



VILLAGE OF BENSENVILLE

Village Board
President
Frank Soto

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

Village Manager
Michael Cassady

Village of Bensenville, Illinois BOARD OF TRUSTEES MEETING AGENDA

6:30 P.M. Tuesday, May 11, 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

April 27, 2010 – Board of Trustees

- VI. WARRANT – May 11, 2010 #10/27 - \$ 677,513.37

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

1. *Resolution Authorizing a one-year Contract Extension to Koz Trucking for the Purchase and Delivery of Sand and Stone*
2. *Resolution Authorizing a one-year Contract Extension with Neat Cleaning Janitorial Services*
3. *Resolution Authorizing a one-year Contract Extension for HVAC Services from Precision Mechanical Services*
4. *Resolution Authorizing the Village Manager to Issue a Purchase Order for Mosquito Abatement Services from Clarke Environmental*
5. *Resolution Authorizing a two-year Contract for Lawn Maintenance Services*
6. *Resolution Authorizing a one-year Contract Extension for Traffic Signal Maintenance Services from Meade Electric*

VIII. REPORTS OF STANDING COMMITTEES

- A. Community and Economic Development Committee

1. *Ordinance Granting Approval of a Variance to Reduce the Required Yard for an Existing Building for the Property Commonly Identified as 1102 N. Ellis, Bensenville, Illinois (Earth Inc.)*
2. *Ordinance Approving a Conditional Use Permit to Allow Outdoor Storage for Storage of Trucks and Trailers at 1102 N. Ellis Street, Bensenville, Illinois (Earth Inc.)*

B. Infrastructure and Environment Committee – No Report

C. Administration, Finance and Legislation Committee

1. *Resolution Authorizing the Contract with Chad Norris Video Production Specialist*

D. Public Safety Committee - No Report

IX. INFORMATION ITEMS

A. PRESIDENT'S REMARKS

The Appointment of Ronald Rowe to the Community Development Commission Board

B. VILLAGE MANAGER'S REPORT

AFSME Contract Amendment

Introduction of New Village Police Officer Steven Kotlewski

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

DRAFT

MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING

April 27, 2010

CALL TO ORDER: 1. President Soto called the meeting to order at 6:33 p.m.

ROLL CALL: 2. Upon roll call by Village Clerk, JoEllen Ridder, the following Board Members were present:

Johnson, O'Connell, Peconio, Wesseler

Absent: Adamowski, Bartlett

A quorum was present.

**PUBLIC
COMMENT:**

Paul Arcurl – 130 George Street

Mr. Arcurl appreciates everything that the Village Board has done in the past year. He has seen many positive changes in town that have made Bensenville a better place.

Geri Kope – 111 David Drive

Ms. Kope thanked the Village Board, Director of Public Works, Paul Quinn, Commissioner Mike Moruzzi, and Trustee Peconio for their hard work over the past year to resolve the flooding issues on David Drive.

**APPROVAL OF
MINUTES:**

3. The amended April 13, 2010 Village Board Meeting and April 20, 2010 Special Village Board Meeting minutes were presented.

Motion: Trustee Peconio made a motion to approve the minutes as presented. Trustee Johnson seconded the motion.

All were in favor.

Motion carried.

**WARRANT NO.
10/26:**

4. President Soto presented Warrant No. 10/26 in the amount of \$1,423,944.47.

Motion:

Trustee Peconio made a motion to approve the warrant as presented. Trustee Johnson seconded the motion.

ROLL CALL:

AYES: Johnson, O'Connell, Peconio, Wessler

NAYS: None

Motion carried.

Motion:

5. Trustee Peconio made a motion to set the Consent Agenda as presented. Trustee O'Connell seconded the motion.

All were in favor.

Motion carried.

**Resolution No.
R-18-2010:**

Resolution Authorizing a 8-month Contract Extension for Biosolids Processing from Synagro. (Consent Agenda)

**Resolution No.
R-19-2010:**

Resolution Authorizing a 8-month with United Water for Wastewater Collection, Storm Water Pumping, and Wastewater Treatment Services. (Consent Agenda)

**Resolution No.
R-20-2010:**

Resolution Authorizing a 8-month Contract Extension with First Transit for Dial-A-Bus Transportation Services. (Consent Agenda)

**Resolution No.
R-21-2010:**

Resolution for Engineering Proposal for 2010 Water Main Replacement and Street Resurfacing Improvements with Baxter & Woodman Consulting Engineers. (Consent Agenda)

**Resolution No.
R-22-2010:**

Resolution for Engineering Proposal for David Drive Storm Sewer Replacement with Baxter & Woodman Consulting Services. (Consent Agenda)

**Resolution No.
R-23-2010:**

Resolution Requesting the Extension of a Contract with the Chiefs Hockey Organization. (Consent Agenda)

**Ordinance No.
42-2010:**

Ordinance Approving an Amendment to Village Code, Title Six; Health and Sanitation. (Consent Agenda)

**Ordinance No.
43-2010:**

Ordinance Authorizing the Sale or Disposal of Personal Property Deemed No Longer Necessary or Useful to the Village of Bensenville. (Consent Agenda)

**Resolution No.
R-24-2010:**

Resolution Approving an Amendment to the Agreement with Tyler Technologies, Inc. for Provision of Software and Maintenance. (Consent Agenda)

**Ordinance No.
44-2010:**

Ordinance Amending Certain Sections of Title 5, Chapter 4 of the Bensenville Village Code Relating to Village Vehicle Tax. (Consent Agenda)

Motion:

Trustee Johnson made a motion to approve the consent agenda as presented. Trustee Peconio seconded the motion.

ROLL CALL:

AYES: Johnson, O'Connell, Peconio, Wessler

NAYS: None

Motion carried.

**Ordinance No.
45-2010:**

6. Village President, Frank Soto, gave the summarization of the action contemplated in **Ordinance No. 45-2010** entitled **An Ordinance Amending the Provisions and Fees for Use of Water for Construction Purposes as contained in Title 8 and 9 of the Village Code.**

Motion:

Trustee Johnson made a motion to adopt the ordinance as presented. Trustee O'Connell seconded the motion.

ROLL CALL: AYES: Johnson, O'Connell, Peconio, Wesseler

NAYS: None

Motion carried.

**Ordinance No.
46-2010:**

6. Village President, Frank Soto, gave the summarization of the action contemplated in **Ordinance No. 46-2010** entitled **An Ordinance Granting Approval of an Amendment to the Master Sign Plan Adopted by Ordinance No. 603-2008 and a Variance to the Sign Ordinance for Property Commonly Identified as 207-227 and 229 Grand Avenue.**

Motion: Trustee Peconio made a motion to adopt the ordinance as presented. Trustee O'Connell seconded the motion.

ROLL CALL: AYES: O'Connell, Peconio, Wesseler, President Soto

NAYS: Johnson

Motion carried.

Motion: Trustee Johnson made a motion to approve proposed adjustment to Village Hall service desk Saturday hours. Trustee Peconio seconded the motion.

ROLL CALL: AYES: Johnson, O'Connell, Peconio, Wesseler

NAYS: None

Motion carried.

**PRESIDENTS
REPORT:**

President Soto presented a plaque recognizing Donna Filippelli for her contributions while working for the Village of Bensenville from 1999 to 2010.

Village Clerk, JoEllen Ridder, read a proclamation into the record for Arbor Day in the Village of Bensenville.

The Music in the Park schedule has been released and is available on the Village web site. Any interested food vendors should contact The Director of Special Events, Gary Thorsen.

The Village has installed a new policy regarding block parties in town. The Village Board is encouraging residents to hold block parties this summer and get to know their neighbors. Block Party fees will be waived to residents that have joined The Neighborhood Watch Program.

President Soto thanked the Police Department for their hard work over the year. Crime rate in Bensenville has dropped 19%.

President Soto thanked Village Manager, Michael Cassady, Deputy Village Manager, Denies Pieroni, and Village Staff for their work in improving the Village bond rate to an A-3.

President Soto encourages all residents to attend the Memorial Day Parade being held in Wood Dale on May 31, 2010.

**MANAGERS
REPORT:**

Village Manager, Michael Cassady reported that the Village of Bensenville has a 79% response rate for the 2010 Census.

**CORRESPONDENCES
& ANNOUNCEMENTS:**

Trustee Wessler encourages all residents to attend the opening of Pines Park on Saturday May 1, 2010 at 1:00 p.m.

ADJOURNMENT:

Trustee Johnson made a motion to adjourn the meeting. Trustee Peconio seconded the motion.

All were in favor.

Motion carried.

President Soto adjourned the meeting at 7:15 p.m.

JoEllen Ridder
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this ____ day, May 2010

TYPE: Resolution **SUBMITTED BY:** Paul Quinn **DATE:** 3/25/10

DESCRIPTION: Resolution to approve a one-year contract extension for the purchase of Sand and Stone

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Stable Government</i>	<input type="checkbox"/>	<i>Safe Place to Live</i>
<input checked="" type="checkbox"/>	<i>Cost Effective Services Responsive to Citizens</i>	<input type="checkbox"/>	<i>Downtown as a Community Focal Point</i>
<input type="checkbox"/>	<i>Open Government w/ Involved Citizens</i>	<input type="checkbox"/>	<i>Regional Partnerships</i>

COMMITTEE ACTION: Approved 4-0 Vote

DATE: April 20, 2010

BACKGROUND

The Village purchases sand and stone for the completion of road and right-of-way repairs. Repairs to our roadways result from water main breaks, storm sewer repairs, sanitary repairs, and road patching.

KEY ISSUES:

Koz Trucking Inc. of Medinah, Illinois received the 2007 contract award to supply the Village with sand and stone products. The original contract period of two-years included two one-year contract extensions adjusted annually by a Consumer Price Index (CPI) escalator clause. This year's CPI for the Chicago area is 2.2%; however, Koz Trucking Inc. agreed to provide sand and stone at the same rate as 2009. As such, the contract price for the purchase of sand and stone products from 5/1/10 thru 4/30/11 is, \$14.85 per ton for CA6 stone and \$14.95 per ton of torpedo sand.

RECOMMENDATION:

Staff recommends the approval of a resolution for a one-year contract extension with Koz Trucking Inc. of Medinah, Illinois to provide sand and stone products to the Village for the not to exceed amount of \$22,000.

BUDGET IMPACT: The purchase of sand and stone is accounted for in the 2010 fiscal year budget.

ACTION REQUIRED: Motion to approve a Resolution authorizing the Village Manager to execute a purchase order and other associated documents to Koz Trucking Inc. for the purchase of sand and stone.

Resolution No.
Authorizing the Execution of a Purchase Order and One-Year Contract Extension
for Sand & Stone to Koz Trucking, Inc.

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

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Koz Trucking INC. of Medinah, Illinois for the purchase of sand and stone for an amount not to exceed \$22,000.

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

APPROVED:

Frank Soto
Village President

ATTEST:

JoEllen Ridder
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** Paul Quinn **DATE:** 3/24/10

DESCRIPTION: Resolution to approve a one-year contract extension for Janitorial Services.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Stable Government</i>	<input type="checkbox"/>	<i>Safe Place to Live</i>
<input checked="" type="checkbox"/>	<i>Cost Effective Services Responsive to Citizens</i>	<input type="checkbox"/>	<i>Downtown as a Community Focal Point</i>
<input type="checkbox"/>	<i>Open Government w/ Involved Citizens</i>	<input type="checkbox"/>	<i>Regional Partnerships</i>

COMMITTEE ACTION: Approved 4-0 Vote

DATE: April 20, 2010

BACKGROUND

The Janitorial Service contract provides cleaning and maintenance for the Village's Police Department.

KEY ISSUES:

Neat Cleaning of West Chicago, Illinois received the Janitorial Contract award in 2007. The original contract period of two-years included two one-year contract extensions adjusted annually by a Consumer Price Index (CPI) escalator clause. This year's CPI for the Chicago area is 2.2%; however, Neat Cleaning agreed to keep their service rate the same as 2009. As such, the contract amount for Janitorial Services from 5/1/10 thru 4/30/11 is \$11,359.67 thus saving the Village \$249.91.

RECOMMENDATION:

Staff recommends the approval of a resolution for a one-year contract extension with Neat Cleaning of West Chicago, Illinois to provide Janitorial Services for the Village's Police Department.

BUDGET IMPACT: Janitorial Service expense is accounted for in the 2010 fiscal year budget.

ACTION REQUIRED: Motion to approve a Resolution authorizing the Village Manager to execute a purchase order and associated paper work to Neat Cleaning of West Chicago, Illinois for the not to exceed amount of \$11,359.67.

Resolution No.
Authorizing the Execution of a Purchase Order and One-Year Contract Extension
for Janitorial Services from Neat Cleaning

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

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Neat Cleaning of West Chicago, Illinois for Janitorial Services for an amount not to exceed \$11,359.67.

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

APPROVED:

Frank Soto
Village President

ATTEST:

JoEllen Ridder
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** P. Quinn **DATE:** 4/7/10

DESCRIPTION: Resolution to approve a one-year contract extension for HVAC maintenance.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Stable Government</i>	<input type="checkbox"/>	<i>Safe Place to Live</i>
<input checked="" type="checkbox"/>	<i>Cost Effective Services Responsive to Citizens</i>	<input type="checkbox"/>	<i>Downtown as a Community Focal Point</i>
<input type="checkbox"/>	<i>Open Government w/ Involved Citizens</i>	<input type="checkbox"/>	<i>Regional Partnerships</i>

COMMITTEE ACTION: Approved 4-0 Vote

DATE: April 13, 2010

BACKGROUND

The Village contracts Heating Ventilation, and Air Conditioning (HVAC) service for Village owned facilities. The facilities include the Wastewater Treatment Plant, Public Works Building, Edge I, Edge II, Public Safety Building, Sundae's Too Ice Cream Shop, Theater, and Village Hall. The service includes filter replacements, belt replacements, spring and fall system tune up and preventative maintenance.

KEY ISSUES:

Precision Mechanical, Inc. of Franklin Park, Illinois received the 2007 contract award to provide the Village with HVAC services. The original contract period of two-years includes two one-year contract extensions adjusted annually by a Consumer Price Index (CPI) escalator clause. This year's CPI for the Chicago area is 2.2%. As such, the contract rate for the period of 5/1/10 through 4/30/11 is \$37,035.38. Additionally, Precision Mechanical, Inc. has agreed to include a contract termination clause provided they receive 90-days written notice. The 90-day clause is essential to us in the event we decide to hire staff to perform these services in the future.

RECOMMENDATION:

Staff recommends the approval of a resolution for a one-year contract extension with Precision Mechanical, Inc. of Franklin Park, Illinois to provide HVAC services.

BUDGET IMPACT:

HVAC service expense is accounted for in the 2010 fiscal year budget.

ACTION REQUIRED:

Motion to approve a resolution authorizing the Village Manager to execute a purchase order and other associated documents with Precision Mechanical, Inc.

Resolution No.
Authorizing the Execution of a Purchase Order and One-Year Contract Extension
for HVAC Maintenance Services from Precision Mechanical, Inc.

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

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Precision Mechanical, Inc. of Franklin Park, Illinois for HVAC maintenance services for \$37,035.38.

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

APPROVED:

Frank Soto
Village President

ATTEST:

JoEllen Ridder
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution SUBMITTED BY: P. Quinn DATE: 3/25/10

DESCRIPTION: Resolution to approve a one-year contract extension for Mosquito Abatement Services.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Stable Government</i>	<input checked="" type="checkbox"/>	<i>Safe Place to Live</i>
<input checked="" type="checkbox"/>	<i>Cost Effective Services Responsive to Citizens</i>	<input type="checkbox"/>	<i>Downtown as a Community Focal Point</i>
<input type="checkbox"/>	<i>Open Government w/ Involved Citizens</i>	<input type="checkbox"/>	<i>Regional Partnerships</i>

COMMITTEE ACTION: **Approved 4-0 Vote**

DATE: **April 13, 2010**

BACKGROUND

The Village manages the mosquito population through professional services. Mosquito Abatement service includes Surveillance, Monitoring, Larval Control, and Adult Mosquito Management.

KEY ISSUES:

Clarke Environmental has performed mosquito abatement services for the Village for the past nineteen years and larvacide treatments for catch basins are applied by Village staff. The northern house mosquito (*Culex pipiens*) is responsible for the spread of West Nile Virus and catch basin larvacide treatments have shown to be successful in reducing the number of human cases. Street catch basins and stagnant water areas are significant larval development sites for this species. The application of larvacide by staff works well, and saves the Village an estimated \$10,000 annually over that of contract service. The application of larvacide treatments requires special licensing. Clarke Environmental trains Village staff under the provisions of the agreement, thus allowing staff to administer larvacide treatments annually. Additionally, Clarke Environmental has met our expectations every year.

The original three-year contract includes a 3% increase each year. Through discussion, Clarke Environmental has agreed to provide mosquito abatement services for the same rate as 2009. Additionally, the O'Hare Modernization Project area has been eliminated resulting in further savings. As such, the contract amount for the period from 5/1/10 through 4/30/11 is \$29,196 thus saving the Village \$2,456 over last year.

RECOMMENDATION:

Staff recommends the approval of a resolution to execute a purchase order to Clarke Environmental of Roselle, Illinois for Mosquito Abatement Services.

BUDGET IMPACT:

Mosquito Abatement Service expense is accounted for in the fiscal year 2010 budget.

ACTION REQUIRED:

Motion to approve a Resolution authorizing the Village Manager to execute a purchase order to Clarke Environmental.

Resolution No.

**Authorizing the Execution of a Purchase Order for
Mosquito Abatement Services to Clarke Environmental**

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

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Clarke Mosquito Control for mosquito abatement services for a cost not to exceed \$29,196.

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

APPROVED:

Frank Soto
Village President

ATTEST:

JoEllen Ridder
Deputy Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** P. Quinn **DATE:** 4/7/10

DESCRIPTION: Resolution to approve a two-year contract for Village Lawn Care Maintenance.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Stable Government</i>	<input type="checkbox"/>	<i>Safe Place to Live</i>
<input checked="" type="checkbox"/>	<i>Cost Effective Services Responsive to Citizens</i>	<input type="checkbox"/>	<i>Downtown as a Community Focal Point</i>
<input type="checkbox"/>	<i>Open Government w/ Involved Citizens</i>	<input type="checkbox"/>	<i>Regional Partnerships</i>

COMMITTEE ACTION: Approved 4-0 Vote

DATE: April 13, 2010

BACKGROUND

The Village has contracted lawn-mowing service for various properties within the Village over the past nine years. It has been determined that it is cost-effective to contract-out certain large areas and right-of-ways for mowing thus allowing Village staff to focus on mulching, trimming, trash removal, brush collection, and maintenance of smaller areas of Village property. The properties maintained by the lawn maintenance contractor are high profile areas that need to look their best at all times. A map and chart of these properties are attached for review.

KEY ISSUES:

A recent bid advertisement for lawn care maintenance at designated Village properties produced the following proposals:

Company	2010	2011	Two-Year Total
BLS Landscape Services Inc.	\$19,978	\$19,978	\$39,956
Waldschmidt & Associates, Inc.	\$24,115	\$24,115	\$48,230
Milieu Design Inc.	\$29,904	\$31,878	\$61,782
Sebert Landscaping Co.	\$31,710	\$31,710	\$63,420

BLS Landscape Service Inc. of Bensenville, Illinois provided the lowest and best bid.

RECOMMENDATION:

Staff recommends the approval of a resolution for a two-year contract with BLS Landscape Services Inc. of Bensenville, Illinois to provide Lawn Care Maintenance for the Village.

BUDGET IMPACT:

Lawn Maintenance service expense is accounted for in the fiscal year 2010 budget.

ACTION REQUIRED: Motion to approve a Resolution authorizing the Village Manager to execute a purchase order and other associated documents to BLS Landscape Services Inc. of Bensenville, Illinois for an amount not to exceed \$39,956.

Location	Cutting Cycle	Acre Size
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A	Foster Water Tank	Bi-monthly	.33
B	North York ROW	Weekly	5.28
C	Main/Center	Weekly	.46
D	Main Street ROW	Weekly	3.90
E	Well House Church/Main	Weekly	.57
F	Hoffman Park	Weekly	3.21
G	Police Department	Weekly	1.74
H	Town Center	Weekly	1.68
I	302 Green Street	Weekly	.07
J	Lions Park	Weekly	1.33
K	Redmond Court Basin	Weekly	.53
L	Railroad ROW	Weekly	3.21
M	Forestview/York	Weekly	1.49
N	101 Spruce End/Alley	Bi-monthly	1.03
O	1300 Irving Pk./Spruce	Weekly	.21
P	Bensenville Ditch	Bi-monthly	9.18

Total: 34.22 Acres

Resolution No.

**Authorizing the Execution of a Purchase Order and Two-Year Contract to
BLS Landscape Service, Inc. for Lawn Care Maintenance**

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

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to BLS Landscape Service, Inc. of Bensenville, Illinois to provide Lawn Care Maintenance for a cost not to exceed \$39,956.

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

APPROVED:

Frank Soto
Village President

ATTEST:

JoEllen Ridder
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution SUBMITTED BY: Paul Quinn DATE: 3/25/10

DESCRIPTION: Resolution to approve a one year contract extension for Traffic Signal Maintenance.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Stable Government</i>	<input type="checkbox"/>	<i>Safe Place to Live</i>
<input checked="" type="checkbox"/>	<i>Cost Effective Services Responsive to Citizens</i>	<input type="checkbox"/>	<i>Downtown as a Community Focal Point</i>
<input type="checkbox"/>	<i>Open Government w/ Involved Citizens</i>	<input type="checkbox"/>	<i>Regional Partnerships</i>

COMMITTEE ACTION: **Approved 4-0 Vote**

DATE: **April 13, 2010**

BACKGROUND

The Traffic Signal Maintenance contract provides for repair services and preventative maintenance to Village owned traffic signals and emergency preemption devices. The Village owned traffic signals are located on York Road at the intersections of Roosevelt, Green, Memorial, Jefferson, and George Streets.

KEY ISSUES:

Meade Electric of McCook, Illinois received the 2007 contract award for traffic signal maintenance. The original contract period of two-years includes two one-year contract extensions adjusted annually by a Consumer Price Index (CPI) escalator clause. This year's CPI for the Chicago area is 2.2%; however, Meade Electric agreed to perform Traffic Signal Maintenance at the same rate established in 2009. As such, the contract amount for Traffic Signal Maintenance services from 5/1/10 thru 4/30/11 is \$13,655.52 thus saving the Village \$300.42.

RECOMMENDATION:

Staff recommends the approval of a resolution for a one-year contract extension with Meade Electric of McCook, Illinois to provide Traffic Signal Maintenance service in the Village.

BUDGET IMPACT: Traffic signal maintenance is accounted for in the 2010 fiscal year budget.

ACTION REQUIRED: Motion to approve a Resolution authorizing the Village Manager to execute a purchase order and other associated paper work to Meade Electric for the not to exceed amount of \$13,655.52.

Resolution No.
Authorizing the Execution of a Purchase Order and One-Year Contract Extension
for Traffic Signal Maintenance Services from Meade Electric

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

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Meade Electric of McCook, Illinois for traffic signal maintenance services for an amount not to exceed \$13,655.52.

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

APPROVED:

Frank Soto
Village President

ATTEST:

JoEllen Ridder
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Ordinance **SUBMITTED BY:** S. Viger **DATE:** 05.11.10

DESCRIPTION:

Ordinance granting a Conditional Use Permit to allow Outdoor Storage and a Variance for an existing non – compliant yard for Earth Inc. located at 1102 N. Ellis Street.

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 type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: Community & Economic Development **DATE:** 02.23.10

BACKGROUND:

Earth Inc. has operated at this location or many years. Staff had approached the company about the need for a Conditional Use Permit for their outdoor storage of trucks & trailers. As the staff report indicates in past years a concrete crushing operation caused the Village great concern. However that use has been removed.

KEY ISSUES:

Whether the application as presented meets the approval criteria found in the Zoning Ordinance for the Conditional Use Permit and Variance. The staff review indicated a number of property maintenance issues including the lack of a fire alarm in the building. The applicant received a permit to install a fire alarm on 04.26.10; no inspections have been requested to date. A "Letter of Intent" covering other property maintenance issues is forthcoming from the applicant. The applicant did ask at the CDC Public Hearing if "asphalt screenings" could be used for a portion of the yard in lieu of asphalt or concrete paving. Both the Director of Public Works and Village Engineer do not consider "asphalt screenings" to be an approved surface.

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 Conditional Use Permit and 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. At a Special Meeting held 02.23.10 the Community & Economic Development Committee voted 3 – 1 to approve the requests. The item was tabled at the March 23, 2010 Village Board meeting as the applicant was not present.

BUDGET IMPACT:

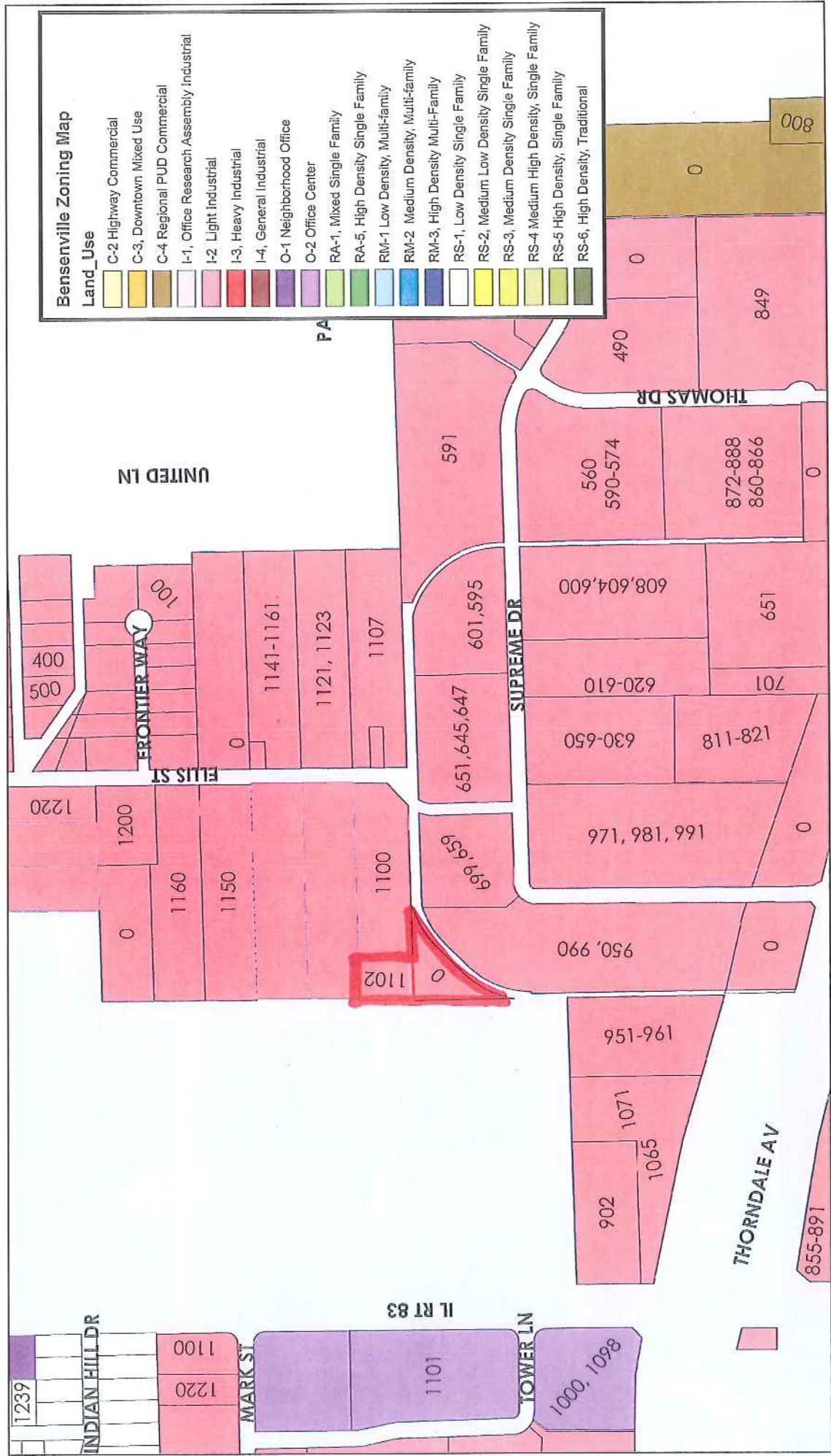
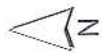
N/A

ACTION REQUIRED:

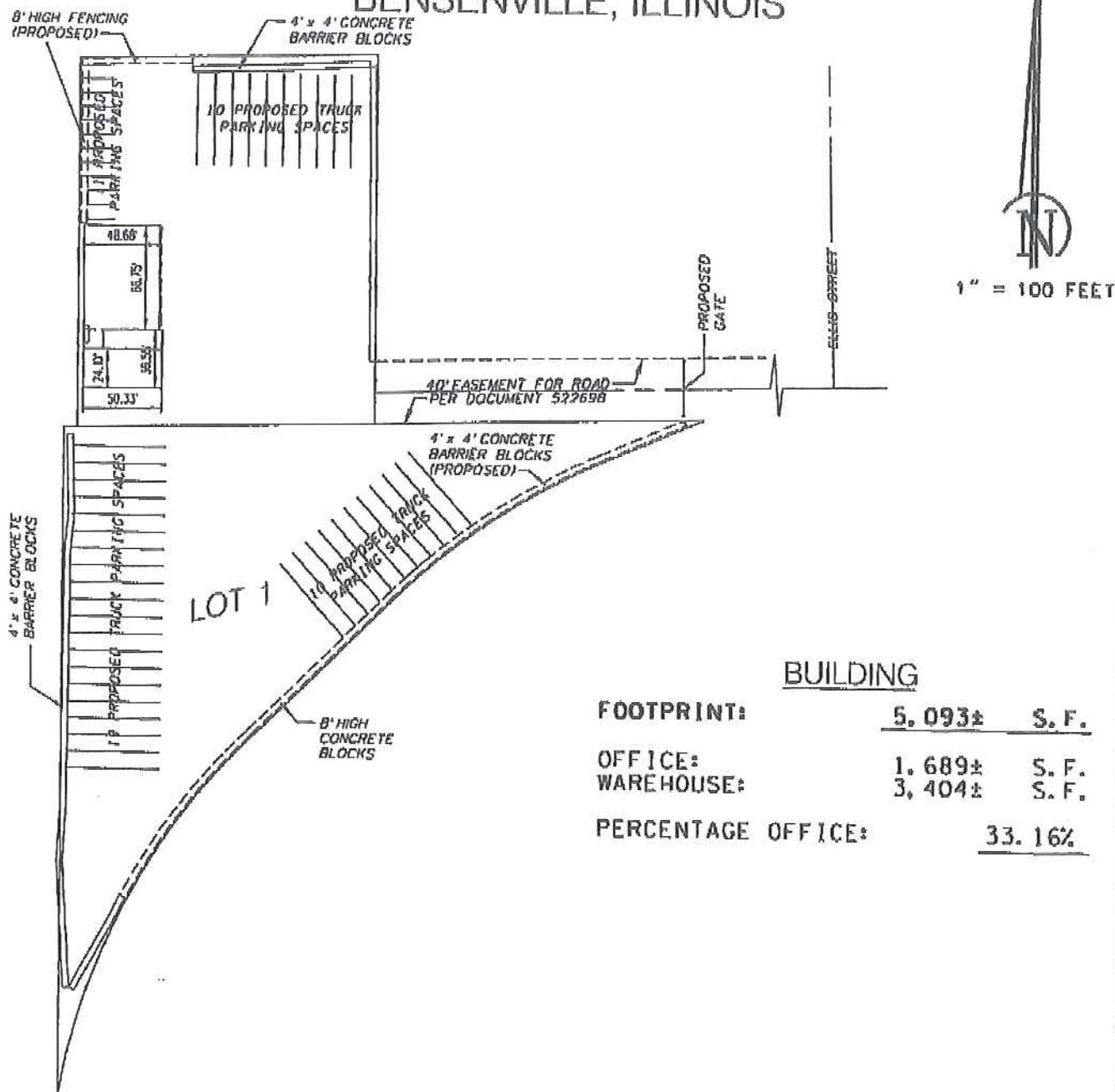
Approval of the attached Ordinance.

Village of Bensenville

1102 N. Ellis Zoning



1102 N. ELLIS STREET
BENSENVILLE, ILLINOIS



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

MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING

March 23, 2010

CALL TO ORDER: 1. President Soto called the meeting to order at 6:35 p.m.

ROLL CALL: 2. Upon roll call by Village Clerk, JoEllen Ridder, the following Board Members were present:

Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

Absent: None

A quorum was present.

APPROVAL OF MINUTES:

3. The February 23, 2010 Village Board Meeting minutes were presented.

Motion:

Trustee Johnson made a motion to approve the minutes as presented. Trustee Peconio seconded the motion.

All were in favor.

Motion carried.

WARRANT NO. 10/23:

4. President Soto presented Warrant No. 10/23 in the amount of \$1,543,841.47

Motion:

Trustee Peconio made a motion to approve the warrant as presented. Trustee O'Connell seconded the motion.

ROLL CALL:

AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

NAYS: None

Motion carried.

Motion: 5. Trustee Johnson made a motion to set the Consent Agenda as presented. Trustee Peconio seconded the motion.

**Ordinance No.
29-2010:**

Ordinance Granting Approval of a Variance to allow a Fence in the Side Yard of the Property Commonly Identified as 600 Thomas Drive, Bensenville, Illinois. (Consent Agenda)

**Ordinance No.
30-2010:**

Ordinance Approving a Conditional Use Permit to allow Outdoor Storage for Storage of Trailers and Trucks at 600 Thomas Drive, Bensenville, Illinois. (Consent Agenda)

**Resolution No.
R-7-2010:**

Resolution Authorizing the Execution of an Intergovernmental Agreement Between the County of DuPage and the Village of Bensenville for Implementation of the Illicit Discharge Detection and Elimination Program. (Consent Agenda)

**Resolution No.
R-8-2010:**

Resolution Authorizing the Adoption of an Identity Theft Detection Program. (Consent Agenda)

**Ordinance No.
31-2010:**

Ordinance Authorizing the Sale of Surplus Personal Property Owned by the Village of Bensenville. (Consent Agenda)

Motion: Trustee Adamowski made a motion to approve the consent agenda as presented. Trustee Peconio seconded the motion.

ROLL CALL: AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wessler

NAYS: None

Motion carried.

**Ordinance No.
_____ :**

6. Village President, Frank Soto, gave the summarization of the action contemplated in Ordinance No. _____ entitled **An Ordinance Granting Approval of a Variance to Reduce the Required Yard for an Existing Building for the Property Commonly Identified as 1102 N. Ellis, Bensenville, Illinois.**

Minutes of the Village Board Meeting
March 23, 2010 Page 3

Motion: Trustee Peconio made a motion to table the ordinance to a future Village Board Meeting. Trustee Johnson seconded the motion.

All were in favor.

Motion carried.

Ordinance No.
_____:

7. Village President, Frank Soto, gave the summarization of the action contemplated in **Ordinance No. _____** entitled **An Ordinance Approving a Conditional Use Permit to Allow Outdoor Storage for Storage of Trucks and Trailers at 1102 N. Ellis, Bensenville, Illinois.**

Motion: Trustee Peconio made a motion to table the ordinance to a future Village Board Meeting. Trustee Johnson seconded the motion.

All were in favor.

Motion carried.

Ordinance No.
32-2010:

8. Village President, Frank Soto, gave the summarization of the action contemplated in **Ordinance No. 32-2010** entitled **An Ordinance Granting the Rezoning of Property Located at 404 S. Briar Lane, Bensenville, Illinois from RS – 1 Low Density Single Family to RS – 5 High Density Single Family.**

Motion: Trustee Wesseler made a motion to adopt the ordinance as presented. Trustee Peconio seconded the motion.

ROLL CALL:

AYES: Bartlett, O'Connell, Peconio, Wesseler

NAYS: Adamowski, Johnson

Motion carried.

Ordinance No.
33-2010:

9. Village President, Frank Soto, gave the summarization of the action contemplated in **Ordinance No. 33-2010** entitled **An Ordinance Granting the Subdivision at 404 S. Briar Lane, Bensenville, Illinois.**

Motion: Trustee Peconio made a motion to adopt the ordinance as presented. Trustee Wessler seconded the motion.

ROLL CALL: AYES: Bartlett, O'Connell, Peconio, Wessler
NAYS: Adamowski, Johnson
Motion carried.

Ordinance No.
34-2010:

10. Village President, Frank Soto, gave the summarization of the action contemplated in **Ordinance No. 34-2010** entitled **An Ordinance Approving a Conditional Use Permit to allow Outdoor Storage for Storage of "Pods" at 1120-1140 N. Ellis, Bensenville, Illinois.**

Motion: Trustee Peconio made a motion to adopt the ordinance as presented. Trustee Bartlett seconded the motion.

ROLL CALL: AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wessler
NAYS: None
Motion carried.

Ordinance No.
35-2010:

11. Village President, Frank Soto, gave the summarization of the action contemplated in **Ordinance No. 34-2010** entitled **An Ordinance Granting Approval of a Variance to Waive the Requirement of Screening of the Outdoor Storage Approved for the Property Commonly Identified as 1120-1140 N. Ellis, Bensenville, Illinois.**

Motion: Trustee Peconio made a motion to adopt the ordinance as presented. Trustee O'Connell seconded the motion.

Minutes of the Village Board Meeting
March 23, 2010 Page 5

ROLL CALL: AYES: Bartlett, O'Connell, Peconio, Wesseler

NAYS: Adamowski, Johnson

Motion carried.

**Ordinance No.
36-2010:**

12. Village President, Frank Soto, gave the summarization of the action contemplated in **Ordinance No. 36-2010** entitled **An Ordinance Amending the Zoning Code of the Village of Bensenville to Include "Electric Fence" as a Conditional Use Permit in the I-2 Light Industrial District, I-3 Heavy Industrial District and I-4 General Industrial District.**

Motion: Trustee Peconio made a motion to adopt the ordinance as presented. Trustee O'Connell seconded the motion.

ROLL CALL: AYES: O'Connell, Peconio, Wesseler, President Soto

NAYS: Adamowski, Bartlett, Johnson

Motion carried.

**Resolution No.
R-9-2010:**

13. Village President, Frank Soto, gave the summarization of the action contemplated in **Resolution No. R-9-2010** entitled **Resolution Authorizing Execution of an Agreement and Purchase Order with American Mobile Stating – Music in the Park Series.**

Motion: Trustee Peconio made a motion to approve the resolution as presented. Trustee Wesseler seconded the motion.

ROLL CALL: AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

NAYS: None

Motion carried.

**Resolution No.
R-10-2010:**

14. Village President, Frank Soto, gave the summarization of the action contemplated in **Resolution No. R-10-2010** entitled **Resolution Authorizing Execution of a Purchase Order with Entertainment Management Group– Music in the Park Series.**

Motion: Trustee Peconio made a motion to approve the resolution as presented. Trustee Bartlett seconded the motion.

ROLL CALL: AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

NAYS: None

Motion carried.

**Resolution No.
R-11-2010:**

15. Village President, Frank Soto, gave the summarization of the action contemplated in **Resolution No. R-11-2010** entitled **Resolution Authorizing Execution of an Agreement and Purchase Order with American Mobile Stating – Liberty Fest 2010.**

Motion: Trustee Johnson made a motion to approve the resolution as presented. Trustee Wesseler seconded the motion.

ROLL CALL: AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

NAYS: None

Motion carried.

**Resolution No.
R-12-2010:**

16. Village President, Frank Soto, gave the summarization of the action contemplated in **Resolution No. R-12-2010** entitled **Resolution Authorizing Execution of a Purchase Order with Entertainment Management Group– Liberty Fest 2010.**

Motion: Trustee Peconio made a motion to approve the resolution as presented. Trustee Johnson seconded the motion.

ROLL CALL: AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

NAYS: None

Motion carried.

**Resolution No.
R-13-2010:**

17. Village President, Frank Soto, gave the summarization of the action contemplated in **Resolution No. R-13-2010** entitled **Resolution Authorizing Execution of an Agreement and Purchase Order with Mad Bomber – Liberty Fest 2010.**

Motion:

Trustee Johnson made a motion to approve the resolution as presented. Trustee O'Connell seconded the motion.

ROLL CALL:

AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

NAYS: None

Motion carried.

**PRESIDENTS
REPORT:**

President Soto announced that demolition will start to take place by the City of Chicago. There will be media coverage to view first demolition being held on March 24, 2010 at 439 E. Irving Park Road.

**Resolution No.
R-14-2010:**

Village President, Frank Soto, gave the summarization of the action contemplated in **Resolution No. R-14-2010** entitled **Resolution Opposing Governor Quinn's Budget Proposal to Reduce Local Government Shared Revenues.**

Motion:

Trustee Peconio made a motion to approve the resolution as presented. Trustee Johnson seconded the motion.

All were in favor.

Motion carried.

**Resolution No.
R-15-2010:**

Village President, Frank Soto, gave the summarization of the action contemplated in **Resolution No. R-15-2010** entitled **Resolution Supporting the Construction of the Elgin-O'Hare West By-Pass "Building Alternative 203; Option D."**

Minutes of the Village Board Meeting
March 23, 2010 Page 8

Motion: Trustee Johnson made a motion to approve the resolution as presented. Trustee O'Connell seconded the motion.

All were in favor.

Motion carried.

**MANAGERS
REPORT:**

In absence of Village Manager, Michael Cassady, Deputy Village Manager, Denise Pieroni, reminded all residents to complete and mail in their 2010 Census. Village Clerk, JoEllen Ridder also added that Scott Viger and Ed Muniz have worked very hard on educating our residents on the importance of the Census for Bensenville.

ANNOUNCEMENTS:

Trustee Wessler has encouraged all residents concerned with the health and safety of the animals in the acquisition area to contact The Assistant to the Director of Community and Economic Development, Mark Rysavy. Mr. Rysavy is overseeing all demolition taking place by the City of Chicago.

ADJOURNMENT:

Trustee Johnson made a motion to adjourn the meeting Trustee Bartlett seconded the motion.

All were in favor.

Motion carried.

President Soto adjourned the meeting at 7:50 p.m.

JoEllen Ridder
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 13th day, April 2010

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

MINUTES OF THE SPECIAL ECONOMIC & COMMUNITY DEVELOPMENT
COMMITTEE MEETING
February 23, 2010

CALL TO ORDER: Chairman Peconio called the meeting to order at 6:00 p.m.

PRESENT: Upon roll call by Deputy Village Clerk, Corey Williamsen, the following Board Members were present:

Chairman Peconio, Bartlett, Johnson, O'Connell

A quorum was present.

Staff Present: Trustee Adamowski, Village Clerk JoEllen Ridder, Kosman, Viger, Williamsen

**Approval of
Minutes:**

The February 16, 2010 Special Economic & Community Development minutes were presented.

Trustee Johnson made a motion to approve the minutes as presented. Trustee O'Connell seconded the motion.

All were in favor.

Motion carried.

**404 Briar
Lane:**

Director of Community Development, Scott Viger, presented results from the Community Development Commissioners meeting held on February 8, 2010 in regards to 404 Briar Lane. The Commissioners voted six to one to approve a rezoning from RS-1 to RS-5 and two lot preliminary and final plat of subdivision. Staff recommends approval.

Motion: Trustee O'Connell made a motion to approve this item for placement on a future Village Board Meeting Agenda for action.

The motion fails.

Trustee Johnson made a motion to deny a rezoning from RS-1 to RS-5 and two lot preliminary and final plat of subdivision.

The motion fails.

**ELECTRIC
FENCE:**

Director of Community Development, Scott Viger, presented results from the Community Development Commissioners meeting held on January 11, 2010 in regards to an electric fence. The Commissioners voted five to two to approve a text amendment to allow fences with an electric charge sufficient to cause shock ("electric fence") as a conditional use in the I-2, I-3, and I-4 industrial zoning districts. Staff recommends approval.

Motion: Trustee O'Connell made a motion to approve this item for placement on a future Village Board Meeting Agenda for action.

The motion fails.

**611 Eagle
Drive:**

Director of Community Development, Scott Viger, presented results from the Community Development Commissioners meeting held on January 11, 2010 in regards to an electric fence. The Commissioners voted five to two to approve a conditional use permit to allow an "electric fence" at 611 Eagle Drive. Staff recommends approval.

Motion: Trustee Johnson made a motion to table this item until a future meeting. Trustee Bartlett seconded the motion.

All were in favor.

Motion carried.

Minutes of the Special Economic & Community Development Committee Meeting
February 23, 2010 Page 3

600 N.

Thomas:

Director of Community Development, Scott Viger, presented results from the Community Development Commissioners meeting held on February 8, 2010 in regards to 600 N. Thomas Drive. The Commissioners voted seven to zero to approve a conditional use permit to allow outdoor storage and a variance to allow a fence in the actual corner side yard at 600 N. Thomas Drive. Staff recommends approval.

Motion:

Trustee Bartlett made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Johnson seconded the motion.

ROLL CALL:

AYES: Chairman Peconio, Bartlett, Johnson, O'Connell

NAYS: None

Motion carried.

1102 N.

Ellis:

Director of Community Development, Scott Viger, presented results from the Community Development Commissioners meeting held on February 8, 2010 in regards to an electric fence. The Commissioners voted seven to zero to approve a conditional use permit to allow outdoor storage and a variance to reduce the required yard for an existing building at 1102 N. Ellis Street. Staff recommends approval.

Motion:

Trustee O'Connell made a motion to approve this item for placement on a future Village Board Meeting Agenda for action. Trustee Bartlett seconded the motion.

ROLL CALL:

AYES: Chairman Peconio, Bartlett, O'Connell

NAYS: Johnson

Motion carried.

Minutes of the Special Economic & Community Development Committee Meeting
February 23, 2010 Page 4

ADJOURNMENT: Trustee Johnson made a motion to adjourn the meeting. Trustee Bartlett seconded the motion.

All were in favor.

Motion carried.

Chairman Peconio adjourned the meeting at 6:40 p.m.



Corey Williamsen
Deputy Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 23rd day March, 2010

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.

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission of January 11, 2010 were presented.

Motion: Commissioner Ramirez made a motion to approve the minutes as presented. Commissioner Weldon seconded the motion.

All were in favor.

Motion carried.

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.

Public Hearing:

CDC Case Number 121409-2

Petitioner:

Paul Dickey

Request:

Rezoning from RS-1 to RS-5 and Two Lot Preliminary & Final Plat of Subdivision

Paul Dickey and Daniel Grant were both present and sworn in by Chairman Markowski. The petitioners addressed the Community Development Commissioners for the third time regarding this issue. Water and sewer connections will come off of Second Ave. The houses will be brought up to code standards. Staff recommends approval.

Public Comment

Hugo Carreto and Joe Mayer were both present and sworn in by Chairman Markowski. The two gentleman are concerned that if 404 Briar gets approved for rezoning, other houses on the block will petition to be rezoned. They are concerned that small house will give the area a bad look. The homeowners purchased their houses because of the big lot sizes.

Motion:

Commissioner Moruzzi made a motion to approve the rezoning from RS-1 to RS-5 and two lot preliminary & final plat of subdivision. Commissioner Weldon seconded the motion.

Roll Call:

Ayes: Markowski, Ramirez, Janowiak, Moruzzi, Ventura, Weldon

Nays: Gibbs

Motion carried.

Public Hearing: CDC Case Number 2010-03
Petitioner: Mid-Northern Holdings, LLC
Location: 207-227 & 229 W. Grand Ave
Request: Variance; Sign and Amendments to Master Sign Plans

This case has been continued until 2/22/2010

Public Hearing: CDC Case Number 2010-05
Petitioner: PRI Group, LLC
Location: 600 N. Thomas Drive
Request: Conditional Use Permit; Outdoor Storage and Fence Variance

Jeff Gossmire and Tony Varchetto were both present and sworn in by Chairman Markowski. The case was continued on January 11, 2010. New drawings were submitted to the Commissioners. The fence will be placed further away from the building due to the size of the entrance. PRI has been operating out of the location for two months. A truck scale is being installed. There is a Knox box installed. Staff recommends approval. There was no public comment.

Motion: Commissioner Ventura made a motion to approve a conditional use permit; outdoor storage and fence variance. Commissioner Janowiak seconded the motion.

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

Nays: None

Motion carried.

Public Hearing: CDC Case Number 2010-06
Petitioner: Earth Inc.
Location: 1102 N. Ellis Street
Request: Conditional Use Permit; Outdoor Storage & Yard Variance

Bruce Larsen and Thomas Kanzler were both present and sworn in by Chairman Markowski. Earth Inc has been in Bensenville for thirty years. They would like to park their company trucks on their property. A portion of the property is currently paved, the other portion is gravel. Earth Inc feels that with the new paving, it will help with the Village flooding issues. Earth Inc has a recorded access agreement with JAM Trucking. There is currently barb wire in the fencing and exit lights that need to be replaced, all property maintenance issues will be taken care of. They are currently working with the Village on their violations. The new pavement will be striped and maintained annually. Staff recommends approval. There was no public comment.

Motion: Commissioner Weldon made a motion to approve a conditional use permit; outdoor storage & yard variance. Commissioner Ventura seconded the motion.

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

Nays: None

Motion carried.

Public Hearing: CDC Case Number 2010-08
Petitioner: Amigo Tire
Location: 120 E. Green Street
Request: Conditional Use Permit; Motor Vehicle Repair; Minor

This case has been continued until 2/22/2010

Report from Community Development:

Mr. Viger reviewed both recent Village Board actions and prior CDC cases along with upcoming cases.

ADJOURNMENT:

There being no further business before the Community Development Commission, Commissioner Ventura made a motion to adjourn the meeting. Commissioner Gibbs seconded the motion.

All were in favor

Motion carried.

The meeting was adjourned at 9:05 p.m.

Chairman
Community Development Commission

ORDINANCE # _____

**AN ORDINANCE GRANTING APPROVAL OF A VARIANCE
TO REDUCE THE REQUIRED YARD FOR AN EXISTING BUILDING FOR THE
PROPERTY COMMONLY IDENTIFIED AS 1102 N. ELLIS, BENSENVILLE, ILLINOIS**

WHEREAS, in or about January 2010, Itasca Bank and Trust #10771, Chicago Title B7820 941860 ("owner") and Earth Inc., ("tenant") (collectively referred to herein as "Applicant"), ("Applicant"), filed an application seeking a variance to reduce the required yard for an existing building at the property located at 1102 N. Ellis, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property"), a copy of said application being contained in the files for this property in the Community and Economic Development Department; and

WHEREAS, Notice of Public Hearing with respect to the requested variance was published on January 22, 2010, 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 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 variance, in conjunction with a request for a conditional use permit to allow outdoor storage of trucks and trailers at the Subject Property, and forwarded its recommendations, including Staff Report and findings relative to the variation to the Village Board's Community and Economic Development Committee, which concurred in the recommendation made therein, as are attached hereto as Exhibit "B" 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 a reduction in the required side yard for an existing building, if the conditional use permit is granted 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 variance granted herein.

SECTION THREE: That the Staff Report and Recommendation to approve the variance sought to reduce the required side yard of an existing building, as allowed by the *Bensenville Zoning Ordinance*, Code Section 10-9B-4B, is attached to the recommendations of the Community Development Commission in Exhibit "B" 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 Applicant to allow a reduction in the required yard of an existing building is hereby granted, subject to approval of the conditional use permit, and all conditions contained in the Ordinance for approval therein.

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 March 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

The Legal Description is as follows:

Parcel 1: The west 191.00 feet of Lot 11 in Devon 5 Acre farm, being a Subdivision of the west half of the west half of the northeast quarter and part of the east half of the northwest quarter of Section 2, Township 40 North, Range 11 East of the Third Principal Meridian according to a Plat thereof Recorded June 10, 1947 and amended by a Certificate of Correction recorded August 13, 1947 as Document 526985, in Du Page County, Illinois

And

Parcel 2: Lot 1 of Thorndale Distribution Park in Bensenville, Unit No. 3, being a Subdivision of part of the south half of Section 2, Township 40, North, Range 11, East of the Third Principal Meridian, according to a Plat thereof Recorded October 31, 1984, as Document R84-88004, in Du Page County, Illinois

1102 N. Ellis

EXHIBIT

tabbles

A



COMMUNITY DEVELOPMENT COMMISSION

STAFF REPORT

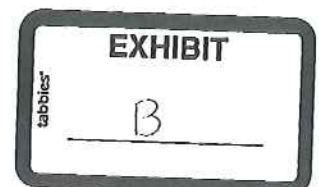
HEARING DATE: February 8, 2010
CASE #: 2010-06
PROPERTY: 1102 N. Ellis Street
**PROPERTY OWNER
& APPLICANT:** Itasca Bank & Trust #10771
ACREAGE: Approximately 2.45 acres
PIN NUMBERS: 03- 02 – 102 –25 & 03 – 02 – 304 - 001
REQUEST: Conditional Use Permit to allow Outdoor Storage

SURROUNDING LAND USE:

	Zoning	Land Use	Jurisdiction
Site	I-2	Industrial	Village of Bensenville
North	I-2	Industrial	Village of Bensenville
South	I-2	Industrial	Village of Bensenville
East	I-2	Industrial	Village of Bensenville
West		Vacant Industrial	Elk Grove Village

SUMMARY:

In past years a concrete crushing operation was located on the property, which the Village sought to have removed. Currently the property is improved with a 5,000 square foot structure; the balance of the site is open. The site is accessed from North Ellis Street via a recorded access easement. Trucks have been parked/stored on the property for a number of years; the Conditional Use Permit seeks to bring the use in compliance with the Village's Zoning Ordinance.



DEPARTMENT COMMENTS:

Public Works: No comments received.

Finance: No comment received.

Police: The cement crushing business was the long standing issue at this location. I am not aware of any other law enforcement or traffic issue that would be impacted by the granting of this Conditional Use Permit is acceptable to the Village.

Inspectional Services: Inspectional Services has inspected the property in question and Identified a number of property maintenance issues. They have met with the owner and have an agreement from the owner to implement all of the necessary upgrades.

Community & Economic Development:

1. The Site Plan indicate truck spaces at 11' x 60', Village Code requires 14' x 60' if approved the striping plan will need to adhere to the Village requirements of 14' x 60'. The 840 sqft space would allow 31 trucks to be stored on site not the 39 indicated.
2. As the CDC is aware the maximum allowable outdoor storage in the I – 2 Light Industrial District is 25%, the petitioner is seeking to utilize the full amount to park 31 vehicles.
3. The site is not visible from the public street.
4. Any approval shall include the condition that the property be properly maintained and any paving repairs identified by Village staff shall be corrected.

APPROVAL CRITERIA FOR CONDITIONAL USE PERMITS:

The Community Development Commission shall not recommend approval of the Conditional Use Permit without determining that the request meets the following approval criteria and making certain findings of fact. Staff has reviewed the request and recommends the following Findings of Fact:

Traffic - There will be no increase in traffic flow, other than that caused by the existing businesses.

Environmental Nuisance – The parking of trucks and trailers should not cause any additional environmental nuisance.

Neighborhood Character – The property is located in an industrial area, the establishment of truck and trailer storage area should not have a detrimental effect on the character of the neighborhood.

Use of Public Services & Facilities – There are adequate facilities to serve the entire property.

Public Necessity – The proposed use at this particular location is necessary to provide a facility which is in the interest of public convenience, and which will contribute to the general welfare of the community.

APPROVAL CRITERIA FOR VARIANCES:

The Community Development Commission shall not recommend nor shall the Village Board grant a variance unless it shall make findings based upon the evidence presented to it in each specific case that:

Special Circumstances –

The subject property is a land-locked industrial property; the structure in question was erected many years ago.

Hardship or Practical Difficulties –

The building has been in existence for many years, the variance would be acknowledging a situation that the Village has “lived with” for quite some time.

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.

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 Conditional Use Permit and the above Findings of Fact for Outdoor Storage at 1102 N. Ellis Street, subject to the following conditions:

1. That the property be developed in substantial compliance with an amended site plan approved by Village staff with the proper truck space size depicted.
2. The property shall have appropriate paving for the outdoor storage as required by Code.
3. All property maintenance issues to be brought into Code compliance and inspected by the Village.

Respectfully Submitted

Department of Community & Economic Development

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT
TO ALLOW OUTDOOR STORAGE FOR STORAGE OF TRUCKS AND TRAILERS
AT 1102 N. ELLIS STREET, BENSENVILLE, ILLINOIS**

WHEREAS, in or about January 2010, Itasca Bank and Trust #10771, Chicago Title B7820 941860 ("owner") and Earth Inc., ("tenant") (collectively referred to herein as "Applicant"), filed an application seeking a conditional use permit to allow outdoor storage for storage of trucks and trailers, pursuant to *The Village of Bensenville Zoning Ordinance* ("Zoning Ordinance") for the property commonly known as 1102 N. Ellis Street, Bensenville, and legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property"), a copy of said application being contained in the files for this property in the Community and Economic Development Department; and

WHEREAS, Notice of Public Hearing with respect to the requested conditional use permit was published on January 22, 2010, 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 commencing 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 considered this matter and a vote of its members resulted in a unanimous vote to approve the request, and forwarded its recommendations, including its findings of fact as adopted from the Staff Report regarding same, to the Community and Economic Development Committee of the Village Board, a copy of which is attached hereto as Exhibit "B" and incorporated herein by reference; and,

WHEREAS, the Community and Economic Development Committee did meet and consider the application and findings of fact as made by the Community Development Commission and determined that concurred with the Commission on its findings, and has forwarded its recommendation to approve said application to the President and Board of Trustees; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and based on the recommendation of its Community and Economic Development Committee have

determined that the granting of the relief requested is consistent with the Zoning Ordinance and the orderly and harmonious development of the Village, subject to the conditions as recommended by the Commission.

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 Light Industrial District.

SECTION THREE: That the Staff Report and Recommendation to approve the Conditional Use Permit sought in this application is attached to the recommendations of the Community Development Commission in Exhibit "B" and was adopted by the Community Development Commission as its finding of facts.

SECTION FOUR: That, the conditional use permit sought by the applicant pursuant to Section 10-9-B-3 of the Zoning Code is hereby granted for use of the property for outdoor storage, for storage of trucks and trailers, subject to (1) approval of the variance requested for a non-compliant yard, (2) that the site be developed in substantial compliance with the site plan submitted as part of the Application, (3) that the request for use of "asphalt screening" rather than asphalt or concrete paving not be allowed, and (4) all property maintenance issues be brought into Code Compliance, and approved upon inspection by the Village.

SECTION FIVE: 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 SIX: 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 March, 2010.

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

F:\PKB\Bensenville\ordinances\1020n.ellisconditionaluse.outsidestorage.doc

The Legal Description is as follows:

Parcel 1: The west 191.00 feet of Lot 11 in Devon 5 Acre farm, being a Subdivision of the west half of the west half of the northeast quarter and part of the east half of the northwest quarter of Section 2, Township 40 North, Range 11 East of the Third Principal Meridian according to a Plat thereof Recorded June 10, 1947 and amended by a Certificate of Correction recorded August 13, 1947 as Document 526985, in Du Page County, Illinois

And

Parcel 2: Lot 1 of Thorndale Distribution Park in Bensenville, Unit No. 3, being a Subdivision of part of the south half of Section 2, Township 40, North, Range 11, East of the Third Principal Meridian, according to a Plat thereof Recorded October 31, 1984, as Document R84-88004, in Du Page County, Illinois

1102 N. Ellis

EXHIBIT

tabbles

A



COMMUNITY DEVELOPMENT COMMISSION

STAFF REPORT

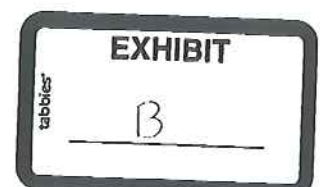
HEARING DATE: February 8, 2010
CASE #: 2010-06
PROPERTY: 1102 N. Ellis Street
**PROPERTY OWNER
& APPLICANT:** Itasca Bank & Trust #10771
ACREAGE: Approximately 2.45 acres
PIN NUMBERS: 03- 02 – 102 –25 & 03 – 02 – 304 - 001
REQUEST: Conditional Use Permit to allow Outdoor Storage

SURROUNDING LAND USE:

	Zoning	Land Use	Jurisdiction
Site	I-2	Industrial	Village of Bensenville
North	I-2	Industrial	Village of Bensenville
South	I-2	Industrial	Village of Bensenville
East	I-2	Industrial	Village of Bensenville
West		Vacant Industrial	Elk Grove Village

SUMMARY:

In past years a concrete crushing operation was located on the property, which the Village sought to have removed. Currently the property is improved with a 5,000 square foot structure; the balance of the site is open. The site is accessed from North Ellis Street via a recorded access easement. Trucks have been parked/stored on the property for a number of years; the Conditional Use Permit seeks to bring the use in compliance with the Village's Zoning Ordinance.



DEPARTMENT COMMENTS:

Public Works: No comments received.

Finance: No comment received.

Police: The cement crushing business was the long standing issue at this location. I am not aware of any other law enforcement or traffic issue that would be impacted by the granting of this Conditional Use Permit is acceptable to the Village.

Inspectional Services: Inspectional Services has inspected the property in question and Identified a number of property maintenance issues. They have met with the owner and have an agreement from the owner to implement all of the necessary upgrades.

Community & Economic Development:

1. The Site Plan indicate truck spaces at 11' x 60', Village Code requires 14' x 60' if approved the striping plan will need to adhere to the Village requirements of 14' x 60'. The 840 sqft space would allow 31 trucks to be stored on site not the 39 indicated.
2. As the CDC is aware the maximum allowable outdoor storage in the I – 2 Light Industrial District is 25%, the petitioner is seeking to utilize the full amount to park 31 vehicles.
3. The site is not visible from the public street.
4. Any approval shall include the condition that the property be properly maintained and any paving repairs identified by Village staff shall be corrected.

APPROVAL CRITERIA FOR CONDITIONAL USE PERMITS:

The Community Development Commission shall not recommend approval of the Conditional Use Permit without determining that the request meets the following approval criteria and making certain findings of fact. Staff has reviewed the request and recommends the following Findings of Fact:

Traffic - There will be no increase in traffic flow, other than that caused by the existing businesses.

Environmental Nuisance – The parking of trucks and trailers should not cause any additional environmental nuisance.

Neighborhood Character – The property is located in an industrial area, the establishment of truck and trailer storage area should not have a detrimental effect on the character of the neighborhood.

Use of Public Services & Facilities – There are adequate facilities to serve the entire property.

Public Necessity – The proposed use at this particular location is necessary to provide a facility which is in the interest of public convenience, and which will contribute to the general welfare of the community.

APPROVAL CRITERIA FOR VARIANCES:

The Community Development Commission shall not recommend nor shall the Village Board grant a variance unless it shall make findings based upon the evidence presented to it in each specific case that:

Special Circumstances –

The subject property is a land-locked industrial property; the structure in question was erected many years ago.

Hardship or Practical Difficulties –

The building has been in existence for many years, the variance would be acknowledging a situation that the Village has “lived with” for quite some time.

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.

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 Conditional Use Permit and the above Findings of Fact for Outdoor Storage at 1102 N. Ellis Street, subject to the following conditions:

1. That the property be developed in substantial compliance with an amended site plan approved by Village staff with the proper truck space size depicted.
2. The property shall have appropriate paving for the outdoor storage as required by Code.
3. All property maintenance issues to be brought into Code compliance and inspected by the Village.

Respectfully Submitted
Department of Community & Economic Development

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT
TO ALLOW OUTDOOR STORAGE FOR STORAGE OF TRUCKS AND TRAILERS
AT 1102 N. ELLIS STREET, BENSENVILLE, ILLINOIS**

WHEREAS, in or about January 2010, Itasca Bank and Trust #10771, Chicago Title B7820 941860 ("owner") and Earth Inc., ("tenant") (collectively referred to herein as "Applicant"), filed an application seeking a conditional use permit to allow outdoor storage for storage of trucks and trailers, pursuant to *The Village of Bensenville Zoning Ordinance* ("Zoning Ordinance") for the property commonly known as 1102 N. Ellis Street, Bensenville, and legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property"), a copy of said application being contained in the files for this property in the Community and Economic Development Department; and

WHEREAS, Notice of Public Hearing with respect to the requested conditional use permit was published on January 22, 2010, 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 commencing 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 considered this matter and a vote of its members resulted in a unanimous vote to approve the request, and forwarded its recommendations, including its findings of fact as adopted from the Staff Report regarding same, to the Community and Economic Development Committee of the Village Board, a copy of which is attached hereto as Exhibit "B" and incorporated herein by reference; and,

WHEREAS, the Community and Economic Development Committee did meet and consider the application and findings of fact as made by the Community Development Commission and determined that concurred with the Commission on its findings, and has forwarded its recommendation to approve said application to the President and Board of Trustees; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and based on the recommendation of its Community and Economic Development Committee have

VILLAGE OF BENSENVILLE

TYPE: Resolution **SUBMITTED BY:** Denise Pieroni **DATE:** May 11, 2010

DESCRIPTION: Resolution approving a contract with Chad Norris for video production services.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

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

COMMITTEE ACTION: Due to timing issues, not presented to the Administration, Finance and Legislation Committee for consideration **DATE:** N/A

BACKGROUND: Chad Norris has been providing to the Village video production services. A continued need for these additional services has been identified. Based on the Village's past experience with level of services provided, the staff is recommending the continued use of Chad for providing these additional video production services. The contact as proposed would be effective May and would continue through December 2010. The contract as presented does not provide for any adjustment in the fee structure.

KEY ISSUES: The Village has a need for additional video production services to allow for the maintenance of this programming at its current level. Additionally, there is also a need to provide for backup of the full-time employee who is responsible for this area. Both needs are addressed through this contractual service agreement with Chad Norris.

ALTERNATIVES:

- Reduce programming to level that can be addressed by the current staff position.
- Discretion of the Village Board

RECOMMENDATION: Approve contract with Chad Norris for video production services at a cost not-to-exceed \$19,200 for the period of May 1 through December 31, 2010.

BUDGET IMPACT: The contract provides for a not to exceed cost for the covered 8-month period of \$19,200. This cost was included in the comprehensive amendment to the 2010 budget approved by the Village Board in March, 2010.

ACTION REQUIRED: Board consideration of the resolution retaining the services of Chad Norris at a not-to-exceed cost for the covered eight-month period of \$19,200.

RESOLUTION NO. _____

**A RESOLUTION APPROVING EXECUTION OF A
CONTRACT WITH CHAD NORRIS FOR
VIDEO PRODUCTION SERVICES**

WHEREAS, the VILLAGE OF BENSENVILLE (hereinafter "VILLAGE") is a municipal corporation established and existing under the laws of the State of Illinois pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the VILLAGE is empowered to make all agreements and contracts and to undertake other acts as necessary in the exercise of its statutory powers; and

WHEREAS, the VILLAGE is in need of additional Video Production Services; and

WHEREAS, Chad Norris has the experience and expertise to provide said services; and

WHEREAS, the VILLAGE has determined that it is reasonable, necessary, and desirable to enter into a contract with Chad Norris per the terms set forth in the contract document attached hereto as Exhibit "A" in an amount not to exceed \$19,200.00.

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

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: The Village Manager is hereby authorized and directed to execute on behalf of the Village of Bensenville, and the Village Clerk is hereby authorized to attest thereto a contract with Chad Norris in an amount not to exceed \$19,200.00 for the services as set forth in the contract document attached hereto as Exhibit "A."

SECTION THREE: This Resolution shall take effect immediately upon its passage and approval as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, this 11th day of May, 2010.

APPROVED:

Frank Soto, Village President

ATTEST:

JoEllen Ridder, Village Clerk

Ayes: _____

Nays: _____

Absent: _____

VIDEO PRODUCTION SPECIALIST CONTRACT
**Avid / Final Cut HD Editor, Studio Production, Motion Graphics Artist
& Camera Operator**

THIS AGREEMENT, made and entered into this 1st day of May, 2010, by and between the Village of Bensenville, an Illinois municipal corporation, hereinafter called "Village," as party of the first part, and **Chad Norris**, hereinafter called "Contractor," as party of the second part, both of whom understand and agree as follows:

RECITALS

WHEREAS, the Village desires to retain Contractor to provide for the Village those certain services as specified and described below; and

WHEREAS, Contractor desires to provide said services for the Village; and

WHEREAS, it is the desire of the Village and Contractor to establish the terms and conditions of the contractual relationship established hereby, all as specified and provided below.

TERMS AND CONDITIONS OF AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

SECTION I. RECITALS

The foregoing recitals are hereby incorporated by reference and reaffirmed as if fully recited and reaffirmed herein.

SECTION II. DUTIES

The Village hereby retains Contractor to provide for the Village those certain services specified as follows: *Providing Video Editing, Studio Production, and Camera work for the Cable Access Show Spotlight, as well as the recording of Village Board Meetings and assisting in cable promotional segments for Three (3) days of each week or equivalent of 24 hours each week.* Any additional services required beyond the contracted three days a week will be billed at \$25.00 an hour and need pre-approval from the Village Manager.

SECTION III. TERM

This Agreement shall be in full force and effect from and after May 1, 2010, and shall be effective through to April 30, 2011

Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of either party to terminate this Agreement at any time, for any or no reason, in such party's sole and absolute discretion, subject only to fourteen (14) calendar days advance written notice to the other party of any such termination.

SECTION IV. CONTRACT RATE OF PAY

For services rendered by Contractor pursuant hereto, the Village agrees to pay to Contractor, and Contractor agrees to accept from the Village, a total contract payment in the not-to-exceed amount of **\$ 31,200 .00**, which not-to-exceed contract amount shall be paid in the following installments:

Installment Payment Amount

\$1200.00 Bi- Weekly
(24 hours a week @ \$25.00 per/hr)

Date of Installment Payment

May 1, 2010 - April 30, 2011

SECTION V. RELATIONSHIP OF THE PARTIES

It is expressly understood, acknowledged and agreed that it is not the intention or purpose of the parties for this Agreement to create, nor shall the same be construed as creating, any type of an employment relationship between the parties. That is, the Contractor is, and at all times shall be, considered to be an independent contractor of the Village, and in no way an agent or employee of the Village.

Except for those contract payments specified in Section IV above, Contractor shall not be entitled to receive any other payments, remuneration, insurance coverage (life, health or otherwise), disability benefits, retirement benefits, workman's compensation benefits, or any other employment benefits of any kind or type. Further, Contractor shall be responsible for the filing and payment of any and all state, local and/or federal taxes incurred by Contractor and arising by reason of this Agreement.

Except as may be otherwise provided herein, Contractor may not and shall not bind the Village to any obligation without the Village's prior written consent.

SECTION VI. NOTICES

Notices pursuant to this Agreement shall be given by hand delivery, or by deposit in the custody of the United States Postal Service, postage prepaid, return receipt requested, and addressed as follows:

- (1) Village: Village Manager
Village of Bensenville
12 S. Center Street
Bensenville, Illinois 60106
- (2) Contractor: ***Chad Norris***
2858 Brown St.
Portage, Indiana 46368
219-916-2474 phone

Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

SECTION VII. ADDITIONAL PROVISIONS

The text herein shall constitute the entire agreement between the parties.

This Agreement may be amended or modified only by written instrument signed by both the Village and Contractor.

If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

IN WITNESS WHEREOF, the Village of Bensenville has caused this Agreement to be signed and executed on its behalf by its Village Manager, and **Chad Norris** has signed and executed this Agreement, both in duplicate, the day and year first above written.

Mike Cassady, Village Manager

Chad Norris, Video Production Specialist

VIDEO PRODUCTION SPECIALIST CONTRACT
**Avid / Final Cut HD Editor, Studio Production, Motion Graphics Artist
& Camera Operator**

THIS AGREEMENT, made and entered into this 1st day of May, 2010, by and between the Village of Bensenville, an Illinois municipal corporation, hereinafter called "Village," as party of the first part, and **Chad Norris**, hereinafter called "Contractor," as party of the second part, both of whom understand and agree as follows:

RECITALS

WHEREAS, the Village desires to retain Contractor to provide for the Village those certain services as specified and described below; and

WHEREAS, Contractor desires to provide said services for the Village; and

WHEREAS, it is the desire of the Village and Contractor to establish the terms and conditions of the contractual relationship established hereby, all as specified and provided below.

TERMS AND CONDITIONS OF AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

SECTION I. RECITALS

The foregoing recitals are hereby incorporated by reference and reaffirmed as if fully recited and reaffirmed herein.

SECTION II. DUTIES

The Village hereby retains Contractor to provide for the Village those certain services specified as follows: *Providing Video Editing, Studio Production, and Camera work for the Cable Access Show Spotlight, as well as the recording of Village Board Meetings and assisting in cable promotional segments for Three (3) days of each week or equivalent of 24 hours each week.* Any additional services required beyond the contracted three days a week will be billed at \$25.00 an hour and need pre-approval from the Village Manager.

SECTION III. TERM

This Agreement shall be in full force and effect from and after May 1, 2010, and shall be effective through to December 31, 2010

Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of either party to terminate this Agreement at any time, for any or no reason, in such party's sole and absolute discretion, subject only to fourteen (14) calendar days advance written notice to the other party of any such termination.

SECTION IV. CONTRACT RATE OF PAY

For services rendered by Contractor pursuant hereto, the Village agrees to pay to Contractor, and Contractor agrees to accept from the Village, a total contract payment in the not-to-exceed amount of \$ 19,200 .00, which not-to-exceed contract amount shall be paid in the following installments:

Installment Payment Amount

\$1200.00 Bi- Weekly
(24 hours a week @ \$25.00 per/hr)

Date of Installment Payment

May 1, 2010 - December 31, 2010

SECTION V. RELATIONSHIP OF THE PARTIES

It is expressly understood, acknowledged and agreed that it is not the intention or purpose of the parties for this Agreement to create, nor shall the same be construed as creating, any type of an employment relationship between the parties. That is, the Contractor is, and at all times shall be, considered to be an independent contractor of the Village, and in no way an agent or employee of the Village.

Except for those contract payments specified in Section IV above, Contractor shall not be entitled to receive any other payments, remuneration, insurance coverage (life, health or otherwise), disability benefits, retirement benefits, workman's compensation benefits, or any other employment benefits of any kind or type. Further, Contractor shall be responsible for the filing and payment of any and all state, local and/or federal taxes incurred by Contractor and arising by reason of this Agreement.

Except as may be otherwise provided herein, Contractor may not and shall not bind the Village to any obligation without the Village's prior written consent.

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Village of Bensenville
12 S. Center Street
Bensenville, Illinois 60106
- (2) Contractor: **Chad Norris**
2858 Brown St.
Portage, Indiana 46368
219-916-2474 phone

Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

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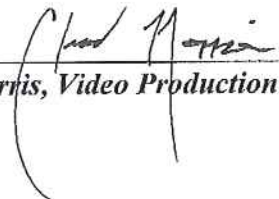
The text herein shall constitute the entire agreement between the parties.

This Agreement may be amended or modified only by written instrument signed by both the Village and Contractor.

If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

IN WITNESS WHEREOF, the Village of Bensenville has caused this Agreement to be signed and executed on its behalf by its Village Manager, and **Chad Norris** has signed and executed this Agreement, both in duplicate, the day and year first above written.

Mike Cassady, Village Manager



Chad Norris, Video Production Specialist

TYPE: Labor Contract **SUBMITTED BY:** G. Ferguson **DATE** 5/11/10

DESCRIPTION: Wage Re-opener for AFSCME Public Works, Finance, Community and Economic Development Employees

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" 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 type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: Due to timing issues, not presented to the Administration, Finance and Legislation Committee for consideration **DATE:** N/A

BACKGROUND The Village has a contract with AFSCME, Local 1167 which has a term of May 1, 2008 to May 1, 2011. The contract called for a 4% across the board increase on May 1 of each year of the contract. Having met with the union they agreed to delay this year's 4% increase until Dec. 1, 2010. In consideration of this delay, the Village has agreed to no lay-offs thru Dec 1, 2010 and to provide one additional floating holiday effective in 2011.

KEY ISSUES:

The Village has met with AFSCME and the Police Sergeants and is starting negotiations with the MAP (Police Officers) Union to delay any raises until Dec 1, 2010. Non – union personnel will not receive any pay adjustments until Dec. 1, 2010. Total savings will be over \$100,000.

ALTERNATIVES:

1. Authorize the Village Manager to execute a Memorandum of Understanding
2. Do not approve the wage re-opener.

RECOMMENDATION:

Staff recommends approval of this amendment to our agreement with our AFSCME membership in Public Works, Finance and Community and Economic Development. The Union's willingness to delay a contracted salary increase promotes financial responsibility and team unity. .

BUDGET IMPACT:

\$100,000 savings all departments.

ACTION REQUIRED:

Approval of the attached Memorandum of Understanding.



VILLAGE OF BENSENVILLE

MEMORANDUM OF UNDERSTANDING BETWEEN AFSCME, LOCAL 1167 AND VILLAGE OF BENSENVILLE

The Village has approached AFSCME to alter the terms of the current collective bargaining agreement covering the years May 1, 2008 through April 30, 2011. That Agreement provides for a 4% across-the-board wage increase effective May 1, 2010.

The Village has provided, or will provide, information to AFSCME indicating that the Village has significant budget shortfalls for the fiscal year 2010 – 2011;

The Village has provided, or will provide, to AFSCME, copies of all other agreements, side letters, memoranda of understanding, etc. concerning the FY 2011 fiscal year that have been executed between the Village and all other bargaining units within the Village;

The Village has guaranteed to AFSCME that non-represented Village employees will either receive no wage increase this year or such increase shall be deferred to December 1, 2010;

The Village has also provided, or will provide, to AFSCME, all information pertaining to any groups of employees that have received for altering or modifying wage increases for FY 2011;

Therefore AFSCME hereby agrees to defer the May 1, 2010 4% across-the-board wage increase to December 1, 2010;

The Village agrees to \$500.00 Bonus for any AFSCME member who does not get a step increase;

The Village here by agrees to no layoffs of AFSCME bargaining unit personnel for the FY 2011 fiscal year;

The village shall also provide an additional floating paid personal holiday for AFSCME bargaining unit personnel for the FY 2011 fiscal year;

The Village shall give serious and reasonable consideration to allowing AFSCME bargaining unit personnel to wear shorts to work between Memorial Day and Labor Day 2010;

The Village shall also give serious and reasonable consideration to allowing AFSCME bargaining unit employees to work an earlier eight hour work day schedule between Memorial Day and Labor Day 2010 and will work with AFSCME to reach a mutual agreement on the appropriate schedule;

The Village shall also provide to AFSCME all appropriate information that the Union may need to enforce the provisions of this Understanding;

Finally, the Memorandum of Understanding is without precedent or prejudice.

FOR AFSCME

FOR VILLAGE OF BENSENVILLE

Dated _____

Dated _____

TYPE: Information Item **SUBMITTED BY:** Chief Kosman **DATE:** 5-6-10

DESCRIPTION: Introduction of Probationary Officer Steven Kotlewski to the Village Board

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 type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: Not Applicable

DATE:

BACKGROUND

On 12-30-10, Steven Kotlewski was hired as a probationary police officer with the Village of Bensenville. He is a 26 year old resident of Elmwood Park. He obtained a Bachelor of Arts Degree from Dominican University in 2008. He had been employed as an Auxiliary Police Officer for the Village of Norridge for the previous year and an half. He also had experience as a loss prevention agent for two retail establishments. Additionally, Officer Kotlewski is fluent in Spanish.

KEY ISSUES:

Officer Kotlewski successfully completed the 440 hour Basic Law Enforcement Training Course at the Police Training Institute at the University of Illinois. At his graduation from the Police Training Institute on March 25th, he was awarded the Clifford W. Van Meter Scholastic Achievement Award for having the highest grade point average in his Basic Law Enforcement Class. The Illinois Law Enforcement Training and Standards Board certified him as a Law Enforcement Officer after he successfully passed their exam. He is now in his 7th week of the Department's Field Training Program which he is expected to complete around the beginning of July.

ALTERNATIVES:

Not Applicable

RECOMMENDATION:

Not Applicable

BUDGET IMPACT:

Not Applicable

ACTION REQUIRED:

Not Applicable