



VILLAGE OF BENSENVILLE

Village Board
President
Frank Soto

Trustees
John Adamowski
Morris Bartlett
Patricia A. Johnson
Martin O'Connell
Oronzo Peonio
Henry Wesseler
Village Clerk
JoEllen Ridder

Village Manager
Michael Cassady

Village of Bensenville, Illinois BOARD OF TRUSTEES MEETING AGENDA

6:30 P.M. Tuesday, February 23, 2010

Bensenville Village Hall, 12 S. Center Street, Bensenville IL 60106

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC COMMENT (3 minutes per person with a 30 minute meeting limitation)
- V. APPROVAL OF MINUTES

None

- VI. WARRANT – February 23, 2010 #10-20 \$756,827.98

VII. CONSENT AGENDA – CONSIDERATION OF AN “OMNIBUS VOTE”

1. *Ordinance Granting Approval of Sign Variances for Property Commonly Identified as 140-142 Thorndale Ave*
2. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$3,000,000 Series 1998 General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois*
3. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$2,925,000 Series 1998A General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois*
4. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$1,160,000 Series 2000 General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois*
5. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$1,000,000 Series 2001A General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois*
6. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$1,500,000 Series 2001B General Obligation Bonds*

(Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois

7. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$2,870,000 Series 2001C General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois*
8. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$1,615,000 Series 2001D General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois*
9. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$1,875,000 Series 2001E General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois*
10. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$3,000,000 Series 2002A General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois*
11. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$1,365,000 Series 2002B General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois*
12. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$1,122,070 Series 2003A General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois*
13. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$2,200,000 Series 2003G General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois*
14. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$4,000,000 Series 2004D General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois*
15. *Ordinance Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$3,500,000 Series 2004E General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, Counties of Cook and DuPage, Illinois*
16. *Ordinance Partially Abating the Tax Heretofore Levied for the Year 2009 to Pay Debt Service on \$650,000, Series 2000, Special Service Area Number Two, Unlimited AD Valorem Tax Bonds Village of Bensenville, Counties of Cook and DuPage, Illinois*

VIII. REPORTS OF STANDING COMMITTEES

- A. Economic and Community Development Committee – No Report
- B. Infrastructure and Environment Committee – No Report
- C. Administration, Finance and Legislation Committee- No Report
- D. Public Safety Committee - No Report

IX. INFORMATION ITEMS

- A. PRESIDENT'S REMARKS
- B. VILLAGE MANAGER'S REPORT

Public Review Number Three of the Proposed FY2010 Budget Amendment

- C. CORRESPONDENCES AND ANNOUNCEMENTS

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

XII. EXECUTIVE SESSION

- A. Review of Executive Session Minutes [5 ILCS 120/2 (C)(21)]
- B. Personnel [5 ILCS 120/2(C)(1)]
- C. Collective Bargaining [5 ILCS 120/2 (C)(2)]
- D. Property Acquisition [5 ILCS 120/2(C)(5)]
- E. Litigation [5 ILCS 120/2(C)(11)]

XIII. MATTERS REFERRED FROM EXECUTIVE SESSION

XIV. ADJOURNMENT

Please Note - The Village of Bensenville is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or the facilities, are requested to contact Village Hall (630-766-8200) at least 3 days prior to the meeting to allow the Village of Bensenville to make reasonable accommodations for those persons.

Village of Bensenville

12 South Center Street ♦ Bensenville, IL 60106

Phone: 630-766-8200 ♦ Fax: 630-594-1105

www.bensenville.il.us



VILLAGE OF BENSENVILLE

TYPE: Ordinances **SUBMITTED BY:** Denise Pieroni **DATE:** February 17, 2010

DESCRIPTION: Ordinances abating the tax levy for the year 2009 to pay debt service on certain General Obligation Bonds (Alternate Revenue Source).

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

X

Financially Sound Village
Quality Customer Oriented Services
Safe and Beautiful Village

Enrich the lives of Residents
Major Business/Corporate Center
Vibrant Major Corridors

COMMITTEE ACTION: Administration, Finance & Legislation reviewed and unanimously recommended the approval of Ordinances abating the 2009 levies relating to debt service payments on certain General Obligation Bonds (Alternative Revenue Source) **DATE:** 12/01/09

BACKGROUND:

The Village has a number of alternate revenue bonds. It is intended that these bond payments be paid from alternate revenue sources. If the designated alternate revenue source(s) does not generate sufficient dollars to cover the debt service payments on the Bonds than these amounts are automatically levied by the respective Counties. As such each year the Board needs to determine that sufficient revenues from these alternate revenue sources have or will be generated to cover these debt service payments. Once this determination is made, the Board then adopts an ordinance(s) abating the respective levy(s). Being required to levy to cover these payments versus being able to pay these payments through the alternative revenue source would have significant negative implication on the Village and any future issues it might wish to entertain. A determination has been made that the amounts that are being generated by the alternative revenue sources identified are sufficient to cover the respective debt payments and coverage requirements. These abatements were discussed with the Administration, Finance & Legislation Committee in meeting in both November and December. At that time the Committee indicated their concurrence with the staff recommendation that these debt service payments be abatement. Presented for consideration at this time are the 14 abatement ordinances.

KEY ISSUES: These ordinances need to be approved and filed with both Cook and DuPage County by early March. Failure to take action would result in the levying of these amounts by the respective County and which would have significant negative implications on the Village and any future issues that might wish to entertain.

ALTERNATIVES: N/A

RECOMMENDATION: Approve the 2009 Tax Levy abatement ordinances as recommended by Committee.

BUDGET IMPACT: Certain revenue sources have been pledged to pay this debt service and as such are not available to fund operating and other costs of the Village.

ACTION REQUIRED: Board action on the ordinances.

ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$3,000,000 SERIES 1998 GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 16th day of June, 1998 (the "Ordinance"), did provide for the issue of \$3,000,000 General Obligation Bonds (Alternate Revenue Source) (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

Published in Pamphlet Form

ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$2,925,000 SERIES 1998A GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 1st day of December, 1998 (the "Ordinance"), did provide for the issue of \$2,925,000 General Obligation Bonds (Alternate Revenue Source) Series 1998A (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

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ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$1,160,000 SERIES 2000 GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 30th day of September, 2000 (the "Ordinance"), did provide for the issue of \$1,160,000 General Obligation Bonds (Alternate Revenue Source) Series 2000 (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

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ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$1,000,000 SERIES 2001A GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 17th day of April, 2001 (the "Ordinance"), did provide for the issue of \$1,000,000 General Obligation Bonds (Alternate Revenue Source) Series 2001A (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

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ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$1,500,000 SERIES 2001B GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 17th day of April, 2001 (the "Ordinance"), did provide for the issue of \$1,500,000 General Obligation Bonds (Alternate Revenue Source) Series 2001B (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

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ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$2,870,000 SERIES 2001C GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 3rd day of July, 2001 (the "Ordinance"), did provide for the issue of \$2,870,000 General Obligation Bonds (Alternate Revenue Source) Series 2001C (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

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ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$1,615,000 SERIES 2001D GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 20th day of November, 2001 (the "Ordinance"), did provide for the issue of \$1,615,000 General Obligation Bonds (Alternate Revenue Source) Series 2001D (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

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ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$1,875,000 SERIES 2001E GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 20th day of November, 2001 (the "Ordinance"), did provide for the issue of \$1,875,000 General Obligation Bonds (Alternate Revenue Source) Series 2001E (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

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ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$3,000,000 SERIES 2002A GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 19th day of February, 2002 (the "Ordinance"), did provide for the issue of \$3,000,000 General Obligation Bonds (Alternate Revenue Source) Series 2002A (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

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ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$1,365,000 SERIES 2002B GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 19th day of February, 2002 (the "Ordinance"), did provide for the issue of \$1,365,000 General Obligation Bonds (Alternate Revenue Source) Series 2002B (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010 .

Frank Soto, Village President

ATTEST:

Carole Crowe Mantia, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

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ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$1,122,070 SERIES 2003A GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 21st day of January, 2003 (the "Ordinance"), did provide for the issue of \$1,122,070 General Obligation Bonds (Alternate Revenue Source) Series 2003A (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

Published in Pamphlet Form

ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$2,200,000 SERIES 2003G GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 21st day of October, 2003 (the "Ordinance"), did provide for the issue of \$2,200,000 General Obligation Bonds (Alternate Revenue Source) Series 2003G (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

Published in Pamphlet Form

ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$4,000,000 SERIES 2004D GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 16th day of August, 2004 (the "Ordinance"), did provide for the issue of \$4,000,000 General Obligation Bonds (Alternate Revenue Source) Series 2004D (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

Published in Pamphlet Form

ORDINANCE # _____
AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$3,500,000 SERIES 2004E GENERAL
OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 16th day of August, 2004 (the "Ordinance"), did provide for the issue of \$3,500,000 General Obligation Bonds (Alternate Revenue Source) Series 2004E (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2009 to pay such debt service on the Bonds be abated.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: ABATEMENT OF TAX. The tax heretofore levied for the year 2009 in the Ordinance is hereby abated in its entirety.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2009 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

Published in Pamphlet Form

ORDINANCE # _____
AN ORDINANCE PARTIALLY ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR
2009 TO PAY DEBT SERVICE ON \$650,000, SERIES 2000,
SPECIAL SERVICE AREA NUMBER TWO, UNLIMITED AD VALOREM TAX BONDS
VILLAGE OF BENSENVILLE, COUNTIES OF COOK AND DUPAGE, ILLINOIS

WHEREAS, the Board of Trustees (the "Board") of the Village of Bensenville, Counties of Cook and DuPage, Illinois (the "Issuer"), by ordinance adopted on the 19th day of September, 2000 (the "Ordinance"), did provide for the issue of \$650,000 Special Service Area Number Two, Unlimited Ad Valorem Tax Bonds, Series 2000 (the "Bonds"), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

WHEREAS, the issuer will have Pledged Revenues available for the purpose of paying a certain portion of the debt service due on the Bonds during the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2010 to pay such debt service on the Bonds be abated in part.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: PARTIAL ABATEMENT OF TAX. The tax heretofore levied for the year 2010 in the Ordinance is hereby abated in part as follows: abated in the amount of \$63,210.00.

SECTION TWO: FILING OF ORDINANCE. Forthwith upon the adoption of this ordinance, the Deputy Village Clerk shall file a certified copy hereof with the County Clerks of Cook and DuPage Counties, Illinois, and it shall be the duty of said County Clerk to abate in part said tax levied for the year 2010 in accordance with the provisions hereof.

SECTION THREE: EFFECTIVE DATE. This Ordinance shall be in full force and effect forthwith upon its adoption.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville, this _____ day of _____, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

Published in Pamphlet Form

TYPE: Ordinance SUBMITTED BY: S. Viger DATE: 02.23.10

DESCRIPTION:

Ordinance approving a variance to allow a second wall sign at a height higher than the maximum allowable and an increase in the minimum square footage of wall signs at 140 – 142 Thorndale Avenue for the new Peterbilt facility.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	<i>Financially Sound Village</i>	<input type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input checked="" type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input checked="" type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: Community & Economic Development
Committee

DATE: 02.16.10

BACKGROUND

Recently Peterbilt – Illinois Chicago leased the building formerly occupied by JC Restorations. Permits were issued for interior remodeling and a Conditional Use Permit and sign variance were approved. Subsequent to the first sign variance application, the applicant was notified of the need to have a "Paclease" sign as a part of their franchise agreement. This request is to allow the second sign. The building has brick on the lower level of the front façade with siding above. The corporate sign for Peterbilt is mounted above the 20' and this request would be aesthetically pleasing compliment to the "Peterbilt" sign.

KEY ISSUES:

Staff believes the key issues on this request are the aesthetics of the property with the new signage and the benefits of bringing the new business into our community that will further enhance Bensenville as a desirable location for business.

ALTERNATIVES:

Approve the request as presented.
Approve the request with altered or additional conditions.
Remand the request to the CDC for further deliberation.
Deny the request.

RECOMMENDATION:

The staff respectfully requests that the Committee approve the variance. At their February 8, 2010 Public Hearing the CDC voted unanimously (7 – 0) to recommend approval of the variance to the President and Board of Trustees. The Community & Economic Development Committee approved the request at their 02.16.10 meeting.

BUDGET IMPACT:

N/A

ACTION REQUIRED:

Approval of the attached Ordinance.

ORDINANCE # _____

**AN ORDINANCE GRANTING APPROVAL OF SIGN VARIANCES
FOR PROPERTY COMMONLY IDENTIFIED AS 140-142 THORNDALE AVENUE**

WHEREAS, J.C. Restoration, Inc. ("Owner") and Peterbilt Illinois-Chicago, Inc. ("Applicant"), filed an application for approval of a sign variance to allow a second wall sign to be mounted at a height greater than 20 feet and an increase in the total wall sign square footage for the property located at 140-142 Thorndale Avenue, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property"), a copy of said application being attached hereto as Exhibit "B" and incorporated herein by this reference; and

WHEREAS, Notice of Public Hearing with respect to the requested sign variances was published on December 25, 2009, in the *Bensenville Press*, being a newspaper having general circulation within the Village of Bensenville (the "Village"), all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on January 11, 2010 and continued the hearing to February 8, 2010, all as required by the statutes of the State of Illinois and the ordinances of the Village; and,

WHEREAS, the Community Development Commission voted to approve the request for the sign variances, with a condition that the sign must be placed in conformance with the plan submitted by Pearsons Sign Makers/Builders and dated January 4 2010, and forwarded its recommendations, including Staff Report and findings relative to sign criteria to the Village Board's Economic and Community Development Committee on February 16, 2010, which concurred in the recommendation made therein, as are attached hereto as Exhibit "C" and incorporated herein by reference; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and have determined that approval of the requested variance to allow a second wall sign to be mounted at a height greater than 20 feet and an increase in the total wall sign square footage for the Subject Property is consistent with the *Bensenville Village Code*.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That the Subject Property is currently zoned under the Zoning Ordinance as I-2 Industrial District, which zoning classification shall remain in effect subject to the sign variance granted herein.

SECTION THREE: That the Staff Report and Recommendation to approve the sign variances sought to allow a second wall mounted sign at a height of approximately 24' – 5' feet, rather than at 20 feet and an increase in the total wall sign square footage as allowed by the *Bensenville Zoning Ordinance* as sought in this application is attached to the recommendations of the Community Development Commission in Exhibit "C" and was adopted by the Community Development Commission as its finding of facts, and said findings are adopted by the President and Board of Trustees, the Board of Trustees finding that said variance is proper and necessary.

SECTION FOUR: That, the variance sought by the Owner and Applicant to vary the sign requirements to allow placement of its second wall mounted sign at approximately 24 feet, 5 inches and to allow an increase in the total square footage of wall sign to 155 square feet, are hereby granted, subject to placement of the sign in conformance with the depiction as referenced herein.

SECTION FIVE: That all requirements of the Zoning Ordinance shall be applicable except as varied by the variance granted herein.

SECTION SIX: The terms and conditions set forth in this Ordinance are deemed to be a fundamental element of the relief granted herein, and are intended by the Village and the Applicant to run with the Subject Property and be binding upon any and all successors in interest to the Applicant.

SECTION SEVEN: That all other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

SECTION EIGHT: 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 Bensenville, this 23rd day of February 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

140 – 142 Thorndale Avenue

The legal description is as follows:

PARCEL 1:

THAT PART OF LOT 3 IN THE FIRST ADDITION TO KLEFSTAD'S BENSENVILLE INDUSTRIAL PARK (A SUBDIVISION IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 26, 1977, AS DOCUMENT R77-97746) DESCRIBED BY BEGINNING AT THE NORTHWEST CORNER OF SAID LOT AND RUNNING THENCE SOUTHERLY ON THE WEST LINE SOUTHEASTERLY FROM THE PLACE OF BEGINNING; THENCE NORTHWESTERLY ON SAID NORTHEASTERLY LINE, 198.18 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOT 3 IN THE FIRST ADDITION TO KLEFSTAD'S BENSENVILLE INDUSTRIAL PARK (A SUBDIVISION IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED OCTOBER 26, 1977, AS DOCUMENT R77-97746) DESCRIBED BY COMMENCING AT THE NORTHWEST CORNER OF SAID LOT AND RUNNING THENCE SOUTHERLY ON THE WEST LINE OF SAID LOT 200.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING SOUTHERLY ON SAID WEST LINE, 292.84 FEET; THENCE EASTERLY AT RIGHT ANGLES TO SAID WEST LINE, 170.0 FEET; THENCE NORTHERLY PARALLEL WITH SAID WEST LINE, 292.84 FEET; THENCE NORTHEASTERLY 83.52 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 3 WHICH IS 248.85 FEET SOUTHEASTERLY FROM THE NORTHWEST CORNER OF SAID LOT; THENCE NORTHWESTERLY ON SAID NORTHEASTERLY LINE, 50.67 FEET TO A POINT WHICH IS 198.18 FEET SOUTHEASTERLY FROM SAID NORTHWEST CORNER; THENCE SOUTHWESTERLY 102.19 FEET TO A POINT WHICH 140.0 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION FOR APPROVAL OF CONDITIONAL USE,
REZONING OR VARIANCE

RECEIVED

JAN 12 1990

COMMUNITY DEVELOPMENT

Village of Bensenville Acct. # 2010-04

Development Name: Peterbilt Chicago - O'Hare Date of Submission: 01-07-10

A. OWNER:

J.C. Restoration, Inc.
Name Corporation (if applicable)
3200 Squibb Ave.
Street
Rolling Meadows IL 60008
City State Zip Code
Jose Cruz 800-956-8844
Contact Person Telephone Number

If Owner is a Land Trust, the names and addresses of the beneficiaries of the Trust.

B. APPLICANT:

Peterbilt Chicago - O'Hare
Name Corporation (if applicable)
2835 Grandview Blvd. Suite 500
Street
Pewaukee WI 53072
City State Zip Code
Kurt Jorgensen 847-395-1222
Contact Person Telephone Number
Leasee / Tenant
Relationship of Applicant to subject property

C. ACTION REQUESTED (Check applicable):

Rezoning from _____ to _____

Conditional Use for _____

☒ Variance for wall sign

from 1 to 2
- height of the sign would exceed 20 foot
- 12' 9" 1/2 foot is allowed & the sign would be 15' 5 1/2 foot

Any additional requests which are being processed with the rezoning, special use or variance (if requesting a preliminary/final planned unit development or subdivision plat use other form):

Is this development within the Village limits?

_____ Yes _____ No, requesting annexation

_____ Under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.

D. DEVELOPER'S STAFF:

Attorney: _____ Telephone Number: _____

Builder: _____ Telephone Number: _____

Developer: _____ Telephone Number: _____

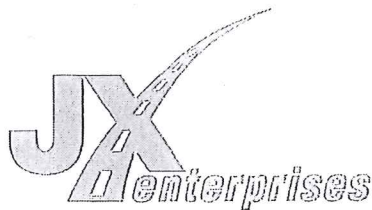
Engineer: _____ Telephone Number: _____

E. PROJECT DATA:

1. Location: 140-142 Thorndale Ave.
2. Property Index Number(s) (PIN): Parcel # 03-11-202-046
3. General description of the site: 13,128 sq. ft. building on 1.77 acres of land (ie 77,100 SF)
4. Existing zoning and land use of the site: Industrial Zoning I-2
property was used for a fire & water damage restoration business
5. Acreage of the site: 1.77 acres
6. Character of surrounding area:

	Zoning	Existing Land Use	Jurisdiction
North:			
East:			
South:			
West:			

7. List any controlling agreements (annexation agreements, Village Ordinances, site plans): N/A
8. Response Letter. On a separate sheet of paper state why your request should be approved based on the applicable "Approval Criteria" as set forth in the attached Section 10-3-5 (Approval Criteria for zoning Map Amendment), Section 10-3-3-B (Approval Criteria for Variances) or Section 10-3-4-C (Approval Criteria for Conditional Uses).



January 8, 2010

Village of Bensenville
12 South Center
Bensenville, IL 60106

RE: 10-3-3.B Approval Criteria for Variance for 140-142 Thorndale Ave.

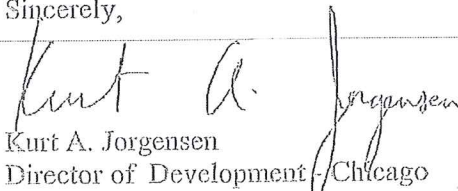
To Whom It May Concern:

Peterbilt Chicago – O'Hare is requesting approval for a Variance for a second wall sign to be placed on the front of the building, the height of the sign would exceed 20' and would be 155 sq foot when 129 sq foot is allowed due to the following reasons:

- o We have recently been accepted as a franchised dealer for PacLease which will allow us to rent & lease Peterbilt trucks to customers.
- o A requirement of the PacLease franchise is either a wall or pole sign with no exceptions.
- o The sign would inform customers and prospects of this additional service that we can provide therefore generating more business and tax revenue.
- o The property is along a heavily traveled arterial, and the proposed route of the Elgin – O'Hare Expressway. The architectural design of the building, with the masonry lower portion and the metal upper portion is unique.
- o The site and building design along with the building's location create a hardship.
- o The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.
- o The variance as requested is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties.
- o The grant of a variance is necessary not because it will increase our economic return, although it may have this effect, but because without a variance the we will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

In closing, we are really excited about this opportunity presented to us. We hope that with the assistance of the Village of Bensenville this will be approved; assisting in revenue generation and providing tax benefits to the Village.

Sincerely,


Kurt A. Jorgensen
Director of Development - Chicago

Village of Bensenville
Board Room
12 South Center Street
DuPage and Cook Counties
Bensenville, IL, 60106

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

February 8, 2010

CALL TO ORDER: The meeting was called to order at 7:30 PM

ROLL CALL : Upon roll call, the following Commissioners were present:
Markowski, Gibbs, Janowiak, Ramirez, Moruzzi, Ventura, Weldon
Absent: None
A quorum was present.

Public Hearing: CDC Case Number 2010-04
Petitioner: Peterbilt Illinois-Chicago, Inc.
Location: 140-142 Thorndale Avenue
Request: Sign Variance, Number of Wall Signs and Sign Area

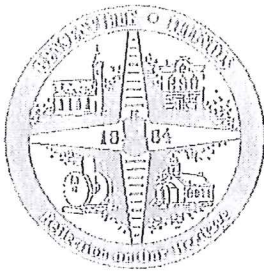
Kurt Jorgensen, Director of Business Development for Peterbilt, was present and sworn in by Chairman Markowski. Peterbilt is seeking approval for an additional wall sign. The sign will be placed below the Peterbilt sign at seven feet, one inch. The sign is required by franchise as part of their agreement. Staff recommends approval. There was no public comment.

Motion: Commissioner Ventura made a motion to approve a sign variance, number of wall signs, and sign area. Commissioner Weldon seconded the motion.

Roll Call: Ayes: Markowski, Ramirez, Janowiak, Moruzzi, Ventura, Weldon, Gibbs

Nays: None

Motion carried.



COMMUNITY DEVELOPMENT COMMISSION

STAFF REPORT

HEARING DATE: February 8, 2010
CASE #: 2010-04
PROPERTY: 140 - 142 Thorndale Avenue
PROPERTY OWNER: J.C. Restoration, Inc.
ACREAGE: 1.77 acres
PIN NUMBERS: 03-11-202-046
APPLICANT: Peterbilt Illinois-Chicago, Inc.
REQUEST: Variance to allow a second wall sign at a height greater than 20'

SURROUNDING LAND USE:

	Zoning	Land Use	Jurisdiction
Site	I-2	Motor Vehicle Repair Shop	Village of Bensenville
North	C-4	Industrial	Village of Bensenville
South	C-4	Warehouse	Village of Bensenville
East	C-4	Vacant - IDOT property	Village of Bensenville
West	I-2	Offices & Warehouses	Village of Bensenville

SUMMARY:

This property consists of 1.77 acres or 77,100 sq. ft. The petitioner recently received approval for outdoor storage, minor motor vehicle repair and a sign variance to allow a wall sign to be mounted above the 20' maximum height. The applicant has also been awarded a Paclease franchise to lease Peterbilt trucks. A condition of the franchise is to identify the location with a corporate sign. The second wall sign would require a variance as only one wall sign is allowed under the Code.

Upon approval and further investigation of the mounting possibilities for their wall sign, they determined that due to the different materials comprising the front elevation wall, they would seek the sign variance to place the sign above the brick portion of the façade.

APPROVAL CRITERIA FOR VARIANCES:

Special Circumstances —

The subject property is along a heavily traveled arterial, and the proposed route of the Elgin — O'Hare Expressway. The architectural design of the building, with the masonry lower portion and the metal upper portion is unique.

Hardship or Practical Difficulties —

The site and building design along with the building's location create a hardship.

Circumstances Related to the Property —

The special circumstances and hardship of the subject property relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions.

Not Resulting from the Applicant's Action —

The special circumstances and practical difficulties or hardships that are the basis for the variance have not resulted from any act, of the applicant. The applicant is seeking to lease the existing facility to locate their business in Bensenville. The exterior of the building and physical nature of the property have not been significantly altered as it relates to this variance request.

Preserves the Rights Conferred by the District —

The variance as requested is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties.

Necessary for the Use of the Property —

The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

Will not Alter the Local Character —

The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

Consistent With Title And Plan —

The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof.

Minimum Variance Needed —

The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property.

RECOMMENDATIONS:

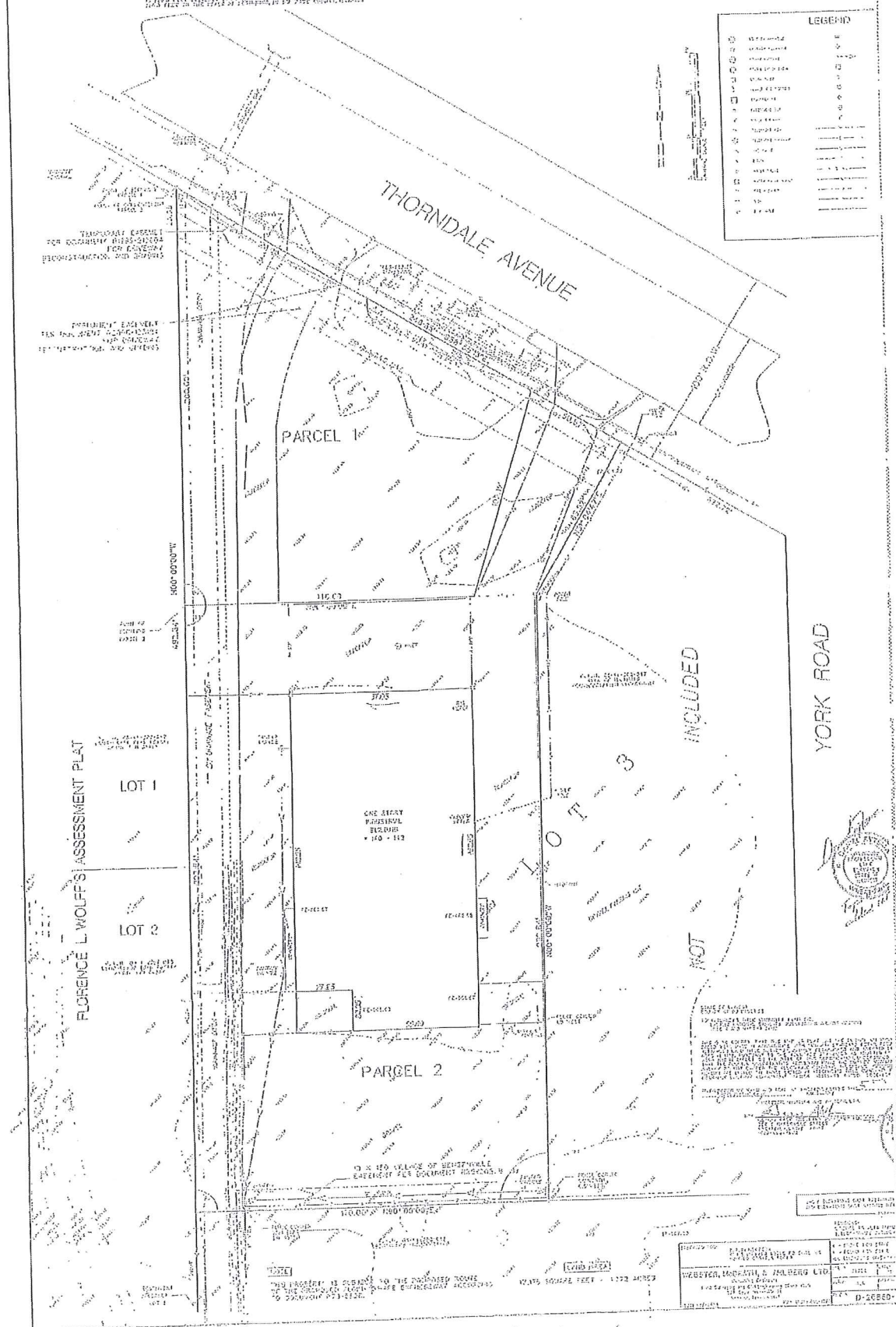
Staff recommends the approval of the requested variances and the above Findings of Fact to allow a second wall sign, mounting higher than 20' and an increase in total wall sign square footage at 140 - 142 Thorndale Avenue, subject to the following conditions:

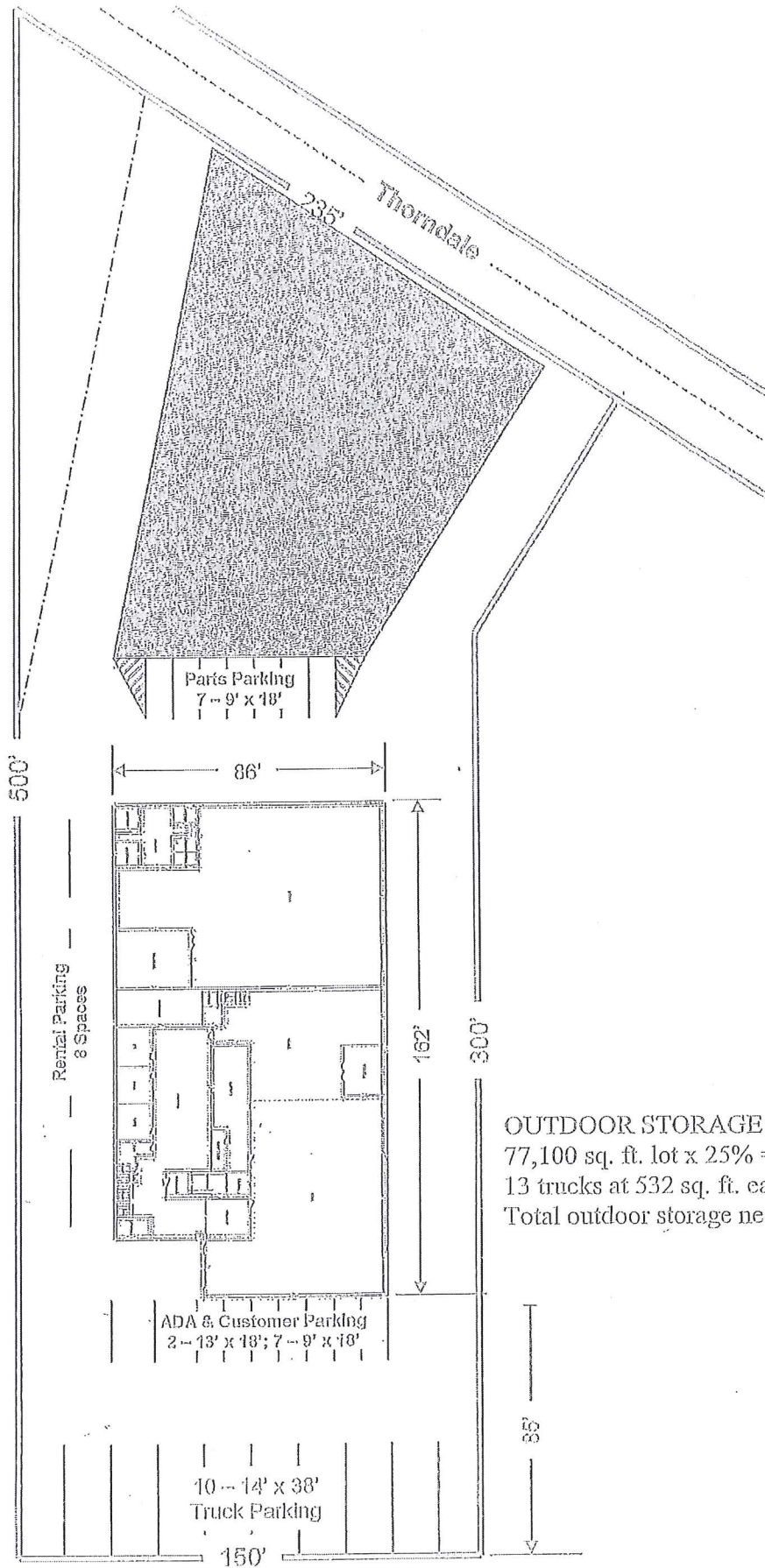
1. That the property be developed in substantial compliance with the sign plans submitted with the application.

Respectfully Submitted

Department of Community & Economic Development

1. The purpose of this report is to provide a summary of the results of the study conducted by the research team. The study was designed to investigate the effects of the proposed intervention on the target population. The results indicate that the intervention had a significant positive impact on the outcome variable.





OUTDOOR STORAGE:

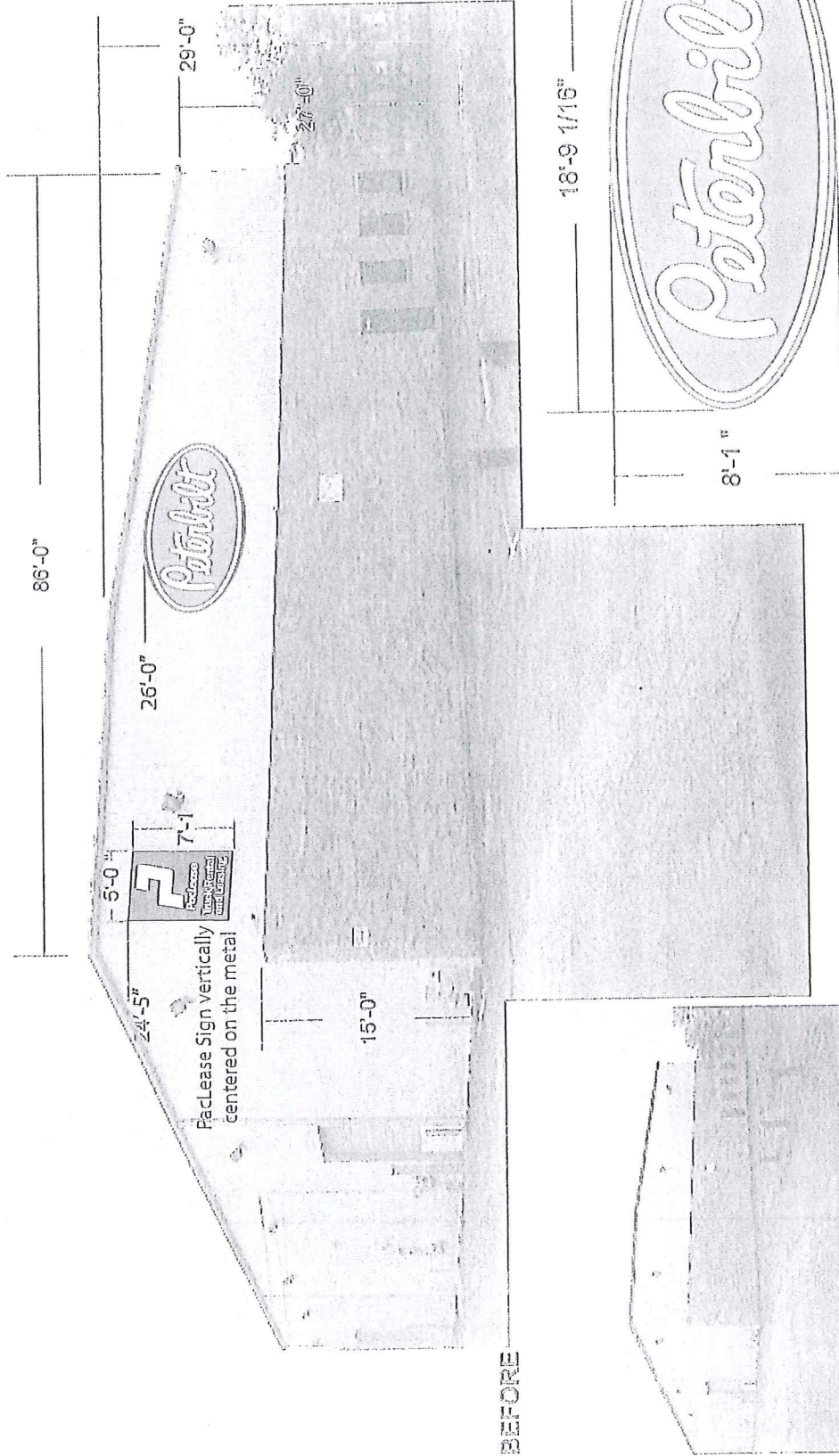
77,100 sq. ft. lot x 25% = 19,275 sq. allowed

13 trucks at 532 sq. ft. each = 6,916 sq. ft.

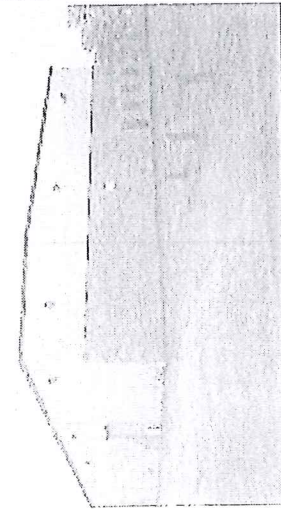
Total outdoor storage needed = 6,916 sq. ft. or 9%

Scale: 1" = 50'

AFTER



BEFORE



Customer:	PACLEASE	Date:	01/04/10	Prepared By:	JJA	<small>Notes: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS number and a swatch to the printer to be used.</small>	
Location:	B' GENNILE, IL	File Name:	68422 - 8X18 SF - 7X5 SF	ENG:	X	 Sign Makers / Image Builders PHL 1-800-543-9533	
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