



# Village of Lemont

418 Main Street • Lemont, Illinois 60439

*Village of Faith*

## VILLAGE BOARD MEETING

JULY 11, 2011 - 7:00 P.M.

### AGENDA

- I. PLEDGE OF ALLEGIANCE.
- II. ROLL CALL.
- III. CONSENT AGENDA. (RC)
  - A. APPROVAL OF MINUTES.
  - B. APPROVAL OF DISBURSEMENTS.
- IV. MAYOR'S REPORT
  - A. PRESENTATION OF POLICE DEPARTMENT COMMENDATIONS.
  - B. KOPS N KIDZ T-SHIRT CONTEST AWARD.
  - C. AUDIENCE PARTICIPATION.
- V. CLERK'S REPORT
  - A. CORRESPONDENCE.
  - B. ORDINANCES
    1. ORDINANCE AUTHORIZING DISPOSAL OF SURPLUS PROPERTY. (VV)  
(ADMINISTRATION/PUBLIC SAFETY)(REAVES/MIKLOS)  
(WEHMEIER/SCHAFFER/SHAUGHNESSY)
    2. ORDINANCE AUTHORIZING EXECUTION OF AMENDMENT TO  
ANNEXATION AGREEMENT FOR KRYSZYNA CROSSING  
SUBDIVISION. (RC)  
(PLANNING & ED) (STAPLETON)(BROWN/JONES)
    3. ORDINANCE ANNEXING PROPERTY AT 15300 129<sup>TH</sup> STREET  
(KAHLE). (RC)  
(PLANNING & ED)(STAPLETON)(BROWN/JONES)
    4. ORDINANCE AMENDING ZONING MAP FROM COOK COUNTY R-4

#### Mayor

Brian K. Reaves

#### Village Clerk

Charlene M. Smollen

#### Trustees

Debby Blatzer  
Paul Chialdikas  
Clifford Miklos  
Rick Sniegowski  
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) 257-1598

#### Engineering Department

phone (630) 257-2532  
fax (630) 257-3068

#### 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](http://www.lemont.il.us)

**TO LEMONT R-4 AND GRANTING LOT WIDTH VARIATION FOR  
PROPERTY LOCATED AT 15300 129<sup>TH</sup> STREET (KAHLE).  
(PLANNING & ED)(STAPLETON)(BROWN/JONES)**

**C.     RESOLUTIONS**

- 1.     RESOLUTION APPROVING FINAL PLAT OF SUBDIVISION FOR A 2-  
LOT SUBDIVISION AT 15300 129<sup>TH</sup> STREET (KAHLE). (RC)  
(PLANNING & ED)(STAPLETON)(BROWN/JONES)**
- 2.     RESOLUTION APPROVING LOCAL AGENCY AGREEMENT FOR HIGH  
ROAD RESURFACING. (RC)  
(PUBLIC WORKS/ENGINEERING)(BLATZER)(PUKULA/CAINKAR)**
- 3.     RESOLUTION ACCEPTING A WATER UTILITY EASEMENT. (RC)  
(PUBLIC WORKS/ENGINEERING)(BLATZER)(PUKULA/CAINKAR)**
- 4.     RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR LOGAN  
DAM SEDIMENT REMOVAL. (RC)  
(PUBLIC WORKS/ENGINEERING)(BLATZER)(PUKULA/CAINKAR)**
- 5.     RESOLUTION APPROVING FINAL PLAT OF SUBDIVISION FOR A 2-  
LOT RESIDENTIAL SUBDIVISION, S. SIDE 127<sup>TH</sup> STREET  
(VANCHO/JAIKOVSKI). RC  
(PLANNING & ED)(STAPLETON)(BROWN/JONES)**

**VI.    VILLAGE ATTORNEY REPORT.**

**VII.   VILLAGE ADMINISTRATOR REPORT.**

**VIII.  BOARD REPORTS.**

**IX.    STAFF REPORTS.**

**X.     UNFINISHED BUSINESS**

**XI.    NEW BUSINESS.**

**XII.   MOTION FOR EXECUTIVE SESSION TO DISCUSS LAND ACQUISITION.   (RC)**

**XIII.  MOTION FOR EXECUTIVE SESSION TO DISCUSS THREATENED/PENDING LITIGATION.  
(RC)**

**XIV.   MOTION FOR EXECUTIVE SESSION TO DISCUSS PERSONNEL. (RC)**

**XV.    ACTION ON CLOSED SESSION ITEMS**

**XVI.   MOTION TO ADJOURN. (RC)**

## MINUTES

### VILLAGE BOARD MEETING

June 27, 2011

The regular meeting of the Lemont Village Board was held on Monday, June 27, 2011 at 7:00 p.m., President Brian Reaves presiding. Roll call: Blatzer, Chialdikas, Miklos, Stapleton, Sniegowski, Virgilio; present.

#### III. CONSENT AGENDA

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

- A. Minutes
- B. Approval of Disbursements

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

#### IV. MAYOR'S REPORT

Mayor Reaves announced that the Community Fireworks will be held on July 3, 2011 at the Park District.

Motion by Chialdikas, seconded by Miklos to open a Public Hearing on the Amended Annexation Agreement for Krystyna Crossing Subdivision. Voice vote: 6 ayes. Motion passed. Motion to close the Public Hearing at 7:04 p.m. by Sniegowski, seconded by Blatzer. Voice vote: 6 ayes. Motion passed.

#### AUDIENCE PARTICIPATION - AGENDA ITEMS

#### V. CLERK'S REPORT

Clerk Smollen reported that a notice of a prehearing conference on July 6 at 10:00 a.m. in the Bilandic Building to hear a petition for reconciliation under Rider AMP by ComEd was received.

Notice was also received regarding a hearing on June 28 at 11:00 a.m. in the Bilandic Building for an investigation of rate GAP for ComEd.

#### ORDINANCES

**Ordinance O-44-11 - Ordinance Establishing Safe Park Zones.** Motion by Stapleton seconded by Blatzer, to adopt said ordinance after correcting Kurk Street to Kruk Street and changing the Section # to 10.24. Roll call: Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski, Stapleton; ayes. Motion passed.

#### RESOLUTIONS

**Resolution R-46-11 - Resolution Amending the Personnel Manual - Adding Paid Leave Donation Policy.** Motion by Blatzer, seconded by Miklos, to adopt said Resolution. Roll call: Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski, Stapleton; ayes. Motion passed.

**Resolution R-47-11 - Resolution Approving Investment Policy & Investment Procedures and Internal Controls Manual.** Motion by Miklos, seconded by Blatzer, to adopt said Resolution. Roll call: Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski, Stapleton; ayes. Motion passed.

## **VI. VILLAGE ATTORNEY REPORT**

## **VII. VILLAGE ADMINISTRATOR REPORT**

The rail crossing at K.A. Steel Road entrance to Heritage Quarries was closed today for repairs.

## **VIII. BOARD REPORTS**

**Virgilio**      **Downtown Development.** Heritage Fest will be held on Saturday, July 9, beginning with a bike parade at 1:00 p.m. followed by kids' activities until 5:00 p.m. Adult bands will entertain in the evening.

The Farmers' Market is held every Tuesday from 8:00 to 1:00 p.m. in Talcott Square, and car shows are every Wednesday evening downtown.

## **IX. STAFF REPORTS**

**Public Works**      Director Ralph Pukula reported that mosquito abatement will continue with spraying on Friday, July 1 weather permitting. Pellets have been applied to areas of standing water. There is an app for smart phones with a tone to repel mosquitoes.

**Building Dept.**      RPZ valves are checked at the annual anniversary of installation. Because of frost concerns, in 2012 the RPZ valves due for certification in March and April will not be required to submit until May.

## **X. UNFINISHED BUSINESS**

**1361 State Street.** The attorneys for the proposed ethnic deli property which sought approval from the county may be interested in annexation to Lemont.

## **XI. NEW BUSINESS**

The Park District sent a letter to the developers of Glen Oaks subdivision asking for money in addition to the several acres of land they will receive from this development.

The state legislature has approved a capital bill distributing funds to local government for road and bridge projects. Lemont is due to receive \$72,000. Three possible projects may receive funding: 1) High Road in 2012; 2) the First Street connection; and 3) sidewalk replacement but a plan needs to be completed first.

## **XII. EXECUTIVE SESSION**

Motion by Blatzer, seconded by Stapleton, to move into Executive Session for the purpose of discussing personnel. Roll call: Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski, Stapleton; ayes. Motion passed.

Motion by Blatzer, seconded by Stapleton, to move into executive session for the purpose of discussing threatened litigation. Roll call: Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski, Stapleton; ayes. Motion passed.

Motion by Blatzer, seconded by Stapleton to move into Executive Session for the purpose of discussing pending litigation. Roll call: Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski, Stapleton; ayes.

Motion by Stapleton, seconded by Blatzer, to move into Executive Session for the purpose of setting the price of real estate. Roll call: Virgilio, Blatzer, Chialdikas, Miklos, Sniegowski, Stapleton; ayes. Motion passed.

### **XIII. ACTION ON CLOSED SESSION ITEMS**

Motion by Blatzer, seconded by Stapleton, to authorize the Village Administrator to enter into a separation agreement with Karen Maza. Voice vote 6 ayes. Motion passed.

Motion by Blatzer, seconded by Stapleton, to authorize the Village Administrator to enter into a feasibility study in the amount of \$25,000 with Market Feasibility Advisors. Voice vote: 6 ayes. Motion passed.

Motion by Sniegowski, seconded by Virgilio, to authorize the Village Administrator to develop a Community Development corporation. Voice vote: 6 ayes. Motion passed.

There being no further business, a motion was made by Blatzer, seconded by Stapleton, to adjourn the meeting at 8:55 p.m. Voice vote: 6 ayes. Motion passed.

**Village Board  
Agenda Memorandum**

Item #

to: Mayor & Village Board

from: Ben Wehmeier, Village Administrator  
George Schafer, Assistant Village Administrator  
Kevin Shaughnessy, Police Chief

Subject: An Ordinance Authorizing the Sale, Donation and/or Disposal of Surplus  
Vehicles- Ambulance and Lexus

date: July 6, 2011

**BACKGROUND/HISTORY**

Staff is recommending the disposal of two vehicles in the Police Department. The vehicles no longer have any useful life for the department or Village. The vehicles include an ambulance and an older Lexus the Village received from an impoundment.

Another municipality has expressed interest in the ambulance, and the Lexus will likely go to auction. The attached Ordinance gives staff authorization to dispose of the vehicles.

**PROS/CONS/ALTERNATIVES (IF APPLICABLE)**

**RECOMMENDATION**

Passage of Ordinance Authorizing the Disposal of Surplus Vehicles

**ATTACHMENTS (IF APPLICABLE)**

- 1) Ordinance with Attachment

**SPECIFIC VILLAGE BOARD ACTION REQUIRED**

- 1) Approval of Ordinance requires at least 3/4 of the corporate authorities

**VILLAGE OF LEMONT  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE SALE, DONATION AND/OR DISPOSAL OF  
SURPLUS VEHICLES OWNED BY THE VILLAGE OF LEMONT**

**ADOPTED BY THE  
PRESIDENT AND THE BOARD OF TRUSTEES  
OF THE VILLAGE OF LEMONT  
THIS 11<sup>TH</sup> DAY OF JULY, 2011**

**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 11<sup>th</sup> day  
of July, 2011.**

**ORDINANCE \_\_\_\_\_**

**ORDINANCE AUTHORIZING THE SALE, DONATION  
AND/OR DISPOSAL OF  
SURPLUS EQUIPMENT OWNED BY THE VILLAGE OF LEMONT**

**WHEREAS**, in the opinion of the corporate authorities of the VILLAGE OF LEMONT, it is no longer necessary or useful to or for the best interests of the VILLAGE OF LEMONT to retain certain personal property identified on the attached Exhibit "A;" and

**WHEREAS**, Illinois Compiled Statutes, 65 ILCS 5/11-76-4, authorizes the disposition of said personal property as authorized by a majority of the corporate authorities.

**NOW, THEREFORE, BE IT ORDAINED** by the corporate authorities of the Village of Lemont, Cook, Will and DuPage Counties, Illinois, as follows:

**SECTION ONE:** That the property, identified as Exhibit "A" attached hereto and made a part hereof, shall be sold, donated and/or disposed of as scrap by the Village Administrator.

**SECTION TWO:** This Ordinance shall be in full force and effect from and after its passage by at least three-fourths of all the corporate authorities, and approval in the manner provided by law.

**SECTION THREE:** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

**SECTION FOUR:** All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

**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 11th day of July, 2011.

**AYES**

**NAYS**

**PASSED**

**ABSENT**

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

\_\_\_\_\_  
Brian K. Reaves, Village President

Attest:

\_\_\_\_\_  
CHARLENE SMOLLEN, Village Clerk



Exhibit A

VIN #	Year	Make	Model	Department
JT8BD69S120153718	2002	LEXUS	GS300	POLICE
1FDKF37FXSNA11883	1995	FORD	F350	POLICE



Village of Lemont  
***Planning & Economic Development Department***

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

TO: Mayor Brian K. Reaves #-062-11  
Village Board of Trustees

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

THRU

SUBJECT: Case 11-05 Public Hearing for Krystyna Crossing Amendments

DATE: 6 July 2011

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#### **BACKGROUND**

On 9 October 2006 the Village Board passed a series of ordinances annexing 10 acres and approving plans for single-family subdivision of 25 units on a total of 15 acres. (Five acres of the site were already within the corporate limits.) Final PUD Plan/Plat approval was granted in October 2008.

The property went into foreclosure and the lender, Standard Bank & Trust, eventually took control of the development. This spring Castletown Homes, Inc. purchased the property. The new owners are requesting changes to the annexation agreement and PUD approval. These changes were the subject of a public hearing before the Planning & Zoning Commission on 18 May 2011. The Committee of the Whole reviewed the case at its meeting on 20 June, and a public hearing on the proposed amendments was held on 27 June. There was no comment.

#### **BOARD ACTION**

Vote on the ordinance authorizing an amended agreement.

#### **ATTACHMENTS**

Ordinance and First Amendment to the Annexation Agreement, Krystyna Crossing

*Attachment to 056-11, Krystyna Crossing Amendments*

Excerpt from the staff report, written by James A. Brown and dated 15 October 2008, to the PZC and Committee of the Whole, for the review of Krystyna Crossing Final Plat/Plan.

The neighbors in Chestnut Crossing requested a conservation easement be placed along the western boundary of the Krystyna Crossing subdivision. Large, shrubby vegetation occupies this area, and the Chestnut Crossing residents wanted this preserved as a buffer to their townhomes.

However, when the Village Arborist and I made a site inspection last fall and discovered that there was not one tree or shrub within the conservation easement that was worth saving—most of the vegetation is buckthorn, an invasive species. Other plants include a Siberian elm—also an invasive species—and an invasive vine.

Both the Village Arborist and I agree that undesirable plants should be removed from the tree conservation area and replaced with more appropriate plantings. I have had communications with a couple of the Chestnut Crossing residents who question this approach. They believe the purpose of the conservation easement was to ensure that it remained unaltered. However, I believe it is unrealistic to expect that the 30-ft conservation easement will or should remain untouched. The intent of a conservation easement is to provide for the preservation and *stewardship* of a natural area. Such stewardship involves following good and accepted forestry practices. The removal of dead, dying, dangerous, or diseased plants is good stewardship. The aggressive removal and control of invasive and exotic species is also good stewardship, and is not only accepted but encouraged—indeed urged—but virtually all forestry, wildlife, conservation, and landscape organizations and societies. Invasive plants are typically defined as non-native species that compete vigorously with other species for space and resources, and consequently spread rapidly and take over habitat. For more on invasive species and the desire to eradicate them from the landscape, see the following:

The **Morton Arboretum** urges property owners to remove invasive plants and replace them with plants native to the region. See: <http://www.mortonarb.org/main.taf?p=3.2.8>

The **Illinois Department of Natural Resources** urges the removal of invasive plants. See the guide, "Vegetative Management Practices," which discusses the removal of plants such as buckthorn: <http://www.inhs.uiuc.edu/chf/outreach/VMG/VMG.html>

The **US Department of Agriculture** also has a webpage devoted to the control of invasive species. See: <http://www.invasivespeciesinfo.gov/>. It has many links to other sites that list the dangers of invasive plants and argue for their aggressive removal.

One of the Chestnut Crossing residents argued that the buckthorn—a non-native, invasive plant—provides food for birds and that it is among the first to produce leaves in the spring. Birds do indeed love the berries on the buckthorn, and that is part of the problem: the laxative qualities of the fruit ensure the digested seeds are

easily dispersed by the birds, thus contributing to the establishment and spread of dense thickets that crowd out other plants. The fact that buckthorn leaves appear early in the spring is also a problem—the leaves reduce the spring sunlight needed for other plants to establish and thrive. The benefit of buckthorn as a food source for *some* species of birds is far outweighed by other factors. The plant has few ornamental qualities to speak of, and the fall color is not particularly attractive. Moreover, by crowding out other plants, buckthorn reduces plant diversity and therefore the diversity of birdlife. Here is what the Audubon Society has to say about invasive/exotic plants such as buckthorn:

*Invasive plants are a growing problem. Approximately 42 percent of the plants and animals federally listed as endangered or threatened species are considered at risk primarily because of invasive plant, animal, or microbial species. The increase in non-native plants has recently been linked to the decline of songbirds; robin and thrush nests located in non-native shrubs and trees appear to suffer higher predation rates than those situated in native species.*

The Audubon Society also notes that non-native plants often do not provide the food, shelter, and nesting sites that native plants—which have co-evolved with native wildlife and birds—do. The Audubon Society urges the removal of invasive plants and the planting of native species. Please see the Society's website, which has several pages devoted to removing exotic plants and using appropriate plants to create habitat for wildlife. <http://www.audubonathome.org/InvasivePests.html>

The developer has submitted a landscape plan that would remove all of the vegetation in the conservation easement and replace it with mostly native plantings. Four-season screening—currently lacking—will be provided by evergreens. The areas around the deciduous trees, however, appear thin, and both the Village Arborist and I agree that these areas should include shrubs. We recommend the planting of shrubs, on approximately four-foot centers, along the property line to supplement screening of the deciduous trees. I recommend shrubs native to northeastern Illinois: gray dogwood, witch-hazel, black chokeberry, or a viburnum.

Utilities are currently planned for the front yards. The developer has suggested they be moved to the rear, in the conservation easement. He would not remove any vegetation until immediately prior to the start of the utility work. Once the utilities were installed, he would immediately re-plant the area per the landscape plan. I find this plan desirable: utilities are moved to the rear (as the Village normally advocates); the invasive plants are removed; an aesthetically pleasing landscape of mostly native plants is created; and upon maturity, the new plants would offer better screening than the current vegetation.

In conclusion, existing vegetation would be removed from the conservation easement; the removal of the invasive plants is in accordance with good forestry practice. The conservation easement would be replanted per the landscape plan. Once established, no changes to the plantings in the conservation easement would be allowed without the consent of the Village of Lemont.

**VILLAGE OF LEMONT  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDED  
ANNEXATION AGREEMENT FOR KRISTYNA CROSSING**

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

**THIS 11<sup>TH</sup> DAY OF JULY, 2011**

**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 \_\_\_\_\_  
day of 11<sup>th</sup>, 2011.**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDED ANNEXATION AGREEMENT FOR KRYSTYNA CROSSING**

**WHEREAS**, the Village of Lemont entered into an annexation agreement known as "Annexation Agreement for Approximately 10 Acres Located at 15070 and 15884 127<sup>th</sup> Street (Krystyna Crossing)"; and

**WHEREAS**, the developer and legal owner of record of the territory which is the subject of said agreement is ready, willing and able to enter into an said Agreement and to perform the obligations as required hereunder; and

**WHEREAS**, the statutory procedures provided for in the Illinois Municipal Code for the execution of said Agreement have been fully complied with;

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Lemont:

**Section 1.** That the President be and is hereby authorized and directed, and the Village Clerk is directed to attest to a document known as "First Amendments to the Annexation Agreement, Krystyna Crossing" a copy of which is attached hereto and made a part hereof.

**Section 2.** That this ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

**PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL, AND DuPAGE, ILLINOIS, on this 11<sup>th</sup> day of July, 2011.**

AYES

NAYS

PASSED

ABSENT

**Debby Blatzer  
Paul Chialdikas  
Cliff Miklos  
Rick Sniegowski  
Ron Stapleton  
Jeanette Virgilio**

\_\_\_\_\_  
**BRIAN K. REAVES, Village President**

**Attest:**

\_\_\_\_\_  
**CHARLENE M. SMOLLEN, Village Clerk**

**FIRST AMENDMENT TO THE ANNEXATION AGREEMENT,**  
**KRYSTYNA CROSSING**

**THIS AMENDMENT TO THE ANNEXATION AGREEMENT**, is made and entered into this 11<sup>th</sup> day of July, 2011, between the Village of Lemont, a municipal corporation of the Counties of Cook, DuPage and Will, in the State of Illinois (hereinafter referred to as "the VILLAGE"), and Castletown Homes, Inc. (hereinafter referred to as "OWNER"). The VILLAGE and the OWNER are hereinafter sometimes referred to individually as a "Party" and collectively as the "Parties"; and,

**WHEREAS**, OWNER is the owner of record of the real estate (hereinafter referred to as the "TERRITORY"), the legal description of which is attached hereto as Exhibit A and by this reference made a part hereof; and

**WHEREAS**, the OWNER and the VILLAGE agree that they will be bound by the terms of this Amendment; and

**WHEREAS**, the TERRITORY was previously annexed and identified as the TERRITORY pursuant to a certain Annexation Agreement dated October 9, 2006, as Ordinance No. O-92-06 and recorded as Document No. 0708760092 with the Cook County Recorder of Deeds; and,

**WHEREAS**, the OWNER is desirous of amending said Annexation Agreement regarding the development and use of the TERRITORY; and

**WHEREAS**, pursuant to the provisions of the Statute, the corporate authority of the VILLAGE has taken all steps legally required, including but not necessarily limited to providing notice and a hearing regarding the proposed First Amendment to the Annexation Agreement, Krystyna Crossing; and

**NOW, THEREFORE**, in consideration of the foregoing and of the mutual covenants hereinafter contained, the Parties agree as follows:

**Section 1:** Exhibit I, "Declarations of Covenants, Conditions, and Restrictions," is hereby deleted in its entirety;

**Section 2:** The front yard setbacks for Lot 7 and Lot 8 in the subdivision, as described in Article II, "Zoning and Land Use Restrictions," shall be reduced from 65 and 40 feet respectively to 28 feet for both lots.

**Section 3:** A new paragraph shall be added to Article II, "Zoning and Land Use Restrictions," as follows:

*"5. The minimum floor area of all two- or three-story homes within the Krystyna Crossing subdivision shall be 2,600 square feet. The minimum floor area of all homes less than two stories shall be 2,200 square feet. 'Floor area' shall mean the sum of the gross horizontal area of all floors in the building measured from the exterior faces of the exterior walls and shall include areas for mechanical equipment, garage and storage space. Floor area shall not include basements or floors where more than three feet, six inches of the floor-to-ceiling height is above grade."*

**Section 4:** An additional new paragraph shall be added to Article II, "Zoning and Land Use Restrictions," as follows:

*"6. All homes shall have all first-floor elevations constructed entirely of brick. Stone or other such masonry product may be used as accent material in entry surrounds, arches, casing principles, lintels, or other such architectural details."*

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed on the day and year first above written.

VILLAGE OF LEMONT  
an Illinois Municipal Corporation

By: \_\_\_\_\_  
Village President

ATTEST:

By: \_\_\_\_\_  
Village Clerk

OWNER:  
Castletown Homes, Inc.

By: \_\_\_\_\_

\_\_\_\_\_  
Title of Officer



**NOTARY CERTIFICATES**

**STATE OF ILLINOIS)**  
**) SS**  
**COUNTY OF COOK)**

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that BRIAN K. REAVES, personally known to me to be the President of the Village of Lemont, and CHARLENE M. SMOLLEN, personally known to me to be the Village clerk of said municipal corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Village Clerk, they signed and delivered the said instrument and caused the corporate seal of said municipal corporation to be affixed thereto, pursuant to authority given by the Board of Trustees of said municipal corporation, as their free and voluntary act, and as the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public

My commission expires on \_\_\_\_\_, 20\_\_.

**STATE OF \_\_\_\_\_)**  
**) SS**  
**COUNTY OF \_\_\_\_\_)**

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that the above-named \_\_\_\_\_, personally known to me to be the same persons whose names are subscribed to the foregoing instrument appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

My commission expires on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public



Village of Lemont  
**Planning & Economic Development Department**

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

TO: Mayor Brian K. Reaves #063-11  
Board of Trustees

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

THRU:

SUBJECT: Case 11-04 – Kahle 129<sup>th</sup> Street Annexation and Lot Subdivision

DATE: 6 July 2011

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## **BACKGROUND**

Denise Kahle is the owner of a 2.495-acre parcel located at 15300 129<sup>th</sup> Street in unincorporated Cook County. The Village's municipal boundary extends to the south side of 129<sup>th</sup> Street at this location, and hence her property is contiguous with the Village. Two homes, both occupied, are on the property. Ms. Kahle is seeking annexation, lot subdivision with lot width variation, and rezoning to Lemont R-4 for this property. Lot 1 would be 1.241 acres and Lot 2 would be 1.254 acres. While the lot size is certainly within the R-4 standard (12,500 square feet), the lot width for Lot 1 does not meet the minimum R-4 lot width requirement of 90 feet—it is only 70.40 feet wide at the front lot line and front yard line as established by the existing house. Ms. Kahle's intention is to demolish one of the homes (the one to the west) and replace it with a larger home on the subdivided lot. The location of that new home would be farther south on the site.

The Planning & Zoning Commission conducted a public hearing on the request on 18 May 2011. There was no public comment, and the findings of fact are incorporated into the approving zoning ordinance.

## **BOARD ACTION**

There are three attached ordinances and resolutions for the Board to consider and vote on: (1) annexation ordinance; (2) rezoning and variation ordinance; and (3) subdivision resolution. Please note that no sidewalk would be required at this time. Also note that the plats needed some minor corrections with the certificates; the corrected copy were not available at staff deadline, but will be ready prior to the vote on Monday evening.

Attachments a/s

**VILLAGE OF LEMONT  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ANNEXING TO THE VILLAGE OF LEMONT  
AN APPROXIMATELY 2.5 ACRE PARCEL AT 15300 129<sup>TH</sup> STREET IN LEMONT, IL**

**(Kahle Annexation)**

**ADOPTED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF LEMONT  
THIS 11<sup>TH</sup> DAY OF JULY, 2011**

**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 11<sup>th</sup> day of  
July, 2011.**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ANNEXING TO THE VILLAGE OF LEMONT  
AN APPROXIMATELY 2.5 ACRE PARCEL AT 15300 129<sup>TH</sup> STREET IN LEMONT, IL**

**(Kahle Annexation)**

**WHEREAS**, the Clerk of Village of Lemont has received a petition for annexation pursuant to Chapter 65, Act 5, Section 7-1-1 of the Illinois Compiled Statutes; and

**WHEREAS**, the territory described in the petition is not within the corporate limits of any municipality but is contiguous to the Village of Lemont; and

**WHEREAS**, the land proposed to be annexed will continue to be serviced by the same Library District and the Lemont Fire Protection District; and

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

**SECTION 1:** That the subject property (PIN 22-32-203-005), being accurately described and depicted on the Plat of Annexation attached hereto as Exhibit "A" is hereby annexed to the Village of Lemont, county of Cook, DuPage, and Will, Illinois.

**SECTION 2:** That the Village Clerk is hereby directed to record with the Recorder of Deeds and to file with the County Clerk a certified copy of this Ordinance together with an accurate map of the territory annexed appended to this Ordinance.

**SECTION 3:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

**SECTION 4:** All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

**PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, DuPAGE, AND WILL, ILLINOIS, on this 11<sup>th</sup> day of July, 2011.**

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
<b>Debby Blatzer</b>				
<b>Paul Chialdikas</b>				
<b>Clifford Miklos</b>				
<b>Ron Stapleton</b>				
<b>Rick Sniegowski</b>				
<b>Jeanette Virgilio</b>				

Approved by me this 11th day of July, 2011

---

**BRIAN K. REAVES, Village President**

**Attest:**

---

**CHARLENE M. SMOLLEN, Village Clerk**

**VILLAGE OF LEMONT  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE VILLAGE OF LEMONT  
FROM R-1 SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT TO R-4  
SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT AND GRANTING A LOT  
WIDTH VARIATION FOR AN APPROXIMATELY 2.5 ACRE PARCEL AT 15300 129<sup>TH</sup>  
STREET IN LEMONT, IL**

**(Kahle Rezoning)**

**ADOPTED BY THE  
PRESIDENT AND THE BOARD OF TRUSTEES  
OF THE VILLAGE OF LEMONT  
THIS 11<sup>TH</sup> DAY OF JULY, 2011**

**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 11<sup>th</sup> day of July, 2011.**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE ZONING MAP OF THE VILLAGE OF LEMONT FROM R-1 SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT TO R-4 SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT AND GRANTING A LOT WIDTH VARIATION FOR AN APPROXIMATELY 2.5 ACRE PARCEL AT 15300 129<sup>TH</sup> STREET IN LEMONT, IL**

**(Kahle Rezoning)**

**WHEREAS, Denise Kahle**, hereinafter referred to as the “Petitioner,” is the owner of property covering approximately 2.5 acres located at 15300 129<sup>th</sup> Street (PIN# 22-32-203-005) hereinafter referred to as “the subject property,” and legally described and depicted on the Plat of Annexation, attached hereto and made a part hereof as Exhibit “A”; and

**WHEREAS**, the Petitioner applied under the provisions of the Village of Lemont Unified Development Ordinance, Ordinance # O-7-08, as annex, rezone, and subdivide with a zoning variation for lot width the subject property to R-4 Single-Family Detached Residential District; and

**WHEREAS**, the Planning and Zoning Commission of the Village of Lemont, Illinois conducted a public hearing on May 18, 2011 for the rezoning, subdivision, and lot width variation requests; and

**WHEREAS**, a notice of the aforesaid public hearing was made in the manner provided by law and was published in the *Lemont Reporter-Met*, a newspaper of general circulation within the Village; and

**WHEREAS**, the President and Board of Trustees of the Village has reviewed the matter herein, has annexed the subject property, and has determined that the zoning map amendment and lot width variation are in the best interest of the Village of Lemont, and herein adopts the finding of facts as set forth in Exhibit “B”.

**NOW, 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: Zoning Map Amendment Approval.** That the subject property described above is hereby rezoned from its current R-1 Single-Family Detached Residential District to the R-4 Single-Family Detached Residential District. The zoning map of the Village of Lemont is

hereby amended in accordance with the provisions of this Ordinance.

**SECTION 2 Lot Width Variation.** That Lot 1 as shown on the attached Exhibit A is hereby granted a variation from the provisions of Table 17-07-01 of the Lemont Unified Development Ordinance to reduce the minimum lot width from 90 feet to 70 feet.

**SECTION 2 Publication:** That the Village Clerk of the Village of Lemont be and is directed hereby to publish this Ordinance in pamphlet form, pursuant to the Statutes of the State of Illinois, made and provided.

**SECTION 3 Effective Date:** That this Ordinance shall be in full force and effect from and after its passage, approval and publication provided by law.

**PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL, AND DuPAGE, ILLINOIS, on this 11<sup>th</sup> day of July, 2011.**

**AYES                      NAYS                      ABSENT                      ABSTAIN**

- Debby Blatzer**
- Paul Chialdikas**
- Clifford Miklos**
- Ron Stapleton**
- Rick Sniegowski**
- Jeanette Virgilio**

**Approved by me this 11<sup>th</sup> day of July, 2011**

\_\_\_\_\_  
**BRIAN K. REAVES, Village President**

**Attest:**

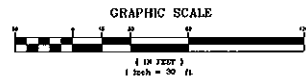
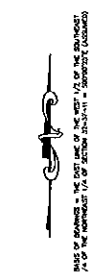
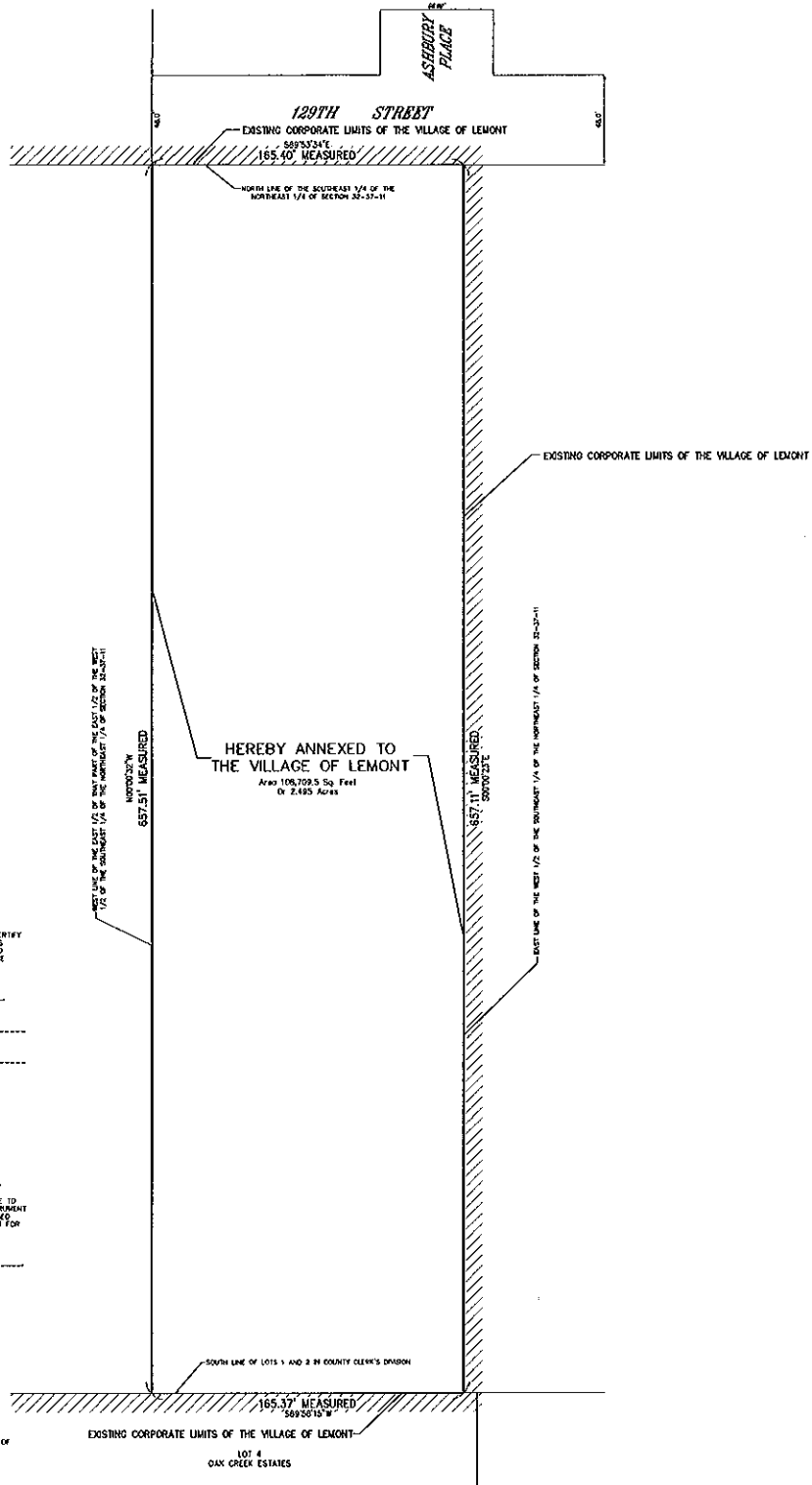
\_\_\_\_\_  
**CHARLENE M. SMOLLEN, Village Clerk**



# PLAT OF ANNEXATION

THE EAST HALF OF THAT PART OF THE EAST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION THIRTY-TWO (32), TOWNSHIP THIRTY-SEVEN NORTH, RANGE ELEVEN (11), EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE SOUTH LINE OF LOTS ONE (1) AND TWO (2), COUNTY CLERK'S DIVISION OF SAO SECTION THIRTY-TWO (32), IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 15300 129TH STREET, LEMONT, ILLINOIS



**DONOR'S CERTIFICATE**  
 STATE OF ILLINOIS)  
 COUNTY OF COOK)  
 I, \_\_\_\_\_, DONOR HEREBY CERTIFY THAT IT IS THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED PLAT, AND HAS CAUSED THE SAME TO BE SURVEYED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND DATE HEREIN INDICATED.  
 DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_  
 BY: \_\_\_\_\_  
 ATTEST: \_\_\_\_\_

**NOTARY CERTIFICATE**  
 STATE OF ILLINOIS)  
 COUNTY OF COOK)  
 I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT I AM THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED PLAT, AND HAS CAUSED THE SAME TO BE SURVEYED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND DATE HEREIN INDICATED.  
 GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_ AT \_\_\_\_\_, ILLINOIS.  
 \_\_\_\_\_ NOTARY PUBLIC

**VILLAGE BOARD CERTIFICATE**  
 STATE OF ILLINOIS)  
 COUNTY OF COOK)  
 APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE BOARD OF LEMONT, COOK COUNTY, ILLINOIS, AT A REGULAR MEETING ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_  
 \_\_\_\_\_ VILLAGE PRESIDENT  
 \_\_\_\_\_ VILLAGE CLERK

**VILLAGE BOARD CERTIFICATE**  
 STATE OF ILLINOIS)  
 COUNTY OF COOK)  
 APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE VILLAGE OF LEMONT, COOK COUNTY, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_  
 \_\_\_\_\_ VILLAGE PRESIDENT  
 \_\_\_\_\_ VILLAGE CLERK

PREPARED FOR:  
 \_\_\_\_\_  
 15300 129TH STREET  
 LEMONT, ILLINOIS 60533



**SURVEYOR'S CERTIFICATE**  
 STATE OF ILLINOIS)  
 COUNTY OF COOK)  
 THIS IS TO CERTIFY THAT I, MICHAEL J. NEELON, PROFESSIONAL LAND SURVEYOR NO. 035-3095, HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AS SHOWN ON THIS PLAT OF ANNEXATION, MADE IN A CORRECT PERFORMANCE OF SAID SERVICE, ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF, THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS SURVEYING STANDARDS FOR A BOUNDARY SURVEY.  
 GIVEN UNDER MY HAND AND SEAL AT WESTMONT, ILLINOIS, THIS 19TH DAY OF APRIL, A.D. 2021.  
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3095  
 PROFESSIONAL DESIGN FROM LICENSE NO. 184.0006208 EXPIRES 04/30/2031

**Exhibit B**

**to**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE VILLAGE OF LEMONT FROM R-1 SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT TO R-4 SINGLE-FAMILY DETACHED RESIDENTIAL DISTRICT FOR AN APPROXIMATELY 2.5 ACRE PARCEL AT 15300 129<sup>TH</sup> STREET IN LEMONT, IL**

**Findings of Fact**

1. The requested subdivision and rezoning will not alter the essential character of the area since two homes already exist on the subject site; and
2. The requested R-4 rezoning is compatible with surrounding land uses and zoning.

**VILLAGE OF LEMONT**  
**RESOLUTION No. \_\_\_\_\_**

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR A TWO-  
LOT SUBDIVISION AT 15300 129<sup>TH</sup> STREET IN THE VILLAGE OF LEMONT**

**(Kahle's Subdivision)**

**APPROVED BY THE  
PRESIDENT AND THE BOARD OF TRUSTEES  
OF THE VILLAGE OF LEMONT  
THIS 11<sup>TH</sup> DAY OF JULY, 2011**

**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 11<sup>TH</sup> DAY OF  
JULY, 2011**

**VILLAGE OF LEMONT  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR A TWO-  
LOT SUBDIVISION AT 15300 129<sup>TH</sup> STREET IN THE VILLAGE OF LEMONT**

**(Kahle's Subdivision)**

**WHEREAS**, the petitioner is the owner of certain property legally described in the Plat of Subdivision titled "Kahle's Subdivision," which is attached hereto and made a part hereof as Exhibit "A"; and

**WHEREAS**, the plat for Kahle's Subdivision is in substantial conformance with the physical development policies and standards of the Village of Lemont; and

**WHEREAS**, the President and Board of Trustees have determined that the proposed Kahle's Subdivision to be in the best interest of the Village of Lemont; and

**NOW, THEREFORE BE IT RESOLVED** by the President and Board of Trustees of the Village of Lemont that Kahle's Subdivision is hereby approved subject to the following conditions:

1. All land/cash contributions as required by 17.18 of the Lemont Unified Development Ordinance shall be paid prior to recordation.
2. A sidewalk shall be installed along the length of the front property lines if and when adjacent properties annex 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 11<sup>TH</sup> DAY OF JULY, 2011.**

**AYES**

**NAYS**

**PASSED**

**ABSENT**

**Debby Blatzer**

**Paul Chialdikas**

**Clifford Miklos**

**Rick Sniegowski**

**Ron Stapleton**

**Jeanette Virgilio**

**APPROVED BY ME THIS 11<sup>TH</sup> DAY OF JULY, 2011**

---

**BRIAN K. REAVES, Village President**

**Attest:**

---

**CHARLENE M. SMOLLEN, Village Clerk**

**VILLAGE OF LEMONT**  
**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR A TWO-  
LOT SUBDIVISION AT 15300 129<sup>TH</sup> STREET IN THE VILLAGE OF LEMONT**

**(Kahle's Subdivision)**

**APPROVED BY THE  
PRESIDENT AND THE BOARD OF TRUSTEES  
OF THE VILLAGE OF LEMONT  
THIS 11<sup>TH</sup> DAY OF JULY, 2011**

**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 11<sup>TH</sup> DAY OF  
JULY, 2011**

**VILLAGE OF LEMONT  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR A TWO-  
LOT SUBDIVISION AT 15300 129<sup>TH</sup> STREET IN THE VILLAGE OF LEMONT**

**(Kahle's Subdivision)**

**WHEREAS**, the petitioner is the owner of certain property legally described in the Plat of Subdivision titled "Kahle's Subdivision," which is attached hereto and made a part hereof as Exhibit "A"; and

**WHEREAS**, the plat for Kahle's Subdivision is in substantial conformance with the physical development policies and standards of the Village of Lemont; and

**WHEREAS**, the President and Board of Trustees have determined that the proposed Kahle's Subdivision to be in the best interest of the Village of Lemont; and

**NOW, THEREFORE BE IT RESOLVED** by the President and Board of Trustees of the Village of Lemont that Kahle's Subdivision is hereby approved subject to the following conditions:

1. All land/cash contributions as required by 17.18 of the Lemont Unified Development Ordinance shall be paid prior to recordation.
2. A sidewalk shall be installed along the length of the front property lines if and when adjacent properties annex 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 11<sup>TH</sup> DAY OF JULY, 2011.**

**AYES**

**NAYS**

**PASSED**

**ABSENT**

**Debby Blatzer**

**Paul Chialdikas**

**Clifford Miklos**

**Rick Sniegowski**

**Ron Stapleton**

**Jeanette Virgilio**

**APPROVED BY ME THIS 11<sup>TH</sup> DAY OF JULY, 2011**

---

**BRIAN K. REAVES, Village President**

**Attest:**

---

**CHARLENE M. SMOLLEN, Village Clerk**



# Village Board

# Agenda Memorandum

Item #

**to:** Mayor Brian K. Reaves  
Village Board of Trustees

**from:** Ralph Pukula, Director of Public Works

**subject:** Approval of the Local Agency Agreement for Federal Participation  
High Road (FAU 4307) LAPP Resurfacing:  
North of 135<sup>th</sup> Street (FAU 0282) to 127<sup>th</sup> Street (FAU 3774)  
Section No. 11-00048-00-RS

**date:** July 5, 2011

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## BACKGROUND

The Village has applied for and received Federal funds for LAPP resurfacing with leveling binder and hot-mix asphalt surface course on High Road, north of 135<sup>th</sup> Street to 127<sup>th</sup> Street, including pavement patching and stone shoulder work.

## PROS/CONS/ALTERNATIVES

Approval of Local Agency Agreement for Federal Participation is necessary for the work to be performed on High Road, north of 135<sup>th</sup> Street to 127<sup>th</sup> Street, and will allow the project design work to proceed in an orderly manner. The maximum engineering agreement amount is \$40,000.00, with the maximum Village Share being \$12,000.00 (30%).

## RECOMMENDATION

Approval of the Local Agency Agreement for Federal Participation; and Resolution, by the Village Board.

## ATTACHMENTS

- Local Agency Agreement for Federal Participation for approval.
- Resolution

## VILLAGE BOARD ACTION REQUIRED

Approval of the Local Agency Agreement for Federal Participation; and Resolution.

#11025

**RESOLUTION**  
**RESOLUTION APPROVING LOCAL AGENCY AGREEMENT FOR FEDERAL PARTICIPATION**  
**FOR HIGH ROAD, NORTH OF 135<sup>TH</sup> STREET TO 127<sup>TH</sup> STREET**  
**LAPP RESURFACING PROJECT**

**WHEREAS**, the Village of Lemont requires Design Engineering services related to the High Road, north of 135<sup>th</sup> Street to 127<sup>th</sup> Street project;

**WHEREAS**, the Village of Lemont desires to enter into an Local Agency Agreement for Federal Participation with Frank Novotny & Associates, Inc. and procure seventy percent (70%) Federal Funds for this work;

**WHEREAS**, the Village Board has authorized the Village President to sign the Local Agency Agreement for Federal Participation.

**NOW, THEREFORE, BE IT RESOLVED**, by the President and Board of Trustees that the agreements attached hereto as Exhibit A is hereby approved.

**PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL AND DuPAGE, ILLINOIS, on this 11<sup>th</sup> day of July, 2011.**

	<u><b>AYES</b></u>	<u><b>NAYS</b></u>	<u><b>PASSED</b></u>	<u><b>ABSENT</b></u>
Debby Blatzer				
Paul Chialdikas				
Clifford Miklos				
Rick Sniegowski				
Ronald Stapleton				
Jeanette Virgilio				

Approved by me this 11<sup>th</sup> day of July, 2011.

\_\_\_\_\_  
**CHARLENE SMOLLEN, Village Clerk**

**Attest:**

\_\_\_\_\_  
**BRIAN K. REAVES, Village President**

\_\_\_\_\_  
**CHARLENE SMOLLEN, Village Clerk**

Approved as to form: \_\_\_\_\_  
**Daniel P. Blondin, Village Attorney**

Date: \_\_\_\_\_



**Illinois Department of Transportation**

**Local Agency Agreement for Federal Participation**

Local Agency Village of Lemont	State Contract	Day Labor	Local Contract X	RR Force Account
Section 11-00048-00-RS	Fund Type STU	ITEP Number		

Construction		Engineering		Right-of-Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
		D-91-565-11	M-9003(823)		

This Agreement is made and entered into between the above local agency hereinafter referred to as the "LA" and the state of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The STATE and LA jointly propose to improve the designated location as described below. The improvement shall be constructed in accordance with plans approved by the STATE and the STATE's policies and procedures approved and/or required by the Federal Highway Administration hereinafter referred to as "FHWA".

**Location**

Local Name High Road Route FAU 4307 Length 0.76 MI  
 Termini 0.25 Mi North of 135<sup>th</sup> Street to 127<sup>th</sup> Street

Current Jurisdiction LA Existing Structure No N/A

**Project Description**

All Phase II Preliminary Engineering for LAPP resurfacing with leveling binder and hot-mix asphalt surface course, including necessary pavement patching, and aggregate shoulder restoration.

**Division of Cost**

Type of Work	STU	%	STATE	%	LA	%	Total
Participating Construction		( )		( )		( )	
Non-Participating Construction		( )		( )		( )	
Preliminary Engineering	28,000	( * )		( )	12,000	( BAL )	40,000
Construction Engineering		( )		( )		( )	
Right of Way		( )		( )		( )	
Railroads		( )		( )		( )	
Utilities		( )		( )		( )	
Materials		( )		( )		( )	
<b>TOTAL</b>	<b>\$ 28,000</b>		<b>\$</b>		<b>\$ 12,000</b>		<b>\$ 40,000</b>

\*Maximum FHWA (STU) Participation 70% Not to Exceed \$28,000

**NOTE:** The costs shown in the Division of Cost table are approximate and subject to change. The final LA share is dependent on the final Federal and State participation. The actual costs will be used in the final division of cost for billing and reimbursement.

If funding is not a percentage of the total, place an asterisk in the space provided for the percentage and explain above.

The Federal share of construction engineering may not exceed 15% of the Federal share of the final construction cost.

**Local Agency Appropriation**

By execution of this Agreement, the LA is indicating sufficient funds have been set aside to cover the local share of the project cost and additional funds will be appropriated, if required, to cover the LA's total cost.

**Method of Financing (State Contract Work)**

METHOD A---Lump Sum (80% of LA Obligation) \_\_\_\_\_  
 METHOD B--- \_\_\_\_\_ Monthly Payments of \_\_\_\_\_  
 METHOD C---LA's Share \_\_\_\_\_ divided by estimated total cost multiplied by actual progress payment.

(See page two for details of the above methods and the financing of Day Labor and Local Contracts)

## Agreement Provisions

### THE LA AGREES:

- (1) To acquire in its name, or in the name of the state if on the state highway system, all right-of-way necessary for this project in accordance with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and established state policies and procedures. Prior to advertising for bids, the LA shall certify to the STATE that all requirements of Titles II and III of said Uniform Act have been satisfied. The disposition of encroachments, if any, will be cooperatively determined by representatives of the LA, and STATE and the FHWA, if required.
- (2) To provide for all utility adjustments, and to regulate the use of the right-of-way of this Improvement by utilities, public and private, in accordance with the current Utility Accommodation Policy for Local Agency Highway and Street Systems.
- (3) To provide for surveys and the preparation of plans for the proposed improvement and engineering supervision during construction of the proposed improvement.
- (4) To retain jurisdiction of the completed improvement unless specified otherwise by addendum (addendum should be accompanied by a location map). If the improvement location is currently under road district jurisdiction, an addendum is required.
- (5) To maintain or cause to be maintained, in a manner satisfactory to the STATE and FHWA, the completed improvement, or that portion of the completed improvement within its jurisdiction as established by addendum referred to in item 4 above.
- (6) To comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and Nondiscrimination Regulations required by the U.S. Department of Transportation.
- (7) To maintain, for a minimum of 3 years after the completion of the contract, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records and supporting documents related to the contract shall be available for review and audit by the Auditor General and the department; and the LA agrees to cooperate fully with any audit conducted by the Auditor General and the department; and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the STATE for the recovery of any funds paid by the STATE under the contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.
- (8) To provide if required, for the improvement of any railroad-highway grade crossing and rail crossing protection within the limits of the proposed improvement.
- (9) To comply with Federal requirements or possibly lose (partial or total) Federal participation as determined by the FHWA.
- (10) (State Contracts Only) That the method of payment designated on page one will be as follows:
  - Method A - Lump Sum Payment. Upon award of the contract for this improvement, the LA will pay to the STATE, in lump sum, an amount equal to 80% of the LA's estimated obligation incurred under this Agreement, and will pay to the STATE the remainder of the LA's obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
  - Method B - Monthly Payments. Upon award of the contract for this improvement, the LA will pay to the STATE, a specified amount each month for an estimated period of months, or until 80% of the LA's estimated obligation under the provisions of the Agreement has been paid, and will pay to the STATE the remainder of the LA's obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
  - Method C - Progress Payments. Upon receipt of the contractor's first and subsequent progressive bills for this improvement, the LA will pay to the STATE, an amount equal to the LA's share of the construction cost divided by the estimated total cost, multiplied by the actual payment (appropriately adjusted for nonparticipating costs) made to the contractor until the entire obligation incurred under this Agreement has been paid.
- (11) (Day Labor or Local Contracts) To provide or cause to be provided all of the initial funding, equipment, labor, material and services necessary to construct the complete project.
- (12) (Preliminary Engineering) In the event that right-of-way acquisition for, or actual construction of the project for which this preliminary engineering is undertaken with Federal participation is not started by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the LA will repay the STATE any Federal funds received under the terms of this Agreement.
- (13) (Right-of-Way Acquisition) In the event that the actual construction of the project on this right-of-way is not undertaken by the close of the twentieth fiscal year following the fiscal year in which this Agreement is executed, the LA will repay the STATE any Federal Funds received under the terms of this Agreement.

- (14) (Railroad Related Work Only) The estimates and general layout plans for at-grade crossing improvements should be forwarded to the Rail Safety and Project Engineer, Room 204, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois, 62764. Approval of the estimates and general layout plans should be obtained prior to the commencement of railroad related work. All railroad related work is also subject to approval by the Illinois Commerce Commission (ICC). Final inspection for railroad related work should be coordinated through appropriate IDOT District Bureau of Local Roads and Streets office.
- Plans and preemption times for signal related work that will be interconnected with traffic signals shall be submitted to the ICC for review and approval prior to the commencement of work. Signal related work involving interconnects with state maintained traffic signals should also be coordinated with the IDOT's District Bureau of Operations.
- The LA is responsible for the payment of the railroad related expenses in accordance with the LA/railroad agreement prior to requesting reimbursement from IDOT. Requests for reimbursement should be sent to the appropriate IDOT District Bureau of Local Roads and Streets office.
- Engineer's Payment Estimates in accordance with the Division of Cost on page one.
- (15) And certifies to the best of its knowledge and belief its officials:
- are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
  - have not within a three-year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements receiving stolen property;
  - are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, local) with commission of any of the offenses enumerated in item (b) of this certification; and
  - have not within a three-year period preceding the Agreement had one or more public transactions (Federal, State, local) terminated for cause or default.
- (16) To include the certifications, listed in item 15 above and all other certifications required by State statutes, in every contract, including procurement of materials and leases of equipment.
- (17) (State Contracts) That execution of this agreement constitutes the LA's concurrence in the award of the construction contract to the responsible low bidder as determined by the STATE.
- (18) That for agreements exceeding \$100,000 in federal funds, execution of this Agreement constitutes the LA's certification that:
- No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or any employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement;
  - If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress, in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions;
  - The LA shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- (19) To regulate parking and traffic in accordance with the approved project report.
- (20) To regulate encroachments on public right-of-way in accordance with current Illinois Compiled Statutes.
- (21) To regulate the discharge of sanitary sewage into any storm water drainage system constructed with this improvement in accordance with current Illinois Compiled Statutes.
- (22) That the LA may invoice the STATE monthly for the FHWA and/or STATE share of the costs incurred for this phase of the improvement. The LA will submit supporting documentation with each request for reimbursement from the STATE. Supporting documentation is defined as verification of payment, certified time sheets, vendor invoices, vendor receipts, and other documentation supporting the requested reimbursement amount.
- (23) To complete this phase of the project within three years from the date this agreement is approved by the STATE if this portion of the project described in the Project Description does not exceed \$1,000,000 (five years if the project costs exceed \$1,000,000).
- (24) Upon completion of this phase of the improvement, the LA will submit to the STATE a complete and detailed final invoice with all applicable supporting supporting documentation of all incurred costs, less previous payments, no later than one year from the date of completion of this phase of the improvement. If a final invoice is not received within one year of completion of this phase of the improvement, the most recent invoice may be considered the final invoice and the obligation of the funds closed.

- (25) (Single Audit Requirements) That if the LA receives \$500,000 or more a year in federal financial assistance they shall have an audit made in accordance with the Office of Management and Budget (OMB) Circular No. A-133. LA's that receive less than \$500,000 a year shall be exempt from compliance. A copy of the audit report must be submitted to the STATE with 30 days after the completion of the audit, but no later than one year after the end of the LA's fiscal year. The CFDA number for all highway planning and construction activities is 20.205.
- (26) That the LA is required to register with the Central Contractor Registration (CCR), which is a web-enabled government-wide application that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of the contract award and the electronic payment processes. If you do not have a CCR number, you must register at <https://www.bon.gov/ccr>. If the LA, as a sub-recipient of a federal funding, receives an amount equal to or greater than \$25,000 (or which equals or exceeds that amount by addition of subsequent funds), this agreement is subject to the following award terms: <http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf> and <http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>.

**THE STATE AGREES:**

- (1) To provide such guidance, assistance and supervision and to monitor and perform audits to the extent necessary to assure validity of the LA's certification of compliance with Titles II and III requirements.
- (2) (State Contracts) To receive bids for the construction of the proposed improvement when the plans have been approved by the STATE (and FHWA, if required) and to award a contract for construction of the proposed improvement, after receipt of a satisfactory bid.
- (3) (Day Labor) To authorize the LA to proceed with the construction of the improvement when Agreed Unit Prices are approved and to reimburse the LA for that portion of the cost payable from Federal and/or State funds based on the Agreed Unit Prices and Engineer's Payment Estimates in accordance with the Division of Cost on page one.
- (4) (Local Contracts) That for agreements with Federal and/or State funds in engineering, right-of-way, utility work and/or construction work:
- (a) To reimburse the LA for the Federal and/or State share on the basis of periodic billings, provided said billings contain sufficient cost information and show evidence of payment by the LA;
  - (b) To provide independent assurance sampling, to furnish off-site material inspection and testing at sources normally visited by STATE inspectors of steel, cement, aggregate, structural steel and other materials customarily tested by the STATE.

**IT IS MUTUALLY AGREED:**

- (1) Construction of the project will utilize domestic steel as required by Section 106.01 of the current edition of the Standard Specifications for Road and Bridge Construction.
- (2) That this Agreement and the covenants contained herein shall become null and void in the event that the FHWA does not approve the proposed improvement for Federal-aid participation or the contract covering the construction work contemplated herein is not awarded within three years of the date of execution of this Agreement.
- (3) This Agreement shall be binding upon the parties, their successors and assigns.
- (3) For contracts awarded by the LA, the LA shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any USDOT – assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The LA shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of USDOT – assisted contracts. The LA's DBE program, as required by 49 CFR part 26 and as approved by USDOT, is incorporated by reference in this Agreement. Upon notification of the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.). In the absence of a USDOT – approved LA DBE Program or on State awarded contracts, this Agreement shall be administered under the provisions of the STATE's USDOT approved Disadvantaged Business Enterprise Program.
- (4) In cases where the STATE is reimbursing the LA, obligations of the STATE shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or applicable Federal Funding source fails to appropriate or otherwise make available funds for the work contemplated herein.
- (5) All projects for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement and/or amendment shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application.

**ADDENDA**

Additional Information and/or stipulations are hereby attached and identified below as being a part of this Agreement.

Number 1 Location Map

(Insert addendum numbers and titles as applicable)

The LA further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all exhibits indicated above.

**APPROVED**

Local Agency

Brian K. Reaves

Name of Official (Print or Type Name)

Mayor

Title (County Board Chairperson/Mayor/Village President/etc.)

July 11, 2011

Date

(Signature)

The above signature certifies the agency's TIN number is 36-6005968 conducting business as a Governmental Entity.

DUNS Number 007345142

**APPROVED**

State of Illinois  
Department of Transportation

Gary Hannig, Secretary of Transportation

Date

By:

(Delegate's Signature)

(Delegate's Name - Printed)

Christine M. Reed, Director of Highways/Chief Engineer

Date

Ellen J. Schanzle-Haskins, Chief Counsel

Date

Matthew R. Hughes, Acting Director of Finance and Administration

Date

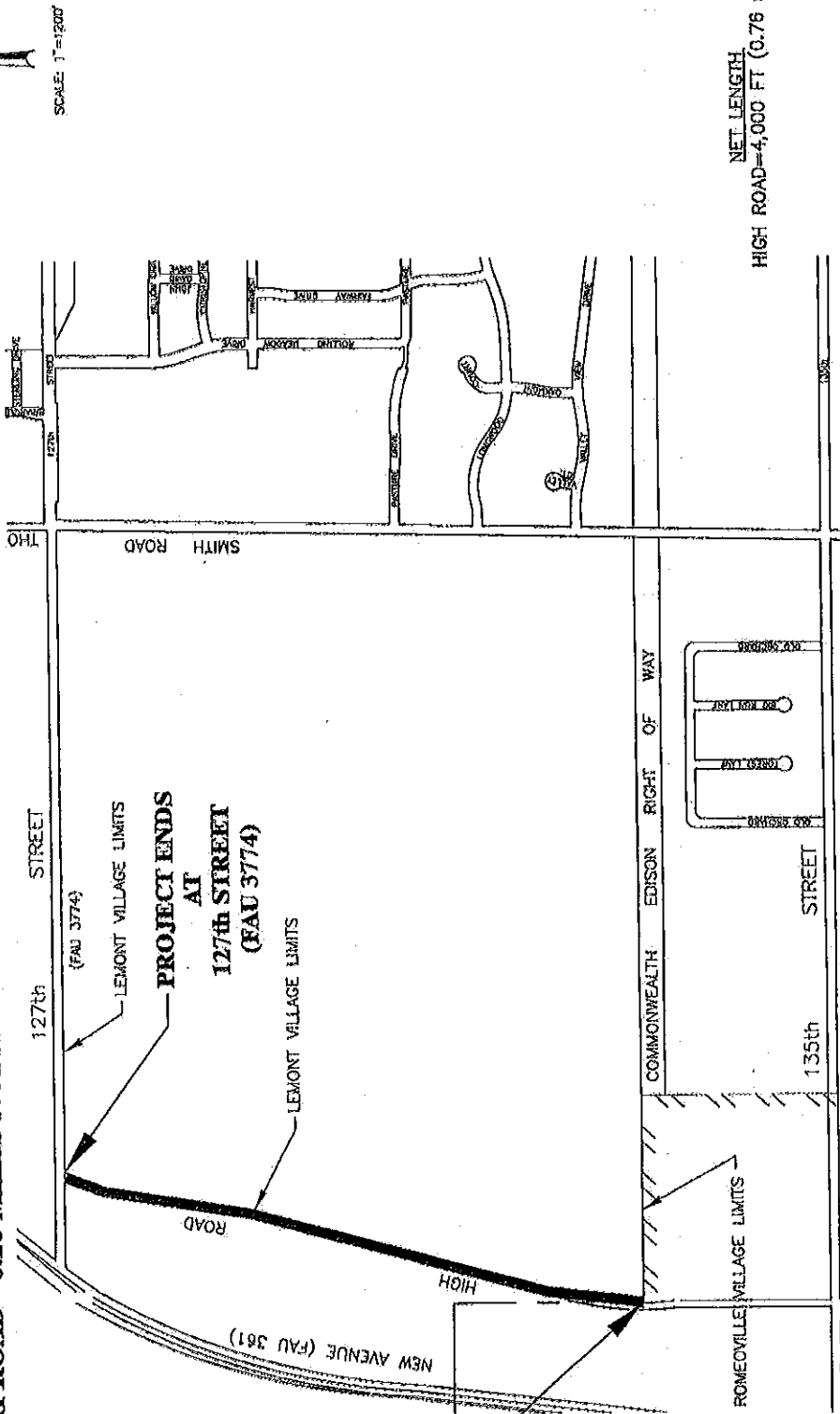
**NOTE:** If signature is by an APPOINTED official, a resolution authorizing said appointed official to execute this agreement is required.

# VILLAGE OF LEMONT, ILLINOIS HIGH ROAD L.A.P.P. RESURFACING

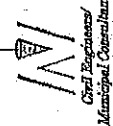
**DENOTES**  
**PROJECT**  
**LOCATION**

## LOCATION MAP

HIGH ROAD - 0.25 MILES NORTH OF 135th STREET (FAU 0282) TO 127th STREET (FAU 3774)



**PROJECT BEGINS**  
**AT**  
**0.25 MILES NORTH**  
**OF 135th STREET**  
**(FAU 0282)**



**Frank Novotny & Associates, Inc.**

827 Midway Drive • Wheeling, IL • 60091 • Telephone: (815) 897-8800 • Fax: (815) 897-0125  
 Illinois Professional Designer Firm No. 154-000825

City Engineers/  
Municipal Consultants

VILLAGE OF LEMONT, ILLINOIS  
HIGH ROAD L.A.P.P. RESURFACING

LOCATION MAP

PROJECT NO. 11025

NUMBER "1"



# 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:** Plat of Easement / New Avenue Water Main Replacement Project

**date:** July 5, 2011

---

## BACKGROUND

In order to accommodate the New Avenue Water Main, it is necessary to procure a 6-foot wide water main easement from the VFW at the southwest corner of New Avenue and Lockport Street.

## PROS/CONS/ALTERNATIVES

Granting of the easement to the Village of Lemont is necessary to allow for construction of 12-inch ductile iron water main in trench along New Avenue under the existing sidewalk, which is located on private property at this location. The VFW has offered the easement to the Village at no cost.

## RECOMMENDATION

Staff recommends approval of the attached Resolution.

## ATTACHMENTS

- Resolution Accepting a Plat of Easement for water main purposes.
- Proposed Plat of Easement.

## VILLAGE BOARD ACTION REQUIRED

Approval of the attached Resolution.

RESOLUTION \_\_\_\_\_

**RESOLUTION ACCEPTING A  
PLAT EASEMENT FOR WATER MAIN PURPOSES**

P.I.N. 22—20-306-013

**WHEREAS**, the Standard Bank & Trust Co., Trust No. 2401 has offered to grant a Plat of Easement for water main purposes, on a parcel at the southwest corner of New Avenue and Lockport Street (VFW); and

**WHEREAS**, said Plat of Easement allows for the construction of 12-inch ductile iron water main in trench, and maintenance of the water main.

**NOW THEREFORE, BE IT RESOLVED** by the President and Board of Trustees of the Village of Lemont that the Plat of Easement attached hereto is hereby accepted.

**PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL AND DuPAGE, ILLINOIS, on this 11<sup>th</sup> day of July, 2011**

AYES

NAYS

PASSED

ABSENT

Debby Blatzer  
Paul Chialdikas  
Clifford Miklos  
Rick Snlegowski  
Ronald Stapleton  
Jeanette Virgillo

\_\_\_\_\_  
**CHARLENE SMOLLEN, Village Clerk**

Approved by me this 11<sup>th</sup> day of July, 2011.

**A t t e s t:**

\_\_\_\_\_  
**BRIAN K. REAVES, Village President**

\_\_\_\_\_  
**CHARLENE SMOLLEN, Village Clerk**

Approved as to form: \_\_\_\_\_  
**Daniel P. Blondin, Village Attorney**

Date: \_\_\_\_\_



# 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:** Logan Dam Sediment Removal

**date:** July 5, 2011

---

## **BACKGROUND**

Five (5) bids were received on June 20, 2011 for the Logan Dam Sediment Removal project, which work consists of the removal and disposal of unsuitable material; stabilized construction entrance and landscape restoration; furnishing and placing topsoil; seeding; and all appurtenant construction. The low bidder was Lakes & Rivers Contracting, which bid was in the amount of \$60,755.00. The bid was \$39,225.00 (39.22%) below the project budget of \$100,000.00.

## **PROS/CONS/ALTERNATIVES**

Award of this bid will have this work completed in a timely and expeditious manner. The project is slated for an August (dry weather) construction period.

## **RECOMMENDATION**

Award of the Logan Dam Sediment Removal Project to Lakes & Rivers Contracting, based on their bid amount \$60,755.00, conditional upon receipt of a satisfactory "Letter of No Objection" from the U.S. Army Corps of Engineers.

## **ATTACHMENTS**

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

## **VILLAGE BOARD ACTION REQUIRED**

Approval of Resolution awarding the contract to Lakes & Rivers Contracting.

RESOLUTION \_\_\_\_\_

**RESOLUTION AUTHORIZING AWARD OF CONTRACT  
FOR THE LOGAN DAM SEDIMENT REMOVAL PROJECT**

**WHEREAS**, the Village of Lemont requires that the Logan Dam Sediment Removal Project be completed; and

**WHEREAS**, the Village seeks to utilize the construction firm of Lakes & Rivers Contracting for such work; and

**WHEREAS**, Lakes & Rivers Contracting submitted a low bid for such work in the amount of \$60,755.00

**NOW, THEREFORE, BE IT RESOLVED**, by the President and Board of Trustees that the Contract with Lakes & Rivers Contracting is hereby approved, conditional upon receipt of the "Letter of No Objection" from the U.S. Army Corps of Engineers.

**PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL AND DuPAGE, ILLINOIS, on this 11<sup>th</sup> day of July, 2011.**

AYES

NAYS

PASSED

ABSENT

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

\_\_\_\_\_  
**CHARLENE SMOLLEN, Village Clerk**

Approved by me this 11<sup>th</sup> day of July, 2011.

**A t t e s t:**

\_\_\_\_\_  
**BRIAN K. REAVES, Village President**

\_\_\_\_\_  
**CHARLENE SMOLLEN, Village Clerk**

Approved as to form: \_\_\_\_\_  
**Daniel P. Blondin, Village Attorney**

Date: \_\_\_\_\_



# Frank Novotny & Associates, Inc.

825 Midway Drive ♦ Willowbrook, IL ♦ 60527 ♦ Telephone: (630) 887-8640 ♦ Fax: (630) 887-0132

Civil Engineers/  
Municipal Consultants

June 20, 2011

Mr. Ben Wehmeler  
Administrator  
Village of Lemont  
418 Main Street  
Lemont, Illinois 60439

Re: **Logan Dam Sediment Removal**

Dear Ben:

Listed below and on the attached "Bid Tabulation", please find the results of the June 17, 2011 bid opening for the above-captioned project. Five (5) bids were received and tabulated, with no errors being found. A summary is as follows:

<b>Lakes &amp; Rivers Contracting</b> .....	<b>\$ 60,755.00</b>
EarthWerks Land Improvement & Devel. ....	74,880.00
Copenhaver Construction .....	74,430.00
J. S. Riemer, Inc. ....	83,935.00
D. Construction, Inc. ....	115,000.00
 Engineer's Estimate .....	 <b>\$ 102,350.00</b>

The low bid submitted by Lakes & Rivers Contracting, in the amount of \$60,755.00, is \$41,595.00 (40.64%) below the Engineer's Estimate of \$102,350.00. Lakes & Rivers Contracting has satisfactorily performed work in the Village previously. We, therefore, recommend that the Contract be awarded to **Lakes & Rivers Contracting, P.O. Box 67, Lemont, IL 60439**, in the amount of **\$60,755.00, conditional upon receipt of the "Letter of No Objection" from the U.S. Army Corps of Engineers.**

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

Very truly yours,

**FRANK NOVOTNY & ASSOCIATES, INC.**

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

JLC/dn  
Enclosure

cc: Mr. Ralph Pukula, Director of Public Works, w/Enc.  
Mr. Gerry Turrise, Water Supt., w/Enc.  
Mr. George J. Schafer, Asst. Village Administrator, w/Enc.  
Ms. Rose Yates, Exec. Adm. Asst., w/Enc.  
File No. 11043

OWNER: Village of Lemont  
 PROJECT DESCRIPTION: Logan Dam Sediment Removal

PROJECT NO: 11043

BID OPENING: June 17, 2011 @ 10:00 am

Item No	Description	Unit	Quantity	Price	Amount	Unit	Price	Amount	Unit	Price	Amount	Unit	Price	Amount
1	Remove and Dispose of Unusable Material	CU YD	875	50.00	43,800.00									
2	Standard Construction Entrance & Landscape Restoration (Complete)	LS/MA	1	10,000.00	10,000.00									
3	Perimeter Erosion Barrier	LN FT	150	4.00	600.00									
4	Temporary Ditch Checks (Rubbed Excelsior Blanket)	FOOT	60	20.00	1,200.00									
5	Fiber Fabric	SQ YD	48	10.00	480.00									
6	Storm Repair, Class A-3	CU YD	12	200.00	2,400.00									
7	Topsoil Fertilizer and Peat, 2"	CU YD	3150	5.00	15,750.00									
8	Erosion Control Blanket	SQ YD	3150	4.00	12,600.00									
9	Seeding - Wetland Mix	ACRE	0.1	6,000.00	600.00									
10	Seeding - Dry Erosion Detention Mix	ACRE	0.25	6,000.00	1,500.00									
11	Construction Layout	L.S/MA	1	3,000.00	3,000.00									
12	Insurance Provisions - Complete	L.S/MA	1	4,000.00	4,000.00									
<b>Totals:</b>					<b>102,350.00</b>			<b>69,755.00</b>			<b>74,890.00</b>			<b>76,430.00</b>
<b>BID ERROR CORRECTIONS:</b>														
<b>Corrected Totals ---</b>														
<b>Over/Under ----</b>														
<b>Percent ----</b>														

Engineers Estimate  
 Lakes & Rivers Contracting  
 P.O. Box 67  
 Lemont, IL 60439  
 5% Bid Bond

Earthworks Land Improvement & Devel.  
 1240 Lyon Road  
 Batavia, IL 60510  
 5% Bid Bond

Copenthaer Construction  
 121 Center Drive  
 Gilberts, IL 60135  
 5% Bid Bond

J. S. Riemen, Inc.  
 15N158 Tyrrell Road  
 Eggen, IL 60124  
 5% Bid Bond

11043

TABULATION OF BIDS

OWNER: Village of Lemont  
 PROJECT DESCRIPTION: Logan Dam Sediment Removal

PROJECT NO: 11043

BID OPENING: June 17, 2011 @ 10:00 am

Item No	Description	Unit	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Removal and Disposal of Unsuitable Material	CU YD	816	58.00	48,900.00	58.00	48,900.00				
2	Shallow Construction Entrance & Landscape Restoration (Completed)	L.SUM	1	10,000.00	10,000.00	30,000.00	30,000.00				
3	Perimeter Erosion Barrier	LN FT	150	4.00	600.00	10.00	1,500.00				
4	Temporary Ditch Checks (Rolled Excavator Blanket)	FOOT	30	20.00	1,200.00	7.00	420.00				
5	Filter Fabric	SQ YD	40	10.00	400.00	17.00	680.00				
6	Stone Riprap, Class A-3	CU YD	18	200.00	2,000.00	180.00	1,800.00				
7	Topsoil Finish and Place, 2"	SQ YD	3150	5.00	15,750.00	5.00	15,750.00				
8	Erosion Control Blanket	SQ YD	3150	4.00	12,600.00	2.00	6,300.00				
9	Seeding - Hybrid Mix	ACRE	0.1	5,000.00	500.00	5,000.00	5,000.00				
10	Seeding - Dry Bottom Divergent Mix	ACRE	0.55	5,000.00	2,750.00	5,000.00	5,000.00				
11	Construction Layout	L.SUM	1	3,000.00	3,000.00	3,850.00	3,850.00				
12	Insurance Provisions - Complete	L.SUM	1	4,000.00	4,000.00	1,500.00	1,500.00				
<b>Totals:</b>					<b>102,350.00</b>		<b>115,000.00</b>				
<b>Bid Error Corrections:</b>											
<b>Corrected Totals ---</b>							<b>115,000.00</b>				
<b>Over/Under ---</b>							<b>12,650.00</b>				
<b>Percent ---</b>							<b>12.35%</b>				

Engineers Estimate  
 1488 South Broadway  
 Coal City, IL 60415  
 5% Bid Bond

D. Construction, Inc.  
 1488 South Broadway  
 Coal City, IL 60415  
 5% Bid Bond





Village of Lemont  
**Planning & Economic Development Department**

---

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

TO: Mayor Reaves #64-11  
Village Board of Trustees

FROM: Charity Jones, Village Planner

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

SUBJECT: Case 11-03 – Jaikovski Lot Subdivision

DATE: July 6, 2011

---

**SUMMARY**

Mr. Jaikovski, owner of the subject property, is requesting approval for a final plat of subdivision for an approximately 9.35 acre site along 127<sup>th</sup> Street. The PZC recommended approval on May 18, 2011. The Committee of the Whole reviewed the application on June 20, 2011 and had no objections.

UDO §17.26.110.D.1 requires the installation of sidewalks in all residential subdivisions. The subject property does not have any sidewalks currently, but the properties to the east and to the west of the subject site have sidewalks along 127<sup>th</sup> Street. In the attached resolution two conditions are included to ensure the installation of a sidewalk along 127<sup>th</sup> Street, on the subject property. Condition One requires the petitioner to establish an escrow account prior to recording the final plat of subdivision to cover the cost of construction of the required sidewalk. Condition Two requires the petitioner to construct the required sidewalk at the time of site development or building permit application. The Board, at its discretion, may chose one condition and strike the other from the resolution. Or if the Board chooses to leave both conditions in the resolution, the petitioner will be able to comply with either condition.

**BOARD ACTION**

Vote on the attached resolution approving the final plat of subdivision for Vancho's Subdivision.

**ATTACHMENT**

Final plat, Vancho's Subdivision, prepared by Harrington Land Surveying, LTD.

**VILLAGE OF LEMONT  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR A TWO  
LOT SUBDIVISION LOCATED ALONG THE SOUTH SIDE OF 127<sup>th</sup> STREET IN THE  
VILLAGE OF LEMONT**

**(Vancho's Subdivision)**

**APPROVED BY THE  
PRESIDENT AND THE BOARD OF TRUSTEES  
OF THE VILLAGE OF LEMONT  
THIS 11TH DAY OF JULY, 2011**

**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 11TH DAY OF  
JULY, 2011**

**VILLAGE OF LEMONT  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR A TWO  
LOT SUBDIVISION LOCATED ALONG THE SOUTH SIDE OF 127<sup>th</sup> STREET IN  
THE VILLAGE OF LEMONT**

**(Vancho's Subdivision)**

**WHEREAS**, Vancho B. Jaikovski is the owner of the subject property covering approximately 9.35 acres located on the south side of 127<sup>th</sup> Street (PINs# 22-33-200-009 and 22-33-200-010), legally described and depicted on the Final Plat of Subdivision, attached hereto and incorporated herein as Exhibit A; and

**WHEREAS**, the Petitioner made application under the provisions of the Lemont Unified Development Ordinance for final plat approval for a two lot residential subdivision; and

**WHEREAS**, the petitioner has submitted a final plat of subdivision prepared by Harrington Land Surveying, LTD; and

**WHEREAS**, the Planning and Zoning Commission of the Village of Lemont, Illinois, in accordance with Lemont Unified Development Ordinance, voted to recommend approval of the petitioner's request at a public meeting on May 18, 2011.

**NOW, THEREFORE BE IT RESOLVED** by the President and Board of Trustees of the Village of Lemont that the Final Plat of Subdivision for Vancho's Subdivision is hereby approved subject to the following condition:

1. Prior to recording the final plat of subdivision, the Petitioner shall establish an escrow account with the Village in an amount equal to the cost of constructing a sidewalk along the entire length of the property's frontage on 127<sup>th</sup> Street ; or
2. The Petitioner shall construct a sidewalk along the entire length of the property's frontage on 127<sup>th</sup> Street at the time of site of site development permit or building permit application.

**PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL, AND DUPAGE, ILLINOIS, ON THIS 11TH DAY OF JULY, 2011.**

**AYES**

**NAYS**

**PASSED**

**ABSENT**

**Debby Blatzer**

**Paul Chialdikas**

**Clifford Miklos**

**Rick Sniegowski**

**Ron Stapleton**

**Jeanette Virgilio**

**APPROVED BY ME THIS 11TH DAY OF JULY, 2011**

\_\_\_\_\_  
**BRIAN K. REAVES, Village President**

**Attest:**

\_\_\_\_\_  
**CHARLENE M. SMOLLEN, Village Clerk**







# Village of Lemont

418 Main Street • Lemont, Illinois 60439

*Village of Faith*

**Mayor**

Brian K. Reaves

**Village Clerk**

Charlene M. Smollen

**Trustees**

Debby Blatzer

Paul Chialdikas

Clifford Miklos

Rick Sniegowski

Ronald Stapleton

Jeanette Virgilio

**Administrator**

Benjamin P. Wehmeier

## EXECUTIVE SESSION AGENDA JULY 11, 2011

### I. PERSONNEL.

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