02
		02115-45		01/30/2013	NPDES	1,548.64
		12209-2		01/30/2013	Smith Farms subd	1,056.63
		12155-3		01/30/2013	bldg demo 10900 & 10997 Archer Ave	365.00
		09234-3		01/30/2013	412 Holmes retaining wall	1,094.13
		12308-2		01/30/2013	Glens of Connemara sidewalks	3,316.00
		07171-18		01/30/2013	McCarthy & Walker intersection	365.00
		12241-3		01/30/2013	2012 downtown TIF pkg lot rehab	778.06
		10041-12		01/30/2013	Illinois St STP rehab	10,033.73
Check	02/25/2013	5532	Accounts Payable	Galica , Joe		100.00
		Invoice		Date	Description	Amount
		13-02-19		02/19/2013	3/9/13 St. Patrick's Day horse & carriage	100.00
Check	02/25/2013	5533	Accounts Payable	General Truck Parts & Equipment		450.00
		Invoice		Date	Description	Amount
		02 399777		02/05/2013	cylinder repair	450.00
Check	02/25/2013	5534	Accounts Payable	Gooding Rubber Company		6.04
		Invoice		Date	Description	Amount
		321188		02/05/2013	parts	6.04
Check	02/25/2013	5535	Accounts Payable	GT Mechanical, Inc.		374.00
		Invoice		Date	Description	Amount

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Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
		1300010448		01/24/2013	repair heater well#4	374.00
Check	02/25/2013	5536	Accounts Payable	Hughes Academy of Irish Dance		100.00
		Invoice		Date	Description	Amount
		13-02-19		02/19/2013	3/9/13 St Patrick's Day dancers	100.00
Check	02/25/2013	5537	Accounts Payable	Ice Melt Mall		725.50
		Invoice		Date	Description	Amount
		284		02/06/2013	calcium	725.50
Check	02/25/2013	5538	Accounts Payable	Illinois Association of Chiefs of Police		400.00
		Invoice		Date	Description	Amount
		2013		12/07/2012	membership renewal-Tully, Smith	400.00
Check	02/25/2013	5539	Accounts Payable	Illinois State Police		315.00
		Invoice		Date	Description	Amount
		12-07-13		02/07/2013	Cost Center #1600 ORI IL016600L	315.00
Check	02/25/2013	5540	Accounts Payable	Imperial Service Systems Inc		180.00
		Invoice		Date	Description	Amount
		64469		01/31/2013	construction cleaning	180.00
Check	02/25/2013	5541	Accounts Payable	Inkwell, Ltd.		3.79
		Invoice		Date	Description	Amount
		60466		02/08/2013	office supplies	3.79
Check	02/25/2013	5542	Accounts Payable	Interstate Battery System of Central Chicago		91.80
		Invoice		Date	Description	Amount
		24010507		01/28/2013	maint. supplies	121.80
		172242		02/07/2013	CM overcharged	(30.00)
Check	02/25/2013	5543	Accounts Payable	J & L Electronic Service, Inc.		907.50
		Invoice		Date	Description	Amount
		85640G		01/25/2013	swcd phone repair	907.50
Check	02/25/2013	5544	Accounts Payable	JCM Uniforms		260.44
		Invoice		Date	Description	Amount
		675661		01/02/2013	shirts-J. Lehmacher	37.00
		674266		01/05/2013	shirt-G. Padalik	55.50
		676300		01/18/2013	sew on patches-R. Rasponti	7.95

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Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
		676727		01/30/2013	coat-J. Boyer	159.99
Check	02/25/2013	5545	Accounts Payable	Johnson, Depp & Quisenberry, PSC		700.00
		Invoice		Date	Description	Amount
		13-02-06		02/06/2013	Jan '13 OAN consult	700.00
Check	02/25/2013	5546	Accounts Payable	L.O.C.I.S.		3,576.00
		Invoice		Date	Description	Amount
		34001		01/23/2013	software update	3,576.00
Check	02/25/2013	5547	Accounts Payable	Land Economics Consultants, LLC		3,900.00
		Invoice		Date	Description	Amount
		1302-01		01/30/2013	sports complex consult	3,900.00
Check	02/25/2013	5548	Accounts Payable	Law Enforcement Records Managers of Illinois		25.00
		Invoice		Date	Description	Amount
		2013		02/07/2013	membership renewal	25.00
Check	02/25/2013	5549	Accounts Payable	Lemont Ace Hardware		181.14
		Invoice		Date	Description	Amount
		13-02-01		02/01/2013	Jan '13 purchases	181.14
Check	02/25/2013	5550	Accounts Payable	Lemont Express Car Wash, LLC		210.00
		Invoice		Date	Description	Amount
		13-01-31		01/31/2013	Jan '13 washes	195.00
		13-01-31 LEMA		01/31/2013	Jan '13 washes	15.00
Check	02/25/2013	5551	Accounts Payable	Lexis Nexis Risk Data Management		117.00
		Invoice		Date	Description	Amount
		20130131		01/31/2013	dec/jan searches	117.00
Check	02/25/2013	5552	Accounts Payable	Lina Embroidery		2,144.50
		Invoice		Date	Description	Amount
		S11454		01/17/2013	50% deposit - Quarryman Challenge shirts	2,144.50
Check	02/25/2013	5553	Accounts Payable	Ludwig's Inc.		51.99
		Invoice		Date	Description	Amount
		13-01-13		01/13/2013	K-9 canidae	51.99
Check	02/25/2013	5554	Accounts Payable	Macke Water Systems, Inc.		101.46
		Invoice		Date	Description	Amount

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Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
		793634		01/31/2013	coffee order	101.46
Check	02/25/2013	5555	Accounts Payable	McKeown Law Firm		700.45
		Invoice		Date	Description	Amount
		12-12-31		12/31/2012	Dec '12 service	700.45
Check	02/25/2013	5556	Accounts Payable	McMaster-Carr Supply Co.		132.50
		Invoice		Date	Description	Amount
		45012019		01/28/2013	valve for jetter	178.65
		44476459		01/21/2013	mdse return credit orig inv#43908011	(257.52)
		45998102		02/12/2013	maint supplies	111.91
		46085212		02/13/2013	maint supplies	99.46
Check	02/25/2013	5557	Accounts Payable	Menards		957.63
		Invoice		Date	Description	Amount
		12322		02/01/2013	v.h. remodel equipment	957.63
Check	02/25/2013	5558	Accounts Payable	Monroe Truck Equipment		257.04
		Invoice		Date	Description	Amount
		296908		02/06/2013	parts	257.04
Check	02/25/2013	5559	Accounts Payable	Morris Engineering, Inc.		4,150.00
		Invoice		Date	Description	Amount
		13-03413		02/05/2013	Jan 2013 reviews	3,750.00
		12-03353		12/18/2012	12-LT-2001 retaining wall-Illinois St	400.00
Check	02/25/2013	5560	Accounts Payable	National Seed		1,288.00
		Invoice		Date	Description	Amount
		535538SI		02/08/2013	sidewalk salt	1,288.00
Check	02/25/2013	5561	Accounts Payable	New World Systems Corporation		4,476.23
		Invoice		Date	Description	Amount
		025867		02/07/2013	software training	1,986.18
		025739		02/07/2013	software training	1,185.40
		025652		01/31/2013	software training	1,304.65
Check	02/25/2013	5562	Accounts Payable	NiCor Gas		273.40
		Invoice		Date	Description	Amount
		13-02-2000 4		02/01/2013	04-46-52-2000 4 well #4	142.60
		13/02-2000 8		02/12/2013	74-12-00-2000 8 harpers grove l/s	25.21
		13/02-20008		02/13/2013	85-71-20-2000 8 keepataw trls l/s	25.77

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Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
		13/02-1000 5		02/13/2013	84-38-99-1000 5 chestnut crossing l/s	30.00
		13/02-4722 3		02/12/2013	91-25-56-4722 3 eagle ridge l/s	25.21
		13/02-2000 6		02/11/2013	69-98-10-2000 6 oak tree ln l/s	24.61
Check	02/25/2013	5563	Accounts Payable	Notary Public Association of illinois		49.00
		Invoice		Date	Description	Amount
		13-02-19		02/19/2013	notary commission renewal-p garcia	49.00
Check	02/25/2013	5564	Accounts Payable	Occupational Health Centers of the Southwest P.A.		100.00
		Invoice		Date	Description	Amount
		1007228909		02/07/2013	employee exams	100.00
Check	02/25/2013	5565	Accounts Payable	OfficeMax Incorporated		373.56
		Invoice		Date	Description	Amount
		792272		02/13/2013	office, janitorial supplies	75.88
		731896		02/11/2013	office supplies	201.72
		756259		02/12/2013	cashier station supplies	175.94
		792671		02/19/2013	retd mdse credit orig inv #64756259	(79.98)
Check	02/25/2013	5566	Accounts Payable	P & G Keene Electrical		321.20
		Invoice		Date	Description	Amount
		182175		02/15/2013	parts	321.20
Check	02/25/2013	5567	Accounts Payable	P. T. Ferro Construction Co.		50,255.03
		Invoice		Date	Description	Amount
		12209-2F		02/05/2013	smith farms subd pmt 2 final	50,255.03
Check	02/25/2013	5568	Accounts Payable	Patch Media Corporation		434.00
		Invoice		Date	Description	Amount
		2000314746		02/07/2013	marketing	434.00
Check	02/25/2013	5569	Accounts Payable	Patrick B Murphy Inc		1,575.00
		Invoice		Date	Description	Amount
		21046		02/12/2013	hydro jetting	1,575.00
Check	02/25/2013	5570	Accounts Payable	Peppers Lemont Auto Care		303.07
		Invoice		Date	Description	Amount
		85760		02/07/2013	vehicle alignment repair	303.07
Check	02/25/2013	5571	Accounts Payable	Perspectives		1,633.50
		Invoice		Date	Description	Amount

Lemont, IL
Warrant list

Bank Account: Clearing - Accounts Payable

Batch Date: 02/25/2013

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
		74913		01/01/2013	EAP benefit	1,633.50
Check	02/25/2013	5572	Accounts Payable	Peterson's Hardware		66.65
		Invoice		Date	Description	Amount
		13-01-31		02/12/2013	Jan '13 hardware purchases	66.65
Check	02/25/2013	5573	Accounts Payable	PlumThree, LLC		5,467.00
		Invoice		Date	Description	Amount
		2419		02/12/2013	marketing	2,200.00
		2420		02/12/2013	marketing	267.00
		2421		02/12/2013	marketing	3,000.00
Check	02/25/2013	5574	Accounts Payable	Rag's Electric		1,000.00
		Invoice		Date	Description	Amount
		4827-65		02/05/2013	Lemont Rd bridge lights maint	1,000.00
Check	02/25/2013	5575	Accounts Payable	Rainbow Printing		1,195.64
		Invoice		Date	Description	Amount
		409256		02/06/2013	admin towing forms	449.94
		409528		02/06/2013	imprinted #10 envelopes	427.85
		409551		02/18/2013	stationery	65.95
		409439		01/02/2013	linen paper stock	42.00
		409541		02/14/2013	card stock	59.95
		409546		02/14/2013	p.w. imprinted #10 envelopes	149.95
Check	02/25/2013	5576	Accounts Payable	RCM Data Corporation		100.00
		Invoice		Date	Description	Amount
		IN42068		02/05/2013	move Xerox printer	100.00
Check	02/25/2013	5577	Accounts Payable	Ryan , Daniel J		600.00
		Invoice		Date	Description	Amount
		13-02-04		02/04/2013	3/9/13 St. Patrick's Day performance	600.00
Check	02/25/2013	5578	Accounts Payable	Safety Kleen		204.77
		Invoice		Date	Description	Amount
		59948211		02/15/2013	parts washer service	204.77
Check	02/25/2013	5579	Accounts Payable	Seeco Consultants, Inc.		1,000.00
		Invoice		Date	Description	Amount
		16117		01/21/2013	112 Main St. inspection	1,000.00
Check	02/25/2013	5580	Accounts Payable	SimplexGrinnell LP		585.25

Lemont, IL
Warrant list

Bank Account: Clearing - Accounts Payable

Batch Date: 02/25/2013

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount	
				Invoice	Date	Description	Amount
				68621528	02/04/2013	p.g. panel maint	585.25
Check	02/25/2013	5581	Accounts Payable	Sosin & Arnold, Ltd.			1,000.00
				Invoice	Date	Description	Amount
				78663	01/31/2013	Jan '13 service	1,000.00
Check	02/25/2013	5582	Accounts Payable	South Suburban Water Works Assn.			45.00
				Invoice	Date	Description	Amount
				2013	02/01/2013	membership renewal-J. Evert	45.00
Check	02/25/2013	5583	Accounts Payable	State Fire Marshal			325.00
				Invoice	Date	Description	Amount
				5125047507	02/04/2013	annual renewal of certificate	75.00
				5125	02/04/2013	elevator certificates	250.00
Check	02/25/2013	5584	Accounts Payable	Steiner Electric Company			576.00
				Invoice	Date	Description	Amount
				S004207928.001	01/31/2013	repair lift station	576.00
Check	02/25/2013	5585	Accounts Payable	Suburban Law Enforcement Admin Professionals			30.00
				Invoice	Date	Description	Amount
				2013	02/07/2013	membership app	30.00
Check	02/25/2013	5586	Accounts Payable	Surefire Auto Parts			49.90
				Invoice	Date	Description	Amount
				282777	01/14/2013	vehicle maint supplies	49.90
Check	02/25/2013	5587	Accounts Payable	TigerDirect, Inc.			512.88
				Invoice	Date	Description	Amount
				P43836380101	02/08/2013	computer equipment	314.97
				J31290180102	02/08/2013	computer equipment	86.05
				J31290180103	02/07/2013	computer parts	111.86
Check	02/25/2013	5588	Accounts Payable	Toshiba Financial Services			1,183.67
				Invoice	Date	Description	Amount
				58380062	02/03/2013	p.w. copier lease	389.12
				58415483	02/10/2013	90136024087 copier lease	794.55
Check	02/25/2013	5589	Accounts Payable	Toshiba Financial Services			291.20

Lemont, IL
Warrant list

Bank Account: Clearing - Accounts Payable

Batch Date: 02/25/2013

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount	
				Invoice	Date	Description	Amount
				222219545	02/10/2013	968667 copier lease	291.20
Check	02/25/2013	5590	Accounts Payable	Tressler, LLP			12,327.52
				Invoice	Date	Description	Amount
				319400/01/39	01/31/2013	Jan '13 services	12,327.52
Check	02/25/2013	5591	Accounts Payable	Tri-River Police Training Region			3,000.00
				Invoice	Date	Description	Amount
				3408-3	12/11/2012	t. thompson, t. mezyk	3,000.00
Check	02/25/2013	5592	Accounts Payable	Uline, Inc.			428.83
				Invoice	Date	Description	Amount
				48972315	01/31/2013	bags	428.83
Check	02/25/2013	5593	Accounts Payable	Unifirst Corporation			47.17
				Invoice	Date	Description	Amount
				062 0029371	02/11/2013	shop towel service	47.17
Check	02/25/2013	5594	Accounts Payable	United States Postal Service			3,400.00
				Invoice	Date	Description	Amount
				13-02-18	02/12/2013	p.w. meter refill	3,400.00
Check	02/25/2013	5595	Accounts Payable	Verizon Wireless			109.24
				Invoice	Date	Description	Amount
				2867046124	02/03/2013	01/04-02/03 phone line service	109.24
Check	02/25/2013	5596	Accounts Payable	Village of Orland Park			65.00
				Invoice	Date	Description	Amount
				11087	02/04/2013	prisoner watch	65.00
Check	02/25/2013	5597	Accounts Payable	Vulcan Materials			498.23
				Invoice	Date	Description	Amount
				30179154	01/31/2013	stone	498.23
Check	02/25/2013	5598	Accounts Payable	Warehouse Direct Office Products			571.77
				Invoice	Date	Description	Amount
				1838265-0	02/12/2013	office supplies	267.18
				1838345-0	02/01/2013	copy paper	157.45
				1839004-0	02/01/2013	cleaning supplies	147.14
Check	02/25/2013	5599	Accounts Payable	Water Resources Inc.			1,632.92



Village of Lemont
Planning & Economic Development Department

418 Main Street · Lemont, Illinois 60439
phone 630-257-1595 · fax 630-257-1598

TO: Mayor Reaves #020-13
Village Board of Trustees

FROM: James A. Brown, Planning & Economic Development Director

THRU

SUBJECT: **Case 26-26 Extension of Notting Hill Special Use**

DATE: 21 February 2013

SUMMARY

In 2007 the Village Board approved the Notting Hill subdivision. The approving ordinance had an expiration date, and this date has been amended several times. The recitals in the attached ordinance provide a history of the amendments.

Mr. Mansell, the developer, has requested another extension of the approval, and the ordinance would extend the special use for another two years.

BOARD ACTION

Vote on the attached ordinance.

ATTACHMENTS

a/s

ORDINANCE NO. _____

**AN ORDINANCE AMENDING O-27-07 AND EXTENDING SPECIAL USE APPROVAL
FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT
(NOTTING HILL SUBDIVISION) LOCATED AT 15325 129TH STREET**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LEMONT**

THIS 25TH DAY OF FEBRUARY, 2013

**Published in pamphlet form by
authority of the President and
Board of Trustees of the Village
of Lemont, Cook, DuPage, and Will
Counties, Illinois this 25th
day of February, 2013.**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING O-27-07 AND EXTENDING SPECIAL USE APPROVAL
FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT
(NOTTING HILL SUBDIVISION) LOCATED AT 15325 129TH STREET**

WHEREAS, E.T. Mansell Construction, hereinafter referred to as the Petitioner, is the owner of the subject property consisting of 10.10 acres; said parcel is located at 15325 129th Street, and is legally described in Exhibit “A” attached; and

WHEREAS, the Petitioner made application under the provisions of the Lemont Zoning Ordinance for preliminary plat approval, special use for a planned unit development and zoning map amendment to Lemont R-5 Single Family Detached Residence Special Use PUD from Cook County R-4 Single Family Residence District; and

WHEREAS, the Village Board of Trustees approved Ordinance O-27-07, granting approval said requests, on April 23, 2007; and

WHEREAS, the Village Board of Trustees approved Ordinance O-19-08, granting extension of said special use for a planned unit development on April 14, 2008; and

WHEREAS, the Village Board of Trustees approved Ordinance O-17-10, granting extension of said special use for a planned unit development on April 14, 2008; and

WHEREAS, the Village Board of Trustees approved Ordinance O-24-11, granting extension of said special use for a planned unit development on March 14, 2011; and

WHEREAS, Mr. E. Mansell, President of E.T. Mansell Constructions, prefers to delay the start of the project due to market considerations, and has therefore, once again, requested this amendment.

THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, DuPAGE, AND WILL, ILLINOIS:

Section 1. That Section 3 of Ordinance O-27-07 is amended as follows:

“Section 3. Approval of a special use – planned unit development is granted as provided in Lemont Zoning Ordinance Section XVI.H (Special Use – Planned Unit Developments) with the condition that the Planned Unit Development approval shall lapse in the event the DEVELOPER does not file for Final Plat of Subdivision within eight (8) years of the effective date of this AGREEMENT.”

Section 2. That all other Sections and Conditions of Ordinance O-27-07 remain as they were upon approval by the Village Board of Trustees on April 23, 2007.

PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL, AND DU PAGE, ILLINOIS, on this 25th day of February, 2013.

AYES

NAYS

PASSED

ABSENT

Debby Blatzer

Paul Chialdikas

Clifford Miklos

Rick Sniegowski

Ronald Stapleton

Jeanette Virgilio

Approved by me this 25th day of February, 2013

BRIAN REAVES, Village President

Attest:

CHARLENE M. SMOLLEN, Village Clerk

File: 130 Fair Housing Policy

THE BOARD OF COMMISSIONERS

TODD H. STROGER

PRESIDENT

EARLEAN COLLINS	1st Dist.	BRIDGET GAINER	10th Dist.
ROBERT STEELE	2nd Dist.	JOHN P. DALEY	11th Dist.
JERRY BUTLER	3rd Dist.	FORREST CLAYPOOL	12th Dist.
WILLIAM M. BEAVERS	4th Dist.	LAWRENCE SUFFREDIN	13th Dist.
DEBORAH SIMS	5th Dist.	GREGG GOSLIN	14th Dist.
JOAN P. MURPHY	6th Dist.	TIMOTHY O. SCHNEIDER	15th Dist.
JOSEPH MARIO MORENO	7th Dist.	ANTHONY J. PERAICA	16th Dist.
ROBERTO MALDONADO	8th Dist.	ELIZABETH ANN DOODY GORMAN	17th Dist.
PETER N. SILVESTRI	9th Dist.		



BUREAU OF CAPITAL, PLANNING & FACILITIES MANAGEMENT

MAURICE S. JONES - DIRECTOR
 DEPARTMENT OF PLANNING & DEVELOPMENT
 69 W. Washington, Suite 2900
 Chicago, Illinois 60602-3171
 TEL: 312-6031000
 FAX: 312-603-9970
 TDD: 312-603-5255

June 23, 2009

The Honorable John Piazza
 President - Village of Lemont
 418 Main Street
 Lemont, Illinois 60439-3788

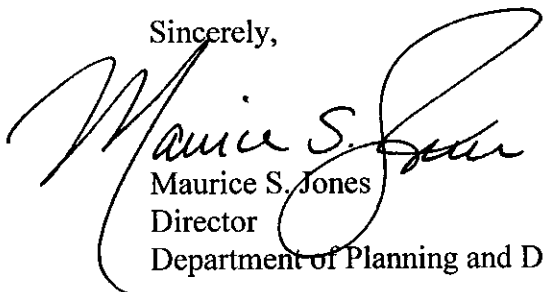
RE: Fair Housing Ordinance

Dear President Piazza:

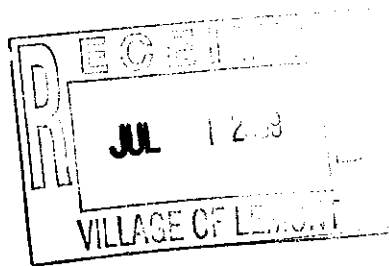
Thank you for your recent Fair Housing information that was submitted. It is a requirement that municipalities receiving federal funds from the Community Development Block Grant (CDBG) Program, administered by the County, have an updated ordinance on file. Upon review of your municipality's Fair Housing file by the Department of Planning and Development, we respectfully request a copy of a current ordinance. The ordinance should include **all** of the protective classes recognized by the Cook County Commission on Human Rights to include: *Race, Color, Religion, Sex, National Origin, Ancestry, Age, Marital Status, Disability, Parental Status, Sexual Orientation, Source of Income, Military Discharge Status, Gender Identity, Housing Status, Retaliation, Aiding/Abetting, and Willful Interference*. A copy of such an ordinance is included.

Kindly submit the updated ordinance by September 1, 2009. If additional assistance is needed, please contact Pamela White at (312) 603-1019. Keep in mind that is possible to receive a request for Fair Housing Action Plan information, under separate cover.

Sincerely,



Maurice S. Jones
 Director
 Department of Planning and Development



Enclosure: Sample Fair Housing Ordinance

**FAIR HOUSING ORDINANCE
FOR THE CITY OF**

09- xxxx

WHEREAS, It is a violation of the Fair Housing Law of the City of _____
for any real estate agent, realtor or any person who operates or manages a
multi-unit building to:

Deny housing to any person because of race, color, religion, sex, national origin
ancestry, age, marital status, disability, parental status, sexual orientation, source
of income, military discharge status, gender identity, retaliation, housing status,
aiding /abetting, and. willful interference

WHEREAS, the City does not discriminate against any person in the price, terms, effective
marketing plans, conditions or privileges related to the sale or rental of any
dwelling, or in the providing of facilities, repairs, improvements or services in
connection with such sale or rental of any dwelling.

WHEREAS, the City does not discriminate against any person by refusing to sell or rent,
negotiate for the sale or rental or to withdraw from the market or otherwise make
unavailable, any dwelling due to limited proficiency of the English language.

WHEREAS, the City does not discriminate against any person by making false representations
or by withholding material information with respect to the inspection, sale or
rental of any dwelling, including, but not limited to, representing to any person
that any dwelling is not available for inspection, sale or rental, when such
dwelling is, in fact, available.

WHEREAS, the City does not discriminate against any person in connection with borrowing or
lending money, guaranteeing loans, accepting a deed of trust or mortgagee or
otherwise obtaining or making available funds for the purchase, construction,
improvement, repair or maintenance of any dwelling; or discriminate by delaying
the processing of or denying such loan or other financial assistance; or
discriminate in the fixing of the amount, interest rate, duration or other terms or
conditions of such loan or other financial assistance.

WHEREAS, the City does not discriminate against any person in appraising the value of any
dwelling in connection with the sale or rental of such dwelling.

WHEREAS, no person shall solicit any owner or occupant of a dwelling to sell or rent, or list

WHEREAS, no person shall solicit any owner or occupant of a dwelling to sell or rent, or list for sale or rental, such dwelling at any time after such owner or occupant has notified the Mayor or specific city department that he does not desire to be solicited.

WHEREAS, the City will undertake activities to promote Fair Housing in its community, such as seminars, speaker bureaus with invitations to banks and lending institutions, local and/or regional realtor associations, appraisal associations; festivals, as well as brochures and/or newsletters.

WHEREAS the Fair Housing Review Board Alliance, or an agency promoting Fair Housing, partners with _____(the city) for the conciliation of resolving complaints relative to discriminatory Fair Housing practices.

WHEREAS, the City hereby declares the afore-mentioned to be lawful and in compliance with fair housing practice for any real estate agent, appraisal service, lending institution, private owner or other persons to whom any provision of ORDINANCE § 00.00,00.00 Section _____ through _____ dated _____

**THEREFORE, BE IT HEREBY ORDAINED BY THE CITY OF
_____ VIA APPROVAL BY THE CITY COUNCIL OF**

**THAT ON THE _____ DAY OF _____, 2009, THIS FAIR HOUSING
ORDINANCE IS ENFORCED.**

Mayor of the City

Chief of Staff to the Mayor of the City of _____

President of the City Council

Where to File Housing Discrimination Complaints

The following table provides general guidance. This is not a guarantee of coverage. Certain exceptions and limitations may apply. You may be able to file your claim with more than one agency. Please telephone an agency if you have questions.

Agencies to Contact	Chicago Commission on Human Relations	Cook County Commission on Human Rights	Illinois Department of Human Rights	U.S. Dept. of Housing and Urban Development
Types of Discrimination Covered	Race Color Religion Sex (including sexual harassment) National Origin Ancestry Age Marital Status Disability Parental Status Sexual Orientation Source of Income Military Discharge Status Gender Identity	Race Color Religion Sex (including sexual harassment) National Origin Ancestry Age Marital Status Disability Parental Status Sexual Orientation Source of Income Military Discharge Status Gender Identity Housing Status Retaliation Aiding/Abetting Willful Interference Gender Identity	Race Color Religion Sex (including sexual harassment) National Origin Ancestry Age Marital Status Disability Familial Status Sexual Orientation Unfavorable Military Discharge Military Status Gender Identity Retaliation Aiding/Abetting Willful Interference and Coercion	Race Color Religion Sex (including sexual harassment) National Origin Disability Familial Status Retaliation Intimidation and Coercion
Geographic Limitations	Housing located within the City of Chicago	Housing located within Cook County	Housing located within Illinois	Housing located within U.S. or U.S. territories
Time Limitations	Must file within 180 days of the alleged violation	Must file within 180 days of the alleged violation	Must file within one year of the alleged violation	Must file within one year of the alleged violation
Who Can Be Sued	All persons who have right to sell, rent or lease any housing accommodation within Chicago and their agents Lenders under credit transaction provisions	All persons who have right to sell, rent or lease any housing unit within Cook County and their agents and persons engaged in other aspects of real estate transactions, such as lenders and brokers	All real property owners, sales and rental agents, builders, lenders, appraisers, and other persons involved in real estate transactions	Most residential housing owners (some exceptions apply - see intake), sales and rental agents, builders, lenders and appraisers Municipalities Advertisers

Agencies to Contact	Chicago Commission on Human Relations	Cook County Commission on Human Rights	Illinois Department of Human Rights	U.S. Dept. of Housing and Urban Development
Kinds of Relief Available	<p>Make whole damages (such as moving expenses, rent differentials and emotional distress damages)</p> <p>Punitive Damages</p> <p>Fines to the City</p> <p>Injunctive Relief (such as order to sell/rent)</p> <p>Attorneys Fees for prevailing Complainant</p>	<p>Make whole damages (such as moving expenses, rent differentials and emotional distress damages)</p> <p>Punitive Damages</p> <p>Fines to the County</p> <p>Injunctive Relief, including emergency relief (such as order to cease eviction or order to sell/rent)</p> <p>Attorneys Fees for prevailing Complainant</p>	<p>Make whole damages (such as moving expenses, rent differentials and emotional distress damages)</p> <p>Fines to State</p> <p>Injunctive Relief, including emergency relief (such as order to cease eviction or order to sell/rent)</p> <p>Attorneys Fees for prevailing Complainant</p>	<p>Make whole damages (such as moving expenses, rent differentials and emotional distress damages)</p> <p>Punitive Damages</p> <p>Fines to Agency</p> <p>Injunctive Relief, including emergency relief (such as order to cease eviction or order to sell/rent)</p> <p>Attorneys Fees for prevailing Complainant</p>
Agency Contact Information	<p>Chicago Commission on Human Relations 740 N. Sedgwick 3rd Floor Chicago, IL 60610 (312) 744-4111 (312) 744-1088 (TDD) (312) 744-1081 (FAX)</p>	<p>Cook County Commission on Human Rights 69 W. Washington St. Suite #3040 Chicago, IL 60602 (312) 603-1100 (312) 603-1101 (TDD) (312) 603-9988 (FAX)</p>	<p>Illinois Department of Human Rights James R. Thompson Center 100 W. Randolph Suite 10-100 Chicago, IL 60601 (312) 814-6200 (312) 263-1579 (TDD) 1-800-662-3942 (Toll free housing discrimination line) (312) 814-1541 (Fax)</p>	<p>U.S. Dept. of Housing and Urban Development Office of Fair Housing and Equal Opportunity 77 W. Jackson, Suite 2101 Chicago, IL 60604-3507 (312) 353-7776 1-800-669-9777 (Toll free) 1-800-927-9275 (TDD) (312) 886-2837 (FAX)</p>
Office Hours	<p><u>Filing Hours:</u> Monday through Friday 9:00 - 5:00 (2 copies of all filings required)</p> <p><u>Intake Hours:</u> Monday, Thursday, Friday 9:00 - 5:00</p> <p>Tuesday, Wednesday 9:00 - 6:00</p>	<p><u>Office Hours:</u> Monday through Friday 8:30 - 5:00</p> <p><u>Intake Hours:</u> Monday through Friday 9:00 - 4:00</p>	<p><u>Office Hours:</u> Monday through Friday 8:30 - 5:00</p> <p><u>Intake Hours:</u> Monday through Thursday 8:30 - 5:00</p>	<p><u>Office Hours:</u> Monday through Friday 8:15 - 4:45</p> <p><u>Intake Hours:</u> Monday through Friday 8:15 - 4:45</p>
Other Forms of Discrimination Covered	<p>Employment Public Accommodations Credit Transactions</p>	<p>Employment Public Accommodations Credit Transactions</p>	<p>Employment Public Accommodations Credit Transactions Sexual Harassment in Higher Education</p>	

Chapter 9.14

FAIR HOUSING

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- 9.14.020 Construction.**
- 9.14.030 Definitions.**
- 9.14.040 Administration.**
- 9.14.050 Exempted acts.**

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- 9.14.060 Discriminatory terms.**
- 9.14.070 Refusal to negotiate,
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- 9.14.080 Withholding dwellings.**
- 9.14.090 Discriminatory
advertisement, signs
and notices.**
- 9.14.100 Panic peddling.**
- 9.14.110 Financing of real estate
transactions.**
- 9.14.120 Processing of loans or
other financial
assistance.**
- 9.14.130 Appraisal of value of
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insurance.**
- 9.14.140 Varying rents or sale
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- 9.14.150 Using different
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- 9.14.160 Eviction.**
- 9.14.170 Listing agreements.**
- 9.14.180 Discrimination in
membership or
participation in
multiple-listing services.**

- 9.14.190 Steering or restricting
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- 9.14.200 Participating in
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- 9.14.210 Restricting or limiting
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- 9.14.220 Aiding and abetting of
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- 9.14.230 Interference, coercion
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- 9.14.260 Discrimination against
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- 9.14.270 Refusal to permit
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modifications.**
- 9.14.280 Refusal to make
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- 9.14.290 Failure to construct
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- 9.14.300 Refusal to sell or rent
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- 9.14.310 Prohibited
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financial institutions.**

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Conciliation and Hearing**

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- 9.14.330 Complaint—Notice.**
- 9.14.340 Complaint—Injunctive temporary relief.**
- 9.14.350 Respondent response.**
- 9.14.360 Complainant response.**
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- 9.14.390 Hearing on complaint.**
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**Article VI. Violation—
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- 9.14.420 Violation—Penalty.**
- 9.14.430 Additional penalties.**

**Article VII. Appeal
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- 9.14.440 Appeal procedures.**

Article I. General Provisions

9.14.010 Declaration of policy.

In the exercise of its power to regulate for the protection of the public health, safety, morals, and welfare, it is declared to be the public policy of this municipality to assure fair housing and freedom from discrimination throughout the community, to protect the community from the effects of residential segregation by race, color, religion, sex, physical or mental handicap, familial status or national origin, and to secure to its citizens the economic, social and professional benefits of living in a stable, integrated society. (Ord. 757 § 1.1, 1992)

9.14.020 Construction.

This chapter shall be construed according to the fair import of its terms, and shall be liberally construed to further the purposes and policy stated and the special purposes of the particular provision involved. (Ord. 757 § 1.2, 1992)

9.14.030 Definitions.

As used in this chapter, the following terms have the following meanings:

“ANSI A117.1-1986” means the 1986 Edition of the American National Standard for buildings and facilities providing accessibility and usability for physically handicapped people.

“Board” means the fair housing review board.

“Broker” means and includes any person authorized to perform an action on behalf of another person regarding any matter related to the sale or rental of dwellings, including offers, solicitations or contracts and the administration of matters regarding such offers, solicitations or contracts or any residential real estate related transactions.

“Building” means a structure, facility, or portion thereof that contains or serves one or more dwelling units.

“Building entrance on an accessible route” means an accessible entrance to a building that is connected by an accessible route to public transportation stops, to accessible parking and passenger loading zones, or to public streets or sidewalks, if available.

“Charge” means an allegation contained in a complaint.

“Civil rights violation” means and includes and shall be limited to only those

specific acts set forth in Articles II, III, and IV of this chapter.

“Common use areas” means rooms, spaces or elements inside or outside of a building that are made available for the use of residents of a building or the guests thereof. These areas include hallways, lounges, lobbies, laundry rooms, refuse rooms, mail rooms, recreational areas and passageways among and between buildings.

“Complaint” means the document filed by a complainant with the administering agency.

“Complainant” means a party/person, including the administering agency, who files a complaint.

“Commission” means the human relations commission.

“Community residence” means a group home or specialized residential care home serving unrelated persons with disabilities.

“Conciliation” means the attempted resolution of issues raised by a complaint, or the investigation of such charge, through informal negotiations involving the aggrieved party, the respondent and the administering agency.

“Conciliation agreement” means a written agreement setting forth the resolution of the issues in conciliation.

“Controlled substance” means any drug or other substance, or immediate precursor included in the definition in Section 102 of the Controlled Substances Act (21 U.S.C. § 802).

“Covered multifamily dwelling” means a building consisting of four or more units if such buildings have one or more elevators; and ground floor units in other buildings consisting of four or more units.

“Discriminate” means to treat any person different from others because of race, color,

religion, creed, national origin, age, sex, ancestry, marital status, physical or mental handicap, familial status, or unfavorable military discharge.

“Dwelling” means any building structure or portion thereof which is occupied as, or designated or intended for occupancy as, a residence by one or more families or unrelated individuals, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

“Elderly person” means a person fifty-five years of age or older.

“Entrance” means any access point to a building used by residents for the purpose of entering.

“Exterior” means all areas of the premises outside of an individual dwelling unit.

“Family status” means one or more individuals who have not attained the age of eighteen years being domiciled with:

1. A parent or a person having legal custody of such individual or individuals;
2. The designee of such parent or other person having such custody, with the written permission of such parent or other person; or
3. Persons who are pregnant or in the process of securing legal custody of any individual who has not attained the age of eighteen.

“Financial institution” means any bank, credit union, insurance company, mortgage banking company, savings and loan association, or other entity or organization which makes or purchases loans or provides other

financial assistance and which operated or has a place of business in the state of Illinois.

“Handicap” means, with respect to a person, a physical or mental impairment which substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.

“Hearing” means that part of an adjudicative proceeding that involves the submission of evidence, either by oral presentation or written submission, and includes the submission of briefs and oral arguments on the evidence and applicable law.

“Hearing agency” means the agency designated by the corporate authorities of the municipality to conduct hearings on, and adjudicate the question of, ordinance violations.

“Housing accommodation” includes any improved or unimproved real property or part thereof which is used or occupied or is intended, arranged or designed to be used or occupied as the home or residence of one or more individuals.

“Housing for older persons” means:

1. All housing that is provided under state and federal programs for elderly persons as defined by the specific programs, providing United States Department of Housing and Urban Development (U.S. HUD) approval has been secured;
2. Housing that is “intended for, and solely occupied by persons sixty-two years of age or older”;
3. Communities in which at least eighty percent of all units are occupied by one person fifty-five years of age or older, if the existence of significant facilities and services specifically designed to meet the physical

and social needs of older persons can be documented.

“Interior” means the spaces, parts, components or elements of an individual dwelling unit.

“Loan” means and includes, but is not limited to, the providing of funds, for consideration, which are:

1. Sought for the purpose of purchasing, constructing, improving, repairing, or maintaining a housing accommodation;
2. Sought for any commercial or industrial purposes; or
3. Secured by residential real estate.

“Lease” includes any sublease, assignment, or rental and any contract to enter into any of the foregoing.

“Marital status” means the legal status of being married, single, separated, divorced or widowed.

“Modification” means any change to the public or common use areas of a building or any change to a dwelling unit.

“National origin” means the place in which a person or one of his or her ancestors was born.

“Offer” means and includes every attempt by means of written or oral communications to present for acceptance or rejection, to hold out or proffer, to make a proposal to or to exhibit real estate that may be taken or received with the intention of ultimately entering a real estate transaction.

“Owner” means any person who holds legal or equitable title to, or owns any beneficial interest in, any real estate, or holds legal or equitable title to shares of, or any beneficial interest in, an equity which owns any real estate.

“Panic peddling” means for profit, to induce or attempt to induce a person to sell

or rent a dwelling by representation regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, familial status, national origin or handicap.

"Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint stock companies, trusts, unincorporated organizations, trustees or trustees in cases under Title 11 of the United States Code.

"Person in the business of selling or renting dwellings" means any person who:

1. Within the preceding twelve months, has participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein;
2. Within the preceding twelve months, has participated as agent, other than in the sale of his or her own personal residence, in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or interest therein; or
3. Is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

"Physical or mental impairment" means and includes:

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
2. Any mental or psychological disorder, such as mental retardation, organic

brain syndrome, emotional or mental illness, and specific learning disabilities.

"Premises" means the interior or exterior spaces, parts, components or elements of a building, including individual dwelling units and the public and common use areas of a building.

"Protected classes" means and includes all persons legally protected against discrimination.

"Public contract" means and includes every contract to which the state of Illinois, any of its political subdivisions or any municipal corporation is a party.

"Public use area" means interior or exterior rooms or spaces of a building that are made available to the general public. Public use may be provided at a building that is privately or publicly owned.

"Real estate transaction" means the purchase, sale or fee equitable title to, or beneficial interest in, or rental or lease of, any real property; or an option to do any of the foregoing, or any negotiation, listing, contract, or agreement in connection therewith. "Real estate transaction" also includes the brokering or appraising of residential real property and the making or purchasing of loans or providing other financial assistance for purchasing, constructing, improving, repairing or maintaining a dwelling or secured by residential real estate.

"Real property" includes buildings, structures, real estate, lands, tenements, leaseholds, interest in real estate cooperatives, condominiums, and hereditaments, corporeal and incorporeal, or any interest therein.

"Religion" includes all aspects of religious observance and practice, as well as belief; and all aspects of religious nonobservance, nonpractice and nonbelief.

“Respondent” means:

1. The person or other entity against whom a discriminatory housing practice has been alleged in a complaint;

2. Any other person or entity identified in the course of investigation and notified as required under Article VIII of this chapter.

“Sex” means the status of being male or female.

“Solicit” or “solicitation” means any communication by or on behalf of a real estate agent with the owner or occupant of a dwelling:

1. Which is intended to include the sale or rental of such dwelling;

2. Which is intended to offer or promote services in connection with the sale, rental or listing of such dwelling; and

3. Which is carried out by means of:

a. In-person contacts at the dwelling,

b. Written material mailed or delivered directly to the dwelling, such as direct mail, leaflets or pamphlets, or

c. Telephone contacts with owners or occupants of the dwelling.

For purposes of this chapter, the term “solicit” or “solicitation” shall not refer to communication carried out by means of print or electronic media of general circulation, such as a newspaper, radio, television, or the yellow pages.

“Steering” means influencing or attempting to influence by words or acts the choice or location of housing of a prospective purchaser, occupant, or tenant, in connection with viewing, buying, leasing, or occupying real estate based on race, color, religion, sex, familial status, national origin, or handicap so as to limit choice or promote or maintain segregation.

“To rent” includes to lease, to sublease, to let, and to otherwise grant for consideration the right to occupy premises not owned by the occupant.

“Varying terms” means and includes, but is not limited to, the following practices:

1. Requiring a greater down payment than is usual for the particular type of a loan involved;

2. Requiring a shorter period of amortization than is usual for the particular type of loan involved;

3. Charging a higher interest rate than is usual for the particular type of loan involved;

4. Underappraising of real estate or other items of property offered as security. (Ord. 757 § 1.4, 1992).

9.14.040 Administration.

The administering agency, village manager, or president and trustees, shall appoint an administrator. The administrator shall have such duties, responsibilities and powers as are necessary for the implementation of this chapter and additionally as may be provided by the administering agency or president and trustees, including the issuing, initiation, receipt and due processing of complaints. (Ord. 757 Art. 6, 1992)

9.14.050 Exempted acts.

Nothing in this chapter, other than the prohibition against discriminatory advertising, shall:

A. Apply to the following:

1. The rental, lease, or occupancy of a room in an owner-occupied single-family dwelling, provided the following conditions are met:

of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, physical or mental handicap, familial status or national origin. (Ord. 757 § 2.1, 1992)

9.14.070 Refusal to negotiate, deal, sell or rent.

It is unlawful to refuse to sell or rent, after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny a dwelling to any person because of race, color, religion, sex, physical or mental handicap, familial status, or national origin. (Ord. 757 § 2.2, 1992)

9.14.080 Withholding dwellings.

It is unlawful to represent to any person because of race, color, religion, sex, physical or mental handicap, familial status, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact available. (Ord. 757 § 2.3, 1992)

9.14.090 Discriminatory advertisement, signs and notices.

It is unlawful to make, print, circulate, or publish, or cause to be made, printed, or published, any written or oral notice, statement, or advertisement, with respect to the sale of the rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, physical or mental handicap, familial status, or national origin or an intention to make such preference, limitation, or discrimination. Discriminatory notices, statements and

advertisements include, but are not limited to:

A. Using words, phrases, photographs, illustration, symbols, or forms which convey that dwellings are available or not available to a particular group of persons because of race, color, religion, sex, physical or mental handicap, familial status, or national origin;

B. Expressing to agents, brokers, employees, prospective sellers or renters or any other person a preference for a limitation on any purchaser or renter because of race, color, religion, sex, physical or mental handicap, familial status, or national origin of such persons;

C. Selecting media or locations for advertising the sale or rental of dwellings which deny particular segments of the housing market information about housing opportunities because of race, color, religion, sex, physical or mental handicap, familial status, or national origin;

D. Refusing to publish advertising for the sale or rental of dwellings, or requiring different charges or terms for such advertising because of race, color, religion, sex, physical or mental handicap, familial status or national origin. (Ord. 757 § 2.4, 1992)

9.14.100 Panic peddling.

A. It is unlawful, for profit, to induce or attempt to induce a person to sell or rent a dwelling by representation regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, physical or mental handicap, familial status or national origin.

B. Prohibited actions under this section include, but are not limited to:

a. The owner does not own or have any interest in more than three single-family houses at any one time,

b. The house is sold or rented without the use of a real estate broker, agent or salesperson or the facilities of any person in the person of selling or renting dwellings.

2. Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his or her residence;

B. Prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization or society from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than commercial purposes to persons of the same religion, or from giving preference to such person, unless membership in such religion is restricted on account of race, color, religion, sex, physical or mental handicap, familial status, or national origin;

C. Prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members and their guests or from giving preference to its members;

D. Prohibit the rental or sale of dwelling on the basis of age or handicap when such dwelling is authorized, approved, financed or subsidized in whole or in part by a unit of state, local or federal government;

E. Limit the applicability of any reasonable local, state or federal restrictions re-

garding the maximum number of occupants permitted to occupy a dwelling;

F. Require the rental or sale of a unit to any person convicted of the illegal manufacture or distribution of a controlled substance;

G. With regard to discrimination based on familial status, apply with respect to housing for older persons as defined in Section 9.14.030 of this chapter;

H. Apply to persons engaged in the business of furnishing appraisals of real property from taking into consideration factors other than those based on unlawful discrimination or familial status in furnishing appraisals;

I. Prohibit financial institutions from considering sound underwriting practices in contemplation of any loan to any person. Such practices shall include the following:

1. The willingness and the financial ability of the borrower to repay the loan,

2. The market value of any real estate or other item of property proposed as security for any loan,

3. Diversification of the financial institution's investment portfolio;

J. Prohibit a person engaged in the business of furnishing appraisals of real property from taking into consideration factors other than race, creed, age, ancestry, unfavorable military discharge, color, religion, sex, handicap, familial status or national origin. (Ord. 757 Art. 5, 1992)

Article II. Prohibited Discriminatory Acts

9.14.060 Discriminatory terms.

It is unlawful to discriminate against any person in the terms, conditions, or privileges

1. Engaging for profit in conduct (including uninvited solicitations for listings) which conveys to a person that a neighborhood is undergoing or is about to undergo a change in the race, color, religion, sex, physical or mental handicap, familial status or national origin of persons to offer a dwelling for sale or rental;

2. Encouraging, for profit, any person to sell or rent a dwelling through assertions that the entry or prospective entry of persons of a particular race, color, religion, sex, familial status, or national origin or with handicaps can or will result in undesirable consequences for this project, neighborhood or community, such as a lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools or other services or facilities. (Ord. 757 § 2.5, 1992)

9.14.110 Financing of real estate transactions.

It is unlawful to discriminate in connection with borrowing or lending money, guaranteeing loans, accepting mortgages, or otherwise financing a real estate transaction on the grounds of race, color, religion, sex, physical or mental handicap, familial status or national origin. (Ord. 757 § 2.6, 1992)

9.14.120 Processing of loans or other financial assistance.

It is unlawful to deny or delay the processing of a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling; or discriminate in the fixing of that amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance because of race, color,

religion, sex, physical or mental handicap, familial status or national origin of such person. (Ord. 757 § 2.7, 1992)

9.14.130 Appraisal of value of real estate or sale of insurance.

It is unlawful to discriminate in the appraisal of the value of real estate or in the sale of insurance in connection with a real estate transaction because of the race, color, religion, sex, physical or mental handicap, familial status or national origin of the person. (Ord. 757 § 2.8, 1992)

9.14.140 Varying rents or sale price.

It is unlawful to impose different sale prices or rental charges for the sale or rental of a dwelling upon any person because of the race, color, religion, sex, physical or mental handicap, familial status, or national origin of such person. (Ord. 757 § 2.9, 1992)

9.14.150 Using different qualification criteria.

It is unlawful to use different qualification criteria or application, or sale or rental standards or procedures, such as income standards, application requirements, application fees, credit analysis or sale or rental approval procedures or other requirements, because of race, color, religion, sex, physical or mental handicap, familial status or national origin. (Ord. 757 § 2.10, 1992)

9.14.160 Eviction.

It is unlawful to evict tenants because of their race, color, religion, sex, handicap, familial status, or national origin, or because of the race, color, religion, sex, physical or

mental handicap, familial status, or national origin of a tenant's guest. (Ord. 757 § 2.11, 1992)

9.14.170 Listing agreements.

It is unlawful to enter into a listing agreement which discriminates against any person because of race, color, religion, sex, physical or mental handicap, familial status or national origin. (Ord. 757 § 2.12, 1992)

9.14.180 Discrimination in membership or participation in multiple-listing services.

It is unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings or to discriminate against any person in the terms or conditions of such access, membership or participation on account of race, color, religion, sex, physical or mental handicap, familial status or national origin. (Ord. 757 § 2.13, 1992)

9.14.190 Steering or restricting of choice.

A. It is unlawful to restrict or attempt to restrict, because of race, color, religion, sex, physical or mental handicap, familial status or national origin, the choices of a person by words or acts in connection with buying or renting a dwelling so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing.

B. Prohibited actions under this section, which are generally referred to as unlawful

steering practices, include, but are not limited to the following:

1. Discouraging any person from inspecting, purchasing or renting a dwelling because of race, color, religion, sex, physical or mental handicap, familial status or national origin; or because of the race, color, religion, sex, physical or mental handicap, familial status, or national origin of persons in a community, neighborhood, or development, so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing.

2. Discourage the purchase or rental of a dwelling because of race, color, religion, sex, physical or mental handicap, familial status or national origin by exaggerating drawbacks or failing to inform any person of desirable features of a dwelling or of a community, neighborhood, or development, so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing.

3. Communicating to any prospective purchaser that he or she would not be comfortable or compatible with existing residents of a community, neighborhood or development because of race, color, religion, sex, physical or mental handicap, familial status or national origin, so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing.

4. Assigning any person to a particular section of a community, neighborhood or development, or to a particular floor of a building, because of race, color, religion, sex, physical or mental handicap, familial status or national origin, so as to perpetuate,

or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing.

5. Failing to inform any person of available housing opportunities in a particular section of a community, neighborhood or development, or in a particular building or particular floor of a building, because of race, color, religion, sex, physical or mental handicap, familial status or national origin, so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing. (Ord. 757 § 2.14, 1992)

9.14.200 Participating in discriminatory acts.

It is unlawful to act or undertake to act as a real estate broker, salesman, or agent with respect to any dwelling, the disposition of which requires the person to participate in discrimination. (Ord. 757 § 2.15, 1992)

9.14.210 Restricting or limiting housing choice.

It is unlawful to perform any act of discrimination with the intention or effect of restricting or limiting the housing choice of any person. (Ord. 757 § 2.16, 1992)

9.14.220 Aiding and abetting of acts.

It is unlawful to aid or abet acts performed in violation of this chapter. (Ord. 757 § 2.17, 1992)

9.14.230 Interference, coercion or intimidation.

It is unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on ac-

count of his having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by this chapter. (Ord. 757 § 2.18, 1992)

9.14.240 Solicitation.

It is unlawful to solicit any owner to sell or rent or list residential property at any time after such person has notice that such owner does not desire to sell, rent, or list such residential property. For the purpose of this section, notice must be provided as follows:

A. The notice may be given by the owner personally or by a third party in the owner's name, either in the form of an individual notice or a list, provided it complies with subsection B of this section;

B. Such notice shall be explicit as to whether each owner on the notice seeks to avoid both solicitation for listing and sale, as well as the period of time for which any avoidance is desired. The notice shall be dated and either of the following shall apply:

1. Each owner shall have signed the notice, or

2. The person or entity preparing the notice shall provide an accompanying affidavit to the effect that all the names on the notice are, in fact, genuine as to the identity of the persons listed and that such persons have requested not to be solicited as indicated;

C. The individual notice or notice in the form of a list with accompanying affidavit shall be served personally or by certified or registered mail, return receipt requested. (Ord. 757 § 2.19, 1992)

**Article III. Prohibited
Discriminatory Acts Affecting
the Handicapped**

**9.14.250 Additional unlawful
discriminatory practices.**

In addition to those prohibited acts identified in Articles II and IV, those in Sections 9.14.250 through 9.14.300 shall also be unlawful. (Ord. 757 Art. 3 (part), 1992)

**9.14.260 Discrimination against the
handicapped.**

A. It is unlawful to discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of:

1. That buyer or renter;
2. A person residing in or intending to reside in that dwelling after it is sold, rented, or made available; or
3. Any person associated with that person.

B. It is unlawful to make an inquiry to determine whether an applicant for a dwelling; a person intending to reside in that dwelling after it is sold, rented or made available; or any person associated with that person has a handicap, or to make inquiry as to the nature or severity of a handicap of such a person.

C. However, this section does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they have handicaps:

1. Inquiry into the applicant's ability to meet the requirements of ownership or tenancy;
2. Inquiry to determine whether an applicant is qualified for a dwelling avail-

able only to persons with handicaps or to persons with a particular type of handicap;

3. Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with handicaps or to persons with a particular type of handicap;

4. Inquiry to determine whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance;

5. Inquiry to determine whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance.

D. Nothing in this section requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others. (Ord. 757 § 3.1, 1992)

**9.14.270 Refusal to permit
reasonable modifications.**

It is unlawful to refuse to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises; except that, in the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modifications, reasonable wear and tear excepted. (Ord. 757 § 3.2, 1992)

9.14.280 Refusal to make reasonable accommodations in rules and policies.

It is unlawful to refuse to make reasonable accommodations in rules, policies, practices, or services, when such accommodation may be necessary to afford such person equal opportunity to use and enjoy the dwelling, including public and common use areas. (Ord. 757 § 3.3, 1992)

9.14.290 Failure to construct accessible buildings.

It is unlawful to fail to design and construct dwellings after March 13, 1992, in such a manner that:

A. The public use and common use portions of such dwellings are readily accessible to and usable by a handicapped person;

B. All the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

C. All premises within such dwellings contain the following features of adaptive design:

1. An accessible route into and through the dwelling,

2. Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations,

3. Reinforcements in bathroom walls to allow later installation of grab bars, and

4. Usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space. (Ord. 757 § 3.4, 1992)

9.14.300 Refusal to sell or rent to persons with guide dogs.

It is unlawful to refuse to sell or rent because a person has a guide, hearing or support dog. It is a civil rights violation for the owner or agent of any housing accommodation to:

A. Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny property to any blind, hearing impaired or physically handicapped person because he has a guide, hearing or support dog; or

B. Discriminate against any blind, hearing-impaired, or physically handicapped person in the terms, conditions, or privileges of sale or rental property, or in the provision of service or facilities in connection therewith, because he has a guide, hearing or support dog; or

C. Require, because a blind, hearing-impaired, or physically handicapped person has a guide, hearing or support dog, and extra charge in a lease, rental agreement, or contract of purchase or sale, other than for actual damage done to the premises by the dog. (Ord. 757 § 3.5, 1992)

Article IV. Prohibited Discriminatory Acts by Financial Institutions

9.14.310 Prohibited discriminatory acts by financial institutions.

In addition to those prohibited acts identified in Articles II and III, it is a violation for any financial institution, on the grounds of unlawful discrimination to:

A. Deny any person any of the services normally offered by such an institution;

B. Provide any person with any service which is different from, or provided in a different manner than, that which is provided to other persons similarly situated;

C. Deny or vary the terms of a loan because of race, color, religion, sex, physical or mental handicap, familial status or national origin;

D. Deny or vary the terms of a loan on the basis that a specific parcel of real estate offered as security is located in a specific geographical area;

E. Deny or vary the terms of a loan without having considered all of the regular and dependable income of each person who would be liable for repayment of the loan;

F. Utilize lending standards that have no economic basis;

G. Refuse to purchase or impose different terms or conditions on loans or other debts or securities which support the purchase, construction, improvement, repair or maintenance of a dwelling, or which are secured by residential real estate because of race, color, religion, sex, physical or mental handicap, familial status or national origin. (Ord. 757 Art. 4, 1992)

**Article V. Complaints,
Conciliation and Hearing
Procedures**

9.14.320 Complaint—Procedure.

A. Any person aggrieved in any manner by a violation of any provision of this chapter may file with the administering agency/administrator a written verified complaint setting forth his or her grievance within one year after the date of the alleged violation. The complaint shall state, on a printed form

provided by the administering agency, such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged violations of this chapter.

B. A complaint may be filed against any person alleged to be engaged, to have engaged, or about to engage in a discriminatory housing practice.

C. A complaint may also be filed against any person who directs or controls, or has the right to direct or control, the conduct of another person with respect to any aspect of the sale, rental, advertising or financing of dwellings or the provision of brokerage services relating to the sale or rental of dwellings if that other person, acting within the scope of his or her authority as employee or agent of the directing or controlling person, is engaged, has engaged, or is about to engage, in a discriminatory housing practice. (Ord. 757 § 7.1, 1992)

9.14.330 Complaint—Notice.

A. Within ten calendar days after a complaint has been received or initiated by the administering agency or the administrator, the administering agency shall serve or cause to be served, either in person or by certified mail, a copy of the complaint on the person alleged to be in violation of this chapter, hereinafter referred to as the respondent.

B. The administrator shall also, within ten days of the date on which the complaint was filed, send written notice to the complainant informing the complainant of his or her option to file a complaint with U.S. HUD, the Illinois Human Rights Department, federal or state courts, including the

dates within which the complainant may exercise such options. (Ord. 757 § 7.2, 1992)

9.14.340 Complaint—Injunctive temporary relief.

A. At any time after a complaint is filed and determined to constitute a violation of this chapter, the administering agency may petition the appropriate court for temporary relief, pending final determination of the proceedings under this chapter, including an order or degree restraining the respondent from doing or causing any act which would render ineffectual a recommendation with respect to the complaint. Such petition shall contain a certification by the administering agency/administrator that the particular matter presents exceptional circumstances in which irreparable injury will result from a violation of this chapter in the absence of temporary relief.

B. The petition shall be filed in the circuit court for the county in which the respondent resides or transacts business or in which the alleged violation took place.

C. When the petition is based upon a civil rights violation as defined in this chapter, any relief or restraining order entered by the court shall not exceed five days unless:

1. A longer period is agreed to by the respondent; or
2. The court finds there is substantial evidence to demonstrate that the respondent has engaged in violations of this chapter. (Ord. 757 § 7.3, 1992)

9.14.350 Respondent response.

A. The respondent shall serve a verified copy of his or her response to all allegations contained in the complaint within ten

calendar days of the date on which respondent was served a copy of the complaint.

B. The administrator shall issue a notice of default directed to any respondent who fails to file a verified response to a complaint within ten calendar days of the date on which the complainant was served, unless the respondent can demonstrate good cause as to why such notice should not be issued. (Ord. 757 § 7.4, 1992)

9.14.360 Complainant response.

Within ten calendar days of the date he receives the respondent's response, the complainant may file his reply to the response. If he chooses to file a reply, the complainant shall serve a copy of the reply on the respondent or his representative. A party shall have the right to supplement his response or reply at any time that the investigation of the complaint is pending. (Ord. 757 § 7.5, 1992)

9.14.370 Investigation of complaint.

A. The administering agency shall order a prompt investigation of the complaint, completing such an investigation within one hundred calendar days after the filing of the complaint.

B. Unless it is impossible to do so, upon review of the report and within one hundred calendar days after the filing of the complaint, the administrator shall determine whether there is substantial evidence that the alleged ordinance violation has been committed or is about to be committed.

C. If the administering agency is unable to make the determination within one hundred calendar days after the filing of the complaint, the administrator shall notify the complainant and respondent in writing of the reasons for not doing so.

D. If the administering agency determines that there is no substantial evidence, the complaint shall be dismissed and the complainant notified that he or she may seek review of the dismissal order before the adjudicative agency. The complainant shall have thirty calendar days from receipt of notice to file a request for review by the adjudicative agency. The adjudicative agency shall:

1. Uphold the finding of insubstantial evidence; or
2. Reverse the finding of insubstantial evidence and remand the complaint of the administering agency for conciliation.

E. If the administering agency determines that there is substantial evidence it shall immediately notify the parties and schedule a conciliation meeting. (Ord. 757 § 7.6, 1992)

9.14.380 Conciliation—Procedure.

A. During the period beginning with the filing of a complaint and ending with a dismissal or a referral to the adjudicative agency, the administering agency or administrator shall, to the extent feasible, engage in conciliation with respect to such complaint.

B. If the administrator determines:

1. That conciliation is feasible, the complainant and respondent shall be notified of the time and place of the conciliation meeting by registered or certified mail at least seven calendar days prior thereto and both parties shall appear at the meeting in person or by attorney; or
2. That attempts at conciliation would not further the objectives of this chapter, or that the complaint cannot be resolved by conciliation, the administrator shall report

and transfer the complaint and filings to the adjudicative agency.

C. The administrator shall attempt by all accepted methods of conciliation and lawful persuasion to resolve the grievance delineated in the complaint.

D. Nothing occurring at the conciliation meeting shall be made public or used as evidence in a subsequent proceeding for the purpose of proving a violation under this chapter unless the complainant and respondent agree in writing that such disclosure be made.

E. An agreement arising out of such conciliation shall be treated as a settlement pursuant to Section 9.14.380 of this chapter.

F. A conciliation may provide for binding arbitration of the dispute arising from the complaint. Any such arbitration that results from a conciliation agreement may award relief as provided for in this chapter. (Ord. 757 § 7.7, 1992)

9.14.390 Hearing on complaint.

A. Within fifteen days of receiving a complaint from the administering agency, the adjudicative agency shall, upon due and reasonable notice to all parties, schedule a public hearing on the complaint. The public hearing shall be scheduled no sooner than thirty days from the date of the notice, nor later than sixty days from the date of the notice.

B. All parties shall be entitled to be represented by legal counsel, and shall have the right to call witnesses in their own behalf and to cross-examine witnesses. All parties to the proceedings may apply to the adjudicative agency to have subpoenas issued in the name of the adjudicative

agency. Testimony taken at the conference/hearing shall be made under oath affirmation and a transcript shall be made and filed in the office of the administering agency/administrator. (Ord. 757 § 7.8, 1992)

9.14.400 Report and decision.

A. The adjudicative agency shall issue a written report within thirty days of the conclusion of the public hearing. The report/decision shall include a summary of the testimony, exhibits admitted into evidence, and a finding of whether a violation of the chapter was proven by a preponderance of the evidence. The report/decision shall also contain a recommendation/order of the relief that may include one or more of the elements provided for in Sections 9.14.390 through 9.14.400.

B. If the administering agency determines that a respondent has not complied in a timely manner with the decision, the administrative agency shall refer the matter to the municipal attorney who shall seek judicial enforcement of the decision. (Ord. 757 § 7.9, 1992)

9.14.410 Settlement of complaint.

A. Circumstances. A settlement of any complaint may be effected at any time prior to a decision/report by the adjudicative agency upon agreement of the parties and the approval of the adjudicative agency.

B. Settlement. Each settlement agreement shall be made public unless the complaint and respondent otherwise agree and the administrator determines that disclosure is not required to further the purpose of this chapter.

C. Form. Settlements of complaints prior to the issuing of a report/decision shall be issued in writing by the administrator,

signed by the parties, and submitted by the administrator to the adjudicative agency.

D. Settlement Violation. When either party alleges that a settlement order has been violated, the administrator shall conduct an investigation into the matter. If substantial evidence demonstrates that a settlement has been violated, the administrator shall refer the matter to the municipal attorney for enforcement in the circuit court in which the respondent or complainant resides or transacts business or in which the alleged violation took place. (Ord. 757 § 7.10, 1992)

Article VI. Violation—Penalty

9.14.420 Violation—Penalty.

Any person violating any provision of this chapter may be directed to:

A. Cease and desist from any violation of this chapter;

B. Pay a civil penalty to vindicate the public interest:

1. In an amount not exceeding ten thousand dollars if the respondent has not been adjudged to have committed any prior violations of any provision of this chapter

2. In an amount not exceeding twenty-five thousand dollars if the respondent has been adjudged to have committed one other violation of this chapter during the five-year period prior to the filing date of the current complaint,

3. In an amount not exceeding fifty thousand dollars if the respondent has been adjudged to have committed two or more violations of this chapter during the seven-year period prior to the filing date of the current complaint. (Ord. 757 § 8.1, 1992)

9.14.430 Additional penalties.

In addition to the penalties and fines delineated in Section 9.14.390 of this chapter, the adjudicative agency may undertake additional actions, including but not limited to the following:

A. Directing the respondent to pay compensatory/actual damages (including damages to compensate for mental anguish), punitive damages, attorney fees and costs;

B. Directing the respondent to provide other equitable relief including, but not limited to, access to the dwelling, the provision of the services or facilities in connection with a dwelling, or other specific relief;

C. Directing the respondent to provide other injunctive relief appropriate to the elimination of discriminatory housing practices affecting the aggrieved person or other persons;

D. Directing the administrator to send copies of the decision/report to the Department of Professional Registration of the state and recommend appropriate disciplinary action, including, where appropriate, the suspension or revocation of the license of the respondent;

E. Further, any persons violating any provision of this chapter may also be required to undertake actions to prevent future discriminatory housing practices; to undertake remedial affirmative activities to overcome discriminatory housing practices; or to undertake various report requirements, including but not limited to:

1. Requiring the respondent and all of the respondent's brokers, associate brokers, salespeople and agents and employees who are employed as sales or rental agents or have contractual relationship with him and are responsible for sales and/or rental of any

residential properties, to attend a fair housing training session conducted by U.S. HUD or an agency acceptable to the president and trustees. Such training session shall cover federal, state and local fair housing laws, applicable case law, and real life or role playing situation. Costs of such training session shall be borne by the defendant,

2. Requiring all agents and employees of any respondent, owner and/or management company to utilize the fair housing logo and slogan in all advertising and telephone directories, and on all company stationery, forms, pamphlets and brochures,

3. Requiring all agents and employees of any respondent, owner and/or management company to post and maintain, in a manner conspicuous to tenants and prospective tenants, buyers and prospective buyers, the fair housing poster and logo,

4. Requiring any respondent owner and/or management company to provide quarterly reports in writing for a period of five years of the names, addresses, race and sex of each prospective buyer/renter who seeks respondent's aid in locating housing and the subsequent showings to each prospective buyer/renter and the final disposition. (Ord. 757 § 8.2, 1992)

Article VII. Appeal Procedures

9.14.440 Appeal procedures.

Any person aggrieved by the decision of the adjudicative agency shall have the right to appeal in accordance with the following procedure:

A. First, initial reconsideration by the full board of the adjudicative agency. This appeal shall be initiated by filing with

the administrator, within seven calendar days of the decision, a written statement of setting forth specifically the grounds for reconsideration. These grounds shall be supported by argument and served on all parties at the time they are filed with the administrator. The adjudicative agency, after reviewing the statement, shall:

1. Render a revised decision notifying all parties within fourteen calendar days of the filing of the statement for initial reconsideration, or

2. Issue and serve on all parties a written order for rehearsing the case, citing the cause and additional evidence, or

3. Uphold the decision;

B. Second, appeal to the president and trustees in a case where the adjudicative agency decision has been upheld. The appeal shall be initiated within seven calendar days of the initial decision, by filing with the adjudicative agency a written statement as delineated in subsection A of this section. After reviewing the statement and hearing record, the president and trustees shall:

1. Render a revised decision notifying all parties within thirty calendar days of the filing of the appeal statement, or

2. Issue and serve on all parties a written order for rehearing the case, citing the cause and additional evidence, or

3. Uphold the decision of the adjudicative agency;

C. After a decision by the president and trustees the aggrieved person may apply for judicial review under writ of certiorari. (Ord. 757 Art. IX, 1992)

**VILLAGE OF LEMONT
ORDINANCE NO. O-__-13**

**AN ORDINANCE VACATING A CERTAIN
UNIMPROVED ALLEY**

**ADOPTED BY THE
PRESIDENT AND THE BOARD OF TRUSTEES
OF THE VILLAGE OF LEMONT
THIS __ DAY OF _____, 2013**

**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 __ day of _____, 2013.**

ORDINANCE NO. O-__-13

**AN ORDINANCE VACATING A CERTAIN
UNIMPROVED ALLEY**

**BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF LEMONT, COOK COUNTY, ILLINOIS:**

SECTION ONE: That the President and Board of Trustees of the Village of Lemont hereby find and determine that:

A. A certain dedicated public right-of-way lying east of 2nd Street, being an unimproved alley legally described below and shown upon the Plat of Vacation attached hereto and hereby made a part hereof as **Exhibit A**, is not now and will not be required for public right-of-way;

B. The unimproved alley (herein "**Alley To Be Vacated**") lies entirely within the corporate limits of the Village of Lemont;

C. Vacating the Alley To Be Vacated will serve public interest in that there will be relief to the public from (i) the further burden and responsibility of maintaining the Alley To Be Vacated and (ii) placing the area of land consisting of the Alley To Be Vacated on the tax rolls, which will produce *ad valorem* and other taxes benefiting every taxing authority within whose jurisdiction the Alley To Be Vacated lies;

D. The titleholder of record (herein "**Owner**") of the lot described below which abuts upon the Alley To Be Vacated has requested that the Alley To Be Vacated be vacated by the corporate authorities of the Village of Lemont and no other titleholder of abutting land has expressed any interest in ownership of any portion of the land comprising the Alley To Be Vacated;

E. Accordingly, only the Owner, having requested the vacation of the Alley To Be Vacated, shall pay compensation to the Village of Lemont which in the judgment of the President and Board of Trustees is the fair market value of the Alley To Be Vacated, so that the Owner shall receive ownership of the entire area of the Alley To Be Vacated; and

F. Considering the benefits which will accrue to the public by reason of this vacation and the retaining of certain easements as set forth below, it is the judgment of the President and Board of Trustees that the total compensation (herein the "**Fair Market Value**") to be paid by the Owner to the Village of Lemont is Five Thousand Four Hundred Dollars and No One-Hundredths Dollars (\$5,400.00).

SECTION TWO: That the Owner is titleholder of record of the parcel commonly known as 523 2nd Street, which is legally described as follows:

**LOT 24 IN LINDGREN'S RESUBDIVISION OF LOTS 3 TO 7 AND PART OF LOT 8 OF
BECKER'S SUBDIVISION OF THE SOUTH EAST HALF OF THE NORTHWEST
QUARTER OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE
THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS (herein the "**Owner's
Property**");**

SECTION THREE: That it is necessary and in the public interest of the Village of Lemont that the Alley To Be Vacated be vacated as shown on the Plat of Vacation attached hereto and hereby made a part hereof as Exhibit A and legally described as follows:

THE 16 FOOT ALLEY RIGHT-OF-WAY LYING SOUTHERLY OF AND ADJACENT TO LOT 24 IN LINDGREN’S RESUBDIVISION OF LOTS 3 TO 7 AND PART OF LOT 8 OF BECKER’S SUBDIVISION OF THE SOUTH EAST HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS;

and, accordingly, the Alley To Be Vacated be and the same is vacated hereby and, pursuant to §5/11-91-1 of Chapter 65 of the Illinois Compiled Statutes, upon payment of the Fair Market Value the Owner of the Owner’s Property lying adjacent to and north of the Alley To Be Vacated shall acquire title to the entire area of the Alley To Be Vacated, subject to certain non-exclusive easements hereby reserved as set forth below.

SECTION FOUR: That this Ordinance hereby retains and reserves to the Village of Lemont perpetual non-exclusive easements over, under, along and upon the surface of, and through the entire Alley To Be Vacated for drainage and for public utilities, including storm and sanitary sewer and potable water; and reserves easements to the current providers of electric, natural gas and/or telephone utility services, and their successors and assigns, for the continued use thereof as and in the places currently used by such utilities and shown upon the Plat of Easement attached hereto and hereby made a part hereof as **Exhibit B**.

SECTION FIVE: That, the Village President is authorized hereby to execute and the Village Clerk is authorized hereby to attest the Village President’s signature on the aforesaid Plat of Vacation (Exhibit A hereto); and, upon receipt of the Fair Market Value, the Village Clerk is authorized and directed hereby to file the said Plat of Vacation as well as a certified copy of this Ordinance with the Cook County Recorder of Deeds for recordation.

SECTION SIX: That the Village Clerk be and is directed hereby to publish this Ordinance in pamphlet form.

SECTION SEVEN: That this Ordinance shall be in full force and effect from and after its passage, approval, publication and the Owner paying the Fair Market Value to the Village of Lemont.

PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL, AND DUPAGE, ILLINOIS, on this ____ day of _____, 2013.

PRESIDENT AND VILLAGE BOARD MEMBERS:

	AYES:	NAYS:	ABSENT:	ABSTAIN
Debby Blatzer	_____	_____	_____	_____
Paul Chialdikas	_____	_____	_____	_____
Clifford Miklos	_____	_____	_____	_____

Ron Stapleton
Rick Sniegowski
Jeanette Virgilio

BRIAN K. REAVES
President

ATTEST:

CHARLENE M. SMOLLEN
Village Clerk

EXHIBIT A

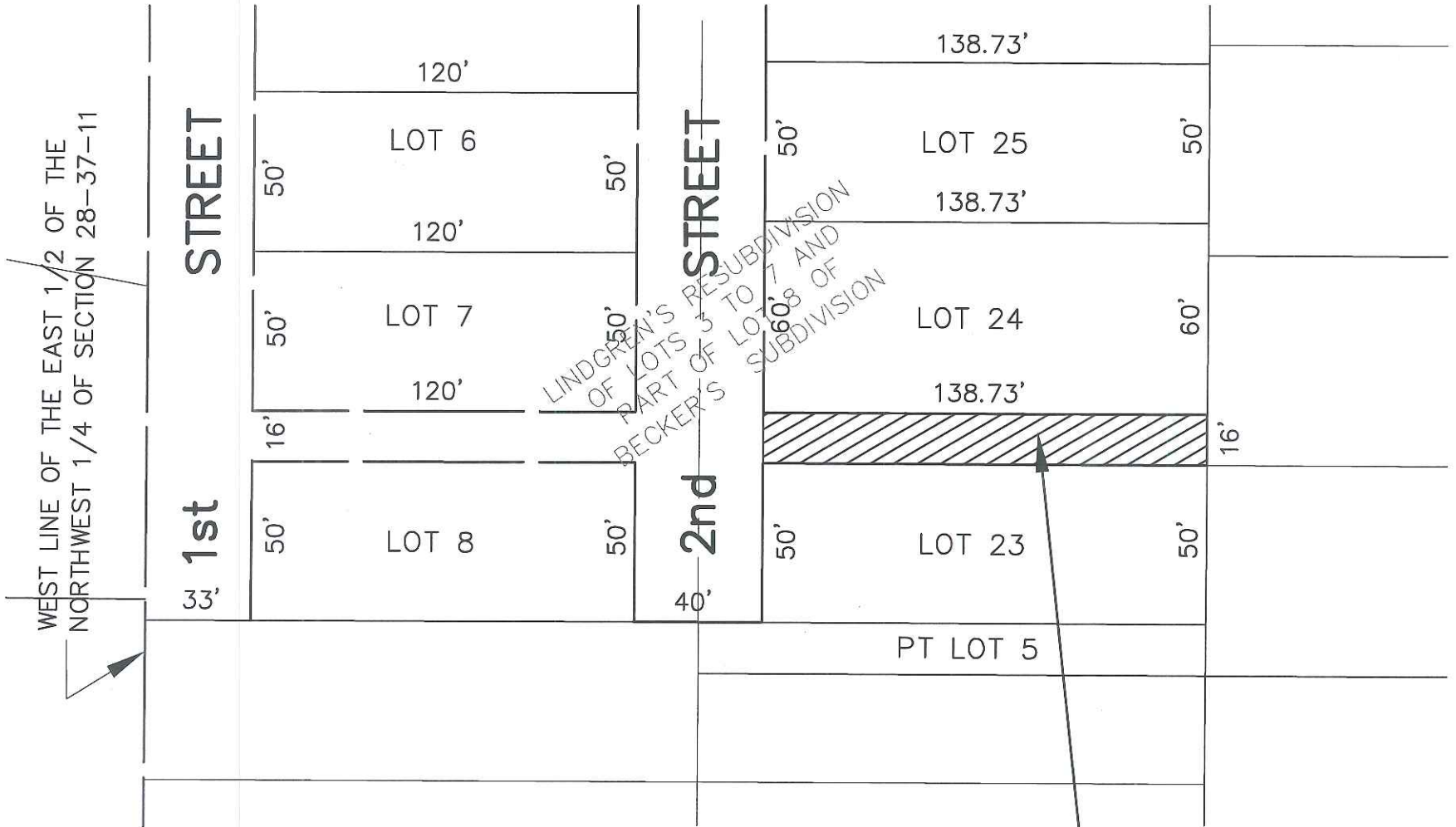
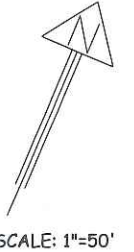
PLAT OF VACATION

PLAT OF VACATION

OF

COMMON ADDRESS:
523 2nd STREET
LEMONT, ILLINOIS 60439

THE 16 FOOT WIDTH PUBLIC ALLEY, LYING SOUTHERLY AND ADJACENT TO LOT 24 IN LINDGREN'S RESUBDIVISION OF LOTS 3 TO 7 AND PART OF LOT 8 OF BECKER'S SUBDIVISION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MEDIAN, IN COOK COUNTY, ILLINOIS.



16 FOOT WIDTH PUBLIC ALLEY HEREBY VACATED WITH RESERVATION OF PREVIOUSLY GRANTED EASEMENT RIGHTS

VILLAGE CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) S.S

THE VILLAGE OF LEMONT, A MUNICIPAL CORPORATION, HEREBY CERTIFIES THAT IT IS THE OWNER OF THE PROPERTY DESCRIBED ABOVE, AND FURTHER CERTIFIES THAT THEY HAVE HEREBY CAUSED THE ABOVE DESCRIBED PROPERTY TO BE VACATED.

DATED THIS _____ DAY OF _____ A.D., 2013.

BY: _____
PRESIDENT BRIAN K. REAVES

BY: _____
VILLAGE CLERK CHARLENE SMOLLEN

OWNER'S NOTARY CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, _____, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____ CHARLENE SMOLLEN OF VILLAGE OF LEMONT ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS PRESIDENT AND CLERK _____ RESPECTIVELY, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID PERSONS FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ A.D., 2013.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

STATE OF ILLINOIS)
COUNTY OF Du PAGE) S.S

I, JAMES L. CAINKAR, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT AS HEREON DRAWN IS A CORRECT REPRESENTATION OF THE PROPERTY DESCRIBED IN THE FOREGOING CAPTION.

DATED AT WILLOWBROOK, ILLINOIS, THIS 21st DAY OF FEBRUARY A.D., 2013.

JAMES L. CAINKAR
ILLINOIS PROFESSIONAL LAND SURVEYOR
No. 2656
EXPIRES 11-30-2014

EXHIBIT B

PLAT OF EASEMENT

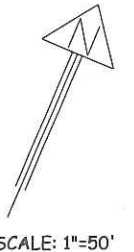
PLAT OF EASEMENT FOR PUBLIC UTILITY AND DRAINAGE PURPOSES

OVER

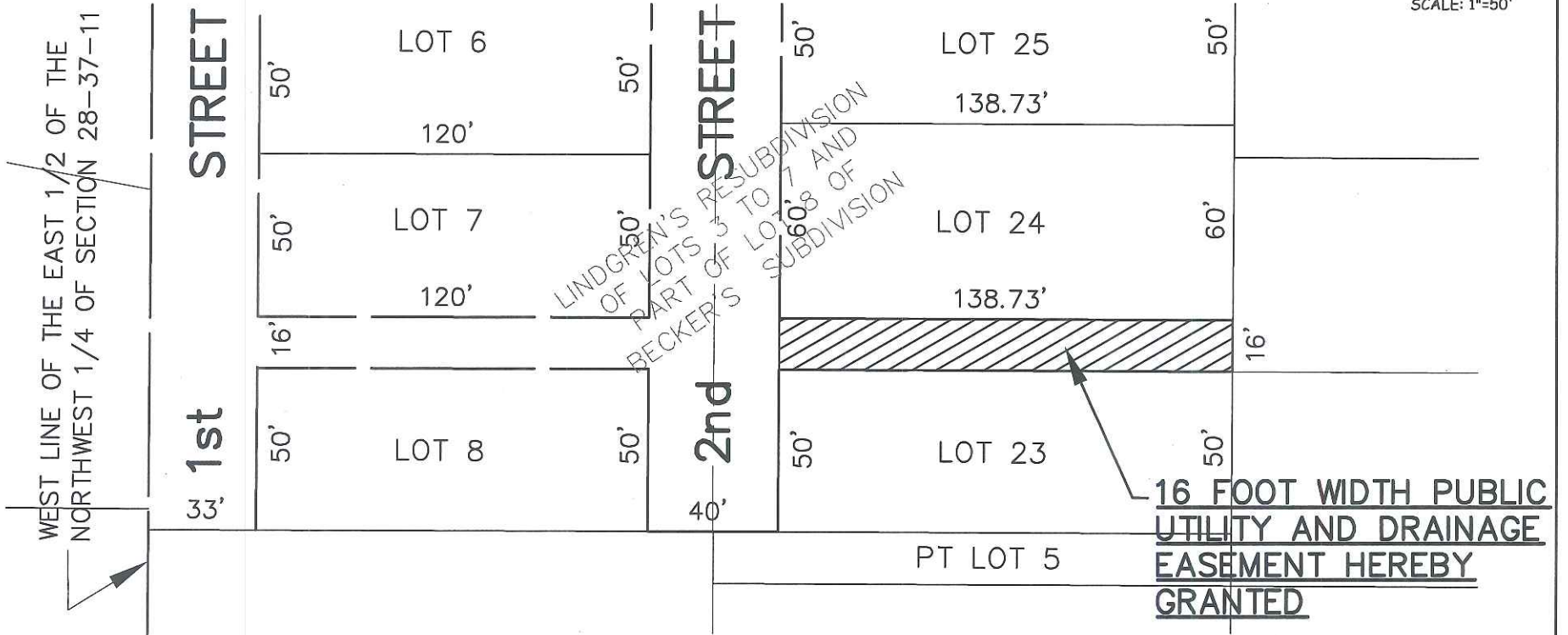
COMMON ADDRESS:

523 2nd STREET
LEMONT, ILLINOIS 60439

THE 16 FOOT WIDTH PUBLIC ALLEY, LYING SOUTHERLY AND ADJACENT TO LOT 24 IN LINDGREN'S RESUBDIVISION OF LOTS 3 TO 7 AND PART OF LOT 8 OF BECKER'S SUBDIVISION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MEDIAN, IN COOK COUNTY, ILLINOIS.



SCALE: 1"=50'



PUBLIC UTILITY AND DRAINAGE EASEMENT PROVISIONS

A non-exclusive perpetual easement is hereby reserved and granted to the Village of Lemont, and their successors and assigns over all areas designated "Public Utility and Drainage Easement" and those areas designated "PU & DE" on the plat, to construct, reconstruct, repair, inspect, maintain and operate various transmissions, distribution, and collection systems, including but not limited to water lines, sanitary sewers and storm sewers, together with any and all necessary valve vaults, fire hydrants, manholes, catch basins, connections, appliances and other structures and appurtenances as may be deemed necessary by said Village, over, upon, along, under and through the surface of the property shown on the plat, together with the right of access for necessary labor, materials and equipment to do any of the above work. The right is also granted to cut down, trim or remove, without obligation to restore or replace any obstruction, including but not limited to trees, shrubs, other plants, structures or improvements on the easement that interfere with the operation of such lines and sewers. No permanent buildings or structures shall be placed on said easement, but same may be used for gardens, landscape areas, 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 ordinance 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 of the land, 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 as "Public Utility and Drainage Easement" or "PU & DE" and other property, whether 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 building or other obstruction 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 other property, whether or not contiguous thereto, with gas supply services, together with the right to install required service connections for each lot. No buildings or other obstruction 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, its 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 other property, whether or 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 obstruction 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.

VILLAGE CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) S.S

THE VILLAGE OF LEMONT, A MUNICIPAL CORPORATION, HEREBY CERTIFIES THAT IT IS THE OWNER OF THE PROPERTY DESCRIBED ABOVE, AND FURTHER CERTIFIES THAT THEY GRANT THE EASEMENTS HEREBY NOTED.

DATED THIS _____ DAY OF _____ A.D., 2013.

BY: _____
PRESIDENT BRIAN K. REAVES

BY: _____
VILLAGE CLERK CHARLENE SMOLLEN

OWNER'S NOTARY CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, _____, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____ CHARLENE SMOLLEN OF VILLAGE OF LEMONT ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS PRESIDENT AND CLERK _____ RESPECTIVELY, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID PERSONS FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ A.D., 2013.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

AFTER RECORDING PLEASE RETURN TO:

THE VILLAGE OF LEMONT
418 MAIN STREET
LEMONT, ILLINOIS 60439

STATE OF ILLINOIS)
COUNTY OF Du PAGE) S.S

I, JAMES L. CAINKAR, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT AS HEREON DRAWN IS A CORRECT REPRESENTATION OF THE PROPERTY DESCRIBED IN THE FOREGOING CAPTION.

DATED AT WILLOWBROOK, ILLINOIS, THIS 21st DAY OF FEBRUARY A.D., 2013.

JAMES L. CAINKAR
ILLINOIS PROFESSIONAL LAND SURVEYOR
No. 2656
EXPIRES 11-30-2014

SIGNATURE
2-21-2013
DATE

JAMES L. CAINKAR, P.E.
IL. P.L.S. NO. 2656
EXPIRES 11-30-14

Village Board

Agenda Memorandum

Item #

to: Mayor Brian K. Reaves
Village Board of Trustees

from: James L. Cainkar, P.E., P.L.S., Acting Village Engineer

subject: Approval of Resolution Authorizing Submittal of the
2013 Community Development Block Grant (CDBG) Program Year Application

date: February 11, 2013

BACKGROUND

The County of Cook annually receives a distribution of Federal Funds for its use in funding capital improvements and social programs. These funds are eligible to be used in areas of the County that have census tracts that exceed a 49% low-to-moderate income level. (Communities over 50,000 population and others that have "opted out" of the County Program are not included.) The 2000 Census, that is still in use by Cook County, indicated that there is one (1) area of the Village that qualifies for CDBG funds with a 56.2% level. This year, the Village is applying for the funding of a Sidewalk Replacement Program, which includes the entire eligible area of Block Group 3. The project consists of the removal and replacement of existing sidewalks; new curb ramps at selected location; and occasional driveway and step replacement. The Village is requesting \$250,000 in CDBG funds, with a local match of \$50,000.

PROS/CONS/ALTERNATIVES

Approval of the Resolution will authorize the submittal of the 2013 CDBG Application with Cook County.

RECOMMENDATION

Passing of the Resolution approving the submittal of the Application with Cook County for the 2013 Community Development Block Grant Program (CDBG).

ATTACHMENTS

- Resolution and Clerk's Certificate (Cook County Format)
- Location Map

VILLAGE BOARD ACTION REQUIRED

Passing of Resolution approving the submittal of the Application with Cook County for the 2013 Community Development Block Grant Program (CDBG), in order to receive block grant monies.

STATE OF ILLINOIS)
COUNTY OF COOK) SS

CLERK'S CERTIFICATE

I, **CHARLENE M. SMOLLEN**, the duly appointed, qualified and acting Village Clerk of the Village of Lemont, Cook County, Illinois, **DO HEREBY CERTIFY** that attached hereto is a true and correct copy of the Resolution 2013 – _____ now on file in my office entitled:

A RESOLUTION EXPRESSING THE VILLAGE'S DESIRE TO PARTICIPATE IN PUBLIC WORKS PROJECTS PURSUANT TO THE COOK COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

which Resolution was passed by the Board of Trustees of the Village of Lemont at a meeting held on the **25th** day of **February, 2013**, at which meeting a quorum was present, and approved by the President of the Village of Lemont on **25th** day of **February, 2013**.

I FURTHER CERTIFY that a fully executed original copy of said Resolution was duly filed in the office of the Clerk on February 25, 2013, and that attached hereto is a copy of said Resolution. That the original Resolution is entrusted to my care for safekeeping and that I am the lawful keeper of same.

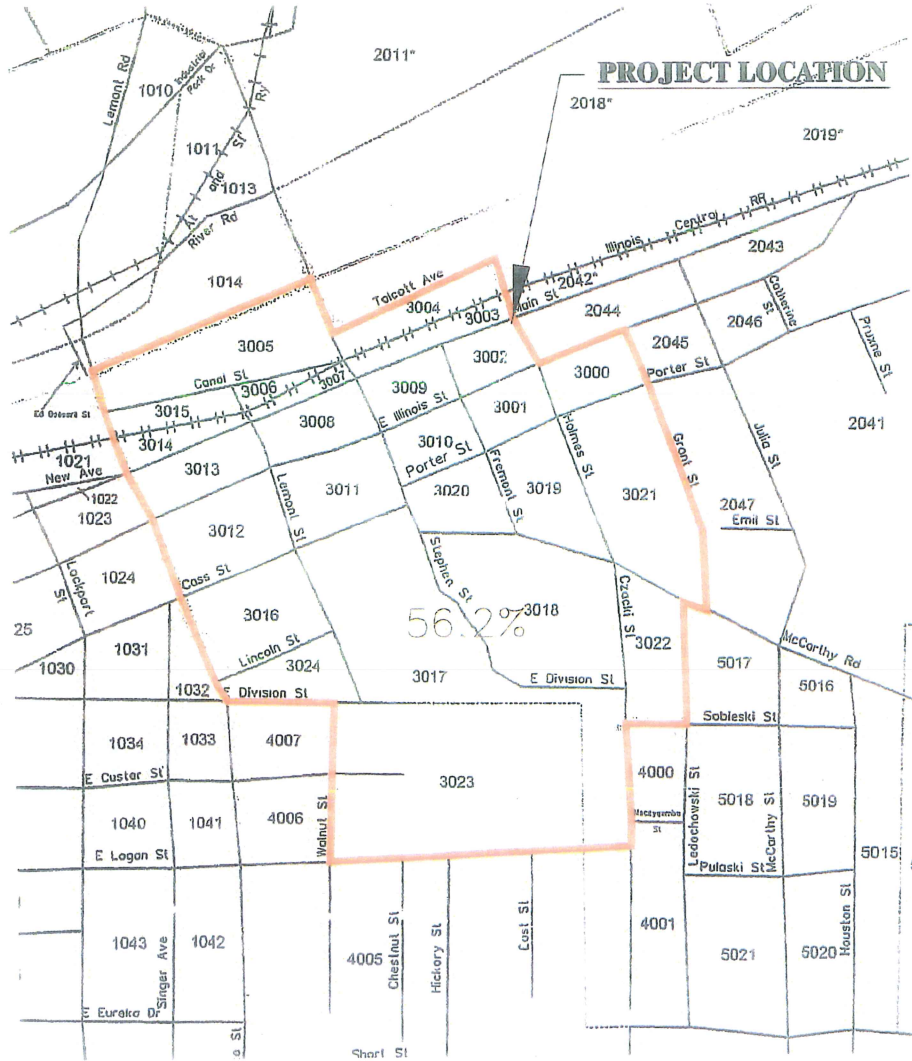
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Lemont, this **25th** day of **February, 2013**.

Charlene M. Smollen, Village Clerk

(S E A L)

VILLAGE OF LEMONT, ILLINOIS

2013 CDBG PROGRAM



2014 SIDEWALK REPLACEMENT PROGRAM (BLOCK GROUP 3)

PROJECT NO. 13044

LOCATION MAP

Village Board

Agenda Memorandum

Item #

to: Mayor Brian K. Reaves
Village Board of Trustees

from: James L. Cainkar, P.E., P.L.S., Acting Village Engineer

subject: 2013 MFT Maintenance Program
MFT Documentation

date: February 21, 2013

BACKGROUND

The Department of Public Works desires to use Motor Fuel Tax (MFT) money for the purchase of materials needed in its normal annual operations, such as rock salt, pavement patching, street lights, street signs, and electrical energy for street lighting. Also included in the 2013 MFT budget is the resurfacing of various streets. In order to accomplish this, a Municipal Estimate of Maintenance Cost form needs to be compiled and a Resolution for Maintenance of Streets and Highways must be passed. The estimated maintenance cost to be funded with MFT funds is \$353,500.00.

PROS/CONS/ALTERNATIVES

The Resolution must be passed to use MFT funds for this work.

RECOMMENDATION

Approval of the MFT Maintenance Resolution in the amount of \$353,500.00.

ATTACHMENTS

- MFT Maintenance Resolution
- Municipal Estimate of Maintenance Costs
- Request for Expenditure of MFT Funds

VILLAGE BOARD ACTION REQUIRED

Approval of IDOT documents, as noted.



BE IT RESOLVED, by the PRESIDENT AND BOARD OF TRUSTEES of the VILLAGE of LEMONT, Illinois, that there is hereby appropriated the sum of \$353,500.00 of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code from January 1, 2013 to December 31, 2013

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

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

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

I, CHARLENE M. SMOLLEN Clerk in and for the VILLAGE of LEMONT, County of COOK, DuPAGE & WILL

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

the PRESIDENT AND BOARD OF TRUSTEES at a meeting on February 25, 2013

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 25th day of February, 2013

(SEAL) VILLAGE Clerk (City, Town or Village)

Approved Date Department of Transportation Regional Engineer



Period from 01/01/2013 to 12/31/2013

Section Number 13 - 00000 - 00 - GM
Municipality Village of Lemont

Estimated Cost of Maintenance Operations

Maintenance Operation (No. - Description)	Group (I,II,III,IV)	For Group I, II, or III (Material, Equipment or Labor)					Operation Cost	
		Item	Unit	Quantity	Unit Price	Cost		
A. Street Lighting	II	Luminaires, Poles & Bulbs	EACH	10	500.00	5,000.00	\$19,000.00	
	I	Labor	L SUM	1	14,000.00	14,000.00		
B. Traffic Signals	II	Maintenance	EACH	6	1,750.00	10,500.00	\$10,500.00	
C. Street Signs	II	Material	L SUM	1	8,000.00	8,000.00	\$8,000.00	
D. Snow & Ice Control	I	Rock Salt, Bulk (State)	TON	750	80.00	60,000.00	\$60,000.00	
E. Street Repairs	II	HMA Patching Mix	TON	540	50.00	27,000.00	\$31,000.00	
		Stone & Sand	TON	160	25.00	4,000.00		
F. Street Resurfacing (Contract)	IV						\$225,000.00	
						Total Day Labor Costs	\$133,500.00	\$353,500.00
						Total Estimated Maintenance Operation Cost		\$353,500.00
						Preliminary Engineering		
						Engineering Inspection		
						Material Testing		
						Total Estimated Engineering Cost		
						Total Estimated Maintenance Cost		\$353,500.00

Submitted: February 25, 2013 Date Approved: _____ Date

By: Ben Wehmeier, Adm. Title Municipal Official Regional Engineer

Submit Four (4) Copies to Regional Engineer



For District Use Only

Transaction Number
Date
Checked by

Municipality Lemont
County Cook, DuPage & Will
Rd. District 1
Section 13-00000-00-GM

I hereby request authorization to expend Motor Fuel Tax Funds as indicated below.

Table with 2 columns: Purpose, Amount. Rows include Contract Construction, Day Labor Construction, Right-of-Way, Engineering, Maintenance Engineering, Engineering Investigations, Other Category, Obligation Retirement, Maintenance (\$ 353,500.00), Co. Eng./Supt. Salary & Expenses, IMRF or Social Security, Interest, and Total (\$ 353,500.00).

Comments

Date February 25, 2013
Signed by Ben Wehmeier, Administrator
Title of Official

Approved
Date
Department of Transportation
Regional Engineer