



VILLAGE OF BENSENVILLE

Village Board

President

Frank Soto

Trustees

Morris Bartlett

Robert "Bob" Jarecki

Martin O'Connell III

Oronzo Peconio

JoEllen Ridder

Henry Wesseler

Village Clerk

Susan Janowiak

Village Manager

Michael Cassidy

Village of Bensenville, Illinois

BOARD OF TRUSTEES

MEETING AGENDA

6:30 P.M. Tuesday, September 25, 2012

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
September 11, 2012 Board of Trustees
- VI. WARRANT – September 25, 2012 #12/17 \$1,319,734.01

Public Hearing

Public Hearing to review the application for a DuPage County Community Development Block Grant for the third phase of our Volk Brothers Subdivision Infrastructure Reconstruction Project. The project proposes to include street, sewer, water, and sidewalk improvements to Wood Avenue.

- VII. **CONSENT AGENDA – CONSIDERATION OF AN “OMNIBUS VOTE”**
 1. *Resolution Approving an Application for a Community Development Block Grant for Infrastructure Improvement to the Volk Brothers Subdivision, Bensenville, Illinois*
 2. *Ordinance Authorizing and Providing for the Issuance of \$5,600,000 General Obligation Refunding Bonds (Alternate Revenue Source) Series 2012E, of the Village of Bensenville, DuPage and Cook Counties, Illinois, for the Purpose of Refunding Certain Previously Issued Bonds Prescribing all the Details of Said Bonds and Providing for the Imposition of Taxes to Pay the Same, and for the Collection, Segregation and Distribution of Certain Village Revenues to Pay Said Bonds*
 3. *Resolution Authorizing the Execution of a Multi-Year Contract (With Automatic Renewals) to Winkler's Tree Service, Inc. for the 2012-2015 Tree Pruning Program in the Amount \$114,493.*

4. *Ordinance Approving the Grant of a Conditional Use Permit and Associated Variance to Allow Pallet Manufacture/Repair at 480 Podlin Avenue, Bensenville, ASAP Pallets, Inc.*
5. *Ordinance Approving the Grant of a Conditional Use Permit and Associated Variance to Allow “Motor Vehicle Repair” (Major & Minor) at 1081 S. Entry Drive, Bensenville, Tiger Auto Body International*
6. *Ordinance Approving the Grant of a Conditional Use Permit and Associated Variance to Allow “Motor Vehicle Repair” (Major & Minor) at 1148 E. Green Street, Bensenville, GTO Automotive*
7. *Ordinance Amending the 1980 Village of Bensenville Comprehensive Plan*

VIII. REPORTS OF STANDING COMMITTEES

A. Community and Economic Development Committee

1. *Ordinance Approving the Grant of an Amendment to a Conditional Use Permit and Associated Variances to Allow a Fence in the Actual Front Yard at 155-157 Beeline Drive, Bensenville, Illinois, John Morawa, VIP Transportation Tow*
2. *Denial of the Expansion of the Road Ranger Gas Station Located at 1188 W. Foster Avenue:*
 - A. *Pass the Ordinance Denying Rezoning of Three Residential Lots From RS-5 To C-2*
 - B. *Pass the Ordinance Denying Two Conditional Use Permits (Service Station and Electronic Message Center Sign) With Associated Variances*

B. Infrastructure and Environment Committee – No Report

C. Administration, Finance and Legislation Committee – No Report

D. Public Safety Committee – No Report

E. Recreation and Community Building Committee – No Report

F. Technology Committee – No Report

IX. REPORTS OF VILLAGE OFFICERS:

A. PRESIDENT'S REMARKS:

A Presentation of the Elgin O’Hare Project from the Illinois State Toll Highway Authority

B. VILLAGE MANAGER'S REPORT:

*Ordinance Amending the Bensenville Village Code, Title 3- Chapter 3-
Liquor Regulations*

C. VILLAGE ATTORNEY'S REPORT:

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

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
September 11, 2012

- CALL TO ORDER:** 1. President Soto called the meeting to order at 6:35 p.m.
- President Soto held a moment of silence in remembrance of September 11, 2001.*
- Trustee Wessler held a prayer in remembrance of September 11, 2001.*
- ROLL CALL:** 2. Upon roll call by Village Clerk, Susan Janowiak, the following Board Members were present:
- Bartlett, Jarecki, O'Connell, Peconio, Ridder, Wessler
- Absent: None
- A quorum was present.
- PUBLIC COMMENT:** There was no public comment.
- APPROVAL OF MINUTES:** 3. The August 28, 2012 Village Board Meeting minutes were presented.
- Motion: Trustee Ridder made a motion to approve the minutes as presented. Trustee O'Connell seconded the motion.
- All were in favor. Motion carried.
- WARRANT NO. 12/16:** 4. President Soto presented **Warrant No. 12/16** in the amount of \$530,282.44.
- Motion: Trustee Wessler made a motion to approve the warrant as presented. Trustee O'Connell seconded the motion.

ROLL CALL: AYES: Bartlett, Jarecki, O'Connell, Peconio, Ridder, Wesseler
NAYS: None
All were in favor. Motion carried.

Motion: 5. Trustee Bartlett made a motion to set the Consent Agenda as presented. Trustee Jarecki seconded the motion.
All were in favor. Motion carried.

Resolution No. R-84-2012: **Resolution Amending the Contract of Demolition Services with DMD Services, Inc. (Consent Agenda)**

Resolution No. R-85-2012: **Resolution Authorizing the Master Warranty Agreement with CCSi Communications from August 31, 2012 to March 30, 2012 for an amount not to exceed \$11,196.50. (Consent Agenda)**

Motion: Trustee Ridder made a motion to approve the Consent Agenda as presented. Trustee Bartlett seconded the motion.

ROLL CALL: AYES: Bartlett, Jarecki, O'Connell, Peconio, Ridder, Wesseler
NAYS: None
All were in favor. Motion carried.

Ordinance No 45-2012: 6. President Soto gave the summarization of the action contemplated in **Ordinance No. 45-2012 entitled An Ordinance Amending and Restating Section 4-3-23 of the Bensenville Village Code to Prohibit Video Gaming within the Village of Bensenville.**

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

ROLL CALL: AYES: Bartlett, Jarecki, O'Connell, Peconio, Ridder Wesseler
NAYS: None
All were in favor. Motion carried.

**PRESIDENTIAL
REMARKS:**

**Resolution No
R-86-2012:**

President Soto gave the summarization of the action contemplated in **Resolution No. R-86-2012** entitled **A Resolution Granting the Advice and Consent of the President's Reappointing of Michael Cassady and Robert Ridder to the Bensenville Police Pension Board.**

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

ROLL CALL: AYES: Bartlett, Jarecki, O'Connell, Peconio, Ridder Wessler

NAYS: None

All were in favor. Motion carried.

Trustee Ridder read a proclamation into the record for September 19, 2012 "No Text on Board – Pledge Day".

President Soto announced "Get Five to Stay Alive" program the Village of Bensenville will take place in. Applications are available on the Village website or at Village Hall. President Soto announced the Village's goal is 5,000.

**MANAGERS
REPORT:**

Director of Public Works, Joe Caracci, introduced Rick Radde, Utility Supervisor to the Village of Bensenville.

**UNFINISHED
BUSINESS:**

There was no unfinished business.

NEW BUSINESS:

Trustee Wessler asked for clarification on the Village's responsibility of repairing water main breaks in the White Pines area. Allen Devitt, President of the White Pines Associations stated that the residents in the area are paying an additional surcharge every month to help fund for Village Services and repairs in the area. Village Manager, Michael Cassady, stated there is a current plan in the Village Budget and the matter will be coming forth to the Village Board in the next quarter.

**EXECUTIVE
SESSION:**

Village Attorney, Pat Bond, stated there was no need for Executive Session.

ADJOURNMENT:

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

All were in favor. Motion carried.

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

Susan Janowiak
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this ____ day, September, 2012

VILLAGE OF BENSENVILLE WARRANT 12/17

Sept 25, 2012

I hereby certify that the attached warrants are in accord with the current budget as adopted by the Corporate Authorities of the Village of Bensenville, and that sufficient funds are available to promptly pay said warrants, all in accordance with the Village Code and Illinois Statutes.



MICHAEL CASSADY
VILLAGE MANAGER



TIMOTHY SLOTH
DIRECTOR OF FINANCE

Approved by the Board of Trustees on Sept 25, 2012, hereby authorizing the Director of Finance to disburse \$1,319,734.01 the accounts indicated in the attached report.

SUSAN JANOWIAK
VILLAGE CLERK

FRANK SOTO
VILLAGE PRESIDENT



EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/TT/MANUAL CHECK #
A LAMP CONCRETE CONTRACTORS II									
7478									
13977	R-47-12 VOLK BRO CDBD PHASE II-E	SCHAUMBUR	20121593	10/05/2012	31080810-596000	PW	CAPITAL CONSTRUCTION	\$28,015.49	0
								28,015.49	
A LAMP NERI BENSENVILLE JOINT VE									
540									
125	RECONSTRUCTION PROJ R-59-2011-	SCHAUMBUR	20120096	10/11/2012	33280110-532100	PW	PROFESSIONAL SERVICES	\$1,736.56	0
125	RECONSTRUCTION PROJ R-59-2011-	SCHAUMBUR	20120096	10/11/2012	33480890-593000	PW	CAPITAL OUTLAY-IMPROVEMENT:	\$10,114.93	0
125	RECONSTRUCTION PROJ R-59-2011-	SCHAUMBUR	20120096	10/11/2012	33580890-593000	PW	CAPITAL OUTLAY-IMPROVEMENT:	\$1,897.02	0
125	RECONSTRUCTION PROJ R-59-2011-	SCHAUMBUR	20120096	10/11/2012	33680890-593000	PW	CAPITAL OUTLAY-IMPROVEMENT:	\$18,429.66	0
125	RECONSTRUCTION PROJ R-59-2011-	SCHAUMBUR	20120096	10/11/2012	33780890-593000	PW	CAPITAL OUTLAY-IMPROVEMENT:	\$12,071.90	0
125	RECONSTRUCTION PROJ R-59-2011-	SCHAUMBUR	20120096	10/11/2012	33880890-593000	PW	CAPITAL OUTLAY-IMPROVEMENT:	\$4,947.68	0
125	RECONSTRUCTION PROJ R-59-2011-	SCHAUMBUR	20120096	10/11/2012	37980890-593000	PW	CAPITAL OUTLAY-IMPROVEMENT:	\$49,462.37	0
125	RECONSTRUCTION PROJ R-59-2011-	SCHAUMBUR	20120096	10/11/2012	51080860-596000	PW	CAPITAL CONSTRUCTION	\$20,226.63	0
								118,886.75	
ACTIVE ALARM CO INC									
99									
2655-1727	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$250.00	0
								250.00	
ADVANTAGE AUTO LEASING INC									
8752									
98821	INSTALL TOW HITCH ON EMA VAN	CAROL STRE/	20123058	09/29/2012	11020190-542410	AD	R&M VEHICLES	\$527.14	0
98841	TOPWIND CRANK KIT	CAROL STRE/	20123058	09/29/2012	11020190-542410	AD	R&M VEHICLES	\$18.95	0
								546.09	
AFSCME									
3105									
083112	UNION DUES-AUG PR WH 8/31/12		20123047	09/30/2012	11000000-218100	FN	PAYROLL DEDUCTN-UNION DUES	\$1,127.85	9002330
								1,127.85	
ALLIED WASTE SERVICES #722									
8087									
10062-0812CR	OVERBILLED CREDIT	LOUISVILLE		08/31/2012	57020580-579990	FN	DISPOSAL CHARGES	\$-3,902.00	0
10062-0812CR	OVERBILLED CREDIT	LOUISVILLE		08/31/2012	57020580-579990	FN	DISPOSAL CHARGES	\$-2,422.65	0
10062-0831	REFUSE DISPOSAL-AUGUST 2012	LOUISVILLE	20123178	09/30/2012	57020580-579990	FN	DISPOSAL CHARGES	\$142,893.96	0
								136,569.31	
AMERICAN MOBILE STAGING									
11989									
09/05-09/26/12	STAGING-MUSIC IN THE PARK EXT.	SOUTH BARR	20123198	09/29/2012	11070110-577012	SF	MUSIC IN THE PARK	\$2,700.00	0
								2,700.00	

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
AMERICAN RED CROSS									
3665									
10133317	LIFEGUARDING ITEMS-AQUATIC	CHICAGO	20123166	09/07/2012	11070760-525010	SF	BOOKS/PAMPHLETS/PUBLICATION	\$517.00	0
								517.00	
AQUA PURE ENTERPRISES									
11330									
81515	CHEMICALS FOR THE POOL	ROMEIOVILLE	20123192	09/24/2012	11070760-554120	SF	CHEMICALS	\$672.87	0
								672.87	
ARDMORE ASSOCIATES, LLC									
677									
4	R-44-12 JEFFERSON H2O M PROJ EC	CHICAGO	20122093	10/07/2012	51080860-536513	PW	ENG SVC - DESIGN	\$16,008.73	0
								16,008.73	
ARROW ROAD CONSTRUCTION CO.									
6938									
5301CM	R-64-2012 PAVEMENT PATCHING	MT PROSPEC	20123173	09/30/2012	31080810-596000	PW	CAPITAL OUTLAY-IMPROVEMENT:	\$89,094.50	0
								89,094.50	
ASSOCIATED TECHNICAL SERVICES									
2711									
22720	R38-2012 WATER VALVE LOCATIONS	VILLA PARK	20121566	09/30/2012	51050540-549990	PW	OTHER CONTRACTUAL SERVICES	\$10,000.00	0
								10,000.00	
ASSURANCE FIRE & SAFETY INC									
137									
3297	20# FIRE EXTINGUISHER	WOOD DALE	20123085	10/05/2012	31080800-591000	PW	CAPITAL OUTLAY-BLDG & STRUC	\$215.95	0
								215.95	
ATLAS LIFT									
99									
2659-23235	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$250.00	0
								250.00	
ATOMIC TRANSMISSIONS									
11009									
94501	REPLACE BEARINGS-SQ #301-94501	VILLA PARK	20123061	08/09/2012	11040110-542410	PD	R&M VEHICLES	\$950.00	0
								950.00	
AVI SYSTEMS									
11667									
36957600	BOARD ROOM EXTRON 2 REPAIR A	MINNEAPOLIS	20122517	10/07/2012	11020170-572173	AD	BROADCASTING - LOCAL CHANNE	\$595.00	0
								595.00	

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
BAECORE GROUP INC									
162									
13044	TECHNOLOGY & OPERATIONS SUPP	SCHAUMBUR	20122616	08/23/2012	11020180-531260	AD	INFO TECHNOLOGY SERVICES	\$4,166.67	0
								4,166.67	
BAGSHOT ROW									
702									
091212	ENTERTAINMENT-MUSIC IN THE PAF	ST CHARLES	20123149	10/12/2012	11070110-577012	SF	MUSIC IN THE PARK	\$400.00	0
								400.00	
BAUM SIGN INC.									
11556									
B7623	WIRELESS UPGRADE SCOREBOARD	SHERIDAN	20123196	09/28/2012	11070720-542310	SF	R & M EQUIPMENT	\$1,700.00	0
								1,700.00	
BAXTER & WOODMAN, INCORPORATE									
2717									
0164089	PRETREATMENT ASSISTANCE-07/01:	CRYSTAL LAK	20123036	09/22/2012	51050577-536511	PW	ENG SVC - ENVIRONMENTAL	\$5,705.65	0
0164092	WATER SYSTEM OPERATIONS	CRYSTAL LAK	20123035	09/22/2012	51080860-536510	PW	CAPITAL OUTLAY ENGINEERING	\$3,070.05	0
								8,775.70	
BENSENVILLE PARK DISTRICT									
2728									
100	SPONSORSHIP FOR BLUE HAWAIIAN	BENSENVILLE	20123155	09/29/2012	11070110-577010	SF	SPECIAL FUNCTIONS	\$1,750.00	0
								1,750.00	
BODY MASTERS									
2732									
090412	TOW SQUAD #30-INV #090412	BENSENVILLE	20123209	10/04/2012	11040110-542410	PD	R&M VEHICLES	\$140.00	0
								140.00	
BOND DICKSON & ASSOCIATES, P.C									
97									
13414	LEGAL SERVICE-POLICE	WHEATON		10/07/2012	11020120-533210	AD	LEGAL SERVICES-POLICE	\$388.50	0
13415	LEGAL SERVICE-HOFFMAN	WHEATON		10/07/2012	11020120-533510	AD	LEGAL SERVICES-BEELINE	\$666.00	0
13416	LEGAL SERVICE-FINANCE	WHEATON		10/07/2012	11020120-533110	AD	LEGAL SERVICES-FINANCE	\$166.50	0
13417	LEGAL SERVICE-LEGAL LEGISLATIVI	WHEATON		10/07/2012	11020120-533110	AD	LEGAL SERVICES	\$28,094.84	0
13418	LEGAL SERVICE-COMMUNITY DEVEL	WHEATON		10/07/2012	11020120-533110	AD	LEGAL SERVICES-COMM.DEVELO	\$7,326.00	0
13419	LEGAL SERVICE-BARBA	WHEATON		10/07/2012	11020120-533110	AD	LEGAL SERVICES-GENERAL	\$1,381.50	0
								38,023.34	
BRYAN, STEVEN J									
99									
2643-301437	BOND REFUND			10/14/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$80.00	0
								80.00	

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
STEP UP REVOLU	MOVIE RENTAL FEE"STEP UP REVOI	BROOKLYN	20123118	10/06/2012	11070790-547910	SF	MOVIE RENTAL FEES	\$177.80	0
								177.80	
CHRIS PANOS FOODS CORPORATION									
205									
859166C	NATL NIGHT OUT-CHIPS	CHICAGO	20122974	09/12/2012	11040341-571110	PD	PROGRAMS	\$32.94	0
861195a	FOOD ITEMS FOR SUNDAE'S TOO	CHICAGO	20123135	09/22/2012	11070790-542112	SF	R & M BUILDING-CLEANING	\$59.54	0
861195a	FOOD ITEMS FOR SUNDAE'S TOO	CHICAGO	20123135	09/22/2012	11070790-557810	SF	FOOD ITEMS	\$535.35	0
863592b	FOOD ITEMS FOR SUNDAE'S TOO	CHICAGO	20123135	10/06/2012	11070790-542112	SF	R & M BUILDING-CLEANING	\$57.91	0
863592b	FOOD ITEMS FOR SUNDAE'S TOO	CHICAGO	20123135	10/06/2012	11070790-557810	SF	FOOD ITEMS	\$520.64	0
863764	FOOD ITEMS FOR SUNDAE'S TOO	CHICAGO	20123135	10/05/2012	11070790-542112	SF	R & M BUILDING-CLEANING	\$5.30	0
863764	FOOD ITEMS FOR SUNDAE'S TOO	CHICAGO	20123135	10/05/2012	11070790-557810	SF	FOOD ITEMS	\$47.69	0
863991	WATER FOR BOARD	CHICAGO	20123222	10/10/2012	11010010-551110	AD	MATERIALS/SUPPLIES-ADMIN	\$172.50	0
								1,431.87	
CINTAS CORPORATION									
13176									
769101520	TOILET PAPER & HAND TOWELS-THI	MAYWOOD	20123119	10/04/2012	11070790-542112	SF	R & M BUILDING-CLEANING	\$131.19	0
								131.19	
CINTAS FIRST AID & SAFETY									
2974									
5000132625	FIRST AID SUPPLIES-EDGE II	IRVING	20123104	09/22/2012	11070740-551110	SF	MATERIALS/SUPPLIES-ADMIN	\$47.23	0
8400114098	FIRST AID SUPPLIES-EDGE I	IRVING	20123104	09/23/2012	11070740-551110	SF	MATERIALS/SUPPLIES-ADMIN	\$81.63	0
								128.86	
CITGO PETROLEUM CORPORATION									
12125									
569478	AUGUST FLEET FUEL PURCHASE	BIRMINGHM	20123200	10/08/2012	11020190-554110	PW	FUEL/GAS/OIL	\$258.49	135858
569478	AUGUST FLEET FUEL PURCHASE	BIRMINGHM	20123200	10/08/2012	11050420-554110	PW	FUEL/GAS/OIL	\$1,287.97	135858
569478	AUGUST FLEET FUEL PURCHASE	BIRMINGHM	20123200	10/08/2012	11050430-554110	PW	FUEL/GAS/OIL	\$1,735.66	135858
569478	AUGUST FLEET FUEL PURCHASE	BIRMINGHM	20123200	10/08/2012	11050440-554110	PW	FUEL/GAS/OIL	\$63.78	135858
569478	AUGUST FLEET FUEL PURCHASE	BIRMINGHM	20123200	10/08/2012	51050540-554110	PW	FUEL/GAS/OIL	\$2,248.90	135858
								5,594.80	
CJC AUTO PARTS									
11185									
017820	PURCHASE OF STARTER-MILLENIUM	SENSENVILLE	20123117	09/08/2012	11070740-542610	SF	R&M OLYMPIA	\$178.29	0
018377	WIPER MOTOR-SQ #303-INV#018377	SENSENVILLE	20123084	09/16/2012	11040110-542410	PD	R&M VEHICLES	\$146.79	0
018445	OIL FILTER-SQ #322-INV #018445	SENSENVILLE	20123083	09/19/2012	11040110-542410	PD	R&M VEHICLES	\$2.16	0
018898	EDELMANN POW	SENSENVILLE	20123129	09/26/2012	11050420-542410	PW	R & M VEHICLES	\$28.19	0
018922	DISC BRAKE,DRUM BRAKE,TDR 81-1:	SENSENVILLE	20123128	09/26/2012	11050110-542310	PW	R&M EQUIPMENT	\$179.29	0
018929	GREASE SEAL	SENSENVILLE	20123128	09/26/2012	11050110-542310	PW	R&M EQUIPMENT	\$21.40	0

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
018945	SPNDLWASHER	SENSEVILLE	20123128	09/26/2012	11050110-542310	PW	R&M EQUIPMENT	\$1.94	0
018947	CUT DRUM	SENSEVILLE	20123128	09/26/2012	11050110-542310	PW	R&M EQUIPMENT	\$25.62	0
019362	CREDIT RETURN	SENSEVILLE		09/04/2012	11050490-552130	PW	MATERIAL/SUPPLIES-VEHICLES	\$-51.78	0
019574	FILTERS	SENSEVILLE	20123128	10/06/2012	11050420-542310	PW	R & M EQUIPMENT	\$14.46	0
COCA COLA BOTTLING COMPANY									
7585								546.36	
0378326718	POP FOR BOARD	CHICAGO	20123230	10/12/2012	11010010-551110	AD	MATERIALS/SUPPLIES-ADMIN	\$345.60	0
0388253819	BEVERAGES FOR CONCESSIONS	CHICAGO	20122959	09/14/2012	11070785-557810	SF	FOOD ITEMS	\$1,023.38	0
COMCAST									
12216								1,368.98	
0002237-0912	SERVICE FROM 09/10-10/09-CABLE S	SOUTHEASTE	20120076	10/04/2012	11070740-552110	SF	MATERIALS/SUPPLIES-OPERATIO	\$144.17	0
0003318-0912	SERVICE FROM 09/05-10/04-INTERNE	SOUTHEASTE	20120079	09/01/2012	11070740-552110	SF	MATERIALS/SUPPLIES-OPERATIO	\$66.95	0
0058421-0912	SERVICE FROM 09/14-10/13-INTERNE	SOUTHEASTE	20123236	10/07/2012	11020180-531260	IT	INFO TECHNOLOGY SERVICES	\$202.00	0
COMMONWEALTH EDISON									
2668								413.12	
0017128058-0812	SERVICE FROM 08/02-08/30/12-649 S	CAROL STRE/	20123151	09/29/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$100.00	0
0039041051-0812	SERVICE FROM 07/31-08/26/12-981 S	CAROL STRE/	20123151	09/28/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$48.84	0
0192006072-0812	SERVICE FROM 07/31-08/29/12-596 DI	CAROL STRE/	20123151	09/28/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$73.16	0
0327113039-0812	SERVICE FROM 08/01-08/29/12-111 W	CAROL STRE/	20123151	09/28/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$75.04	0
0704031005-0812	SERVICE FROM 08/01-08/29/12-0 S R/	CAROL STRE/	20123152	09/29/2012	11050420-541370	PW	ELECTRICITY	\$87.45	0
0711115052-0812	SERVICE FROM 08/01-08/29/12-701 F/	CAROL STRE/	20123151	09/28/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$160.76	0
1407034049-0812	SERVICE FROM 07/31-08/29/12-313 N	CAROL STRE/	20123151	09/28/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$38.00	0
1659095030-0812	SERVICE FROM 08/01-08/29/12-247 W	CAROL STRE/	20123151	09/28/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$95.65	0
1695014040-0812	SERVICE FROM 08/01-08/29/12-4095 F	CAROL STRE/	20123151	09/28/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$145.09	0
1823023053-0812	SERVICE FROM 08/01-08/30/12-1047 I	CAROL STRE/	20123151	09/29/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$62.63	0
1851062060-0812	SERVICE FROM 08/02-08/30/12-482 P/	CAROL STRE/	20123151	09/29/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$32.30	0
2151142015-0812	SERVICE FROM 08/01-08/29/12-610 S	CAROL STRE/	20123151	09/28/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$208.41	0
2247084011-0812	SERVICE FROM 08/01-08/29/12-956 TH	CAROL STRE/	20123151	09/28/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$88.10	0
2727064040-0812	SERVICE FROM 08/02-08/30/12-760 E	CAROL STRE/	20123151	09/29/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$49.08	0
4083160074-0812	SERVICE FROM 08/01-08/29/12-833 E	CAROL STRE/	20123151	09/28/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$39.55	0
4239055026-0812	SERVICE FROM 08/01-08/29/12-975 SI	CAROL STRE/	20123151	09/28/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$144.57	0
4851030016-0812	SERVICE FROM 07/31-08/29/12-MAST	CAROL STRE/	20123152	09/30/2012	11050420-541370	PW	ELECTRICITY	\$4,308.42	0
6890140008-0812	SERVICE FROM 08/31-08/29/12-213 N	CAROL STRE/	20123151	09/28/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$23.07	0
7058038017-0712	SERVICE FROM 06/29-08/01/12-302 W	CAROL STRE/	20123033	08/31/2012	11040341-577121	PD	TEEN CENTER	\$386.65	0
7058038017-0812	SERVICE FROM 8/01-8/30/12-302 W G	CAROL STRE/	20123228	10/11/2012	11040341-577121	PD	TEEN CENTER	\$273.38	0
								6,440.15	

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
ENGINEERING ENTERPRISES, INC.									
671								865.00	
51404	R-10-12 ENG-VOLK BRO PHASE II	SUGAR GROV	20122196	09/30/2012	31080810-596000	PW	CAPITAL CONSTRUCTION	\$32,634.50	0
								32,634.50	
ENTERTAINMENT MANAGEMENT GRC									
12325									
091412	DJ SERVICES/COMMUNITY RECOGN	ELK GROVE		09/12/2012	11020170-571013	AD	VOLUNTEER RECOGNITION	\$450.00	135856
								450.00	
FELLER BUSINESS SOLUTIONS									
4541									
349354	BUSINESS LICENSE	BENSENVILLE	20123092	10/05/2012	11060640-549990	CD	OTHER CONTRACTUAL SERVICE	\$97.90	0
3493631	OFFICE SUPPLIES	BENSENVILLE	20123088	10/06/2012	11050110-551110	PW	MATERIALS/SUPPLIES-ADMIN	\$30.48	0
3493631	OFFICE SUPPLIES	BENSENVILLE	20123088	10/06/2012	51050110-551110	PW	OFFICE SUPPLIES	\$53.80	0
								182.18	
FERAL FIXERS NFP									
13044									
12-6635	TNR PRGM FOR CATS-INV #12-6635	LOMBARD	20123218	07/21/2012	11040340-548410	PD	ANIMAL CONTROL SERVICES	\$22.00	0
12-6977	TNR PRGM FOR CATS-INV #12-6977	LOMBARD	20123220	07/28/2012	11040340-548410	PD	ANIMAL CONTROL SERVICES	\$66.00	0
12-6978	TNR PRGM FOR CATS-INV #12-6978	LOMBARD	20123219	07/28/2012	11040340-548410	PD	ANIMAL CONTROL SERVICES	\$44.00	0
12-7627	TNR PRGM FOR CATS-INV #12-7627	LOMBARD	20123217	08/11/2012	11040340-548410	PD	ANIMAL CONTROL SERVICES	\$66.00	0
12-7628	TNR PRGM FOR CATS-INV #12-7628	LOMBARD	20123216	08/11/2012	11040340-548410	PD	ANIMAL CONTROL SERVICES	\$66.00	0
12-8869	TNR PRGM FOR CATS-INV #12-8869	LOMBARD	20123213	09/08/2012	11040340-548410	PD	ANIMAL CONTROL SERVICES	\$22.00	0
12-8870	TNR PRGM FOR CATS-INV #12-8870	LOMBARD	20123214	09/08/2012	11040340-548410	PD	ANIMAL CONTROL SERVICES	\$22.00	0
12-9451	TNR PRGM FOR CATS-INV 312-9451	LOMBARD	20123215	09/22/2012	11040340-548410	PD	ANIMAL CONTROL SERVICES	\$44.00	0
12-9452	TNR PRGM FOR CATS-INV #12-9452	LOMBARD	20123212	09/22/2012	11040340-548410	PD	ANIMAL CONTROL SERVICES	\$22.00	0
								374.00	
FERRELLGAS									
136									
1072291815	REFILL PROPANE GAS-EDGE II	DENVER	20123134	09/22/2012	11070740-541385	SF	GAS-PROPANE	\$144.60	0
10723359568	REFILL PROPANE GAS-EDGE II	DENVER	20123134	09/28/2012	11070740-541385	SF	GAS-PROPANE	\$72.20	0
10723359575	REFILL PROPANE GAS-EDGE I	DENVER	20123134	09/28/2012	11070740-541385	SF	GAS-PROPANE	\$42.00	0
1072429250	REFILL PROPANE GAS-EDGE II	DENVER	20123134	10/05/2012	11070740-541385	SF	GAS-PROPANE	\$67.20	0
1072429253	REFILL PROPANE GAS-EDGE I	DENVER	20123134	10/05/2012	11070740-541385	SF	GAS-PROPANE	\$22.60	0
								348.60	
FIRST EAGLE BANK									
354									
5188	FIRST EAGLE LSPRN-DUE 10/01/12	HANOVER PA	20120006	10/01/2012	11020180-548110	IT	RENTAL & LEASE - EQUIPMENT	\$282.76	0

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
5188	FIRST EAGLE LSPRN-DUE 10/01/12	HANOVER PA	20120006	10/01/2012	11020180-548110	IT	RENTAL & LEASE - EQUIPMENT	\$2,266.55	0
FIRST TRANSIT INC									
9327								2,549.31	
55878-0812-2	R-3-2012 DAB SERVICE-AUG 2012	CHICAGO	20120272	10/01/2012	11050118-549990	PW	OTHER CONTRACTUAL SERVICE	\$20,156.28	0
FLORES, JUAN									
99								20,156.28	
2698-206793	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$120.00	0
FUL LIFE LLC									
355								120.00	
19827	CALIBRATION SERVICE & CERTIFIC	ROSELLE	20123137	09/27/2012	51050540-542310	PW	R&M MATERIALS & EQUIPMENT	\$75.00	0
19839	CALIBRATION SERVICE & CERTIFICA	ROSELLE	20123137	09/28/2012	51050540-542310	PW	R&M MATERIALS & EQUIPMENT	\$75.00	0
G & K SERVICES									
10180								150.00	
1058436058	CLEANING FLOOR MATS-THEATRE	MINNETONKA	20123115	08/24/2012	11070790-542112	SF	R & M BUILDING-CLEANING	\$118.91	0
1058458946	CLEANING FLOOR MATS-VILLAGE H/	MINNETONKA	20123114	10/05/2012	11030110-552125	FN	MATERIALS/SUPPLIES-CLEANING	\$95.52	0
1058462757	CLEANING FLOOR MATS-VILLAGE H/	MINNETONKA	20123252	10/12/2012	11030110-552125	FN	MATERIALS/SUPPLIES-CLEANING	\$95.52	0
GARY FERGUSON									
11991								309.95	
082012	REIMB-MILEAGE TO NIHI HEALTH INC	PALOS PARK		09/19/2012	11020130-522110	AD	EXPENSE REIMBURSEMENT	\$115.50	0
GARY JOHNSTON									
349								115.50	
AUG 2012	TRUCK PERMIT SERVICES-#0812	ELBURN	20123226	10/11/2012	11040110-532100	PD	PROFESSIONAL SERVICES	\$397.44	0
GARY W SCHULMEISTER									
99								397.44	
2568-310025	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$120.00	0
GOLD MEDAL-CHICAGO									
9695								120.00	
246914	FOOS ITEMS FOR SUNDAE'S TOO	SENSENVILLE	20122961	09/12/2012	11070790-557810	SF	FOOD ITEMS	\$861.65	0
247206	FOOS ITEMS FOR SUNDAE'S TOO	SENSENVILLE	20122961	09/19/2012	11070790-557810	SF	FOOD ITEMS	\$591.60	0
1,453.25									

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
GOLDY LOCKS INC									
13164									
609523	SERVICE CALL-LOCK REPAIR 717 E. TINLEY PARK		20123130	09/13/2012	11050440-542110	PW	R&M BUILDING	\$134.00	0
								134.00	
GOVERNMENT FINANCE OFFICERS A:									
11900									
2707905	GFOA GAAP UPDATE NOV. 1, 2012-D CHICAGO	CHICAGO	20123254	11/01/2012	11030110-521510	FN	TRAINING PROGRAMS/SESSIONS	\$135.00	0
								135.00	
GRAINGER									
2841									
9867882764	96 GAL. TRASH LINERS-986788274	PALATINE	20123038	08/02/2012	11040110-552125	PD	MATERIALS/SUPPLIES-CLEANING	\$280.80	0
9904824506	PURCHASE OF RING PIN-OLYMPIA	PALATINE	20123103	09/16/2012	11070740-542610	SF	R&M OLYMPIA	\$14.90	0
								295.70	
GRAND CONSTRUCTION INC									
99									
2827-212329	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$80.00	0
								80.00	
GRECIAN DELIGHT FOODS DISTRIBUT									
10553									
504297	JANITORIAL SUPPLIES	ELK GROVE V	20123253	10/11/2012	11030110-552125	FN	MATERIALS/SUPPLIES-CLEANING	\$79.28	0
								79.28	
HELGET GAS PRODUCTS									
12648									
00594159	RENTAL OF CYLINDERS-THEATER	OMAHA	20122866	09/30/2012	11070790-549990	SF	OTHER CONTRACTUAL SERVICE	\$13.50	0
								13.50	
HERSHEY CREAMERY COMPANY									
13115									
INVE0007018101	ICE CREAM FOR SUNDAE'S TOO	HARRISBURG	20123205	09/22/2012	11070790-557810	SF	FOOD ITEMS	\$670.21	0
INVE0007043385	ICE CREAM FOR SUNDAE'S TOO	HARRISBURG	20123205	09/29/2012	11070790-557810	SF	FOOD ITEMS	\$598.50	0
INVE0007062696	ICE CREAM & SMOOTHIES CONCENT	HARRISBURG	20123206	10/06/2012	11070785-557810	SF	FOOD ITEMS	\$413.60	0
INVE0007062696	ICE CREAM & SMOOTHIES CONCENT	HARRISBURG	20123206	10/06/2012	11070790-557810	SF	FOOD ITEMS	\$1,000.00	0
								2,682.31	
HERVAS,CONDON & BERSANI, P.C.									
8976									
083112	LEGAL SERVICE-BOFPC MANDZIARA	ITASCA		09/30/2012	11010070-533100	AD	LEGAL SERVICES-BOARD OF POL	\$526.50	0
10407	LEGAL SERVICE-BOFPC MANDZIARA	ITASCA		08/30/2012	11010070-533100	AD	LEGAL SERVICES-BOARD OF POL	\$955.50	0
								1,482.00	

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
HOME DEPOT CREDIT SERVICES									
7665									
0026906	BANQUET TABLE,MELAMINE SHELV	COLUMBUS	20123109	10/06/2012	11070760-542310	SF	R&M EQUIPMENT	\$178.91	0
1080142	BRS BRSH,ROLLER CVR,INT/EXT SP/	COLUMBUS	20123108	10/05/2012	11070740-542112	SF	R&M BUILDING-CLEANING	\$8.96	0
1080142	BRS BRSH,ROLLER CVR,INT/EXT SP/	COLUMBUS	20123108	10/05/2012	11070720-552110	SF	MATERIALS/SUPPLIES-OPERATO	\$21.68	0
1115075	DEWALT 20V DRILL/IMPACT KT, ADJ	COLUMBUS	20123176	10/05/2012	11050440-554510	PW	SMALL TOOLS & EQUIPMENT	\$241.00	0
1115077	MEG LITE,LINEMAN PLIER,SCREDRV	COLUMBUS	20123176	10/05/2012	11050440-554510	PW	SMALL TOOLS & EQUIPMENT	\$249.69	0
1115079	60PC MECHANICS TOOL SET,RAGS,F	COLUMBUS	20123176	10/05/2012	11050440-554510	PW	SMALL TOOLS & EQUIPMENT	\$61.90	0
6101337	RAPID CEMENT,HACKSAW,CONCRE	COLUMBUS	20123108	09/20/2012	11070740-542112	SF	R&M BUILDING-CLEANING	\$21.68	0
6101337	RAPID CEMENT,HACKSAW,CONCRE	COLUMBUS	20123108	09/20/2012	11070720-552110	SF	MATERIALS/SUPPLIES-OPERATO	\$52.42	0
7085467	RIDGID EXT CORD,SCRUB BRUSH,DI	COLUMBUS	20123176	09/29/2012	51050110-542110	PW	R&M BUILDINGS	\$12.97	0
7085467	RIDGID EXT CORD,SCRUB BRUSH,DI	COLUMBUS	20123176	09/29/2012	51050540-554510	PW	SMALL TOOLS & EQUIPMENT	\$52.97	0
8161215	MOUNT TAPE,MIRROR ADHESIVE,TR	COLUMBUS	20123176	09/28/2012	11050440-542110	PW	R&M BUILDING	\$60.48	0
9022228	EXTENSION CORD,DURACELL BATTI	COLUMBUS	20123055	09/27/2012	11020190-552135	AD	MATERIAL/SUPPLIES-EQUIPMENT	\$48.85	0
								1,011.51	
HYGIENE SOLUTIONS INC									
678									
11844	PEEPOD URINAL SERVICE & AUTOFF	MONTGOMER	20123101	10/07/2012	11030110-552125	FN	MATERIALS/SUPPLIES-CLEANING	\$64.50	0
11863	CLEANING SUPPLIES & SERVICE-SEI	MONTGOMER	20123148	10/01/2012	11070740-542112	SF	R&M BUILDING-CLEANING	\$28.99	0
11863	CLEANING SUPPLIES & SERVICE-SEI	MONTGOMER	20123148	10/01/2012	11070720-552110	SF	MATERIALS/SUPPLIES-OPERATO	\$1.01	0
11970	AUTOFRESH PRODUCT&PEEPOD UF	MONTGOMER	20122868	10/01/2012	11050440-549990	PW	OTHER CONTRACTUAL SERVICE	\$43.00	0
11977	CLEANING SUPPLIES & SERVICE-AU	MONTGOMER	20123148	09/30/2012	11070740-542112	SF	R&M BUILDING-CLEANING	\$231.92	0
11977	CLEANING SUPPLIES & SERVICE-AU	MONTGOMER	20123148	09/30/2012	11070720-552110	SF	MATERIALS/SUPPLIES-OPERATO	\$8.08	0
11978	CLEANING SUPPLIES & SERVICE-SEI	MONTGOMER	20123148	10/01/2012	11070740-542112	SF	R&M BUILDING-CLEANING	\$510.70	0
11978	CLEANING SUPPLIES & SERVICE-SEI	MONTGOMER	20123148	10/01/2012	11070720-552110	SF	MATERIALS/SUPPLIES-OPERATO	\$17.80	0
11979	CLEANING SUPPLIES & SERVICE-SEI	MONTGOMER	20123148	10/01/2012	11070740-542112	SF	R&M BUILDING-CLEANING	\$89.39	0
11979	CLEANING SUPPLIES & SERVICE-SEI	MONTGOMER	20123148	10/01/2012	11070720-552110	SF	MATERIALS/SUPPLIES-OPERATO	\$3.11	0
11980	CLEANING SUPPLIES & PEEPOD URI	MONTGOMER	20123102	09/30/2012	11070790-542112	SF	R & M BUILDING-CLEANING	\$70.50	0
								1,069.00	
ICMA_RC RETIREMENT									
3096									
083112	ICMA-RC PR WH 8/31/12		20123044	09/30/2012	11000000-213100	FN	PAYROLL DEDUCTN-DEF COMP	\$5,693.05	9002331
83112	ROTH PR WH 8/31/12		20122995	09/30/2012	11000000-213300	FN	PAYROLL DEDUCTN-ROTH IRA	\$15.00	9002332
								5,708.05	
IL DEPT OF TRANSPORTATION ON									
7540									
39015	TRAFFIC SIGNAL MAINT-IRV PK@YO	SCHAUMBUR	20120208	08/11/2012	11050420-549990	PW	OTHER CONTRACTUAL SERVICE	\$1,104.00	0
39015A	TRAFFIC SIGNAL MAINT-IRV PK @ CI	SCHAUMBUR	20121368	08/11/2012	11050420-549990	PW	OTHER CONTRACTUAL SERVICE	\$1,104.00	0
								2,208.00	

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
IL. MUNICIPAL RETIREMENT FUND									
2882									
AUGUST 2012	IMRF AUG 2012 CONTRIBUTIONS	OAK BROOK	20123040	09/30/2012	11000000-212110	FN	PAYROLL DEDUCTN-IMRF	\$95,581.55	9002329
								95,581.55	
ILLINI POWER PRODUCTS									
5282									
118635	GENERATOR CONTROL BOARD	CAROL STRE	20122572	09/14/2012	51050540-542310	PW	R&M MATERIALS & EQUIPMENT	\$1,001.93	0
								1,001.93	
ILLINOIS DEPARTMENT OF REVENUE									
3098									
083112	IL STATE PR TAX WH 8/31/12	SPRINGFIELD	20123045	09/30/2012	11000000-212040	FN	PAYROLL DEDUCTN-ST INC TX	\$14,499.61	9002325
AUGUST 2012	SALES TAX PAYABLE AUGUST 2012	SPRINGFIELD		10/07/2012	11000000-265010	FN	SALES TAX PAYABLE	\$161.00	9002335
AUGUST 2012	SALES TAX PAYABLE AUGUST 2012	SPRINGFIELD		10/07/2012	11000000-265010	FN	SALES TAX PAYABLE	\$1,190.00	9002335
AUGUST 2012	SALES TAX PAYABLE AUGUST 2012	SPRINGFIELD		10/07/2012	11000000-437295	FN	MISC REVENUE-REDMOND	\$-24.00	9002335
								15,826.61	
ILLINOIS POLICE ACCREDITATION CO									
530									
2012 DUES	2012 MEMBERSHIP DUES	BARRINGTON	20123027	05/31/2012	11040110-521110	PD	MEMBERSHIP DUES	\$125.00	0
								125.00	
INTEGRYS ENERGY SERVICES INC									
13016									
763464-19-0812	SERVICE FROM 08/01-08/29/12-105 N	GREEN BAY	20123204	09/30/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$493.77	0
763464-2-0812	SERVICE FROM 08/01-08/29/12-230 W	GREEN BAY	20123204	09/30/2012	51050550-541370	PW	ELECTRICITY/GAS	\$1,798.20	0
763464-21-0812	SERVICE FROM 08/01-08/29/12-700 F	GREEN BAY	20123204	09/30/2012	51050550-541370	PW	ELECTRICITY/GAS	\$1,600.81	0
763464-23-0712	SERVICE FROM 07/02-07/31-711 E. JE	GREEN BAY	20123072	09/21/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$16,494.99	0
763464-23-0812	SERVICE FROM 08/01-08/29/12-711 E	GREEN BAY	20123204	09/30/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$16,494.99	0
763464-26-0812	SERVICE FROM 08/01-08/29/12-130N	GREEN BAY	20123204	09/30/2012	51050550-541370	PW	ELECTRICITY/GAS	\$2,123.09	0
763464-29-0812	SERVICE FROM 08/01-08/29/12-711 E	GREEN BAY	20123204	09/30/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$297.66	0
763464-8-0812	SERVICE FROM 08/01-08/29/12-629 G	GREEN BAY	20123204	09/30/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$47.77	0
								39,351.28	
J & D ENTERPRISES									
12640									
09022436600	BLEACHER DISASSEMBLY-REDMONI	CRYSTAL LAK	20123202	09/20/2012	11070720-542310	SF	R & M EQUIPMENT	\$1,880.00	0
								1,880.00	
JAMES D BAKER									
99									
2547-21786	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$194.60	0
								194.60	

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
JIMENEZ, JOS A									
99									
2824-19400	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$80.00	0
								80.00	
JOHN J PERSINO									
13156									
15762	RODDED THEATER ICE CREAM SHOI	FRANKLIN PA	20123091	09/23/2012	11050440-549990	PW	OTHER CONTRACTUAL SERVICE	\$130.00	0
								130.00	
JOHN M VANN									
463									
1233	OMP PACKAGE 7 LANDSCAPE DESIG	OSWEGO	20123140	10/06/2012	11060110-549990	CD	OTHER CONTRACTUAL SERVICE	\$1,812.50	0
								1,812.50	
JOHN R. DEMUS									
11341									
091012	DEMUS CAMERA - 09/10/12	OAK PARK	20123233	10/10/2012	11020170-572173	AD	BROADCASTING - LOCAL CHANNE	\$75.00	0
								75.00	
JUAN FLORES									
99									
2698	BOND PERMIT REFUND-237 MARION			10/14/2012	11000000-426610	CD	BUILDING PERMITS - DUPAGE	\$117.00	0
								117.00	
KIEFT BROTHERS INC									
2900									
188940	RUBBER GASKETS REPAIR COUPLIN	PALATINE	20123041	09/22/2012	51050540-552520	PW	WATER MAIN PARTS	\$514.30	0
189135	STORM SEWER REPAIR PARTS	PALATINE	20123159	09/29/2012	51250520-552515	PW	MATERIALS-STORM BASINS	\$61.60	0
189135	STORM SEWER REPAIR PARTS	PALATINE	20123159	09/29/2012	51250520-552517	PW	MATERIALS/SUPPLIES-DRAINAGE	\$231.00	0
								806.90	
KINGS POINT SAFETY LANE									
10818									
27886	VEHICLE SAFETY TEST	ADDISON	20123090	09/30/2012	11050420-542410	PW	R & M VEHICLES	\$25.00	0
27986	SAFETY TEST	ADDISON	20123127	10/11/2012	11050420-542310	PW	R & M EQUIPMENT	\$25.00	0
								50.00	
KISSANE, JIM									
99									
2814-201859	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$100.00	0
								100.00	
KRAMER SERVICES INC									
503									
1511	R-37-12 LAWN MAINT SERVICE-SEPT	SENSENVILLE	20121551	09/29/2012	11050430-549990	PW	OTHER CONTRACTUAL SERVICE	\$3,662.00	0

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
1527	TALL GRASS PROGRAM (9 PROPERT	SENSEVILLE	20123227	10/11/2012	11060640-549990	CD	OTHER CONTRACTUAL SERVICE	\$320.00	0
LANER,MUCHIN,DOMBROW,BECKER,J								3,982.00	
11469									
403144	LEGAL SERVICE-JULY 2012	CHICAGO	20123194	08/31/2012	11020120-533110	AD	LEGAL SERVICES-POLICE PENSIC	\$160.00	0
403144	LEGAL SERVICE-JULY 2012	CHICAGO	20123194	08/31/2012	11020120-533110	AD	LEGAL SERVICES-GENERAL	\$297.30	0
403144	LEGAL SERVICE-JULY 2012	CHICAGO	20123194	08/31/2012	11020120-533110	AD	LEGAL SERVICES-POL.GENL MAT	\$2,560.00	0
406063	LEGAL SERVICE- AUG 2012	CHICAGO	20123194	10/01/2012	11020120-533110	AD	LEGAL SERVICES-POL.GENL MAT	\$1,440.00	0
406063	LEGAL SERVICE- AUG 2012	CHICAGO	20123194	10/01/2012	11020120-533110	AD	LEGAL SERVICES-GENERAL	\$2,074.83	0
LANG ICE								6,532.13	
9760									
1072558	(84)BAGS OF ICE- CONCESSIONS-EC	CHICAGO	20123113	09/13/2012	11070785-557810	SF	FOOD ITEMS	\$71.40	0
1072559	(84)BAGS OF ICE- CONCESSIONS-EC	CHICAGO	20123113	09/13/2012	11070785-557810	SF	FOOD ITEMS	\$71.40	0
LAW ENFORCEMENT TARGETS INC								142.80	
686									
0198108-IN	BEAN BAG TARGETS-QT#0194533	BLAINE	20122619	10/02/2012	11040340-521510	PD	TRAINING PROGRAMS/SESSIONS	\$435.51	0
LAW OFFICES OF JOHN Z TOSCAS								435.51	
12719									
080412/081312M	RED LIGHT MAIL #080412/081312M	PALOS HEIG-	20123203	09/12/2012	11040110-533100	PD	LEGAL SERVICES	\$450.00	0
081612P	PARK/ORD HEARING-INV #081212P	PALOS HEIG-	20123067	09/15/2012	11040110-533100	PD	LEGAL SERVICES	\$500.00	0
081612R	RED LIGHT HEARING-#081612R	PALOS HEIG-	20123068	09/15/2012	11040110-533100	PD	LEGAL SERVICES	\$300.00	0
090312/090912M	RED LIGHT MAIL #090312/090912M	PALOS HEIG-	20123238	10/09/2012	11040110-533100	PD	LEGAL SERVICES	\$450.00	0
LYLE SUMEK ASSOCIATES, INC								1,700.00	
265									
12-0702	PREPARATION/CONSULTATION-07/2	PALM COAST	20123224	10/11/2012	11010010-521510	AD	TRAINING PROGRAMS/SESSIONS	\$1,908.00	0
12-0809	WORKSHOP IN AUGUST	PALM COAST	20123225	09/30/2012	11010010-521510	AD	TRAINING PROGRAMS/SESSIONS	\$8,378.25	0
MARATHON PETROLEUM COMPANY								10,286.25	
2729									
1003201389-0812	AUGUST FLEET FUEL PURCHASE	CINCINNATI	20123156	09/22/2012	11020110-554110	PW	FUEL/GAS/OIL	\$147.37	135859
1003201389-0812	AUGUST FLEET FUEL PURCHASE	CINCINNATI	20123156	09/22/2012	11040110-554110	PW	FUEL/GAS/OIL	\$1,794.89	135859
1003201389-0812	AUGUST FLEET FUEL PURCHASE	CINCINNATI	20123156	09/22/2012	11050110-554110	PW	FUEL/GAS/OIL	\$156.38	135859
1003201389-0812	AUGUST FLEET FUEL PURCHASE	CINCINNATI	20123156	09/22/2012	11050420-554110	PW	FUEL/GAS/OIL	\$744.78	135859
1003201389-0812	AUGUST FLEET FUEL PURCHASE	CINCINNATI	20123156	09/22/2012	11050430-554110	PW	FUEL/GAS/OIL	\$1,056.74	135859

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
1003201389-0812	AUGUST FLEET FUEL PURCHASE	CINCINNATI	20123156	09/22/2012	11050440-554110	PW	FUEL/GAS/OIL	\$78.26	135859
1003201389-0812	AUGUST FLEET FUEL PURCHASE	CINCINNATI	20123156	09/22/2012	11060640-554110	PW	FUEL/GAS/OIL	\$114.49	135859
1003201389-0812	AUGUST FLEET FUEL PURCHASE	CINCINNATI	20123156	09/22/2012	11070720-554110	PW	FUEL/GAS/OIL	\$216.28	135859
1003201389-0812	AUGUST FLEET FUEL PURCHASE	CINCINNATI	20123156	09/22/2012	51050540-554110	PW	FUEL/GAS/OIL	\$1,090.41	135859
MARQUARDT & BELMONTE P.C.									
127								5,399.60	
5201	PROSECUTIONS & ADMIN HEARINGS	WHEATON	20123132	10/05/2012	11020120-533210	AD	LEGAL SERVICES-PROSECUTION	\$5,715.35	0
MAXWELL C WASSINGER									
323								600.00	0
1	MUSIC IN THE PARK BAND SEP.19	BENSENVILLE	20123136	10/06/2012	11070110-577012	SF	MUSIC IN THE PARK	\$600.00	0
MDL TREE SERVICE									
8970								600.00	0
081412	TREE REMOVAL COUNTY LINE RD	BENSENVILLE	20123059	09/13/2012	51080860-536513	PW	ENG SVC - DESIGN	\$2,900.00	0
MEADE ELECTRIC COMPANY INC									
12050								2,900.00	0
656306	TRAFFIC SIGNAL MAINT 2012-AUGUS	MCCOOK	20120226	09/30/2012	11050421-542820	PW	R&M TRAFFIC SIGNALS	\$1,007.80	0
METROPOLITAN ALLIANCE POLICE									
8009								1,007.80	0
083112	UNION DUES PR WH 8/31/12	BOLINGBROC	20123056	09/30/2012	11000000-218100	FN	PAYROLL DEDUCTN-UNION DUES	\$651.00	9002323
MIDWEST PARKER SERVICES INC									
108								651.00	0
378	REPAIR DOORS @ EDGE II	AURORA	20123131	09/23/2012	11070740-542310	SF	R&M EQUIPMENT	\$110.00	0
379	REPAIR DOORS @ EDGE II	AURORA	20123131	09/23/2012	11070740-542310	SF	R&M EQUIPMENT	\$330.00	0
MIKE MARTELLA									
300								440.00	0
06/19-08/02/12	TUITION REIMBURSEMENT-SUMMER	ADDISON		09/27/2012	11020130-521510	AD	TRAINING PROGRAMS/SESSIONS	\$2,149.20	0
MILLER INDUSTRIAL									
6509								2,149.20	0
517149	COUPLE BLACK 3/4X1/2	ELK GROVE V	20123001	09/21/2012	11050420-542410	PW	R & M VEHICLES	\$9.87	0
517165	NIPPLE BLACK	ELK GROVE V	20123001	09/21/2012	11050420-542410	PW	R & M VEHICLES	\$3.87	0

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
517730	ROPE,CLIP,REFLECTIVE NUMBERS,F	ELK GROVE V	20123002	09/23/2012	51050110-551110	PW	OFFICE SUPPLIES	\$2.94	0
517730	ROPE,CLIP,REFLECTIVE NUMBERS,F	ELK GROVE V	20123002	09/23/2012	51050540-554510	PW	SMALL TOOLS & EQUIPMENT	\$40.46	0
517899	TAPE, CYLINDER PROPANE	ELK GROVE V	20123002	09/26/2012	51050540-542310	PW	R&M MATERIALS & EQUIPMENT	\$5.96	0
517899	TAPE, CYLINDER PROPANE	ELK GROVE V	20123002	09/26/2012	51050540-554110	PW	FUEL/GAS/OIL	\$40.92	0
517901	TAPE, CYLINDER PROPANE	ELK GROVE V	20123002	09/26/2012	51050540-542310	PW	R&M MATERIALS & EQUIPMENT	\$5.96	0
517901	TAPE, CYLINDER PROPANE	ELK GROVE V	20123002	09/26/2012	51050540-554110	PW	FUEL/GAS/OIL	\$22.74	0
518424	NOZZLE GUN CUSHION GRIP, ELBOV	ELK GROVE V	20123003	09/28/2012	51050110-542110	PW	R&M BUILDINGS	\$25.96	0
518456	TOOLS/TOOL BOX-INV #518456	ELK GROVE V	20123210	09/28/2012	11040340-554510	PD	SMALL TOOLS & EQUIPMENT	\$85.77	0
520126	V-BELT	ELK GROVE V	20123124	10/11/2012	11050440-542110	PW	R&M BUILDING	\$11.98	0
MOA INDUSTRIES									
637									
18627	20 BULLET CARTRIDGES	BENSENVILLE	20122890	09/28/2012	11040340-554510	PD	SMALL TOOLS & EQUIPMENT	\$294.60	0
MUNICIPAL SYSTEMS INC									
12974									
7292	MOVE/ABC PRGM-JUL 2012-INV #729	PALOS HTS	20123070	09/15/2012	11040110-542100	PD	MAINTENANCE AGREEMENTS	\$275.00	0
7376	PARK/ORD PRGM-JUL 2012-INV #737	PALOS HTS	20123071	09/16/2012	11040110-542100	PD	MAINTENANCE AGREEMENTS	\$1,484.00	0
NEMETH GLASS INC.									
10156									
1-96349	PURCHASE OF DOOR GLASS-HIP VA	CHICAGO	20123125	09/26/2012	11070720-542310	SF	R & M EQUIPMENT	\$160.40	0
NEOFUNDS BY NEOPOST									
9820									
090512	POSTAGE-INV #09/06/12	TAMPA	20123188	10/04/2012	11040110-540110	PD	POSTAGE/DELIVERY SERVICES	\$867.69	135857
790004471622260-	POSTAGE REFILL-VILL HALL	TAMPA	20123287	10/10/2012	11030110-540110	FN	POSTAGE/DELIVERY SERVICES	\$3,711.30	0
NICOR									
2673									
1055780000-0812	SERVICE FROM 07/26-08/27-701 W FC	AURORA	20123086	09/26/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$109.74	0
1817192834-0812	SERVICE FROM 08/09-09/07/12-302 W	AURORA	20123207	10/07/2012	11040341-577121	PD	TEEN CENTER	\$23.98	0
2055780000-0812	SERVICE FROM 07/26-08/27-701 W FC	AURORA	20123086	09/26/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$78.29	0
5745557955-0812	SERVICE FROM 08/09-09/07/12-302 W	AURORA	20123208	10/07/2012	11040341-577121	PD	TEEN CENTER	\$34.00	0
6143740000-0812	SERVICE FROM 06/26-08/29/12-711 E	AURORA	20123153	09/28/2012	51050570-545630	PW	VARIABLE EXP-WATER TREAT PL	\$317.70	0
6864780000-0812	SERVICE FROM 07/26-08/24-605 W M	AURORA	20123087	09/26/2012	51050550-541370	PW	ELECTRICITY/GAS	\$26.70	0
7194780000-0812	SERVICE FROM 07/26-08/27-20 N CHL	AURORA	20123087	09/26/2012	51050550-541370	PW	ELECTRICITY/GAS	\$77.65	0
								668.06	

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
NORRIS, CHAD									
11760									
9-1-2012	SERVICE FROM 09/04-09/07-CABLE D PORTAGE		20120002	10/07/2012	11020170-572173	AD	BROADCASTING - LOCAL CHANNE	\$832.00	0
9-2-2012	SERVICE FROM 09/10-09/14-CABLE D PORTAGE		20120002	10/14/2012	11020170-572173	AD	BROADCASTING - LOCAL CHANNE	\$832.00	0
								1,664.00	
NORTECH TELECOMMUNICATIONS, IA									
672									
CHV-025315	SIGHT SURVEY	ELK GROVE V	20122038	10/12/2012	11020180-541310	AD	COMMUNICATION-PHONES (WIRE	\$1,500.00	0
								1,500.00	
NORTH EAST MULTI-REGIONAL TRNG									
2941									
159954	SHOOTING SKILLS-HOLMAN-#159954	NORTH AURO	20123042	09/26/2012	11040340-521510	PD	TRAINING PROGRAMS/SESSIONS	\$300.00	0
								300.00	
NUSSBAUM, WENDY									
11879									
AUGUST 2012	SERVICES RENDERED-INV #0812	NAPERVILLE	20123235	10/06/2012	11040341-577121	PD	TEEN CENTER	\$6,667.00	0
								6,667.00	
OAKLEAF ELECTRIC									
99									
2734-23726	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$40.00	0
2736-23726	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$80.00	0
								120.00	
OBEY MEDIA									
383									
V 10-10-1	VOB & EDGE NAPKINS - EDGE	WOODRIDGE	20123138	10/06/2012	11070740-541145	SF	ADVERTISING	\$415.00	0
								415.00	
ORANGE CRUSH LLC									
8756									
423635	MOD SURFACE & REC BINDER	HILLSIDE	20123180	09/29/2012	11050420-542810	PW	R & M PAVEMENT	\$268.49	0
423758	MOD SURFACE & REC BINDER	HILLSIDE	20123180	09/30/2012	51050540-542810	PW	R&M PAVEMENT	\$226.02	0
423890	MOD SURFACE	HILLSIDE	20123180	09/30/2012	51050540-542810	PW	R&M PAVEMENT	\$131.58	0
424019	MOD SURFACE	HILLSIDE	20123181	10/05/2012	51050540-542810	PW	R&M PAVEMENT	\$163.20	0
424175	MOD SURFACE	HILLSIDE	20123181	10/07/2012	11050420-542810	PW	R & M PAVEMENT	\$107.10	0
								896.39	
OTIS ELEVATOR COMPANY									
99									
2791-20364	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$150.00	0
								150.00	

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
PARTSMASTER									
496									
20603690	SURF COND DEBUR ROLL & LO SLAE	DALLAS	20123142	09/15/2012	11050490-552130	PW	MATERIAL/SUPPLIES-VEHICLES	\$475.99	0
20604390	ZIRC AL SANDING DISC	DALLAS	20123142	09/19/2012	11050490-552130	PW	MATERIAL/SUPPLIES-VEHICLES	\$58.06	0
								534.05	
PARVIN-CLAUSS SIGN COMPANY INC									
99									
2101-11355	BOND REFUND			10/14/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$250.00	0
								250.00	
PATRICK A COYNE									
531									
27	MUSIC IN THE PARK BAND SEP.26	SENSENVILLE	20123144	10/09/2012	11070110-577012	SF	MUSIC IN THE PARK	\$400.00	0
								400.00	
PAYLOCITY									
12843									
083112	PAYROLL FEE 8/31/12	ARLINGTON F	20123069	09/30/2012	11030110-532310	FN	PAYROLL SERVICES	\$671.22	9002326
								671.22	
PETTY CASH									
6133									
091312	PETTY CASH REPLENTISHMENT	SENSENVILLE	20123247	10/13/2012	11000000-101091	FN	PETTY CASH-VILLAGE HALL	\$40.00	0
091312	PETTY CASH REPLENTISHMENT	SENSENVILLE	20123247	10/13/2012	11020110-522110	FN	EXPENSE REIMBURSEMENT	\$13.29	0
091312	PETTY CASH REPLENTISHMENT	SENSENVILLE	20123247	10/13/2012	11030110-522110	FN	EXPENSE REIMBURSEMENT	\$63.00	0
091312	PETTY CASH REPLENTISHMENT	SENSENVILLE	20123247	10/13/2012	11030110-540310	FN	BANK SERV/OTHER FEES	\$12.00	0
								128.29	
PETTY CASH (P.W.)									
2626									
091212	PETTY CASH REIMBURSEMENT	SENSENVILLE	20123121	10/12/2012	31080800-591000	PW	CAPITAL OUTLAY-BLDG & STRUC	\$37.99	0
								37.99	
PICICCO, FRANK/ANDREA									
99									
2776-23047	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$120.00	0
								120.00	
PRECISION MECHANICAL INC									
9070									
28080	REPAIR DEHUMIDIFIER UNIT-EDGE I	FRANKLIN PA	20123183	07/27/2012	11070740-542110	SF	R & M HVAC	\$711.00	0
28208	REPAIR A/C UNIT - EDGE I	FRANKLIN PA	20123184	08/30/2012	11070740-542110	SF	R & M HVAC	\$688.50	0
28209	REPAIR A/C UNIT - EDGE I	FRANKLIN PA	20123110	08/30/2012	11070740-542110	SF	R & M HVAC	\$197.50	0
28210	LABOR ONLY TO REPAIR UNIT-POOL	FRANKLIN PA	20123185	08/30/2012	11070760-542310	SF	R&M EQUIPMENT	\$1,405.00	0

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
28259	REPAIR A/C UNIT-EDGE II	FRANKLIN PA	20122960	09/09/2012	11070740-542110	SF	R & M HVAC	\$496.50	0
28289	REPAIR DEHUMIDIFIER-EDGE II	FRANKLIN PA	20123186	09/20/2012	11070740-542110	SF	R & M HVAC	\$427.50	0
28290	REPAIR CIRCULATOR PUMP-POOL	FRANKLIN PA	20123187	09/20/2012	11070760-542310	SF	R&M EQUIPMENT	\$1,709.00	0
28350	HVAC SERVICE-VILLAGE HALL	FRANKLIN PA	20123182	09/29/2012	11050440-549990	PW	OTHER CONTRACTUAL SERVICE	\$1,250.00	0
PSYCHCARE ASSOCIATES PC									
501								6,885.00	
080312	PSYCHOLOGICAL TESTING-BEN MAF AURORA			09/02/2012	11010070-541240	AD	TESTING	\$500.00	0
080812	PSYCHOLOGICAL TESTING-WALTER AURORA			09/07/2012	11010070-541240	AD	TESTING	\$500.00	0
QUALITY PLUMBING SERVICE INC									
99								1,000.00	
2858-23998	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$80.00	0
QUILL CORPORATION									
7023								80.00	
5636275	QUILL 2 PLY PRINTROLL	PHILADELPHI.	20123285	10/07/2012	11030110-551110	FN	MATERIALS/SUPPLIES-ADMIN	\$252.27	0
RALPH LEWIS									
9								252.27	
010000060447	REFUND FIGURE SKATING-CANCELL			10/10/2012	11000000-437430	SF	RINK REVENUE-FIGURE SKATING	\$150.00	0
REGAL CUSTOM CONCRETE									
99								150.00	
2729-23723	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$120.00	0
RG SMITH EQUIPMENT CO									
8704								120.00	
117603	R-39-2012 PW TRUCK REFURBISHME	DES PLAINES	20121596	09/05/2012	31080800-595000	PW	CAPITAL OUTLAY-FLEET	\$41,950.00	135855
117639	REPAIRS #729	DES PLAINES	20123057	09/08/2012	31080800-595000	PW	CAPITAL OUTLAY-FLEET	\$1,938.19	0
RKD CONSTRUCTION SUPPLIES & EQ									
6908								43,888.19	
1/906950	WALKING GROVER, ACCESS TILE	NORTHLAKE	20123004	09/23/2012	11050420-554510	PW	SMALL TOOLS & EQUIPMENT	\$190.00	0
1/912190	CREDIT RETURN REF#892450	NORTHLAKE		08/31/2012	31080800-591000	PW	CAPITAL OUTLAY-BLDG & STRUC	\$-76.00	0
ROESCH FORD									
486								114.00	

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
21226FOW	HUB ASSY-SQ #304-INV #21226	BENSENVILLE	20123078	09/19/2012	11040110-542410	PD	R&M VEHICLES	\$186.15	0
21435FOW	HANDLE	BENSENVILLE	20123120	09/27/2012	11050110-542310	PW	R&M EQUIPMENT	\$23.61	0
RONCO INDUSTRIAL SUPPLY COMPAI									
58								209.76	
1209352-01	CLEANING SUPPLIES-EDGE I & II	BENSENVILLE	20123100	09/28/2012	11070740-542112	SF	R&M BUILDING-CLEANING	\$149.91	0
1209352-02	CLEANING SUPPLIES-EDGE I & II	BENSENVILLE	20123100	09/30/2012	11070740-542112	SF	R&M BUILDING-CLEANING	\$96.20	0
RORY GROUP LLC									
258								246.11	
1255	BUSINESS CONSULTING FEES-SEPT	CHICAGO	20120037	10/01/2012	11010010-532810	AD	PROJECT MANAGEMENT SERVICE	\$10,000.00	0
ROYAL PIPE & SUPPLY COMPANY									
2980								10,000.00	
S1342902.001	SLOAN REPAIR KIT	MELROSE PA	20122989	10/07/2012	11050440-542110	PW	R&M BUILDING	\$25.98	0
ROYAL STAIRS CO									
99								25.98	
2234-210449	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$250.00	0
RUSSO POWER EQUIPMENT									
8166								250.00	
1399283	HAND SAW	SCHILLER PA	20123008	09/23/2012	11050420-554510	PW	SMALL TOOLS & EQUIPMENT	\$37.98	0
1399290	AIR CLEANER	SCHILLER PA	20123009	09/23/2012	51050540-542310	PW	R&M MATERIALS & EQUIPMENT	\$10.42	0
S & M CAR WASH INC									
2910								48.40	
083112	AUGUST - FLEET FUEL PURCHASE	BENSENVILLE	20123160	09/30/2012	11020110-554110	PW	FUEL/GAS/OIL	\$85.25	0
083112	AUGUST - FLEET FUEL PURCHASE	BENSENVILLE	20123160	09/30/2012	11040110-554110	PW	FUEL/GAS/OIL	\$7,031.48	0
083112	AUGUST - FLEET FUEL PURCHASE	BENSENVILLE	20123160	09/30/2012	11060640-554110	PW	FUEL/GAS/OIL	\$519.76	0
083112	AUGUST - FLEET FUEL PURCHASE	BENSENVILLE	20123160	09/30/2012	51050540-554110	PW	FUEL/GAS/OIL	\$440.56	0
SALVATORE FARINELLA									
99								8,077.05	
2367-303328	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$80.00	0
SCHULTZ, DON									
2681								80.00	

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
SEPT 2012	REIMB-MILEAGE TO ILLINOIS EMERG	BENSENVILLE		10/10/2012	11020190-522110	AD	EXPENSE REIMBURSEMENT	\$215.60	0
SENA								215.60	
9									
1934	BUSINESS LICENSE REFUND			10/14/2012	11000000-420110	CD	BUSINESS LICENSES	\$100.00	0
SHARON BARRETT								100.00	
703									
082012	REIMB-MILEAGE TO NIHI HEALTH INS	CAROL STREJ		09/19/2012	11030110-522110	FN	EXPENSE REIMBURSEMENT	\$104.50	0
SHEMIN NURSERIES, INCORPORATEE								104.50	
2997									
792412	SOD	ADDISON	20123095	07/19/2012	31080820-596000	PW	CAPITAL CONSTRUCTION	\$181.50	0
792413	SOD	ADDISON	20123096	07/21/2012	31080820-596000	PW	CAPITAL CONSTRUCTION	\$181.50	0
792414	SOD	ADDISON	20123097	07/21/2012	31080820-596000	PW	CAPITAL CONSTRUCTION	\$181.50	0
792415	SOD	ADDISON	20123098	07/21/2012	31080820-596000	PW	CAPITAL CONSTRUCTION	\$181.50	0
792416	SOD	ADDISON	20123099	07/21/2012	31080820-596000	PW	CAPITAL CONSTRUCTION	\$181.50	0
792842	SOD	ADDISON	20123161	07/25/2012	31080820-596000	PW	CAPITAL CONSTRUCTION	\$756.50	0
793283	CREDIT FOR PRICE ADJUSTMENT RE	ADDISON		06/29/2012	31080820-596000	PW	CAPITAL CONSTRUCTION	\$-11.20	0
								1,652.80	
SIGN WORKS INCORPORATED									
2999									
58041	SAFETY FIRST NO PARKING SIGN	BENSENVILLE	20123162	07/26/2012	11070110-577012	SF	MUSIC IN THE PARK	\$170.00	0
58828	NO SMOKING NO DOGS SIGN	BENSENVILLE	20123162	09/21/2012	11070110-577012	SF	MUSIC IN THE PARK	\$90.00	0
								260.00	
SIMPLEXGRINNEL									
10647									
68019647	REPAIR FIRE ALARM.	PALATINE	20122963	08/26/2012	11070785-542310	SF	R&M EQUIPMENT	\$537.70	0
68053451	REPAIR FIRE ALARM-CONCESSIONS	PALATINE	20122964	09/07/2012	11070785-542310	SF	R&M EQUIPMENT	\$500.00	0
68115861	REPLACED SMOKE DETECTOR HEAT	PALATINE	20123190	09/26/2012	11050440-549990	PW	OTHER CONTRACTUAL SERVICE	\$600.79	0
								1,638.49	
SIRCHIE FINGER PRINT LABORATORI									
4391									
0092659-IN	FINGER PRINT SUPPLIES-#0092659-I	YOUNGSMVILLI	20123082	09/26/2012	11040360-551110	PD	MATERIALS/SUPPLIES-ADMIN	\$59.26	0
								59.26	
SOUCHET, MICHAEL A									
99									
2868-13160	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$80.00	0

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
2572-20853	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$250.00	0
2795-20853	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$250.00	0
2817-20853	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$250.00	0
STREICHER'S-MILWAUKEE									
9616								750.00	
1954095	2 VESTS-IRVING/NAVARRO-1954095	MINNEAPOLIS	20123060	08/31/2012	11040110-554810	PD	UNIFORMS - PURCHASE	\$1,215.00	0
SUBURBAN LABORATORIES INC.									
3008									
19256	PRETREATMENT-PIE PIPER	HILLSIDE	20122662	07/29/2012	51050577-543510	PW	LABORATORY TESTING	\$99.25	0
19260	PRETREATMENT-WASTE MANAGEMI	HILLSIDE	20122662	07/29/2012	51050577-543510	PW	LABORATORY TESTING	\$144.11	0
20662	PRETREATMENT-FORTUNE FISH	HILLSIDE	20122662	09/21/2012	51050577-543510	PW	LABORATORY TESTING	\$331.19	0
20822	COLIFORM/ROUTINE BACTERIA	HILLSIDE	20120190	09/28/2012	51050550-543510	PW	LABORATORY TESTING	\$439.75	0
20937	PRETREATMENT-COATINGS APPLIC	HILLSIDE	20122662	09/29/2012	51050577-543510	PW	LABORATORY TESTING	\$144.11	0
20938	PRETREATMENT-CHICAGO CIRCUIT	HILLSIDE	20122662	09/29/2012	51050577-543510	PW	LABORATORY TESTING	\$144.11	0
20939	PRETREATMENT-CHICAGO SPECIAL	HILLSIDE	20122662	09/29/2012	51050577-543510	PW	LABORATORY TESTING	\$569.68	0
20940	PRETREATMENT-CHICAGO WHITE M	HILLSIDE	20122662	09/29/2012	51050577-543510	PW	LABORATORY TESTING	\$652.75	0
20941	PRETREATMENT-RYDER TRANSPOR	HILLSIDE	20122662	09/29/2012	51050577-543510	PW	LABORATORY TESTING	\$584.80	0
20979	PRETREATMENT-DOUMAK	HILLSIDE	20122662	09/30/2012	51050577-543510	PW	LABORATORY TESTING	\$448.33	0
21040	PRETREATMENT-VIE DE GRANCE YF	HILLSIDE	20122662	10/05/2012	51050577-543510	PW	LABORATORY TESTING	\$596.14	0
								4,154.22	
T.P.J.									
8582									
6318	PLAN REVIEWS AND INSPECTIONS /	ST CHARLES	20123231	09/30/2012	11060640-549990	CD	OTHER CONTRACTUAL SERVICE	\$25,723.00	0
								25,723.00	
TECHNICOLOR									
10357									
85659230	DELIVERY FILM SERVICE-THEATRE	LOS ANGELES	20123116	09/25/2012	11070790-540110	SF	POSTAGE/DELIVERY SERVICES	\$107.16	0
85661388	DELIVERY FILM SERVICE-THEATRE	LOS ANGELES	20123116	10/10/2012	11070790-540110	SF	POSTAGE/DELIVERY SERVICES	\$100.00	0
								207.16	
TERRACE PNT & WLLCVRNG, INC.									
7676									
321113977	PAINT FOR EDGE	VILLA PARK	20123177	09/16/2012	11070740-542112	SF	R&M BUILDING-CLEANING	\$129.72	0
321113977	PAINT FOR EDGE	VILLA PARK	20123177	09/16/2012	11070760-542310	SF	R&M EQUIPMENT	\$42.98	0
321113977	PAINT FOR EDGE	VILLA PARK	20123177	09/16/2012	11070720-552110	SF	MATERIALS/SUPPLIES-OPERATOR	\$180.31	0
321113978	PAINT FOR REDMOND PARK	VILLA PARK	20123177	09/16/2012	11070740-542112	SF	R&M BUILDING-CLEANING	\$119.03	0
321113978	PAINT FOR REDMOND PARK	VILLA PARK	20123177	09/16/2012	11070760-542310	SF	R&M EQUIPMENT	\$39.44	0

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
321113978	PAINT FOR REDMOND PARK	VILLA PARK	20123177	09/16/2012	11070720-552110	SF	MATERIALS/SUPPLIES-OPERATOR	\$165.47	0
321114218	PAINT FOR REDMOND PARK	VILLA PARK	20123177	09/23/2012	11070740-542112	SF	R&M BUILDING-CLEANING	\$61.28	0
321114218	PAINT FOR REDMOND PARK	VILLA PARK	20123177	09/23/2012	11070760-542310	SF	R&M EQUIPMENT	\$20.30	0
321114218	PAINT FOR REDMOND PARK	VILLA PARK	20123177	09/23/2012	11070720-552110	SF	MATERIALS/SUPPLIES-OPERATOR	\$85.18	0
321114219	PAINT FOR AQUATIC CENTER	VILLA PARK	20123177	09/23/2012	11070740-542112	SF	R&M BUILDING-CLEANING	\$42.98	0
321114219	PAINT FOR AQUATIC CENTER	VILLA PARK	20123177	09/23/2012	11070760-542310	SF	R&M EQUIPMENT	\$14.24	0
321114219	PAINT FOR AQUATIC CENTER	VILLA PARK	20123177	09/23/2012	11070720-552110	SF	MATERIALS/SUPPLIES-OPERATOR	\$59.74	0
321114349	PAINT	VILLA PARK	20123007	09/27/2012	11050440-542110	PW	R&M BUILDING	\$18.49	0
								979.16	
TERRACE SUPPLY COMPANY									
3012									
00917964	MONTHLY CYLINDER RENTAL/WELD	ITASCA	20120192	09/30/2012	11050420-542310	PW	R & M EQUIPMENT	\$18.60	0
00917964	MONTHLY CYLINDER RENTAL/WELD	ITASCA	20120192	09/30/2012	11050490-542310	PW	R&M EQUIPMENT	\$18.60	0
00917964	MONTHLY CYLINDER RENTAL/WELD	ITASCA	20120192	09/30/2012	51050550-542310	PW	R&M MATERIALS & EQUIPMENT	\$18.60	0
								55.80	
THE BANK OF NEW YORK									
10361									
252-1650440	SSA 2011B ADMIN.FEE OCT 2012-OCT	NEWARK	20123189	09/22/2012	33290920-717100	FN	DEBT SERVICE - FEES	\$39.52	0
252-1650440	SSA 2011B ADMIN.FEE OCT 2012-OCT	NEWARK	20123189	09/22/2012	33490920-717100	FN	DEBT SERVICE - FEES	\$170.33	0
252-1650440	SSA 2011B ADMIN.FEE OCT 2012-OCT	NEWARK	20123189	09/22/2012	33590920-717100	FN	DEBT SERVICE - FEES	\$11.91	0
252-1650440	SSA 2011B ADMIN.FEE OCT 2012-OCT	NEWARK	20123189	09/22/2012	33690920-717100	FN	DEBT SERVICE - FEES	\$115.67	0
252-1650440	SSA 2011B ADMIN.FEE OCT 2012-OCT	NEWARK	20123189	09/22/2012	33790920-717100	FN	DEBT SERVICE - FEES	\$59.53	0
252-1650440	SSA 2011B ADMIN.FEE OCT 2012-OCT	NEWARK	20123189	09/22/2012	33890920-717100	FN	DEBT SERVICE - FEES	\$31.04	0
								428.00	
THE JORDAN GROUP									
128									
JUNE 2012	PUBLIC AFFAIRS CONSULTING-JUNE	ELMWOOD P4	20123221	10/10/2012	11020170-522110	AD	EXPENSE REIMBURSEMENT	\$87.21	0
JUNE 2012	PUBLIC AFFAIRS CONSULTING-JUNE	ELMWOOD P4	20123221	10/10/2012	11020170-532810	AD	PROJECT MANAGEMENT SERVICE	\$6,009.76	0
JUNE 2012	PUBLIC AFFAIRS CONSULTING-JUNE	ELMWOOD P4	20123221	10/10/2012	11020170-551110	AD	MATERIALS/SUPPLIES-ADMIN	\$10.95	0
JUNE 2012	PUBLIC AFFAIRS CONSULTING-JUNE	ELMWOOD P4	20123221	10/10/2012	11020170-576010	AD	ECONOMIC DEVELOPMENT INITIA	\$47.40	0
MAY 2012	PUBLIC AFFAIRS CONSULTING-MAY	ELMWOOD P4	20123133	10/10/2012	11020170-532810	AD	PROJECT MANAGEMENT SERVICE	\$6,000.00	0
								12,155.32	
THE VILLAGE FLOWER SHOP									
12721									
10541	FUNERAL ARRANGEMENT-BILL COLI	SENSENVILLE	20123291	09/29/2012	11010010-551110	AD	MATERIALS/SUPPLIES-ADMIN	\$89.50	0
10542	FLOWERS FOR BROKER APPRECIAT	SENSENVILLE	20123239	09/26/2012	11020170-576010	AD	ECONOMIC DEVELOPMENT INITIA	\$120.00	0
								209.50	

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
THOMPSON ELEVATOR									
3981									
12-3116	INSPECTION 100 E. GEORGE ST. 130 MT PROSPEC	MT	20123093	10/04/2012	11060640-549990	CD	OTHER CONTRACTUAL SERVICE	\$100.00	0
								100.00	
THOMPSON RENTAL STATION, INC.									
3016									
483437-1	RENTAL - TABLES & LINENS	BENSENVILLE	20123229	09/29/2012	11020170-576010	AD	ECONOMIC DEVELOPMENT INITIA	\$465.00	0
483571-1	EQUIPMENT RENTAL-TRACTOR EXC.	BENSENVILLE	20123043	09/21/2012	51050540-548110	PW	RENTAL & LEASE PURCHASE	\$304.07	0
483704-1	REFILL PROPANE GAS-CONCESSION	BENSENVILLE	20123105	09/22/2012	11070785-549990	SF	OTHER CONTRACTUAL SERVICE	\$29.50	0
								798.57	
TREASURY DIRECT									
11906									
083112	SAVINGS BONDS PR WH 8/31/12		20123023	09/30/2012	11000000-213400	FN	PAYROLL DEDUCTN-SAVINGS BO	\$25.00	9002333
								25.00	
TROTTER AND ASSOCIATES, INC									
603									
8062	R-107-11 ENG SERV JEFFERSON WA	ST. CHARLES	20120181	09/22/2012	51080860-536510	PW	CAPITAL OUTLAY ENGINEERING	\$2,315.00	0
8084	R-107-11 ENG SERV JEFFERSON WA	ST. CHARLES	20120181	09/29/2012	51080860-536510	PW	CAPITAL OUTLAY ENGINEERING	\$114.25	0
8085	R-107-11 ENG SERV JEFFERSON WA	ST. CHARLES	20120181	09/29/2012	51080860-536510	PW	CAPITAL OUTLAY ENGINEERING	\$114.25	0
								2,543.50	
TWO CHEFS CAFE									
5278									
092012	FOOD FOR VOLUNTEER APPRECIAT	BENSENVILLE		10/20/2012	11020170-571013	AD	VOLUNTEER RECOGNITION	\$1,299.00	135861
								1,299.00	
UNDERWRITER'S SAFETY & CLAIMS									
12623									
08/10-08/31/12	WORKERS COMP 8/1-8/31/12	LOUISVILLE	20123201	09/30/2012	11020150-562550	FN	CLAIM PAYMENTS-WORKERS COI	\$382.17	0
								382.17	
UNITED WATER NACO LLC									
13205									
201215361	WWTF CAPITAL REPAIR & MAINT.FR	HARRINGTON	20123074	07/30/2012	51080870-596000	PW	CAPITAL CONSTRUCTION	\$5,626.42	0
201215589	WWTF R&M COSTS FROM 07/01-07/3	HARRINGTON	20123076	08/30/2012	51050560-542310	PW	R&M MATERIALS & EQUIPMENT	\$9,323.05	0
201215590	WWTF-ADDITIONAL SERVICES FROM	HARRINGTON	20123075	08/30/2012	51080870-596000	PW	CAPITAL CONSTRUCTION	\$12,610.39	0
								27,559.86	
UNIVERSAL FILM EXCHANGES									
7128									
TED WK#1	MOVIE RENTAL FEE-"TED" WEEK 1	DALLAS	20123174	09/22/2012	11070790-547910	SF	MOVIE RENTAL FEES	\$266.70	0
TED WK#2	MOVIE RENTAL FEE-"TED" WEEK 2	DALLAS	20123174	09/29/2012	11070790-547910	SF	MOVIE RENTAL FEES	\$159.60	0

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/IT/MANUAL CHECK #
USA FIRE PROTECTION									
99									
2833-23937	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$300.00	0
								300.00	
USABLUBOOK									
6491									
761893	SANITARY SEWER MARKING FLAGS	GURNEE	20123171	10/06/2012	51050570-542811	PW	R&M RIGHT OF WAY	\$607.85	0
								607.85	
VERIZON WIRELESS									
11240									
585520014-0812	SERVICE FROM 08/20-09/19/12-INTEF	LEHIGH VALLI	20123063	09/18/2012	11040380-542100	PD	MAINTENANCE AGREEMENTS	\$525.77	0
786747239-0812	SERVICE FROM 07/24-08/23-VILL HAL	LEHIGH VALLI	20122966	09/22/2012	11020180-541315	IT	CELL PHONE SERVICE & EQUIPME	\$760.22	0
								1,285.99	
VERMEER-ILLINOIS, INCORPORATED									
3028									
P53665	PARTS-AIR FILTER,BOLT,KNIFE.DOU	AURORA	20123163	09/30/2012	11050430-542310	PW	R&M EQUIPMENT	\$400.99	0
								400.99	
VICTORY AUTO WRECKING INC									
99									
2303-206441	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$3,000.00	0
								3,000.00	
VILLAGE OF BENSENVILLE									
3100									
083112	POLICE PENSION PR WH 8/31/12		20123046	09/30/2012	11000000-212140	FN	PAYROLL DEDUCTN-POL PENSIO	\$9,389.53	9002334
								9,389.53	
VINCE ENGLISH									
12013									
206-000899	REIMBURSEMENT- INVOICE	BENSENVILLE	20123199	09/30/2012	11020150-562550	AD	CLAIM PAYMENTS-WORKERS COI	\$109.00	0
								109.00	
WAGNER, TANYA									
99									
2796-14406	BOND REFUND			10/13/2012	75000000-226283	CD	DEPOSITS-PERFORMANCE BD RC	\$120.00	0
								120.00	
WENTWORTH TIRE-BENSENVILLE									
3510									
416895	TIRES #718	BENSENVILLE	20123122	10/05/2012	11050420-542410	PW	R & M VEHICLES	\$75.99	0

426.30

EXPENDITURE APPROVAL LIST

FOR CHECKS DATED: 9/25/2012

INVOICE #	INVOICE DESCRIPTION	REMIT CITY	PO NUMBER	DUE DATE	ACCOUNT NO	DEPT	ACCOUNT DESCRIPTION	CHECK AMOUNT	W/T/MANUAL CHECK #
416972	TIRES #823	SENSENVILLE	20123164	10/07/2012	51050540-542410	PW	R&M VEHICLES	\$391.24	0
417024	TIRES #823	SENSENVILLE	20123165	10/10/2012	51050540-542410	PW	R&M VEHICLES	\$732.54	0
								1,199.77	
WEST CENTRAL MUNICIPAL CONFERENCE									
468									
0007418-IN	CONFERENCE GOLF OUTING-08/08/1	RIVER GROVE	20123141	10/05/2012	11010010-522110	AD	EXPENSE REIMBURSEMENT	\$125.00	0
								125.00	
WEST SIDE TRACTOR SALES CO									
8511									
N78118	INJECTION PARTS #779	CHICAGO	20123179	09/28/2012	11050430-542310	PW	R&M EQUIPMENT	\$200.00	0
N78119	INJECTION PARTS #779	CHICAGO	20123179	09/28/2012	11050430-542310	PW	R&M EQUIPMENT	\$216.90	0
								416.90	
WESTMORE SUPPLY CO INC									
596									
R76718	CEMENT	LOMBARD	20123146	09/07/2012	31080800-591000	PW	CAPITAL OUTLAY-BLDG & STRUC	\$949.00	0
R76794	CEMENT	LOMBARD	20123146	09/16/2012	11050420-542810	PW	R & M PAVEMENT	\$348.00	0
R76891	CEMENT	LOMBARD	20123146	09/23/2012	11050420-542810	PW	R & M PAVEMENT	\$446.50	0
R76926	CEMENT	LOMBARD	20123146	09/27/2012	11050420-542810	PW	R & M PAVEMENT	\$383.50	0
								2,127.00	
ZIEBELL WATER SERVICE									
3045									
217428-000	18" COMB KEY	ELK GROVE V	20122894	09/21/2012	51050540-552520	PW	WATER MAIN PARTS	\$52.00	0
217439-000	WATER MAIN PARTS-REPAIR CLAMP	ELK GROVE V	20122894	09/22/2012	51050540-552520	PW	WATER MAIN PARTS	\$1,191.70	0
217440-000	WATER MAIN PARTS-COPPER TUBIN	ELK GROVE V	20122894	09/22/2012	51050540-552520	PW	WATER MAIN PARTS	\$489.00	0
217441-000	WATER MAIN PARTS-CR TO PVC SR	ELK GROVE V	20122894	09/22/2012	51050540-552520	PW	WATER MAIN PARTS	\$224.26	0
217506-000	WATER MAIN PARTS-7' 2" SQUAR.KEY	ELK GROVE V	20122894	09/27/2012	51050540-552520	PW	WATER MAIN PARTS	\$61.00	0
217556-000	WATER MAIN PARTS-VLV BOX,HOOK	ELK GROVE V	20122894	10/04/2012	51050540-552520	PW	WATER MAIN PARTS	\$401.50	0
								2,419.46	

CHECK TOTAL: **1,053,112.02**

WIRE/MANUAL TOTAL: **266,621.99**

EXPENDITURE TOTAL: **1,319,734.01**

TYPE: Resolution **SUBMITTED BY:** M. Martella **DATE:** 09.17.12

DESCRIPTION: Volk Brothers Subdivision Community Development Block Grant (CDBG) Application:

- A. Conduct the Public Hearing on the proposed CDBG application for the Volk Brothers Subdivision; and
- B. Approve the Resolution authorizing the application to seek a CDBG Grant for the reconstruction of streets along with improvements to sewer, water, and sidewalks on Wood Avenue in the Volk Brothers Subdivision from Henderson west to Route 83.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" 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: Deadline for application is October 1, therefore this item is being forwarded directly to the Board. **DATE:** N/A

BACKGROUND:

The Community Development Block Grant (CDBG) Program is a flexible federal government program that provides communities with resources to address a wide range of unique community development needs. The CDBG entitlement program allocates annual grants to larger cities and urban counties to develop viable communities by providing decent housing, a suitable living environment, and opportunities to expand economic opportunities, principally for low- and moderate-income persons.

The Village has applied for and been awarded similar grants for both Phase I and Phase II of the Volk Brothers Subdivision reconstruction project. Prior to approving the application, a public hearing must be held.

KEY ISSUES:

The Village of Bensenville is proposing to reconstruct Wood Ave from Henderson St to Rt-83. The improvements will consist of installation of widening of existing roadway by removing and replacing existing pavement, installation of new C&G, sidewalk repairs, storm sewer improvements, as well as upsizing and installing a new watermain. The limits of watermain improvements will be from Ellis St to Rt-83. This grant application is requesting \$400,000 to help fund the roughly \$1.6 million dollar project.

ALTERNATIVES:

- Approve the attached Resolution
- Deny the attached Resolution
- Discretion of the Board

RECOMMENDATION:

Staff respectfully requests the approval of the Resolution

BUDGET IMPACT:

If the grant is awarded it will save the Village \$400,000.

ACTION REQUIRED:

Conduct the Public Hearing and approve the attached Resolution.

RESOLUTION NO. _____

**A RESOLUTION APPROVING AN APPLICATION FOR A COMMUNITY
DEVELOPMENT BLOCK GRANT FOR INFRASTRUCTURE IMPROVEMENTS TO
THE VOLK BROTHERS SUBDIVISION**

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, as follows: Hereby authorized and directed to submit a Community Development Block Grant application for fiscal year 2013 for the reconstruction of streets along with improvements to sewer, water, and sidewalks on Wood Avenue from Henderson to Route 83 in the Volk Brothers subdivision as approved by the President and Village Board of Trustees and to take such other and further actions as may be necessary, including but not limited to execution of the agreement if funding is granted.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois this 25th day of September 2012.

APPROVED:

Frank Soto, Village President

ATTEST:

Susan Janomiak, Village Clerk

Ayes: _____

Nays: _____

Absent: _____

VILLAGE OF BENSENVILLE

TYPE: Ordinance **SUBMITTED BY:** Tim Sloth **DATE:** September 20, 2012

DESCRIPTION: AN ORDINANCE authorizing and providing for the issuance of not to exceed \$6,000,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012E, of the Village of Bensenville, DuPage and Cook Counties, Illinois, and for the levy of a direct annual tax sufficient to pay the principal and interest on said bonds.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

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

.....
COMMITTEE ACTION: Passed AF&L 7 - 0

DATE: 9/18/2012
.....

BACKGROUND:

The Series 2012E General Obligation Refunding Bonds (Alternate Revenue Source) are being issued to refund the outstanding Series 1998, 1998A, 2001A, 2003G and 2004E bonds. By doing this advanced refunding the Village will replace outstanding debt service of \$10,457,101 with new debt service of \$9,757,672. Savings are estimated in excess of \$500,000 over the next 11 years.

The average coupon (interest rate) on the Series 2012E bonds is 2.40% versus 5% average rate on the outstanding portion of the existing bonds. We are able to achieve better rates due to current market conditions as well as our A+ bond rating. We were just notified that our A+ bond rating has been affirmed and that our outlook increased from stable to positive. The bonds mature on 5/1/2023 the same date as the existing outstanding bonds were set to mature.

This is straight refunding meaning the Village will simply have reduced debt service costs going forward. We will not be taking the savings up front, earmarking the savings for other spending purposes, or extending the debt out a longer term.

The original bonds were issued to finance various water infrastructure improvements.

The Bonds will constitute valid and legally binding obligations of the Village. I have included the preliminary Debt Service Schedules and the latest Preliminary Official Statement for the Board's review. The actual Ordinance is still being drafted by Speer.

Analysis was performed by Speer Financial and is included with this green sheet. A representative from Speer Financial will be at the meeting to assist in fielding any questions in regards to this issuance.

Please Note: All numbers are subject to change due to the fact that final pricing has not been set and interest rates change on a daily basis.

KEY ISSUES: Refunding bonds to take advantage of the current interest rate environment.

- ALTERNATIVES:**
1. Approve the proposed Bond Ordinance
 2. Discretion of the Board

RECOMMENDATION: Staff recommends approval of the Ordinance. At their September 18, 2012 meeting the AF&L Committee unanimously recommend approval of this issuance.

BUDGET IMPACT: At this time, total savings are estimated in excess of \$500,000 over the next 11 years. Reduced debt service ranges from a low of \$17,260 in 2022 to a high of \$77,200 in 2014.

ACTION REQUIRED: Approval of Ordinance.

Deleted: A representative from Speer Financial will be at the meeting to assist in fielding any questions in regards to this issuance. ¶
¶ Analysis was performed by Speer Financial and is included with this green sheet. ¶

RatingsDirect®

Summary:

Bensenville, Illinois; General Obligation

Primary Credit Analyst:

Jennifer Boyd, Chicago (1) 312-233-7040; jennifer_boyd@standardandpoors.com

Secondary Contact:

Helen Samuelson, Chicago (1) 312-233-7011; helen_samuelson@standardandpoors.com

Table Of Contents

Rationale

Outlook

Related Criteria And Research

Summary:

Bensenville, Illinois; General Obligation

Credit Profile

US\$5.525mil GO rfdg bnds (Alternate Revenue Source) ser 2012E due 05/01/2023

<i>Long Term Rating</i>	A+/Positive	New
Bensenville Vill GO debt certs (AGM)		
<i>Unenhanced Rating</i>	A(SPUR)/Positive	Affirmed, Removed from CreditWatch
Bensenville Vill GO (AGM)		
<i>Unenhanced Rating</i>	A+(SPUR)/Positive	Affirmed, Removed from CreditWatch

Many issues are enhanced by bond insurance.

Rationale

Standard & Poor's Ratings Services revised its outlook to positive from stable on the village of Bensenville, Ill.'s previously issued general obligation (GO) bonds and debt certificates. We also affirmed our 'A+' underlying rating (SPUR) on the village's previously issued GO debt and 'A' SPUR on the village's previously issued debt certificates. The rating on the debt certificates is one notch lower than the GO rating because of the limited nature of the security.

At the same time, we assigned our 'A+' long-term rating to the village's series 2012E alternate revenue source GO refunding bonds. The outlook on the series 2012E is positive.

The outlook revision reflects our view of the village's very strong general fund reserves and projections of continued positive operations.

The ratings reflect our view of the village's:

- Participation in the deep and diverse Chicago metropolitan area economy;
- Good income levels and very strong market value per capita;
- Very strong reserve levels, with management projecting a general fund surplus for fiscal 2012; and
- Good financial management under our financial management assessment (FMA) methodology.

Partially offsetting the above strengths, in our view, is the village's overall debt burden, which we already consider high on a per capita basis and which could become moderately high as a percentage of market value in the near future, depending on whether the village moves forward with potential debt plans and on near-term changes in market value.

The 2012E bonds are secured by certain revenue and, to the extent that that revenue is insufficient, by revenue from the village's unlimited-tax GO pledge. We understand the village will covenant to abate the property taxes only when it has sufficient funds on hand to pay the debt service. Management will use the bond proceeds to current refund its series 1998, 1998A, and 2001A waterworks and sewerage alternate revenue source GO bonds, and to advance refund a portion of its series 2003G and 2004E waterworks and sewerage alternate revenue source GO bonds for interest-cost

savings.

Bensenville is approximately 17 miles northwest of downtown Chicago and borders the southwest corner of O'Hare Airport. After years of litigation that depleted the village's cash reserves, the village agreed in late 2009 to allow Chicago to begin demolishing properties in the village as part of the city's plan to expand the airport across Bensenville's borders. In the settlement, the village also agreed to sell 28 parcels to the city and allow the city to annex the majority of the property for \$16 million.

The DuPage County portion of the village's tax base is about 46% residential, 42% industrial, and 12% commercial, with industrial and commercial development likely to remain a focus as the village continues to adjust to the O'Hare expansion. Estimated market value decreased 8.8% in 2010 and 10.6% in 2011 to \$1.82 billion, or \$99,144 per capita, which we consider very strong. In our view, the tax base is very diverse, with the 10 leading taxpayers making up a little less than 15% of equalized assessed value.

The village's 18,352 residents have access to employment opportunities throughout the western suburbs and can commute to downtown from a Metra commuter station within the village. In our opinion, median household effective buying income is good at 107% of the national level. The village's unemployment rate has been slightly higher than the state's in recent years and was 10.5% in 2011 compared with the state's 9.8%.

For fiscal 2011 (ended Dec. 31), the village continued its trend of adding to reserves with a \$3.2 million general fund surplus, partly because of \$1.6 million in one-time revenue. The surplus increased the unassigned general fund balance to \$3.8 million, or 24% of expenditures, which we consider very strong. We understand sales taxes were \$1.2 million higher than budgeted, which also contributed to the surplus. At year-end fiscal 2011, the general fund still had \$2.9 million in advances to other funds, which was part of its non-spendable fund balance and a smaller amount compared with a year earlier. The advances are to three tax increment financing funds that have negative fund balances, and management acknowledges that the advances might increase with the general fund's continued subsidization of these funds (although they might also continue to decrease). Management reports that it is budgeting for these advances. Management is projecting a \$500,000 general fund surplus for fiscal 2012, with sales tax revenue again trending higher than budgeted. We understand the village does not anticipate needing to use general fund reserves in fiscal 2013.

The village is subject to a property tax cap equal to the lesser of 5% or the rate of inflation, except with regard to new construction. After a surplus in fiscal 2007, the village's finances suffered in fiscal years 2008 and 2009 as management faced continued expenses in the fight against the O'Hare expansion as well as a recreation fund that was operating at a deficit. However, in fiscal 2010 the village used a portion of the \$16 million from its settlement with Chicago to start rebuilding its general fund balance. The fiscal 2010 audit shows 20 months of financial results because the village changed its fiscal year end to Dec. 31.

We consider the village's financial management practices "good" under our FMA methodology. An FMA of "good" indicates our view that practices exist in most areas, although not all may be formalized or regularly monitored by governance officials. Highlights of the village's practices include quarterly budget-to-actual and monthly investment holding reports to the board. The village also has a five-year capital improvement plan that shows funding sources for all five years. The village has a policy that it must maintain a minimum undesignated general fund balance of 25% of

expenditures.

We consider the village's overall debt burden to be moderate at 5.8% of market value and high at \$5,798 per capita. The village plans to issue \$3.5 million in alternate revenue source GO bonds for infrastructure improvements in 2013 and is examining the possibility of issuing debt for a police station, which could increase the overall debt burden to moderately high, depending on how market value changes in the near term. In our view, the village's debt service carrying charge was elevated at 19% in fiscal 2011. Amortization is above average, with 63% of principal scheduled to mature within the next 10 years.

The village's pension plan for regular employees is affiliated with the Illinois Municipal Retirement Fund (IMRF). The village contributed only 82% of the annual pension cost in fiscal 2011 as management continued to pay the lower phase-in rate that the state allowed after the investment losses during the recession. The village's IMRF plan is 78% funded, with an unfunded actuarial accrued liability (UAAL) of \$4.1 million. The village made 84% of the annual pension cost for its police pension plan in fiscal 2011. The police pension plan is 55% funded, with a UAAL of \$10.3 million. The full annual pension costs of the IMRF and police pension plans would have been 4.7% of fiscal 2011 total governmental fund expenditures. The village allows its retired employees to remain on its health care plan, but the retirees pay 100% of their premiums, so it is only an implicit liability for the village, with a UAAL of \$2 million.

Outlook

The positive outlook reflects our view of the village's very strong general fund reserves with projections of continued positive operations, coupled with the credit's other strengths. We could raise the rating within the two-year parameter of the outlook if the village continues to account for and manage the advances from the general fund to other funds and thereby shows further evidence that these funds will not pressure the general fund going forward, and if it manages its overall debt burden and debt service carrying charges to keep them from becoming more significant credit weaknesses. If, however, the general fund's advances to other funds pressure its budget, or the overall debt burden or carrying charges increase significantly, we could revise the outlook to stable.

Related Criteria And Research

- USPF Criteria: GO Debt, Oct. 12, 2006
- USPF Criteria: Key General Obligation Ratio Credit Ranges – Analysis Vs. Reality, April 2, 2008

Complete ratings information is available to subscribers of RatingsDirect on the Global Credit Portal at www.globalcreditportal.com. All ratings affected by this rating action can be found on Standard & Poor's public Web site at www.standardandpoors.com. Use the Ratings search box located in the left column.

Copyright © 2012 by Standard & Poor's Financial Services LLC. All rights reserved.

No content (including ratings, credit-related analyses and data, model, software or other application or output therefrom) or any part thereof (Content) may be modified, reverse engineered, reproduced or distributed in any form by any means, or stored in a database or retrieval system, without the prior written permission of Standard & Poor's Financial Services LLC or its affiliates (collectively, S&P). The Content shall not be used for any unlawful or unauthorized purposes. S&P and any third-party providers, as well as their directors, officers, shareholders, employees or agents (collectively S&P Parties) do not guarantee the accuracy, completeness, timeliness or availability of the Content. S&P Parties are not responsible for any errors or omissions (negligent or otherwise), regardless of the cause, for the results obtained from the use of the Content, or for the security or maintenance of any data input by the user. The Content is provided on an "as is" basis. S&P PARTIES DISCLAIM ANY AND ALL EXPRESS OR IMPLIED WARRANTIES, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE, FREEDOM FROM BUGS, SOFTWARE ERRORS OR DEFECTS, THAT THE CONTENT'S FUNCTIONING WILL BE UNINTERRUPTED, OR THAT THE CONTENT WILL OPERATE WITH ANY SOFTWARE OR HARDWARE CONFIGURATION. In no event shall S&P Parties be liable to any party for any direct, indirect, incidental, exemplary, compensatory, punitive, special or consequential damages, costs, expenses, legal fees, or losses (including, without limitation, lost income or lost profits and opportunity costs or losses caused by negligence) in connection with any use of the Content even if advised of the possibility of such damages.

Credit-related and other analyses, including ratings, and statements in the Content are statements of opinion as of the date they are expressed and not statements of fact. S&P's opinions, analyses, and rating acknowledgment decisions (described below) are not recommendations to purchase, hold, or sell any securities or to make any investment decisions, and do not address the suitability of any security. S&P assumes no obligation to update the Content following publication in any form or format. The Content should not be relied on and is not a substitute for the skill, judgment and experience of the user, its management, employees, advisors and/or clients when making investment and other business decisions. S&P does not act as a fiduciary or an investment advisor except where registered as such. While S&P has obtained information from sources it believes to be reliable, S&P does not perform an audit and undertakes no duty of due diligence or independent verification of any information it receives.

To the extent that regulatory authorities allow a rating agency to acknowledge in one jurisdiction a rating issued in another jurisdiction for certain regulatory purposes, S&P reserves the right to assign, withdraw, or suspend such acknowledgement at any time and in its sole discretion. S&P Parties disclaim any duty whatsoever arising out of the assignment, withdrawal, or suspension of an acknowledgment as well as any liability for any damage alleged to have been suffered on account thereof.

S&P keeps certain activities of its business units separate from each other in order to preserve the independence and objectivity of their respective activities. As a result, certain business units of S&P may have information that is not available to other S&P business units. S&P has established policies and procedures to maintain the confidentiality of certain nonpublic information received in connection with each analytical process.

S&P may receive compensation for its ratings and certain analyses, normally from issuers or underwriters of securities or from obligors. S&P reserves the right to disseminate its opinions and analyses. S&P's public ratings and analyses are made available on its Web sites, www.standardandpoors.com (free of charge), and www.ratingsdirect.com and www.globalcreditportal.com (subscription), and may be distributed through other means, including via S&P publications and third-party redistributors. Additional information about our ratings fees is available at www.standardandpoors.com/usratingsfees.

McGRAW-HILL

ORDINANCE NO. _____

AN ORDINANCE authorizing and providing for the issuance of not to exceed \$6,000,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012E of the Village of Bensenville, DuPage and Cook Counties, Illinois, and for the levy of a direct annual tax sufficient to pay the principal and interest on said bonds.

WHEREAS, the Village of Bensenville, DuPage and Cook Counties, Illinois, is a municipal corporation and body politic of the State of Illinois (the "Village"); and

WHEREAS, the Village has previously issued its General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 1998 (the "Series 1998 Bonds"), its General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 1998A (the "Series 1998A Bonds") its General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 2001A (the "Series 2001A Bonds"), its Water and Sewer Revenue Bonds, Series 2003 (the "Series 2003 Bonds"), its General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 2003G (the "Series 2003G Bonds") and its General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 2004E (the "Series 2004E Bonds", and together with the Series 1998 Bonds, the Series 1998A Bonds, the Series 2001A Bonds, the Series 2003 Bonds and the Series 2003G Bonds, collectively, the "Prior Bonds"); and

WHEREAS, the Village President and the Board of Trustees of the Village (the "Corporate Authorities") have determined that it is advisable, necessary and in the best interests of the Village to pay the cost of: (i) current refunding of a portion of the Series 1998 Bonds, Series 1998A Bonds and Series 2001A Bonds, (ii) advance refunding of a portion of the Series 2003G Bonds and 2004E Bonds (collectively, the "Refunded Bonds") and (iii) the costs of

issuance of the Bonds (as such term is hereinafter defined), all for the benefit of the inhabitants of the Village; and

WHEREAS, the Refunded Bonds are, by their terms, subject to redemption and the Corporate Authorities have received reports which indicate that a refunding of the Refunded Bonds will effect a savings and benefit to the Village; and

WHEREAS, with respect to the Refunded Bonds, in accordance with the provisions of the Local Government Debt Reform Act, as supplemented and amended (the "Act"), the Corporate Authorities previously adopted ordinances (collectively, the "Authorizing Ordinances") authorizing the issuance of alternate bonds, being general obligation bonds payable from any revenue source as provided by the Act; and

WHEREAS, the Authorizing Ordinances, together with a notice in the statutory form, were published in the Bensenville Press, being a newspaper of general circulation in the Village, and an affidavit evidencing the publication of the Authorizing Ordinances and said notice presented to the Corporate Authorities and made a part of the permanent records of the Corporate Authorities; and

WHEREAS, more than thirty (30) days expired since the date of publication of the Authorizing Ordinances and said notice, and no petition with the requisite number of valid signatures thereon was filed with the Village Clerk requesting that the question of the issuance of the alternate bonds be submitted to referendum; and

WHEREAS, with respect to the Refunded Bonds, the Corporate Authorities held public hearings pursuant to the Bond Issuance Notification Act following notice published in the Bensenville Press; and

WHEREAS, with respect to the Refunded Bonds the Corporate Authorities determined that the Pledged Revenues would provide in each year an amount not less than 1.25 times debt service of the alternate bonds that were issued; and

WHEREAS, with respect to the Refunded Bonds, such determination was supported by the most recent audit of the Village; and

WHEREAS, the term of the Bonds will not be longer than the term of the Refunded Bonds and the debt service payable in any year on the Bonds will not exceed the debt service payable on the Refunded Bonds; and

WHEREAS, the Corporate Authorities are now authorized to issue alternate bonds to refund the Refunded Bonds in an aggregate amount not to exceed \$6,000,000 in accordance with the provisions of the Act, and the Corporate Authorities hereby determine that it is necessary and desirable that the bonds so authorized be issued at this time; and

WHEREAS, the alternate bonds to be issued will be payable from the Pledged Revenues and the Pledged Taxes, both as hereinafter defined; and

NOW THEREFORE, BE IT ORDAINED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF BENSENVILLE, DUPAGE AND COOK COUNTIES, ILLINOIS, AS FOLLOWS:

Section 1. Definitions.

"Additional Bonds" means any Alternate Bonds issued in the future in accordance with the provisions of the Act on a parity with and sharing equally in the Pledged Revenues with the Bonds.

"Alternate Bonds" means any Outstanding Bonds issued as alternate bonds under and pursuant to the provisions of the Reform Act, and includes, expressly, the Bonds.

"Fiscal Year" means that twelve-calendar month period selected by the Corporate Authorities as the Fiscal Year for the Village.

"Future Revenue Bonds" means (a) any bonds issued in the future payable solely from the Revenues; (b) any bonds issued in the future on a parity with respect to any Future Revenue Bonds which shall then previously have been issued; (c) any bonds payable from the Revenues used to refund Outstanding Revenue Bonds at such time and in such manner that none of said Outstanding Revenue Bonds remains "outstanding" as such term is defined in the applicable authorizing Revenue Bond Ordinance after such refunding; and (d) any subordinate lien revenue bonds issued under the terms of any Revenue Bond ordinance, but not including Bonds or Additional Bonds as defined in this Ordinance.

"Net Revenues" means Revenues less Operation and Maintenance Costs.

"Operation and Maintenance Costs" means all costs of operating, maintaining and routine repair of the System, including wages, salaries, costs of materials and supplies, power, fuel, insurance, taxes, including rebate of excess arbitrage profits to the U.S. government, and purchase of water or sewage treatment services (including all payments by the Village pursuant to long term contracts for such services); but excluding debt service, depreciation, capital improvements or replacements (including meter replacements) or engineering expenses in anticipation thereof or in connection therewith, or any reserve requirements; and otherwise determined in accordance with generally accepted accounting principles for municipal enterprise funds.

"Outstanding" or "outstanding" when used with reference to the Bonds and any Additional Bonds means such of those bonds which are outstanding and unpaid; provided, however, such term shall not include Bonds or Additional Bonds (i) which have matured and for

which moneys are on deposit with proper paying agents or are otherwise sufficiently available to pay all principal thereof and interest thereon or (ii) the provision for payment of which has been made by the Village by the deposit in an irrevocable trust or escrow of funds or direct, full faith and credit obligations of the United States of America, the principal of and interest on which will be sufficient to pay at maturity or as called for redemption all the principal of, redemption premium, if any, and interest on such Bonds or Additional Bonds.

"Outstanding Revenue Bonds" means such of the Prior Bonds and any Future Revenue Bonds which are outstanding and unpaid; provided, however, such term shall not include Prior Bonds and any Future Revenue Bonds (i) which have matured and for which moneys are on deposit with proper paying agents or are otherwise sufficiently available to pay all principal thereof and interest thereon or (ii) the provision for payment of which has been made by the Village by the deposit in an irrevocable trust or escrow of funds or direct, full faith and credit obligations of the United States of America, the principal of and interest on which will be sufficient to pay at maturity or as called for redemption all the principal of, redemption premium, if any, and interest on such Prior Bonds and any Future Revenue Bonds.

"Pledged Revenues" means the moneys deposited to the credit of the Surplus Account of the Revenue Fund, said Surplus Account consisting of the funds remaining in said Revenue Fund after the required monthly deposits and credits have been made under the Revenue Bond Ordinances to the heretofore created Operation and Maintenance Account, the Bond and Interest Account, the Bond Reserve Account, and the Depreciation Account, all of which are expressly continued hereunder, and also any further accounts as may be created in the future, of said Revenue Fund.

"Prior Bonds" means the General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 2003G of the Village not being refunded by the Bonds and the Village's Water and Sewer Revenue Bonds, Series 2003.

"Qualified Investments" means any investment authorized under Illinois law for Village investment of public funds.

"Revenue Bond Ordinances" means any ordinances of the Village authorizing the issuance of and providing the terms for Outstanding Revenue Bonds.

"Revenues" means all income from whatever source derived from the System, including (a) operating revenues and receipts; (b) investment income on all accounts of the Revenue Fund; (c) connection, permit and inspection fees and the like; (d) penalties and delinquency charges; (e) capital development, reimbursement, or recovery charges and the like and any service charges insofar as designated by the Corporate Authorities as paid for System service; but excluding expressly (i) non-recurring income from the sale of property of the System; (ii) governmental or other grants; (iii) advances or grants made from the Village; and as otherwise determined in accordance with generally accepted accounting principles for municipal enterprise funds.

"System" means all of the property and facilities of the combined waterworks and sewerage system of the Village, whether lying within or without the boundaries of the Village, as now existing or as may hereafter be acquired, improved or extended while any Bonds or Additional Bonds remain outstanding, including all improvements, additions and extensions thereto or replacements thereof hereafter constructed, installed or acquired by purchase, contract or otherwise, all contracts, rights, agreements, leases and franchises of every nature owned by the Village and used or useful or held for use in the operation of the System or any part or portion thereof.

Section 2. Issuance of Bonds.

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

It is hereby found and determined that the Corporate Authorities of said Village have been authorized by the provisions of the Act to issue alternate bonds of said Village in the aggregate amount of not to exceed \$6,000,000 for the purpose of refunding the Refunded Bonds effecting a savings and benefit to the Village.

There shall be borrowed on the credit of and for and on behalf of the Village, an amount not to exceed \$6,000,000 for the Project, and the Village shall issue in the name of the Village its bonds designated "General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012E" (the "Bonds"), in an aggregate principal amount of not to exceed \$6,000,000, for the purpose of procuring funds to be applied to (i) the refunding of the Refunded Bonds and (ii) paying the incidental expenses in connection therewith and on account of the issuance of the Bonds, including the purchase of municipal bond insurance, if any.

The Bonds shall be issued in the denomination of Five Thousand Dollars (\$5,000) each or integral multiples thereof, numbered consecutively from 1 upward, and dated the date of delivery. The Bonds shall become due and payable serially (subject to redemption as set forth herein) on May 1 of each year over a period ending no later than May 1, 2023, and shall bear interest at rates not to exceed 7% per annum. The exact maturity schedule and interest rates shall be set forth in a bond order executed by the Village President following the sale of the Bonds (the "Bond Order").

The Bonds shall bear interest from the most recent date to which interest has been paid or duly provided for, until the principal amount of the Bonds is paid, such interest (computed upon the basis of a 360-day year of twelve 30-day months) being payable on May 1 and November 1 of each year commencing on May 1, 2013.

Section 3. Registrar and Paying Agent. The Bank of New York Mellon Trust Company, National Association, Chicago, Illinois, is hereby appointed to serve as Registrar and Paying Agent for the Bonds (the "Registrar" or "Paying Agent"). The Registrar is hereby charged with the responsibility of authenticating the Bonds. The principal of the Bonds shall be payable at the principal office of the Paying Agent. All payments of interest on the Bonds shall be paid by check, mailed one business day prior to the interest payment date to the registered owners thereof as the names appear as of the first day of the month containing the interest payment date and at the addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time). All payments on the Bonds shall be made in any coin or currency of the United States of America, which on the date of such payment, shall be legal tender for the payment of public and private debts.

Each Bond shall be transferable or exchangeable only upon the books of the Village kept for that purpose at the principal office of the Registrar by the registered owner in person, or by

its attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The Registrar shall not be required to exchange or transfer any Bond during the period from the fifteenth (15th) day of the calendar month of any interest payment date, nor to transfer or exchange each Bond after notice calling such Bond for repayment has been mailed, nor during a period of fifteen (15) days next preceding mailing of a notice of repayment and redemption of such Bond. The costs of such transfer or exchange shall be borne by the Village except for any tax or governmental charge required to be paid with respect to the transfer or exchange, which taxes or governmental charges are payable by the person requesting such transfer or exchange. The Village, Registrar and Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent upon giving 30 days' notice in writing to the Village and by first class mail to each registered owner of the Bonds then outstanding, and such resignation will take effect at the end of such 30 day period or upon the earlier appointment of a successor registrar and paying agent by the Village. Any such notice to the Village may be served personally or sent by registered mail. The Registrar and Paying Agent may be removed at any time as Registrar and Paying Agent by the Village, in which event the Village may appoint a successor registrar and paying agent. The

Village shall notify each registered owner of the Bonds then outstanding by first class mail of the removal of the Registrar and Paying Agent. Notices to the registered owners of the Bonds shall be deemed to be given when mailed by first class mail to the addresses of such registered owners as they appear on the registration books kept by the Registrar.

Upon the appointment of any successor registrar and paying agent by the Village, the Village President and Village Clerk are authorized and directed to enter into such agreements and understandings with such successor registrar and paying agent as will enable the institution to perform the services required of a registrar and paying agent for the Bonds. The Village President and Village Clerk are further authorized to pay such fees as the successor registrar and paying agent may charge for the services it provides as registrar and paying agent and such fees may be paid from the fund established to pay the principal of interest on the Bonds as fiscal agency charges.

Any predecessor registrar and paying agent shall deliver all of the Bonds and any cash or investments in its possession with respect thereto, together with the registration books, to the successor registrar and paying agent.

Interest on the Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date of the Bonds unless the Bonds are authenticated after the fifteenth day of the month preceding interest payment date and on or before such interest payment date in which case they shall bear interest from such interest payment date.

The Village has determined that it is beneficial to the Village to have the Bonds held by a central depository system pursuant to an agreement between the Village and The Depository Trust Company, New York, New York ("Depository Trust Company") and have transfers of the

Bonds effected by book-entry on the books of the central depository system ("Book Entry System"). The Bonds shall be initially issued in the form of a separate single authenticated fully registered Bond for the aggregate principal amount of each separate maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company.

With respect to the Bonds registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, the Village and the Paying Agent shall have no responsibility or obligation to any other holders or owners (including any beneficial owner ("Beneficial Owner")) of the Bonds with respect to (i) the accuracy of the records of the Depository Trust Company, CEDE & CO., or any Beneficial Owner with respect to ownership questions, (ii) the delivery to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any notice with respect to the Bonds including any notice of redemption, or (iii) the payment to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any amount with respect to the principal of, or premium, if any, or interest on the Bonds except as otherwise provided herein.

So long as the Bonds are registered in the name of CEDE & CO., as nominee of the Depository Trust Company, no person other than the Depository Trust Company shall receive an authenticated Bond evidencing an obligation of the Village to make payments of the principal of and premium, if any, and interest on the Bonds pursuant to this ordinance. The Village and the Registrar and Paying Agent may treat as and deem the Depository Trust Company or CEDE & CO. to be the absolute bondholder of each of the Bonds for the purpose of (i) payment of the principal of and premium, if any, and interest on such Bonds; (ii) giving notices of redemption

and other notices permitted to be given to bondholders with respect to such Bonds; (iii) registering transfers with respect to such Bonds; (iv) obtaining any consent or other action required or permitted to be taken of or by bondholders; (v) voting; and (vi) for all other purposes whatsoever. The Paying Agent shall pay all principal of and premium, if any, and interest on the Bonds only to or upon the order of the Depository Trust Company, and all such payments shall be valid and effective fully to satisfy and discharge the Village's and the Paying Agent's obligations with respect to principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. Upon delivery by the Depository Trust Company to the Village of written notice to the effect that the Depository Trust Company has determined to substitute a new nominee in place of CEDE & CO., and subject to the provisions herein with respect to consents, the words "CEDE & CO." in this ordinance shall refer to such new nominee of the Depository Trust Company. Notwithstanding any other provision hereof to the contrary, so long as any Bond is registered in the name of CEDE & CO., as nominee of the Depository Trust Company, all payments with respect to the principal of and premium, if any, and interest on such Bonds and all notices with respect to such Bonds shall be made and given, respectively, to the Depository Trust Company as provided in a representation letter from the Village to the Depository Trust Company.

Upon receipt by the Village of written notice from the Depository Trust Company to the effect that the Depository Trust Company is unable or unwilling to discharge its responsibilities and no substitute depository willing to undertake the functions of the Depository Trust Company hereunder can be found which is willing and able to undertake such functions upon reasonable and customary terms, then the Bonds shall no longer be restricted to being registered in the register of the Village kept by the Registrar in the name of CEDE & CO., as nominee of the

Depository Trust Company, but may be registered in whatever name or names the bondholders transferring or exchanging the Bonds shall designate, in accordance with the provisions of this ordinance.

If the Village determines that it is in the best interest of the bondholders that they be able to obtain certificates for the fully registered Bonds, the Village may notify the Depository Trust Company and the Registrar, whereupon the Depository Trust Company will notify the Beneficial Owners of the availability through the Depository Trust Company of certificates for the Bonds. In such event, the Registrar shall prepare, authenticate, transfer and exchange certificates for the Bonds as requested by the Depository Trust Company and any Beneficial Owners in appropriate amounts, and whenever the Depository Trust Company requests the Village and the Registrar to do so, the Registrar and the Village will cooperate with the Depository Trust Company by taking appropriate action after reasonable notice (i) to make available one or more separate certificates evidencing the fully registered Bonds of any Beneficial Owner's Depository Trust Company account or (ii) to arrange for another securities depository to maintain custody of certificates for and evidencing the Bonds.

If the Bonds shall no longer be restricted to being registered in the name of the Depository Trust Company, the Registrar shall cause said Bonds to be printed in blank in such number as the Registrar shall determine to be necessary or customary; provided, however, that the Registrar shall not be required to have such Bonds printed until it shall have received from the Village indemnification for all costs and expenses associated with such printing.

Section 4. Redemption. The Bonds may be subject to redemption as provided in the Bond Order.

The Bonds shall be redeemed only in the principal amount of \$5,000 or any authorized integral multiple thereof. When less than all of the outstanding Bonds of a maturity are to be redeemed and paid prior to maturity, the Bond Registrar shall select Bonds for redemption in \$5,000 units of face value by lot in such equitable manner as the Bond Registrar may determine.

Unless waived by any holder of Bonds to be redeemed, notice of the call for any redemption identifying the Bonds, or portions of the Bonds, to be redeemed shall be given by the Bond Registrar by mailing a copy of the redemption notice by first class mail at least thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption to the registered owner of each Bond (or part thereof) to be redeemed at the address of the registered owner shown on the registration books, provided, however, that failure to give such notice by mailing, or any defect therein, shall not affect the validity of any proceeding for the redemption of Bonds as to which there was not such failure or defect.

Whenever any Bond is called for redemption and payment as provided in this Ordinance, all interest on such Bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price specified in this Ordinance

All notices of redemption shall state:

- (a) the redemption date,
- (b) the redemption price,
- (c) if less than all outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed,

(d) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date,

(e) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be a corporate trust office of the Bond Registrar, and

(f) such other information then required by custom, practice or industry standard.

Prior to any redemption date, the Village shall deposit with the Bond Registrar an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date.

Unless moneys sufficient to pay the redemption price of the Bonds to be redeemed shall have been received by the Bond Registrar prior to the giving of such notice of redemption, such notice may, at the option of the Village, state that said redemption shall be conditioned upon the receipt of such moneys by the Bond Registrar on or prior to the date fixed for redemption. If such moneys are not received, such notice shall be of no force and effect, the Village shall not redeem such Bonds, and the Bond Registrar shall give notice, in the same manner in which the notice of redemption was given, that such moneys were not so received and that such Bonds will not be redeemed.

Notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the Village shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon

surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Bond Registrar at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered holder a new Bond or Bonds of the same maturity in the amount of the unpaid principal.

If less than all of the Bonds are called for redemption they shall be redeemed in inverse order of maturity and by lot within any maturity, subject to selection by the Bond Registrar as provided below. The portion of any Bond to be redeemed shall be in authorized denominations of \$5,000 or any integral amount thereof (each an "Authorized Denomination") and in selection the Bonds for redemption, each Bond shall be considered as representing that number of the Bonds which is obtained by dividing the principal amount of such Bond by the minimum Authorized Denomination. If a portion of a Bond shall be called for redemption, a new Bond in an amount equal to the unredeemed portion thereof shall be issued to the Holder upon the surrender thereof. If for any reason the amount of the Bonds called for redemption would result in a redemption of Bonds less than the Authorized Denomination, the Bond Registrar, to the extent possible within the amount of Bonds to be redeemed, is hereby authorized to adjust the selection of the Bonds for such purpose in order to minimize any such redemption. Notwithstanding the foregoing, the Depository for those Bonds for which a Depository or its nominee is the Holder shall select the Bonds for redemption within particular maturities according to its stated procedures.

When the Bonds (or portions thereof) are to be redeemed, the Village shall give or cause to be given notice of redemption of the Bonds to the Bond Registrar no later than forty-five (45) days prior to the redemption date or such shorter time as may be acceptable to the Bond

Registrar. The Bond Registrar, at the expense of the Village, shall send notice of any redemption, identifying the Bonds or portions thereof to be redeemed, the redemption date and the method and place of payment and all other required information, by first class mail to each Holder called for redemption to the Holder's address listed on the Bond Registrar. Such notice shall be sent by the Bond Registrar by first class mail between thirty (30) and sixty (60) days prior to the scheduled redemption date.

In addition to the foregoing, the redemption notice shall contain, with respect to each Bond being redeemed, (1) the CUSIP Number, (2) the date of issuance, (3) the interest rate, (4) the maturity date, and (5) any other descriptive information determined by the Bond Registrar to be needed to identify the Bonds. The Bond Registrar shall also send each notice of redemption at least thirty (30) days before the redemption date to (1) and Rating Service then rating the Bonds to be redeemed; (2) all of the registered clearing agencies known to the Bond Registrar to be in the business of holding substantial amounts of securities of a type similar to the Bonds; and (3) one or more national information services that disseminate notices of redemption of securities such as the Bonds and such services to be identified by the Bond Registrar. Each redemption notice shall also be sent to participants of the Depository and to Beneficial Owners.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the redemption price on the redemption date on the Bonds called for redemption. Upon the deposit of such moneys, the Bonds shall cease to bear interest on the redemption date and shall no longer be entitled to the benefits of the Ordinance (other than the payment and transfer and exchange) and shall no longer be considered outstanding.

If any Bond or portion of Bond called for redemption shall not be so paid upon surrender thereof for redemption, the principal shall, until paid, bear interest from the redemption date at

the rate borne by the Bond or portion of Bond so called for redemption. All Bonds which have been redeemed shall be cancelled and destroyed by the Bond Registrar and shall not be reissued.

Section 5. Execution and Negotiability. Each of the Bonds shall be executed in the name of the Village by the manual or facsimile signatures of the Village President and the Village Clerk, and the seal of the Village shall be affixed, imprinted, engraved or otherwise reproduced thereon and countersigned by the manual or facsimile signature of the Village Clerk; and these officials, by the execution of a Signature and No Litigation Certificate, shall adopt as and for their own proper signatures the facsimile signatures appearing on the Bonds. In case any officer whose signature or facsimile signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, the signature of such officer shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

The Bonds shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Illinois, subject to the provisions for registration herein.

The Bonds shall also be authenticated by the manual signature of the Registrar and no Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed.

Section 6. Form of Bonds. The form and tenor of the Bonds shall be substantially as follows, all blanks to be filled in properly prior to delivery:

UNITED STATES OF AMERICA
STATE OF ILLINOIS
COUNTIES OF DUPAGE AND COOK

VILLAGE OF BENSENVILLE
GENERAL OBLIGATION REFUNDING BOND
(ALTERNATE REVENUE SOURCE), SERIES 2012E

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Original Date</u>	<u>Authentication Date</u>	<u>CUSIP</u>
	May 1, 20__	_____, 2012	_____, 2012	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM:

The Village of Bensenville, in DuPage and Cook Counties, Illinois (the "Village"), for value received, hereby promises to pay to the Registered Owner named above or registered assigns, the Principal Sum set forth above on the Maturity Date set forth above, and to pay interest hereon (computed on the basis of a 360-day year of twelve 30-day months) at the Interest Rate per annum stated above from the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the fifteenth day of the month preceding an interest payment date and on or before such interest payment date in which case it shall bear interest from such interest payment date or unless this bond is authenticated on or before _____ 15, 2012, in which case it shall bear interest from the Original Date, until the principal is paid, which interest is payable semiannually on May 1 and November 1 of each year, beginning on May 1, 2013.

The principal of this Bond is payable at the corporate trust office of The Bank of New York Mellon Trust Company, National Association (the "Registrar" or "Paying Agent"), in Chicago, Illinois. All payments of interest on this bond shall be paid by check, mailed one business day prior to the interest payment date to the registered owner hereof as of the fifteenth day of the month preceding the month of such interest payment date at the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by the registered owner. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time). All payments on the bond shall be made in any coin or currency of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

The Bonds (as hereinafter defined) shall be initially issued in a Book Entry System (as defined in the hereinafter defined Ordinance). The provisions of this bond and of the Ordinance are subject in all respects to the provisions of the Blanket Issuer Letter of Representations

between the Village and The Depository Trust Company, or any substitute agreement, effecting such Book Entry System.

This Bond is a general obligation of the Village payable as to principal and interest from (i) the revenues of the waterworks and sewerage system of the Village, and (ii) ad valorem taxes levied against all taxable property in the Village, without limitation as to rate or amount, all in accordance with the provisions of the Local Government Debt Reform Act, as supplemented and amended (the "Act"). The full faith, credit and resources of the Village are pledged to the punctual payment of the principal of and interest on the Bonds. This Bond is negotiable, subject to registration provisions, pursuant to the laws of the State of Illinois.

This Bond is one of an authorized issue of bonds of the Village of like date, tenor and effect, except as to rates of interest and dates of maturity; aggregating _____ Dollars (\$_____); numbered consecutively from R-1 up; issued for the purpose of refunding the Refunded Bonds (as such term is defined in the hereinafter defined Ordinance) and costs related to the issuance of the Bonds, [including the premium for municipal bond insurance,] all for the benefit of the inhabitants of the Village; as approved by the Village President and Village Council of the Village (the "Corporate Authorities"). This Bond is issued pursuant to a Bond Ordinance adopted by the Corporate Authorities on the 25th day of September, 2012 (the "Ordinance"), and in accordance with the Act.

Pursuant to the Ordinance and the Escrow Agreement(s) defined therein, the Village has set aside securities (purchased from proceeds of the Bonds) and certain cash in an Escrow Account to provide payment of principal of and interest and redemption premium on the Refunded Bonds by the purchase of obligations of the United States of America.

Redemption of the Bonds is more fully detailed in the Ordinance and a Bond Order executed by the Village President on _____, 2012 prior to the delivery of the Bonds.

This Bond is transferable or exchangeable only upon the books of the Village kept for that purpose at the principal office of the Registrar by the registered owner hereof in person, or by its attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or its attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or to the registered owner, as the case may be, in exchange therefor. The Registrar shall not be required to transfer or exchange this bond during the period beginning at the close of business on the fifteenth (15th) day of the month preceding the interest payment date on this bond occurs and ending on such interest payment date. The Village, the Registrar, the Paying Agent and any other registrar or paying agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

This Bond is subject to defeasance prior to payment as provided in the Ordinance referred to herein. **THE OWNER OF THIS BOND, BY THE ACCEPTANCE HEREOF, HEREBY AGREES TO ALL THE TERMS AND PROVISIONS CONTAINED IN THE ORDINANCE.**

[The Village has designated the bonds as qualified tax-exempt obligations to qualify the bonds for the \$10,000,000 exception from the provisions of Section 265(b) of the Internal Revenue Code of 1986 relating to the disallowance of 100% of the deduction for interest expense allocable to tax-exempt obligations.]

The Bonds maturing in any one year are issuable only in fully registered form in the denomination of \$5,000 or any integral multiple thereof.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law; that the indebtedness of the Village, including the issue of the Bond of which this is one, does not exceed any limitation imposed by law; and that provision has been made for the collection of a direct annual tax sufficient to pay the interest hereon as it falls due and also to pay and discharge the principal hereof at maturity.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the Village of Bensenville, DuPage and Cook Counties, Illinois, has caused this bond to be executed by the manual or facsimile signatures of the Village President and the Village Clerk, the seal of said Village (or a facsimile thereof) to be affixed, imprinted, engraved or otherwise reproduced hereon and countersigned by the duly authorized manual or facsimile signature of the Village Treasurer, all as of the Original Date identified above.

VILLAGE OF BENSENVILLE, DUPAGE AND
COOK COUNTIES, ILLINOIS

By _____
Village President

By _____
Village Clerk

[SEAL]

Countersigned:

By _____
Village Treasurer

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned Ordinance.

THE BANK OF NEW YORK MELLON TRUST
COMPANY, NATIONAL ASSOCIATION, as
Registrar

By _____
Authorized Officer

Section 7. Sale of Bonds. The Village Treasurer is hereby authorized and directed to deliver the Bonds to Bernardi Securities, Inc. and Robert W. Baird & Co., Inc. (collectively, the "Purchaser") thereof, upon receipt of the purchase price of not less than 98% of par plus accrued interest. The Village President and the Village Clerk are authorized and directed to execute a bond purchase agreement (the "Purchase Contract") in connection with the sale of the Bonds, in the name of and on behalf of the Village. The Purchase Contract shall be substantially in the form of purchase contracts commonly used in transactions similar to that described in the Ordinance, with such changes as necessary to reflect the terms and provisions of the Bonds, this Ordinance and such other changes as the Village President or Village Treasurer shall determine are necessary or desirable in connection with the sale of the Bonds. No person holding any office of the Village, either by election or appointment, is in any manner financially interested directly in his own name or indirectly in the name of any other person, association, trust or corporation, in the Purchase Contract. The Preliminary Official Statement in the form submitted to this meeting is hereby approved and deemed nearly final, and the Village President is hereby authorized and directed to execute the final Official Statement after the sale of the Bonds to the Purchaser. The Continuing Disclosure Undertaking in the form submitted to this meeting is hereby approved, and the Village President and Village Clerk are authorized and directed to complete and execute the Continuing Disclosure Undertaking with such changes as they deem

necessary or appropriate. The Village President and Village Clerk are also authorized and directed to apply for and obtain municipal bond insurance on the Bonds if the Purchaser can demonstrate that the present value of the interest to be saved by procuring such insurance is greater than the premium required to be paid to procure it.

Section 8. Alternate Revenue Source; Tax Levy; Additional Security. For the purpose of providing funds required to pay the interest on the Bonds promptly when and as the same falls due, and to pay and discharge the principal thereof at maturity, the Village covenants and agrees with the Purchaser and the owners of the Bonds that the Village will deposit the principal proceeds received by the Village from time to time from the revenues of the waterworks and sewerage system of the Village (the "Pledged Revenues"). The Pledged Revenues are hereby pledged to the payment of the Bonds, and the Corporate Authorities covenant and agree to provide for, collect and apply the Pledged Revenues to the payment of the Bonds.

The Bonds are issued on a parity with respect to the Pledged Revenues with the Village's currently outstanding Prior Bonds.

For the purpose of providing additional funds to produce the sums necessary to pay interest on the Bonds as it falls due and pay and discharge the principal thereof at maturity, there be and there is hereby levied upon all the taxable property within the Village a direct annual tax (the "Pledged Taxes") for each of the years while the Bonds or any of them are outstanding, in amounts sufficient for that purpose, and that there be and there is hereby levied upon all of the taxable property in the Village, in addition to all other taxes, a direct annual tax in the amount of not to exceed \$970,000 per year to be levied from 2012 to no later than 2021. The exact amount of the tax for each year shall be as set forth in the Bond Order.

Principal or interest coming due at any time when there are not sufficient funds on hand from the Pledged Taxes to pay the same shall be paid from current funds on hand of the Village, and the fund from which such payment was made shall be reimbursed out of the Pledged Taxes hereby levied when the same shall be collected.

The Village covenants and agrees with the Purchaser and the owners of the Bonds that so long as any of the Bonds remain outstanding, the Village will take no action or fail to take any action which in any way would adversely affect the ability of the Village to collect the Pledged Revenues or to levy and collect the Pledged Taxes, and the Village and its officers will comply with all present and future applicable laws in order to assure that the Pledged Revenues will be available and that the Pledged Taxes will be levied, extended and collected as provided herein and deposited in the Bond Fund.

The funds derived from the tax levy be and the same are hereby appropriated and set aside for the sole and only purpose of paying principal and interest on said Bonds when and as the same become due. The funds from the sale of said Bonds be and they are hereby appropriated and set aside for the purpose hereinbefore set out.

Section 9. Filing of Ordinance – Bond Fund. After this Ordinance becomes effective, a copy hereof, certified by the Village Clerk, shall each be filed with the County Clerk of DuPage and Cook Counties (the "County Clerk"). The County Clerk shall in and for the years 2012 to no later than 2021, inclusive, ascertain the rate required to produce the aggregate Pledged Taxes hereinbefore provided to be levied in each of said years; and the County Clerk shall extend the same for collection on the tax books in connection with other taxes levied in said years in and by the Village for general corporate purposes of the Village; and the County Clerk, or other appropriate officer or designee, shall remit the Pledged Taxes for deposit to the credit of

a special fund created by Section 10 hereof and referred to as the "Bond Fund", and in said years the Pledged Taxes shall be levied and collected by and for and on behalf of the Village in like manner as taxes for general corporate purposes of the Village for said years are levied and collected, and in addition to and in excess of all other taxes. The Pledged Taxes are hereby irrevocably pledged to and shall be used only for the purpose of paying principal of and interest on the Bonds.

Section 10. Abatement of Pledged Taxes. Not later than the last date in any tax year that the County Clerks will accept the filing of an ordinance levying a tax to be extended during such tax year for the payment of principal of and interest on general obligation bonds, the Village Treasurer shall determine (i) the amount of Pledged Revenues then on deposit. The Village Treasurer shall set forth the aggregate amount of Pledged Revenues which are then on deposit and available for the purpose of abating the Pledged Taxes to be extended during that tax year and shall transmit such information to the Corporate Authorities.

The Corporate Authorities shall direct the abatement of the Pledged Taxes and shall authorize the transfer to the Bond Fund of the amount of Pledged Revenues so determined to be available for such abatement. By proper proceedings the Corporate Authorities shall thereafter abate the Pledged Taxes by the amount so transferred to and deposited into the Bond Fund.

Section 11. Refunding of the Refunded Bonds and Costs of Issuance. The Bank of New York Mellon Trust Company, National Association (the "Escrow Trustee"), having a corporate trust office in Chicago, Illinois, is hereby authorized and appointed to serve as escrow trustee for the Refunded Bonds in accordance with the terms of the Escrow Agreement(s), between the Village and the Escrow Trustee (the "Escrow Agreement(s)"). The Escrow Agreement(s), in substantially the form which has been presented at this meeting, is hereby

approved by the Village President and the Corporate Authorities, and the Village President and the Village Clerk are hereby authorized and directed to complete, execute and attest the same on behalf of the Village. Concurrently with the delivery of the Bonds, the Village shall deposit a portion of the proceeds of the Bonds to be used, together with certain cash from the proceeds of the Bonds and cash on hand, if any, as set forth in the Escrow Agreement(s), to refund and legally defease a portion of the Refunded Bonds, all as set forth in the Escrow Agreement(s). The execution, by either the Village President or the Purchaser, of a subscription for United States Treasury Obligations -- State and Local Government Series for investment of proceeds of the Bonds which may be held under the Escrow Agreement(s) in a manner consistent with this ordinance is hereby approved. In order to refund the Refunded Bonds, the Treasurer shall deposit certain cash with the Escrow Trustee under the Escrow Agreement(s) in an amount sufficient to provide moneys for the payment of redemption, interest and redemption premium, if any, on the Refunded Bonds to be called for redemption on the dates provided in the Bond Order which shall be no later than May 1, 2014.

Costs of issuance of the Bonds not otherwise paid shall be paid from the remaining proceeds by the Village. When all the costs of issuance of the Bonds have been paid, the Village shall then transfer any amount then remaining from the proceeds of the Bonds to the Bond Fund as herein provided.

Section 12. The Revenue Fund. Upon the issuance of any of the Bonds, the System shall be operated on a Fiscal Year basis. All of the Revenues shall be set aside as collected and be deposited into the heretofore created Revenue Fund, hereby expressly continued. be deposited into the heretofore created Revenue Fund, hereby expressly continued. The Revenue Fund shall constitute a trust fund for the sole purpose of carrying out the covenants, terms, and

conditions of any Revenue Bond Ordinances and this Ordinance, and shall be used only in paying Operation and Maintenance Costs, providing an adequate depreciation fund, paying the principal of and interest on all Outstanding Revenue Bonds, and providing for the establishment of and expenditure from the respective accounts as described in any Revenue Bond Ordinances and this Ordinance.

Section 13. Operation of Revenue Fund. A. Flow of Funds. There shall be and there are hereby expressly continued the heretofore created separate accounts in the Waterworks and Sewerage Fund to be known as the "Operation and Maintenance Account," the "Bond and Interest Account," the "Bond Reserve Account," the "Depreciation Account," and the "Surplus Revenue Account," to which there shall be credited on or before the first day of each month by the financial officer of the Village, without any further official action or direction, in the order in which said accounts are hereinafter mentioned and without commingling with any other funds of the Village, all moneys held in the Waterworks and Sewerage Fund, in accordance with the following provisions:

Operation and Maintenance Account:

There shall be credited to the Operation and Maintenance Account an amount sufficient, when added to the amount then on deposit in said Account, to establish a balance to an amount not less than the amount necessary to pay Operation and Maintenance Costs for the next succeeding month and including 1/12 of all such expenses on an annualized basis.

Amounts in said Account shall be used to pay Operation and Maintenance Costs.

Bond and Interest Account:

There next shall be credited to the Bond and Interest Account and held, in cash and investments, a fractional amount of the interest becoming due on the next succeeding interest payment date on all Outstanding Revenue Bonds and also a fractional amount of the principal becoming due of the next succeeding principal maturity date of all of the Outstanding Revenue Bonds until there shall have been accumulated and held, in cash and investments, in the Bond and Interest Account on or before the month preceding such maturity date of interest or maturity date of principal, an amount sufficient to pay such principal or interest, or both.

In computing the fractional amount to be set aside each month in the Bond and Interest Account, the fraction shall be so computed that a sufficient amount will be set aside in said Account and will be available for the prompt payment of such principal of and interest on all Outstanding Revenue Bonds and shall be not less than one-sixth of the interest becoming due on the next succeeding interest payment date and not less than one-twelfth of the principal becoming due on the next succeeding principal payment date on all Outstanding Revenue Bonds until there is sufficient money in said Account to pay such principal or interest, or both.

Credits to the Bond and Interest Account may be suspended in any Fiscal Year at such time as there shall be a sufficient sum, held in cash and investments, in said Account to meet principal and interest requirements in said Account for the balance of such Fiscal Year, but such credits shall again be resumed at the beginning of the next Fiscal Year.

All moneys in said Account shall be used only for the purpose of paying interest on and principal of Outstanding Revenue Bonds.

Bond Reserve Account:

There shall be credited to the Bond Reserve Account and held, in cash and investments, the sum of \$2,000 (which amount is inclusive of and not in addition to the amount required under the ordinances authorizing the Prior Bonds) each month (or such larger amount as may be required for any Future Revenue Bonds) until the credit balance of said Account aggregates the amount required under any Revenue Bond Ordinances. In the event of a withdrawal from the Bond Reserve Account, the Village covenants to replenish the- Bond Reserve Account at the rate of 1/12 of the difference between the amount to the credit of said account immediately following such withdrawal and maximum annual debt service, but in no case less than \$2,000 per month (or such larger amount as may be required for any Future Revenue Bonds).

Amounts to the credit of the Bond Reserve Account shall be used to pay principal of or interest on the Outstanding Revenue Bonds at any time when there are insufficient funds available in the Bond and Interest Account to pay the same.

Depreciation Account:

There shall be credited and held, in cash and investments, the sum of \$2,000 (which amount is inclusive of and not in addition to the amount required under the ordinances authorizing the Prior Bonds each month) (or such larger amount as may be required for any Future Revenue Bonds) until the credit balance of said Account aggregates the sum required under any Revenue Bond Ordinances. No additional funds need be credited to said Account, except that whenever for any reason the amount on deposit to the credit of said Account is less than said required aggregate sum, credits into said Account shall be resumed in the amount of \$2,000 each month (or such larger amount as may be required for Future Revenue Bonds) and continued until the amount on deposit to the credit of said Account is once again equal to said required aggregate sum.

Amounts to the credit of said Depreciation Account shall be used for (i) the payment of the cost of extraordinary maintenance, necessary repairs and replacements, or contingencies, the payment for which no other funds are available, in order that the System may at all times be able to render efficient service and (ii) the payment of principal of or interest on any Outstanding Revenue Bonds at any time when there are no other funds available for that purpose in order to prevent a default and shall be transferred to the Bond and Interest Account for such purpose.

Whenever an amount is withdrawn from such Account for the purpose stated in clause (ii) of the preceding paragraph, the amount so transferred shall be added to the amount to be next and thereafter credited to said Depreciation Account until full reimbursement to said Account has been made.

Surplus Account:

All moneys remaining in the Fund, after crediting the required deficiency in the accounts described in subsections (1) to (4), inclusive, shall be credited each month to the Surplus Account. Funds in the Surplus Account shall be used, first, to make up any subsequent deficiencies in any of the accounts hereinabove named; and then, the remainder of all surplus Revenues shall be deposited to a separate and segregated account to be held by the Paying Agent and designated the "Alternate Bond and Interest Subaccount of the Surplus Account" (the "Alternate Bond and Interest Subaccount"), as follows:

(a) Upon the delivery of any of the Bonds there shall be transmitted to the Paying Agent for deposit into the Alternate Bond and Interest Subaccount from cash on hand and lawfully available an amount (net of any capitalized interest) which is equal to, and thereafter there shall be transmitted to the Paying Agent for deposit into the Alternate Bond and Interest Subaccount in each month after the required payments have been made into the Accounts above described an amount which is equal to, a fractional amount of the interest becoming due on the next succeeding interest payment date on all Outstanding Bonds and a fractional amount of the principal becoming due or subject to mandatory redemption on the next succeeding principal maturity or mandatory redemption date of all Outstanding Bonds. Such deposits shall be made each

month until there shall have been accumulated in the Alternate Bond and Interest Subaccount on or before the month preceding such maturity date of interest or maturity or mandatory redemption date of principal, an amount sufficient to pay such principal or interest, or both, of all Outstanding Bonds.

(b) In computing the fractional amount to be set aside each month in said Alternate Bond and Interest Subaccount, the fraction shall be so computed that sufficient funds will be set aside in said Subaccount and will be available for the prompt payment of such principal of and interest on all Outstanding Bonds as the same will become due and shall be not less than one-fifth of the interest becoming due on the next succeeding interest payment date and not less than one-tenth of the principal becoming due or subject to mandatory redemption on the next succeeding principal or mandatory redemption payment date on all Outstanding Bonds until there is sufficient money in said Subaccount to pay such principal or interest or both.

(c) Credits to the Alternate Bond and Interest Subaccount may be suspended in any Fiscal Year at such time as there shall be a sufficient sum, held in cash and investments, in said Subaccount to meet principal and interest requirements in said Subaccount for the balance of such Fiscal Year, but such credits shall be resumed at the beginning of the next Fiscal Year.

(d) All moneys in said Subaccount shall be used by the Paying Agent only for the purpose of paying interest on and principal of Outstanding Bonds and Additional Bonds.

Any funds remaining in the Surplus Account after making all of the aforesaid deposits to the Alternate Bond and Interest Account, at the discretion of the Corporate Authorities, shall then be used for one or more of the following purposes without any priority among them:

(e) For the purpose of constructing or acquiring repairs, replacements, improvements or extensions to the System; or

(f) For the purpose of calling and redeeming Outstanding Revenue Bonds or Outstanding Bonds or both, which are callable at the time; or

(g) For the purpose of purchasing Outstanding Revenue Bonds or Outstanding Bonds which are in the open market at a price not to exceed par plus accrued interest to the date of purchase if the Bonds are not callable, or not to exceed par and accrued interest and any applicable call premium to the date of purchase by solicitation or tender at a time and price determined by the Corporate Authorities; or

(h) For the purpose of paying principal of and interest on any subordinate bonds or obligations issued for the purpose of acquiring or constructing repairs, replacements, improvements or extensions to the System; or

(i) For any other lawful System purpose.

Section 14. Investments. Except as otherwise expressly provided, moneys to the credit of the Revenue Fund may be invested pursuant to any authorization granted to municipal corporations by Illinois statute or court decision.

Moneys on deposit in the Revenue Fund and to the credit of the Alternate Bond and Interest Account shall be invested by the Paying Agent at the written direction of the Village Treasurer, but only in Qualified Investments. Moneys on deposit in the Revenue Fund and to the credit of the Bond and Interest Account, the Bond Reserve Account, the Depreciation Account and the balance of the Surplus Account shall be invested from time to time by the Treasurer of the Village in (a) direct full faith and credit obligations of the United States of America, whether bonds, notes, bills or otherwise called (collectively referred to herein as "U.S. Bonds"); (b) certificates of participation in a trust or trust receipts from a trust comprised solely of U.S. Bonds; (c) shares in a money market or mutual fund comprised solely of U.S. Bonds or agreements to repurchase such obligations; (d) obligations unconditionally guaranteed as to both principal and interest by the United States Government; (e) obligations which are tax-exempt under Section 103(a) of the Code but are not private activity bonds under Section 141(a) of the Code, if rated at the time of purchase "AA" or better by a nationally recognized ratings service for municipal bonds; (f) certificates of deposit or time deposits of any bank, as defined by the Illinois Banking Act, provided such bank is insured by the Federal Deposit Insurance Corporation or a successor corporation to the Federal Deposit Insurance Corporation, and provided further that the principal of such deposits in excess of the insured amount is secured by a pledge of obligations as described in clauses (a), (b) or (d) above in the full principal amount of such excess, and (g) such investments as are legal and proper investments for the Village under authorizations then granted to the Village by Illinois law. Such investments may be sold from time to time by the Treasurer as funds may be needed for the purpose for which said respective Accounts have been created. To the extent moneys in said Accounts as described in this paragraph are held uninvested and on deposit in demand accounts, such amounts shall be added

to the amount invested pursuant to clause (f) above, and the sum so derived subject to the limitations as set forth therein.

Monies in the Bond and Interest Account and the Bond Reserve Account shall be kept in accounts separate from the other accounts.

Investments in the Accounts of the Revenue Fund shall mature or be subject to redemption at the option of the holder thereof prior to the time when needed, and, in any event, within the times as follows:

ACCOUNT	TIME
Operation and Maintenance	45 days
Bond and Interest	1 year
Bond Reserve	3 years
Depreciation	5 years
Surplus:	
Alternate Bond and Interest Subaccount	1 year
Remainder	5 years

After making provision for the payment of any amount of excess arbitrage profits, as provided in the Code, attributable to investment earnings or profits to a Rebate Fund created for an issue or issues of Outstanding Bonds, all earnings or profit on any funds so invested in the Bond and Interest Account shall be retained therein. After making provision for the payment of any amount of excess arbitrage profits, as provided in the Code, attributable to investment earnings or profits to a Rebate Fund created for an issue or issues of Outstanding Revenue Bonds, all earnings or profit on any funds so invested in the Bond Reserve Account shall be credited upon receipt to the Bond and Interest Account. After making provision for the payment of any amount of excess arbitrage profits, as provided in the Code, attributable to investment earnings or profits to the hereinafter created Rebate Fund for the Outstanding Bonds, all earnings or profit on any funds so invested in the Alternate Bond and Interest Subaccount shall be retained

therein. The Village may take credit for such earnings or profits (not transferred to a Rebate Fund) in its final monthly accounting for the Accounts of the Revenue Fund in any Fiscal Year.

All interest or profit earned on any funds so invested in other Accounts of the Revenue Fund shall be retained and credited to the Account for which invested.

Moneys in any of said Accounts shall be invested by the Treasurer, if necessary, in investments restricted as to yield, which investments may be in United States Treasury Obligations-State and Local Government Series, if available, and to such end the Treasurer shall refer to any investment restrictions covenanted by the Village or any designated officer thereof as part of the transcript of proceedings for the issuance of the Bonds, and to appropriate opinions of counsel.

Section 15. Bond Fund. There is hereby established a special fund of the Village known as the "Alternate Bond and Interest Fund of 2012" (the "Bond Fund") to be held by the Paying Agent which is a trust fund established for the purpose of carrying out the covenants, terms and conditions imposed upon the Village by this ordinance. The Bonds are secured by a pledge of all of the moneys on deposit in the Bond Fund, and such pledge is irrevocable until the Bonds have been paid in full or until the obligations of the Village are discharged under this ordinance. Pledged Taxes shall be set aside as collected and deposited into the Bond Fund. Pledged Revenues shall be deposited into the Alternate Bond and Interest Subaccount of the Revenue Fund.

Section 16. Use of Bond Proceeds. Accrued interest, capitalized interest and any premium received on the delivery of the Bonds are hereby appropriated for the purpose of paying interest due on the Bonds and are hereby ordered deposited into the Bond Fund.

Section 17. Additional Funds and Accounts. In addition to the funds established hereunder, the Village President is hereby authorized and directed to establish, and the Treasurer is further authorized to hold, any and all funds and/or accounts they deem necessary or convenient to the accomplishment of the purposes set forth in this ordinance.

Section 18. Defeasance of the Bonds. If, when the Bonds or a portion thereof shall have become due and payable in accordance with their terms, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the Bonds or a portion thereof then outstanding shall be paid; or (i) sufficient moneys or (ii) direct obligations of the United States of America (including obligations issued or held in book entry form on the books of the Department of the Treasury), the principal of and the interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds or any designated portion thereof issued hereunder shall no longer be deemed outstanding or entitled to any pledge of the Pledged Revenues and the Pledged Taxes made herein.

Section 19. Account Excesses. Any amounts to the credit of the Accounts of the Revenue Fund in excess of the then current requirements therefor may be transferred at any time by the Corporate Authorities to such other Account or Accounts of the Revenue Fund as it may in its sole discretion designate.

Section 20. Additional Bonds. As long as there are any Outstanding Bonds, no obligations or bonds of any kind shall be issued which are payable from the Revenues except upon compliance with one of the options set out below:

(a) Parity Bonds may be issued for the purpose of paying the cost of repairs replacements, renewals, improvements and extensions to the System or for refunding Outstanding Bonds upon compliance with the following conditions:

(i) The amounts required to be credited monthly to the respective accounts described in subsections (a) through (d), inclusive, of Section 13 of this Ordinance must have been credited in full up to the date of the delivery of such Parity Bonds.

(ii) The Net Revenues of the System for the last completed Fiscal Year prior to the issuance of the Parity Bonds (as shown by the audit of an independent certified public accountant) or the adjusted Net Revenues of the System for such year (as defined herein) must equal at least 125% of Maximum Annual Debt Service computed immediately after the issuance of the proposed Parity Bonds, but only for those Fiscal Years in which the Outstanding Bonds immediately prior to such issuance will continue to be Outstanding as provided herein.

(iii) Net Revenues of the System may be adjusted as follows:

(A) In the event there shall have been an increase in the rates of the System from the rates in effect for the preceding Fiscal Year, which increase is in effect at the time of the issuance of any such Parity Bonds, the Net Revenues as described hereinabove may be adjusted to reflect the Net Revenues of the System for the immediately preceding Fiscal Year as they would have been had said then existing rates been in effect during all of said Fiscal Year.

(B) Any such adjustment shall be evidenced by the certificate of an independent consulting engineer or an independent certified public accountant employed for that purpose, which certificate shall be filed with and approved by the Corporate Authorities prior to the issuance of the proposed Parity Bonds.

(b) Parity Bonds may be issued to refund Outstanding Bonds if the Parity Bonds so issued (i) do not exceed the principal amount of the Outstanding Bonds to be refunded, (ii) do not bear interest at a rate in excess of the Outstanding Bonds to be refunded, and (iii) do not mature earlier than any Outstanding Bonds not to be refunded.

(c) Parity Bonds may be issued to refund Outstanding Bonds in order to avoid default in the payment of principal of or interest on Outstanding Bonds; provided, they are issued to avoid such default within three months of the date thereof.

(d) Bonds or other obligations may be issued payable from the Revenues subordinate to the Outstanding Bonds. Such subordinate bonds shall be payable from the Surplus Account created in Section 13 of this Ordinance.

All bonds issued under this Section shall mature as to principal on May 1 and as to interest on May 1 and/or November 1.

Contracts or agreements, including long-term and take or pay contracts or agreement, for the supply of water or the treatment of sewage which by their terms require payment by the Village as an Operation and Maintenance Cost or from the Operation and Maintenance Account are expressly excluded from the provisions of this Ordinance pertaining to Parity Bonds. Such contracts or agreements may be made by the Village notwithstanding any of the provisions herein.

Section 21. Covenants of the Village. Subject to the terms and provisions contained in this section, and not otherwise, the Village covenants and agrees so long as there are any Outstanding Bonds (as defined herein), as follows:

(a) The Village will take all action necessary either to impose, collect, apply or to maintain the right to receive and apply the Pledged Revenues and Pledged Taxes in the manner contemplated by this Ordinance, and such Pledged Revenues shall not be less than as shall be required under Section 15 of the Local Government Debt Reform Act to maintain the Bonds as Alternate Bonds.

(b) The Village covenants that it will, while any of the Bonds shall remain outstanding, the Pledged Revenues will be sufficient to provide for or pay each of the following in any given year: (1) debt service on all outstanding revenue bonds payable from such revenue sources, (2) the debt service on all outstanding revenue bonds payable from pledged revenue sources, (3) all amounts required to meet any fund or account requirements with respect to such outstanding revenue bonds, (4) other contractual or tort liability obligations, if any, payable from such pledged revenues, (5) other contractual or tort liability obligations, if any, payable from such revenue sources, and (6) in each year, an amount not less than 1.25 times debt service of all (i) alternate bonds payable from such enterprise revenues and revenue sources previously issued and outstanding and (ii) alternate bonds proposed to be issued (i.e. the Bonds).

(c) Whenever the 125% coverage in subsection (b) above is not effected or the Bonds at any time fail to qualify as Alternate Bonds not subject to any applicable debt limit under Section 15 of the Local Government Debt Reform Act or taxes are levied and extended and collected as stated in the Ordinance, the Village covenants to promptly have prepared a financial analysis of the Pledged Revenues by an independent consulting accountant or other qualified professional employed for that purpose, and further, to send a copy of such analysis, when completed, to the Purchaser of the Bonds along with a letter indicating what action the Village has taken responsive to such study and to comply with Section 15 of the Local Government Debt Reform Act.

(d) The Village will make and keep proper books and accounts (separate and apart from all other records and accounts of the Village), in which complete entries shall be made of all transactions related to the Pledged Revenues, and covenants that within

210 days following the close of each Fiscal Year, it will cause the books and accounts related to the Pledged Revenues to be audited by independent certified public accountants. Such audit will be available for inspection by the registered owners of any of the Bonds. Each such audit, in addition to whatever matters may be thought proper by the accountants to be included therein, shall, without limiting the generality of the foregoing, include the following:

(i) A balance sheet as of the end of such Fiscal Year, including a statement of the amount held in each of the accounts under this ordinance.

(ii) The amount and details of all Outstanding bonds.

(iii) The accountant's comments, if any, regarding the manner in which the Village has carried out the accounting requirements of the Ordinance (including as to the Alternate Bond status of the Bonds) and has complied with Section 15 of the Local Government Debt Reform Act, and the accountant's recommendations for any changes.

(e) The Village will keep its books and accounts in accordance with generally accepted fund reporting practices for local government entities and enterprise funds; provided, however, that the monthly credits to the Bond Fund shall be in cash, and such funds shall be held separate and apart in cash investments. For the purpose of determining whether sufficient cash and investments are on deposit in such accounts under the terms and requirements of this ordinance, investments shall be valued at the lower of the cost or market price on the valuation date thereof, which valuation date shall be not less frequently than annually.

(f) The Village will take no action in relation to the Pledged Revenues or the Pledged Taxes which would unfavorably affect the security of the Bonds or the prompt payment of the principal and interest thereon or the 125% coverage required in

subsection (b) above to maintain the Bonds as "alternate bonds" under Section 15 of the Local Government Debt Reform Act.

(g) The owner of any Bond may proceed by civil action to compel performance of all duties required by law and the Ordinance.

Section 22. Amendments with Consent of Bondholders. Subject to the terms and provisions contained in this section, and not otherwise, the owners of not less than one hundred percent (100%) in aggregate principal amount of the Bonds issued pursuant to this ordinance and then outstanding shall have the right from time to time, anything contained in this ordinance to the contrary notwithstanding, to consent to and approve the adoption by the Village of such ordinance or ordinances supplemental hereto or amendatory hereof, as shall be deemed necessary or desirable by the Village for the purpose of modifying, altering, amending, adding to or rescinding in any particular manner any of the terms or provisions contained in this ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting.

(a) An extension of the maturity of the principal of or interest on any Bond issued pursuant to this ordinance; or

(b) A reduction in the principal amount of any Bond or the rate of interest thereon; or

(c) A preference or priority of any Bond or Bonds issued pursuant to this ordinance over any other Bond or Bonds issued pursuant to the provisions of this ordinance; or

(d) A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance; or

If the owners of not less than one hundred percent (100%) in aggregate principal amount of the Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Village Clerk of the Village, no owner of any Bond issued pursuant to this ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Village from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this ordinance of the Village and all owners of Bonds then outstanding, shall thereafter be determined, exercised and enforced in accordance with this ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this ordinance, the rights and obligations of the Village and of the owners of the Bonds authorized by this ordinance, and the terms and provisions of the Bonds and this ordinance, or any supplemental or amendatory ordinance, may be modified or altered in any respect with the consent of the Village and the consent of the owners of all the Bonds then outstanding.

Section 23. Tax Covenants. In order to preserve the exclusion of interest on the Bonds from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as existing on the date of issuance of the Bonds (the "Code") and as an inducement to purchasers of the Bonds, the Village represents, covenants and agrees that:

(a) No more than 10% of the payment of the principal of or interest on the Bonds will be (under the terms of the Bonds, this ordinance or any underlying arrangement), directly or indirectly, (i) secured by any interest in property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments (whether or not to the Village) in respect of such property or borrowed money used or to be used for a private business use.

(b) No more than 5% of the Bond proceeds will be loaned to any entity or person other than a state or local governmental unit. No more than 5% of the Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Bond proceeds.

(c) The Village reasonably expects, as of the date hereof, that the Bonds will not meet either the private business use test described in paragraph (a) above or the private loan test described in paragraph (b) above during the entire term of the Bonds.

(d) Neither the Village nor the Corporate Authorities will take any action or fail to take any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal tax purposes on the Bonds pursuant to Section 103 of the Code, nor will the Village or the Corporate Authorities act in any other manner which would adversely affect such exclusion.

(e) It shall not be an event of default under this ordinance if the interest on any Bond is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Bonds.

- (f) The Village represents that:
 - (i) The Bonds are not private activity bonds as defined in Section 141 of the Code;
 - (ii) The Village hereby designates the Bonds as qualified tax-exempt obligations for purposes of Section 265(b) of the Code; and
 - (iii) The reasonably anticipated amount of qualified tax-exempt obligations (including 501(c)(3) obligations and tax-exempt leases but excluding other private activity bonds and excluding bonds issued to refund qualified tax-exempt obligations) which will be issued by the Village and all entities subordinate to the Village during 2012 does not exceed \$10,000,000.
 - (iv) The Village has not designated more than \$10,000,000 of qualified tax-exempt obligations during 2012.

Therefore, the Bonds qualify for the exception in the Code from the disallowance of 100% of the deduction by financial institutions of interest expense allocable to tax-exempt obligations.

- (g) These covenants are based solely on current law in effect and in existence of the date of delivery of the Bonds.

The Village hereby authorizes the officials of the Village responsible for issuing the Bonds, the same being the Village President, the Village Clerk and the Village Treasurer of the Village, to make such further covenants and certifications as may be necessary to assure that the use thereof will not cause the Bonds to be arbitrage bonds and to assure that the interest on the Bonds will be excludable from gross income for federal income tax purposes. In connection therewith, the Village further agrees: (a) through its officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to consult with counsel approving the Bonds; (c) to pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds as required pursuant to Section 148 of the Code and the regulations promulgated thereunder; (d) to file such forms, statements, and supporting documents as may be required and

in a timely manner; and (e) if deemed necessary or advisable by their officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the Village in such compliance.

Section 24. Noncompliance with Tax Covenants. Notwithstanding any other provisions of this ordinance, the covenants and authorizations contained in this ordinance (the "Tax Sections") which are designed to preserve the exclusion of interest on the Bonds from gross income under federal law (the "Tax Exemption") need not be complied with if the Village receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

Section 25. Registered Form. The Village recognizes that Section 149(a) of the Code requires the Bonds to be issued and to remain in fully registered form in order that interest thereon is exempt from federal income taxation under laws in force at the time the Bonds are delivered. In this connection, the Village agrees that it will not take any action to permit the Bonds to be issued in, or converted into, bearer or coupon form.

Section 26. Municipal Bond Insurance. In the event the payment of principal and interest on the Bonds is insured pursuant to a municipal bond insurance policy (the "*Municipal Bond Insurance Policy*") issued by a bond insurer (the "*Bond Insurer*"), and as long as such Municipal Bond Insurance Policy shall be in full force and effect, the Village and the Registrar agree to comply with such usual and reasonable provisions regarding presentment and payment of the Bonds, subrogation of the rights of the Bondholders to the Bond Insurer upon payment of the Bonds by the Bond Insurer, amendment hereof, or other terms, as approved by the Village President of the Village on advice of counsel, his or her approval to constitute full and complete acceptance by the Village of such terms and provisions under authority of this Section.

Section 27. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section 28. Publication. The Village Clerk is hereby authorized and directed to publish this ordinance in pamphlet form and to file copies thereof for public inspection in his/her office.

Section 29. Conflicting Ordinances. All ordinances, resolutions and parts of ordinances and resolutions, in conflict herewith are hereby repealed; provided, however, that this ordinance shall not be construed as adversely affecting the rights of the owners of the Refunded Bonds.

Section 30. Headings. The headings or titles of the several sections shall be solely for convenience of reference and shall not affect the meaning, construction or effect of this ordinance.

Section 31. Effective Date. This ordinance shall be in full force and effect from and after its adoption and approval.

ADOPTED this 25th day of September, 2012, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 25th day of September, 2012.

PUBLISHED IN PAMPHLET FORM: September 25, 2012

Frank Soto, Village President

ATTEST:

Susan Violet Janowiak, Village Clerk

Trustee _____ moved and Trustee _____ seconded the motion that said ordinance as presented and read by the Village Clerk be adopted.

After a full discussion thereof, the Village President directed that the roll be called for a vote upon the motion to adopt said ordinance as read.

Upon the roll being called, the following Trustees voted AYE: _____

and the following Trustees voted NAY: _____

Whereupon the Village President declared the motion carried and said ordinance adopted, approved and signed the same in open meeting and directed the Village Clerk to record the same in full in the records of the Corporate Authorities of the Village of Bensenville, DuPage and Cook Counties, Illinois, which was done.

Other business not pertinent to the adoption of said ordinance was duly transacted at said meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

CERTIFICATION OF MINUTES

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois (the "Village"), and as such official am the keeper of the records and files of the of the Village Board of the Village (the "Corporate Authorities").

I further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the meeting of the Corporate Authorities held on the 25th day of September, 2012, insofar as the same relates to the adoption of Ordinance No. _____ entitled:

AN ORDINANCE authorizing and providing for the issuance of not to exceed \$6,000,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012E of the Village of Bensenville, DuPage and Cook Counties, Illinois, and for the levy of a direct annual tax sufficient to pay the principal and interest on said bonds.

a true, correct and complete copy of which said ordinance as adopted at said meeting appears in the foregoing transcript of the minutes of said special meeting.

I do further certify that the deliberations of the Corporate Authorities on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and that the Village has complied with all of the provisions of said Act and with all of the procedural rules of the Corporate Authorities.

IN WITNESS WHEREOF, I hereunto affix my official signature and seal of said Village, this 25th day of September, 2012.

Village Clerk

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of DuPage County, Illinois, and as such official I do further certify that on the ____ day of _____, 2012, there was filed in my office a duly certified copy of Ordinance No. _____ entitled:

AN ORDINANCE authorizing and providing for the issuance of not to exceed \$6,000,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012E of the Village of Bensenville, DuPage and Cook Counties, Illinois, and for the levy of a direct annual tax sufficient to pay the principal and interest on said bonds.

duly adopted by the Village President and Village Board of the Village of Bensenville, DuPage and Cook Counties, Illinois, on 25th day of September, 2012, and that the same has been deposited in the official files and records of my office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said County, this ____ day _____, 2012.

County Clerk of DuPage County, Illinois

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of Cook County, Illinois, and as such official I do further certify that on the ____ day of _____, 2012, there was filed in my office a duly certified copy of Ordinance No. _____ entitled:

AN ORDINANCE authorizing and providing for the issuance of not to exceed \$6,000,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012E of the Village of Bensenville, DuPage and Cook Counties, Illinois, and for the levy of a direct annual tax sufficient to pay the principal and interest on said bonds.

duly adopted by the Village President and Village Board of the Village of Bensenville, DuPage and Cook Counties, Illinois, on ____ day of September, 2012, and that the same has been deposited in the official files and records of my office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said County, this ____ day _____, 2012.

County Clerk of Cook County, Illinois

(SEAL)

Preliminary Official Statement Dated September 19, 2012

Subject to compliance by the Village with certain covenants, in the opinion of Bond Counsel, under present law, interest on the Bonds is excludable from gross income of the owners thereof for federal income tax purposes and is not included as an item of tax preference in computing the federal alternative minimum tax for individuals and corporations but, is taken into account in computing the corporate alternative minimum tax. See "TAX EXEMPTION" herein for a more complete discussion. Interest on the Bonds is not exempt from present State of Illinois income taxes.

\$5,525,000*

VILLAGE OF BENSENVILLE
DuPage and Cook Counties, Illinois
General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012E

Dated Date of Delivery Non-Callable Book-Entry Bank Qualified Due Serially May 1, 2014-2023

The \$5,525,000* General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012E (the "Bonds"), are being issued by the Village of Bensenville, DuPage and Cook Counties, Illinois (the "Village"). Interest on the Bonds is payable semiannually on May 1 and November 1 of each year commencing May 1, 2013. Interest is calculated based on a 360-day year of twelve 30-day months. The Bonds will be issued using a book-entry system. The Depository Trust Company ("DTC"), New York, New York, will act as securities depository for the Bonds. The ownership of one fully registered Bond for each maturity will be registered in the name of Cede & Co., as nominee for DTC and no physical delivery of Bonds will be made to purchasers. The Bonds will mature on May 1 in the following years and amounts.

AMOUNTS* MATURITIES, INTEREST RATES, PRICES OR YIELDS AND CUSIP NUMBERS

Principal Amount*	Due May 1	Interest Rate	Yield or Price	CUSIP Number	Principal Amount*	Due May 1	Interest Rate	Yield or Price	CUSIP Number
\$310,000 ...	2014	_____ %	_____ %	_____	\$430,000 ...	2019	_____ %	_____ %	_____
475,000 ...	2015	_____ %	_____ %	_____	420,000 ...	2020	_____ %	_____ %	_____
480,000 ...	2016	_____ %	_____ %	_____	405,000 ...	2021	_____ %	_____ %	_____
645,000 ...	2017	_____ %	_____ %	_____	845,000 ...	2022	_____ %	_____ %	_____
640,000 ...	2018	_____ %	_____ %	_____	875,000 ...	2023	_____ %	_____ %	_____

OPTIONAL REDEMPTION

Bonds due May 1, 2014-20____, inclusive, are non-callable. Bonds due May 1, 20____-2023, inclusive, are callable in whole or in part on any date on or after May 1, 20____, at a price of par and accrued interest. If less than all the Bonds are called, they shall be redeemed in such principal amounts and from such maturities as determined by the Village and within any maturity by lot. See "OPTIONAL REDEMPTION" herein.

PURPOSE, LEGALITY AND SECURITY

The Bond proceeds will be used to fund an escrow account to currently refund a portion of the Village's outstanding General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 1998 (the "1998 Bonds"), a portion of the outstanding General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 1998A (the "1998A Bonds"), a portion of the outstanding General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 2001A (the "2001A Bonds"); to advance refund a portion of the General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 2003G (the "2003G Bonds"), a portion of the outstanding General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 2004E (the "2004E Bonds"), and to pay the costs of issuing the Bonds. See "PLAN OF FINANCING" herein.

The Bonds will constitute valid and legally binding obligations of the Village payable as to principal and interest ratably and equally with the outstanding 1998 Bonds, 1998A Bonds, 2001A Bonds, 2003G Bonds and 2004E Bonds (together, the "Prior Bonds") not being refunded by the Bonds and the Revenue Bonds, Series 2003 (the "2003 Bonds") from (a) revenues from the Waterworks and Sewerage System of the Village, and (b) ad valorem taxes levied against all taxable property within the Village without limitation as to rate or amount, except that the rights of the owners of the Bonds and the enforceability of the Bonds may be limited by bankruptcy, insolvency, moratorium, reorganization and other similar laws affecting creditors' rights and by equitable principles, whether considered at law or in equity, including the exercise of judicial discretion. See "DESCRIPTION OF THE BONDS" herein.

The Bonds are "qualified tax-exempt obligations" under Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. See "Qualified Tax-Exempt Obligations" herein.

The Bonds are offered when, as and if issued and received by the Underwriters, subject to the approving legal opinion of Ice Miller LLP, Chicago, Illinois, Bond Counsel, and certain other conditions. It is expected that the Bonds will be made available for delivery on or about October 15, 2012.

*Subject to change.



This Preliminary Official Statement and certain of the information contained herein is in a form deemed final for purposes of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended (except for the omission of certain information permitted to be omitted under Rule 15c2-12(b)(1)). The information herein is subject to revision, completion or amendment in a final Official Statement. The Bonds may not be sold, nor may an offer to buy be accepted, prior to the time the Official Statement is delivered in final form. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or a solicitation of an offer to buy nor shall there be any sale of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of any such jurisdiction.

For purposes of compliance with Rule 15c2-12 of the Securities and Exchange Commission, this document, as the same may be supplemented or corrected by the Village from time to time (collectively, the “Official Statement”), may be treated as an Official Statement with respect to the Bonds described herein that is deemed near final as of the date hereof (or the date of any such supplement or correction) by the Village.

The Official Statement, when further supplemented by an addendum or addenda specifying the maturity dates, principal amounts and interest rates of the Bonds, together with any other information required by law or deemed appropriate by the Village, shall constitute a “Final Official Statement” of the Village with respect to the Bonds, as that term is defined in Rule 15c2-12. Any such addendum shall, on and after the date thereof, be fully incorporated herein and made a part hereof by reference.

No dealer, broker, salesman or other person has been authorized by the Village to give any information or to make any representations with respect to the Bonds other than as contained in the Official Statement or the Final Official Statement and, if given or made, such other information or representations must not be relied upon as having been authorized by the Village. Certain information contained in the Official Statement and the Final Official Statement may have been obtained from sources other than records of the Village and, while believed to be reliable, is not guaranteed as to completeness. **THE INFORMATION AND EXPRESSIONS OF OPINION IN THE OFFICIAL STATEMENT AND THE FINAL OFFICIAL STATEMENT ARE SUBJECT TO CHANGE, AND NEITHER THE DELIVERY OF THE OFFICIAL STATEMENT OR THE FINAL OFFICIAL STATEMENT NOR ANY SALE MADE UNDER EITHER SUCH DOCUMENT SHALL CREATE ANY IMPLICATION THAT THERE HAS BEEN NO CHANGE IN THE AFFAIRS OF THE VILLAGE SINCE THE RESPECTIVE DATES THEREOF.**

References herein to laws, rules, regulations, ordinances, resolutions, agreements, reports and other documents do not purport to be comprehensive or definitive. All references to such documents are qualified in their entirety by reference to the particular document, the full text of which may contain qualifications of and exceptions to statements made herein. Where full texts have not been included as appendices to the Official Statement or the Final Official Statement, they will be furnished on request. This Official Statement does not constitute an offer to sell, or solicitation of an offer to buy, any securities to any person in any jurisdiction where such offer or solicitation of such offer would be unlawful.

The tax advice contained in this Official Statement is not intended or written by the Village, its Bond Counsel, or any other tax practitioner to be used, and it cannot be used, by any taxpayer for the purpose of avoiding penalties that may be imposed on the taxpayer. The tax advice contained in this Official Statement was written to support the promotion or marketing of the Bonds. Each taxpayer should seek advice based on the taxpayer’s particular circumstances from an independent tax advisor.

BOND ISSUE SUMMARY

This Bond Issue Summary is expressly qualified by the entire Official Statement which is provided for the convenience of potential investors and which should be reviewed in its entirety by potential investors.

Issuer:	Village of Bensenville, DuPage and Cook Counties, Illinois.
Issue:	\$5,525,000* General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012E.
Dated Date:	Date of delivery.
Interest Due:	Each May 1 and November 1, commencing May 1, 2013.
Principal Due:	Serially each May 1, commencing May 1, 2014 through 2023, as detailed on the front page of this Official Statement.
Optional Redemption:	Bonds maturing on or after May 1, 20___, are callable at the option of the Village on any date on or after May 1, 20___, at a price of par plus accrued interest. See “OPTIONAL REDEMPTION” herein.
Authorization:	Proceedings taken by the corporate authorities of the Village, including adoption of a final bond ordinance.
Security:	The Bonds will constitute valid and legally binding obligations of the Village payable as to principal and interest ratably and equally with the outstanding 1998 Bonds, 1998A Bonds, 2001A Bonds, 2003G Bonds and 2004E Bonds (together, the “Prior Bonds”) not being refunded by the Bonds and the Revenue Bonds, Series 2003 (the “2003 Bonds”) from (a) revenues from the Waterworks and Sewerage System of the Village, and (b) ad valorem taxes levied against all taxable property within the Village without limitation as to rate or amount, except that the rights of the owners of the Bonds and the enforceability of the Bonds may be limited by bankruptcy, insolvency, moratorium, reorganization and other similar laws affecting creditors’ rights and by equitable principles, whether considered at law or in equity, including the exercise of judicial discretion. See “DESCRIPTION OF THE BONDS” herein.
Purpose:	The Bond proceeds will be used to fund an escrow account to currently refund a portion of the Village’s outstanding General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 1998 (the “1998 Bonds”), a portion of the outstanding General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 1998A (the “1998A Bonds”), a portion of the outstanding General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 2001A (the “2001A Bonds”); to advance refund a portion of the General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 2003G (the “2003G Bonds”), a portion of the outstanding General Obligation Bonds (Waterworks and Sewerage Alternate Revenue Source), Series 2004E (the “2004E Bonds”), and to pay the costs of issuing the Bonds. See “PLAN OF FINANCING” herein.
Credit Rating:	The Village’s credit rating for the Bonds is “A+” (Positive Outlook) from Standard & Poor’s, a Division of the McGraw-Hill Companies.
Tax Exemption:	Ice Miller LLP, Chicago, Illinois, will provide an opinion as to the tax exemption of the Bonds as discussed under “TAX EXEMPTION” in this Official Statement. Interest on the Bonds is not exempt from present State of Illinois income taxes.
Bank Qualification:	The Bonds are “qualified tax-exempt obligations” under Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. See “QUALIFIED TAX-EXEMPT OBLIGATIONS” herein.
Bond Registrar/Paying Agent/ Escrow Agent:	The Bank of New York Mellon Trust Company, National Association, Chicago, Illinois.
Verification Agent:	Stanley P. Stone & Associates, Inc., New York, New York.
Delivery:	The Bonds are expected to be delivered on or about October 15, 2012.
Book-Entry Form:	The Bonds will be registered in the name of Cede & Co. as nominee for The Depository Trust Company (“DTC”), New York, New York. DTC will act as securities depository of the Bonds. See APPENDIX B herein.
Registration:	The Bonds will be registered in the name of said purchaser of the Bonds.
Denomination:	\$5,000 or integral multiples thereof.
Financial Advisor:	Speer Financial, Inc., Chicago, Illinois.
Underwriters:	Bernardi Securities, Inc., Chicago, Illinois and Robert W. Baird & Co. Inc., Naperville, Illinois.

*Subject to change.

VILLAGE OF BENSENVILLE
DuPage and Cook Counties, Illinois

President and Board of Trustees

Frank Soto
President

Morris Bartlett
Robert “Bob” Jarecki

Martin O’Connell, III
Oronzo Peconio

JoEllen Ridder
Henry Wesseler

Officials

Susan Janowiak
Village Clerk

Timothy Sloth
Finance Director

Michael Cassady
Village Manager

Daniel DiSanto
Assistant Village Manager

Patrick K. Bond, Esq.
Bond Dickson & Associates PC
Municipal Attorney

DESCRIPTION OF THE BONDS

Security: Alternate Revenue Sources and Tax Levy

The Bonds are payable both as to principal and interest from: (a) the net revenues derived from the Waterworks and Sewerage System of the Village (the “Pledged Revenues”), and (b) ad valorem taxes levied against all of the taxable property within the Village without limitation as to rate or amount (the “Pledged Taxes”). Pursuant to the Local Government Debt Reform Act of the State of Illinois, as amended, (the “Debt Reform Act”) the Village will pledge such monies to the payment of Bonds and shall covenant to provide for and apply such Pledged Revenues to the payment of Bonds and the provision of not less than an additional 0.25 times debt service, which pledge and covenant shall constitute a continuing obligation of the Village and continuing appropriation of the amounts received. For the prompt payment of the Bonds, the full faith, credit and resources of the Village are irrevocably pledged.

In the ordinance authorizing the Bonds (the “Bond Ordinance”), the Village covenants and agrees with the purchasers and the owners of the Bonds that so long as any of the Bonds remain outstanding, the Village will take no action or fail to take any action which in any way would adversely affect the ability of the Village to collect the Pledged Revenues or, except for abatement of tax levies as permitted in the Bond Ordinance, to levy and collect the Pledged Taxes. The Village and its officers will comply with all present and future applicable laws in order to assure that the Pledged Revenues will be available and that the Pledged Taxes will be levied, extended and collected as provided in the Bond Ordinance and deposited in the bond fund created under the Bond Ordinance in connection with the Bonds (the “Bond Fund”).

The Bonds are issued on a parity with the Village’s currently outstanding Prior Bonds not being refunded by the Bonds and the 2003 Bonds.

Highlights of the Alternate Bonds

Section 15 of the Reform Act provides that whenever revenue bonds have been duly authorized, a local government unit may issue its general obligation bonds in lieu of such revenue bonds as authorized, and such general obligation bonds may be referred to as “alternate bonds.” The Reform Act also provides that whenever there exists an alternate revenue source, a local government unit may issue alternate bonds. Such bonds are general obligation debt payable from the pledged alternate revenues with the general obligation of the issuer acting as back-up security. The Reform Act prescribes several conditions that must be met before alternate bonds may be issued.

First, alternate bonds must be issued for a lawful corporate purpose. If issued in lieu of revenue bonds, the alternate bonds must be authorized under applicable law. Alternate bonds may be issued payable from either enterprise revenues or other revenue sources, or both.

Second, the question of issuance must be submitted to referendum if, within thirty (30) days after publication of an authorizing ordinance and notice of intent to issue alternate bonds, a petition signed by the greater of (i) 7.5% of the registered voters in the government unit or; (ii) 200 of those registered voters or 15%, whichever is less, is filed.

Third, the issuer must determine that the pledged revenue source or sources are sufficient in each year to final maturity to provide not less than 1.25 times debt service of the proposed alternate bonds and all other outstanding alternate bonds of the issuer payable from the same revenue source. To the extent payable from one or more revenue sources, such sources shall have been determined by the governing body to provide in each year an amount not less than 1.25 times debt service on all alternate bonds payable from such revenue sources previously issued and outstanding and the alternate bonds proposed to be issued. The issuer must in fact pledge and covenant to provide for, collect and apply the pledged alternate enterprise revenues or revenue source(s).

All such requirements were met when the Prior Bonds were issued.

Abatement of Pledged Taxes

Whenever funds are available to pay any principal of or interest on the Bonds when due, the Village will direct the deposit of such funds into the Bond Fund created solely for such purpose. **The Village pledges to abate the levy for the Bonds only upon full funding of the Bond Fund in the appropriate levy amount.**

Refunding Alternate Bonds

Section 15 of the Local Government Reform Act, as amended, provides that alternate bonds may be issued to refund or advance refund alternate bonds without meeting any of the conditions set forth in such section that would otherwise apply (see “Highlights of Alternate Bonds” above), if the term of the refunding bonds is no longer than the term of the refunded bonds and the debt service payable on the refunding bonds in each year is no more than the debt service payable in such year on the refunded bonds. These conditions will be met in connection with the issuance of the Bonds.

Bond Funds

The Village will deposit the appropriate Pledged Revenues and the Pledged Taxes into a separate Bond Fund, which is a trust fund established for the purpose of carrying out the covenants, terms and conditions imposed upon the Village by the Bond Ordinance. The Bonds are secured by a pledge of all of the monies on deposit in the Bond Fund, and such pledge is irrevocable until the Bonds have been paid in full or until the obligations of the Village are discharged under the Bond Ordinance.

Certain Risk Factors

The ability of the Village to pay the Bonds from the Pledged Revenues may be limited by circumstances beyond the control of the Village. There is no guarantee that the Pledged Revenues will continue to be available at current levels.

To the extent that Pledged Revenues may be insufficient to pay the Bonds, the Bonds are to be paid from the Pledged Taxes. If the Pledged Taxes are ever extended for the payment of the Bonds, the amount of the Bonds then outstanding will be included in the computation of indebtedness of the Village for purposes of all statutory provisions or limitations until such time as an audit of the Village shows that the Bonds have been paid from the Pledged Revenues for a complete fiscal year.

THE VILLAGE

The Village is located approximately 17 miles northwest of downtown Chicago bordering the southwest corner of O'Hare International Airport. Based on the Village's 2011 Equalized Assessed Valuation (“EAV”), 94.5% is located in DuPage County and 5.5% is located in Cook County. The Village contains a total area of approximately 5.6 square miles. Population as reported by the 2010 Census is 18,352.

The Village is governed by a President and six member Board of Trustees elected at large and by a full-time Village Manager. The Village Manager supervises approximately 108 full-time Village employees. A building constructed in 2003 houses administrative offices and the boardroom. A separate public safety building houses the law enforcement and civil defense departments of the Village. The Public Works and Recreation and Community Event Programming Departments are also housed at separate facilities.

There are three unions active in the Village. The police officers belong to the Metropolitan Alliance of Police (MAP), Bensenville Police Chapter #165; Police sergeants belong to Teamsters Local #714, Law Enforcement Division (Sergeants' Unit); public works and clerical staff belong to the American Federation of State, County and Municipal Employees, Council 31 (AFSCME). All three unions are under contracts which expire April 30, 2015. The Village considers its relations with employees to be good.

The Village receives its fire protection services from the Bensenville Fire Protection District Number 2 which was created May 1, 2007. Two fire stations serve the Village with one north of the SOO Line tracks and one south of the tracks. The department has an I.S.O. rating of 4.0.

A full-time professional police department with 41 personnel serves the Village. The department has a patrol division, an investigations unit, a records division, and operates its own communications center. The department has one officer assigned to enforce truck specific traffic regulations. Additionally, the department has an arson canine unit that was obtained through a grant awarded by State Farm. Automatic external defibrillators have been purchased for utilization by patrol officers who have been trained on their use in order to provide that lifesaving service to the community.

The Village has experienced a substantial crime reduction in recent years. Between 2000 and 2009, the crime index as reported in the FBI's Uniform Crime Report shows a 53% reduction in the crime rate. Along with the loss of a higher crime rate area to O'Hare expansion, the following crime prevention programs have proven to be effective and contributed to the decrease. The department and especially the Community Crime Prevention Unit have been very active in the schools and neighborhoods with programs such as the Bensenville School District 2 Liaison Officer, the Neighborhood Watch Program, an Airport Watch Program, and a Green Teen Zone teen center providing afterschool programs for teenagers. The police department has in place an Apartment Complex Liaison Program. The objective of this program is to allow the officers to become better acquainted with the higher density neighborhoods and to give residents and complex management a personal contact should a problem arise within the neighborhood. A police neighborhood resource center was established to provide more services to one of the largest complexes. The business community is served by officers through an established business watch program and the teaching BASSET to businesses that have been issued a liquor license.

Through its Emergency Management Agency, the Village has initiated a CERT program. This program will provide the Village with a trained volunteer group that will be able to support the Village not only during a disaster or declared state of emergency but during other responses related to public safety.

Water to Village residents from the municipal system is supplied from Lake Michigan through the DuPage Water Commission. The Village operates its own wastewater treatment plant.

Economic Development

The Village has continued its aggressive efforts to develop its economic base. In 2011 there were 125 new licenses issued to businesses coming into the community including TSA Processing, Ace Metal Craft, AERK Packaging, AmeriFreight, Roadshark Logistics and Snyder Industries. The Village's industrial vacancy rate continued to fall. Since 2009 it has decreased from over 15% to 12.9% (Costar figures). Some of the over one hundred businesses located in the Village include Argents Air Express Ltd., K&L International Trading, Peterbilt Chicago-O'Hare, Henderson Transportation Inc., CDC Global, Adanba Imports, MIQ Global LLC, US Metal Processing, and Remodelers' Mart. Even in a difficult economy, retailers including Aviation Universe, Flexeon Rehabilitation, Kebab House, Foremost Liquors, Tint World, PNC Bank, Bacci Pizza and Roesch Ford and Commercial Truck Center opened new locations in the Village.

The Village's economic development activities were bolstered by the completion of the Regional Transportation Authority's ("RTA") funded Station Area Plan and Corridor Study which is refining the Village's vision for the Town Center and major commercial corridors. The Village has received an award of technical assistance from the RTA and Urban Land Institute for developer recruitment and implementation of the plan. Additional support for the Village's continued planning for economic success was provided by an \$800,000 Federal Aviation Administration's ("FAA") Airport Compatibility grant. This grant provided the funds to review and revise planning, building and economic development programs to create a Comprehensive Development Strategy. The FAA Airport Compatibility Study is in its final draft form and will be submitted to the Village Board for approval in the near future.

Capital project work for 2010 included: reconstruction of Walnut Street from Irving Park Road to Hillside Drive; repaving and water main replacement on Center Street from Main Street to Roosevelt Avenue; repaving of the wastewater treatment plant drive; repaving and water main replacement on Dennis Drive from Jacquelyn to Delores; and repaving and water main replacement on Brentwood Drive.

Stormwater management has and continues to be a priority for the Village. In 2010, the Village completed construction of a new storm water storage basin in Veteran's Park which is owned by the Park District. This project will significantly reduce stormwater impacts within adjacent residential areas and several properties are removed from the designated flood plain. The project also included the resurfacing of the Public Safety Building parking lot.

Other projects included the repainting and refurbishment of the Belmont Water Tower and the construction of 0.72 miles of sidewalk along Grand Avenue from York Road to Church Road.

In addition to the completed water main projects, the Village identified the need to replace 3.5 miles of water main in the unincorporated portion of the Village. Estimated at \$4.8 million, the Village is working with neighborhood representatives with the hope of annexing and creating a Special Service Area in order to fund this project. Initial engineering survey work has been completed.

The Village completed a water meter reading interface replacement program in 2010, which provides for the reading of water meters through a radio frequency system.

Fleet upgrades in 2010 included the purchase of a 2009 Model 2100 Sewer Cleaning vehicle and the refurbishment of a six-wheel dump truck. Two squad cars for the Police Department were also purchased.

Significant upgrades to streets and stormwater systems in the North Industrial Park are proposed. Total construction cost for the proposed projects is estimated at \$22 million.

The Village holds a 21 year "TREE CITY USA" distinction from the National Arbor Day Foundation. Sponsored by the National Arbor Day Foundation, in cooperation with the Illinois Department of Natural Resources, the National Association of State Foresters and the U.S. Forest Service, TREE CITY USA promotes the economic, health and aesthetic benefits of trees through proper tree care. The program strengthens community involvement in tree planting, beautification and reforestation efforts.

O'Hare International Airport

The O'Hare Modernization Program (OMP) continues to move forward, keeping the airport as a prime economic engine for the region and the Village. In addition to the expanded runways, the OMP is providing over 13 acres of landscaped area in the Village to beautify the central area and the York Road and Green Street corridors. When the western access to O'Hare International and the Elgin-O'Hare Expressway are completed, the Village will recognize significant value creation in economic development.

The Elgin - O'Hare Expressway / Western By - Pass, while technically not tied to the OMP, dovetails perfectly with the expanded airport. The \$3.6 Billion improvement will tie together I - 90 (at the Des Plaines Oasis) I - 294, I - 290 and the Elgin O'Hare Expressway, with Bensenville at the crossroads. Existing highway access and connectivity are currently almost unparalleled but this new strategic improvement enhances access and location for business. Interchanges are planned for the Elgin - O'Hare and the Western by-pass at the existing intersection of Thorndale Avenue and N. York Road, Irving Park Road (IL Route 19) and York Road, and at County Line Road

The Village's website, located at www.bensenville.il.us, continues to undergo redesign and update, to provide a broader range of information including information regarding industrial, office, and commercial space that is available for sale or lease. The website also includes additional information such as meeting agendas, minutes, and calendars, as well as permit applications and maps. The Village's website is intended for general information purposes only and is not intended as a means to disseminate disclosure information pertaining to the Bonds specifically.

Education

The Village is served principally by School District Number 2 and Fenton High School District Number 100 located in the Village. Small parts of the Village are served by Community Unit School District Number 205 and School District Number 7. School District Number 2 operates and maintains five schools within the Village including four K-6 grade schools and a junior high school building. In addition, several parochial schools are located in the Village.

Opportunities for higher learning are provided for Village residents by the College of DuPage ("COD"), Community College District Number 502, and various colleges and universities throughout the Chicago metropolitan area. With an annual enrollment of over 36,000, COD is the largest community college in the State of Illinois in terms of enrollment. Educational programs in over 80 areas of study include associate degrees, college transfer classes, occupational and vocational programs, continuing education, and special programs such as the older Adult Institute and the Business and Professional Institute. COD employs approximately 2,500 full and part time employees.

Community Life

The Bensenville Community Public Library District, a separate taxing body, has an 18,000 square foot library building on a seven acre wooded park site in the Village that contains shelf space for more than 100,000 volumes. The library is a member of the regional DuPage Library System network.

The Bensenville Park District (the "Park District"), a separate taxing body, owns and operates White Pines Golf Course (a 260 acre, 36 hole facility), a swimming pool, community center, ice skating rink, ball fields, and tennis courts, which are situated in 11 separate park locations. The Park District owns or leases approximately 60 acres of land and shares in the joint use of school district lands for recreational purposes. Forest preserves near the Village provide additional open space for recreation.

Through joint planning with the Park District and the State of Illinois, the Redmond Retention Basin had its natural pond and wetlands qualities restored and provides fishing, boating and athletic activities. The Redmond Recreational Complex is an eighty-eight acre facility containing an aquatic center, indoor ice arenas, walking path, softball fields, climbing wall ropes courses, baseball stadium, fitness center, gazebos, pavilion, basketball courts, sixteen-acre pond, skate park soccer field, band shell, playground, party room facilities, concession stands, boat launch and an inline skating rink. This complex hosted the state wide Prairie State Games for 2004.

The Village expanded the summer Music in the Park series to a weekly format with live band entertainment, food-tastes and free carriage rides attracting many families to the Town Center. The Village, in cooperation with the Bensenville Arts Council, sponsors the Young Musicians Mentor Program. The program brings together musically talented young people, who are selected through an audition process, with professional musicians who serve as their mentors. They rehearse together and perform two community concerts.

Transportation

The Village is adjacent to the highway transportation hub serving O'Hare International Airport and the entire Chicago metropolitan area. Metra provides commuter transportation to Chicago's Union Station with frequent eastbound trains. Regional bus service is provided by the Regional Transit Authority and local bus service within the Village by Dial-A-Bus. Expressways near the Village include the Kennedy Expressway and the Northwest Tollway to the north (I-90); and Illinois Tri-State Tollway to the east (I-294); and the Lake Street Extension of the Eisenhower Expressway to the south (I-290); all within several miles of the Village. Illinois State Route 83 (Kingery Highway), a divided four lane highway, borders the west end of the Village.

SOCIOECONOMIC INFORMATION

Employment

Substantial employment is available in surrounding communities and throughout the Chicago metropolitan area. Numerous employers are located within the Village and in surrounding communities.

The following employment data shows the growth trend for employment in DuPage County. This data is **NOT** comparable to similar U.S. Census statistics, which would include government employment, and establishments not covered by the Illinois Unemployment Insurance Program, and could classify employment categories differently.

**DuPage County Private, Non-Agricultural Employment
 Covered by the Illinois Unemployment Insurance Act(1)**

	(Data as of March for each Year)				
	2007	2008	2009	2010	2011
Farm, Forestry, Fisheries.....	353	338	310	280	243
Mining and Quarrying.....	157	112	90	84	77
Construction.....	29,278	26,903	23,042	19,192	19,063
Manufacturing.....	60,122	59,719	53,193	49,208	50,700
Transportation, Communications, Utilities.....	40,010	41,205	37,913	34,566	34,315
Wholesale Trade.....	50,083	50,669	47,984	44,552	45,609
Retail Trade.....	69,136	68,274	61,886	59,906	60,903
Finance, Insurance, Real Estate.....	46,031	43,489	39,579	37,239	37,365
Services(2).....	243,456	247,072	237,881	239,883	251,853
Total.....	538,626	537,781	501,878	484,907	500,128

Notes: (1) Source: Illinois Department of Employment Security.
 (2) Includes unclassified establishments.

Following are lists of large employers located in the Village and in the surrounding area.

Major Village Employers(I)

<u>Name</u>	<u>Product/Service</u>	<u>Approximate Employment</u>
Consegra Corp.(2)	Health and Human Services	400
U.S. Foodservice, Inc.	Frozen Foods and Restaurant Supplies Distribution	400
Central States Trucking Co.	Local Trucking	300
Victor Envelope Manufacturing Company	Mailing Envelopes	220
Ewing-Doherty Mechanical, Inc.	Plumbing and Site Utility Contractors	200
Expeditors International of Washington, Inc.	Commercial Importer and Exporter	200
Telesource	Telephone Equipment	200
Allmetal, Inc.	Roll Formed Light Gauge Metal and Nylon Injection Molding	200
UPS Supply Chain Solutions, Inc.	International Freight Forwarding	200
CNC Technologies, Inc.	Dies and Tools	200
Envelope Express, Inc.	Envelopes	175
Anglo Kemlite Laboratories, Inc.	Electric Lamps	150
Crouch Seranko LLC	Masonry	130
Roesch Chevrolet, Inc.	Automobile Dealer	130
Chicago White Metal Casting	Foundries Aluminum	128
PharMerica	Drugs, Proprietaries and Sundries	125

Notes: (1) Source: 2012 Illinois Manufacturers Directory, 2012 Illinois Services Directory and selected telephone survey.
 (2) Formerly LifeLink.

Major Area Employers(I)

<u>Location</u>	<u>Name</u>	<u>Product/Service</u>	<u>Approximate Employment</u>
Elk Grove Village	Alexian Bros. Medical Center	Regional Medical Center	3,100
Elmhurst	Elmhurst Memorial Hospital	General Hospital	2,173
Elk Grove Village	Automatic Data Processing	Data Processing and Payroll Services	1,500
Addison	United Parcel Service	Parcel Delivery Service	1,400
Northlake	Dr. Pepper Snapple Group	Carbonated Beverages, Juices & Water	1,200
Elk Grove Village	Wirtz Beverage, Illinois	Wholesale Wine and Liquor	1,000
Addison	Pampered Chef Ltd	Kitchen Tools Distributor	950
Franklin Park	Hill Mechanical Group	Plumbing, Heating, Air Conditioning	900
Wood Dale	Quest Diagnostics, Inc.	Blood Testing and Clinical Laboratory	900
Elmhurst	Elmhurst Community S.D. 205	Public School District	850
Addison	McMaster-Carr Supply Co.	Mail Order Sales	850
Franklin Park	Canadian Pacific Railway	Railroad Yard and Repair	800
Elk Grove Village	Symons	Construction Machinery	770
Franklin Park	Nestle Chocolate & Confection	Candy and Confectionery	750
Franklin Park	Sloan Valve Co.	Plumbing Fixtures	750
Elk Grove Village	Little Lady Foods, Inc.	Bakery Products	700
Franklin Park	Fresh Express Corp.	Food Preparations	696
Elk Grove Village	Executive Building Maintenance, Inc.	Building Maintenance Services	632
Elk Grove Village	Groot Recycling & Waste Services, Inc.	Recycling	600
Elk Grove Village	Clear Lam Packaging, Inc.	Packaging	600
Elmhurst	Elmhurst College	Education	600

Note: (1) Source: 2012 Illinois Manufacturers Directory, 2012 Illinois Services Directory and selected telephone survey.

The following tables show employment by industry and by occupation for the Village, DuPage and Cook Counties, and the State of Illinois as reported by the U.S. Census Bureau American Fact Finder 2006-2010 American Community Survey (“ACS”).

Employment By Industry(1)

Classification	The Village		Cook County		DuPage County		State of Illinois	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Agriculture, Forestry, Fishing and Hunting, and Mining.....	92	1.0%	4,148	0.2%	1,073	0.2%	65,279	1.1%
Construction.....	623	6.4%	131,640	5.4%	25,942	5.5%	361,528	6.0%
Manufacturing.....	2,051	21.2%	276,278	11.3%	58,574	12.5%	789,606	13.0%
Wholesale Trade.....	593	6.1%	75,727	3.1%	23,449	5.0%	207,774	3.4%
Retail Trade.....	846	8.8%	238,350	9.8%	50,203	10.7%	657,040	10.8%
Transportation and Warehousing, and Utilities..	693	7.2%	153,867	6.3%	25,172	5.4%	356,345	5.9%
Information.....	209	2.2%	63,038	2.6%	12,881	2.7%	140,821	2.3%
Finance and Insurance, and Real Estate and Rental and Leasing.....	525	5.4%	216,696	8.9%	46,481	9.9%	475,856	7.8%
Professional, Scientific, and Management, Administrative, and Waste Management Services	1,121	11.6%	321,414	13.2%	64,219	13.7%	657,479	10.8%
Educational Services and Health Care and Social Assistance.....	1,136	11.8%	520,589	21.3%	92,736	19.7%	1,312,067	21.6%
Arts, Entertainment and Recreation and Accommodation and Food Services.....	1,079	11.2%	224,993	9.2%	36,162	7.7%	518,641	8.6%
Other Services, Except Public Administration..	563	5.8%	120,052	4.9%	22,231	4.7%	288,895	4.8%
Public Administration.....	136	1.4%	92,197	3.8%	10,982	2.3%	231,517	3.8%
Total.....	9,667	100.0%	2,438,989	100.0%	470,105	100.0%	6,062,848	100.0%

Note: (1) Source: U.S. Census Bureau American Fact Finder 2006-2010 American Community Survey. Information from the 2010 Census is not available as of the date of this Official Statement.

Employment By Occupation(1)

Classification	The Village		Cook County		DuPage County		State of Illinois	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Management, Business, Science and Arts	1,925	19.9%	896,923	36.77%	205,759	43.8%	2,159,236	35.6%
Service	1,722	17.8%	413,833	16.97%	56,316	12.0%	989,889	16.3%
Sales and Office	2,468	25.5%	627,277	25.72%	131,886	28.1%	1,566,966	25.8%
Natural Resources, Construction, and Maintenance	881	9.1%	169,093	6.93%	30,216	6.4%	490,469	8.1%
Production, Transportation, and Material Moving	2,671	27.6%	331,863	13.61%	45,928	9.8%	856,288	14.1%
Total.....	9,667	100.0%	2,438,989	100.00%	470,105	100.0%	6,062,848	100.0%

Note: (1) Source: U.S. Census Bureau American Fact Finder 2006-2010 American Community Survey. Information from the 2010 Census is not available as of the date of this Official Statement.

Unemployment Rates

The table below shows unemployment trends for the Village, DuPage and Cook Counties, and the State of Illinois.

Annual Average Unemployment Rates(1)

Calendar Year	The Village	DuPage County	Cook County	State of Illinois
2003	6.2%	5.2%	7.3%	6.4%
2004	5.6%	4.9%	6.6%	6.2%
2005	5.5%	4.7%	6.5%	5.7%
2006	4.3%	3.4%	4.7%	4.5%
2007	4.9%	3.8%	5.1%	5.0%
2008	6.5%	5.0%	6.5%	6.5%
2009	10.8%	9.2%	11.0%	10.5%
2010	10.7%	8.3%	10.5%	10.3%
2011	10.5%	8.0%	10.4%	9.8%
2012(2)	NA	7.9%	9.8%	9.3%

Notes: (1) Source: Illinois Department of Employment Security.
 (2) Preliminary rates for June 2012.

Building Permits

Village Building Permits(1) (Excludes the Value of Land)

Calendar Year	Commercial Construction	Residential Construction	Industrial Construction	Total
2006	\$ 5,808,000	\$11,225,000	\$10,133,000	\$27,166,000
2007	3,993,000	9,760,000	19,881,000	33,634,000
2008	3,860,000	5,408,000	24,390,000	33,658,000
2009	5,131,000	5,726,000	22,654,000	33,511,000
2010	11,167,000	7,616,000	38,746,000	57,529,000
2011(2)	NA	NA	NA	NA

Notes: (1) Source: the Village.
 (2) Data not available at the time of printing of this official statement.

Housing

The ACS reported that the median value of the Village's owner-occupied homes was \$258,300, which compares with \$265,800 for Cook County, \$316,900 for DuPage County and \$202,500 for the State of Illinois. The market values of specified owner-occupied units for the Village, DuPage and Cook Counties, and the State of Illinois were as follows:

Specified Owner-Occupied Units(1)

Value	The Village		Cook County		DuPage County		State of Illinois	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under \$50,000	61	1.8%	28,961	2.5%	2,338	0.92%	216,017	6.5%
\$50,000 to \$99,999	39	1.2%	51,677	4.4%	3,679	1.44%	450,834	13.7%
\$100,000 to \$149,999	287	8.5%	110,071	9.4%	12,868	5.04%	455,940	13.8%
\$150,000 to \$199,999	570	17.0%	173,572	14.8%	26,658	10.44%	505,936	15.3%
\$200,000 to \$299,999	1,317	39.2%	313,923	26.8%	71,513	28.01%	723,366	21.9%
\$300,000 to \$499,999	1,010	30.1%	325,712	27.8%	94,338	36.94%	643,537	19.5%
\$500,000 to \$999,999	61	1.8%	135,426	11.6%	36,405	14.26%	250,844	7.6%
\$1,000,000 or more	14	0.4%	30,649	2.6%	7,555	2.96%	54,217	1.6%
Total	3,359	100.0%	1,169,991	100.0%	255,354	100.00%	3,300,691	100.0%

Note: (1) Source: U.S. Census Bureau American Fact Finder 2006-2010 American Community Survey. Information from the 2010 Census is not available as of the date of this Official Statement.

Mortgage Status(I)

Value	The Village		Cook County		DuPage County		State of Illinois	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Housing Units with a Mortgage..	2,303	68.6%	837,562	71.6%	192,540	75.40%	2,296,372	69.6%
Housing Units without a Mortgage	1,056	31.4%	332,429	28.4%	62,814	24.60%	1,004,319	30.4%
Total	3,359	100.0%	1,169,991	100.0%	255,354	100.00%	3,300,691	100.0%

Note: (1) Source: U.S. Census Bureau American Fact Finder 2006-2010 American Community Survey. Information from the 2010 Census is not available as of the date of this Official Statement.

Income

Per Capita Personal Income for the Ten Highest Income Counties in the State(I)

Rank		2006-2010
1.....	Lake County	\$38,120
2.....	DuPage County	37,849
3.....	McHenry County	31,838
4.....	Monroe County	31,091
5.....	Kendall County	30,565
6.....	Will County	29,811
7.....	Kane County	29,480
8.....	Woodford County	29,475
9.....	Cook County	29,335
10.....	Sangamon County	28,394

Note: (1) Source: U.S. Bureau of the Census. 2006-2010 American Community 5-Year Estimates.

The following shows a ranking of median family income for the Chicago metropolitan area from the 2006-2010 American Community Survey.

Ranking of Median Family Income(I)

Ill. County	Family Income	Ill. Rank
DuPage County	\$92,423	1
Lake County	91,693	2
Kendall County	87,309	3
McHenry County	86,698	4
Will County	85,488	5
Kane County	77,998	7
Cook County	65,039	20

Note: (1) Source: U.S. Bureau of the Census. 2006-2010 American Community 5-Year Estimates.

According to the ACS, the Village had a median family income of \$55,504. This compares to \$65,039 for Cook County, \$92,423 for DuPage County and \$68,236 for the State of Illinois. The following table represents the distribution of family incomes for the Village, DuPage and Cook Counties, and the State of Illinois as reported by ACS.

Median Family Income(I)

Income	The Village		Cook County		DuPage County		State of Illinois	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under \$10,000	225	4.9%	63,235	5.25%	4,009	1.69%	131,278	4.2%
\$10,000 to \$14,999	237	5.1%	40,475	3.36%	3,139	1.32%	87,888	2.8%
\$15,000 to \$24,999	408	8.8%	102,805	8.54%	9,167	3.85%	228,903	7.2%
\$25,000 to \$34,999	376	8.1%	105,304	8.75%	13,538	5.69%	264,029	8.4%
\$35,000 to \$49,999	827	17.9%	151,905	12.62%	21,663	9.11%	401,825	12.7%
\$50,000 to \$74,999	844	18.2%	218,425	18.15%	40,581	17.06%	622,596	19.7%
\$75,000 to \$99,999	825	17.8%	170,406	14.16%	37,179	15.63%	492,434	15.6%
\$100,000 to \$149,999	522	11.3%	191,527	15.92%	54,677	22.99%	538,135	17.0%
\$150,000 to \$199,999	350	7.6%	74,431	6.18%	25,768	10.83%	199,365	6.3%
\$200,000 or more	11	0.2%	84,908	7.06%	28,108	11.82%	195,094	6.2%
Total	4,625	100.0%	1,203,421	100.00%	237,829	100.00%	3,161,547	100.0%

Note: (1) Source: U.S. Census Bureau American Fact Finder 2006-2010 American Community Survey. Information from the 2010 Census is not available as of the date of this Official Statement.

According to the ACS, the Village had a median household income of \$52,500. This compares to \$53,942 for Cook County, \$76,581 for DuPage County and \$55,735 for the State of Illinois. The following table represents the distribution of household incomes for the Village, DuPage and Cook Counties, and the State of Illinois as reported by ACS.

Median Household Income(I)

Income	The Village		Cook County		DuPage County		State of Illinois	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under \$10,000	355	5.4%	157,532	8.13%	10,628	3.17%	327,492	6.9%
\$10,000 to \$14,999	380	5.8%	97,369	5.03%	8,202	2.45%	230,008	4.8%
\$15,000 to \$24,999	642	9.8%	203,561	10.51%	20,947	6.24%	483,034	10.1%
\$25,000 to \$34,999	528	8.1%	185,026	9.55%	24,289	7.24%	463,776	9.7%
\$35,000 to \$49,999	1,190	18.2%	257,985	13.32%	37,757	11.26%	644,024	13.5%
\$50,000 to \$74,999	1,374	21.0%	349,011	18.02%	62,303	18.57%	896,686	18.8%
\$75,000 to \$99,999	1,071	16.4%	240,948	12.44%	49,305	14.70%	630,368	13.2%
\$100,000 to \$149,999	566	8.7%	249,666	12.89%	63,606	18.96%	642,112	13.5%
\$150,000 to \$199,999	411	6.3%	92,166	4.76%	28,458	8.48%	229,128	4.8%
\$200,000 or more	11	0.2%	103,217	5.33%	29,958	8.93%	223,323	4.7%
Total	6,528	100.0%	1,936,481	100.00%	335,453	100.00%	4,769,951	100.0%

Note: (1) Source: U.S. Census Bureau American Fact Finder 2006-2010 American Community Survey. Information from the 2010 Census is not available as of the date of this Official Statement.

Sales Tax Trend

The table below shows the distribution of the municipal portion of the Retailers' Occupation, Service Occupation and Use Tax ("Sales Tax") collected by the State Department of Revenue from retailers within the Village. The table indicates the level of retail activity in the Village.

Retailers' Occupation, Service Occupation and Use Tax(1)

State Fiscal Ending June 30	State Sales Tax Distribution(2)	Annual Percentage Change + or (-)
2003	\$3,880,328	(9.39%)(3)
2004	3,925,181	1.16%
2005	3,995,957	1.80%
2006	4,910,901	22.90%
2007	4,575,858	(6.82%)
2008	4,633,469	1.26%
2009	4,155,103	(10.32%)
2010	3,810,082	(8.30%)
2011	4,174,570	9.57%
2012	4,545,380	8.88%
Growth from 2003 to 2012		17.14%

- Notes: (1) Source: Illinois Department of Revenue.
 (2) Tax distributions are based on records of the Illinois Department of Revenue relating to the 1% municipal portion of the Retailers' Occupation, Service Occupation and Use Tax, collected on behalf of the Village less a State administration fee. The municipal 1% includes tax receipts from the sale of food and drugs which are not taxed by the State.
 (3) The 2003 percentage is based on a 2002 Sales Tax of \$4,282,250.

THE WATERWORKS AND SEWERAGE SYSTEM

The System includes 69 miles of water mains and a storage capacity of 3.6 million gallons. Approximately half of System sales are to industrial and commercial customers. Water to Village residents from the municipal system is supplied from Lake Michigan through the DuPage Water Commission. The Village operates its own wastewater treatment plant.

Largest System Users(1)

User Name	Service/Product	2011 Annual Usage (000)(Gallons)
Elk Grove Village.....	Municipality (Sewerage Gallons Only)	44,163
Yorkbrook Apartments.....	Apartment Complex.....	20,739
Rubicon Technology.....	Manufacturer.....	12,683
Christian Homes.....	Assisted Living Apartment Complex.....	7,451
Linden Towers.....	Apartment Complex.....	6,670
Bridgeway of Bensenville.....	Condo Complex.....	5,630
Ropak Midwest.....	Manufacturer/Wholesaler-Packaging Materials.....	5,506
Doumak.....	Manufacturer.....	5,480
Fortune Fish Co.....	Seafood Specialist/Wholesaler.....	5,017
Cable & Wireless/Savvis.....	Global Internet Provider Services.....	4,982
Total.....		118,321

- Note: (1) Source: the Village, for calendar year 2011.

User Data

Year	Water Consumption (Gallons)		Sewage Treated (Gallons)	
	Total	Customers	Total	Customers
2002	934,900,000	5,443	1,472,180,000	5,684
2003	931,052,000	5,514	1,844,410,000	5,819
2004	919,399,000	5,445	1,453,970,000	5,688
2005	891,000,000	5,445	1,285,000,000	5,688
2006	904,600,000	5,550	1,169,860,000	5,772
2007	856,020,000	5,409	1,307,610,000	5,385
2008	846,736,000	4,899	1,558,387,700	5,034
2009	783,308,000	5,519	1,400,500,000	5,593
2010	822,918,000	4,874	1,150,690,000	4,800
2011	630,684,000	4,937	1,245,750,000	4,863

Note: (1) Source: the Village.

Water Charges

	Effective June 1, 2006	Effective May 1, 2008	Effective May 1, 2009	Effective May 1, 2010	Effective May 1, 2011
Fixed charge per month based on water meter size ..	\$1.40 to \$93.30	\$1.58 to \$105.43	\$1.79 to \$119.14	\$2.02 to \$134.63	\$2.28 to \$152.13
Water fee per 1,000 gallons	\$5.97(1)	\$6.80(2)	\$7.73(3)	\$8.80	\$10.02

Sewer Charges

Fixed charge per month based on water meter size	\$2.46 to \$164.27	\$2.87 to \$191.37	\$3.34 to \$222.95	\$3.89 to \$259.74	\$4.53 to \$302.60
Sewer fee per 1,000 gallons	\$2.31	\$2.69	\$3.52	\$3.65	\$4.25

- Notes: (1) Water fee is \$3.30 and capital recovery fee is \$2.67.
 (2) Water fee is \$3.73 and capital recovery fee is \$3.07.
 (3) Water fee is \$4.21 and capital recovery fee is \$3.52.

Estimated Debt Service Coverage

Levy Year	Revenue Available for Debt Service(1)	Series 1998 Alt. Rev. Bonds	Series 1998A Alt. Rev. Bonds	Series 2001A Alt. Rev. Bonds	Series 2003 Rev. Bonds	Series 2003G Alt. Rev. Bonds	Series 2004E Alt. Rev. Bonds	The Bonds(2)(3)	Total(2)	Debt Service Coverage(2)
2011	\$2,791,043	\$204,800	\$267,790	\$ 70,620	\$176,110	\$170,700	\$ 185,018	\$ 64,389	\$ 596,216	4.68X
2012	2,791,043	198,425	0	74,090	114,510	217,700	183,768	428,265	944,243	2.96X
2013	2,791,043	0	0	0	0	237,325	227,518	589,545	817,063	3.42X
2014	2,791,043	0	0	0	0	230,725	234,053	588,133	822,185	3.39X
2015	2,791,043	0	0	0	0	0	240,653	745,933	986,585	2.83X
2018	2,791,043	0	0	0	0	0	261,693	729,968	991,660	2.81X
2019	2,791,043	0	0	0	0	0	511,518	507,808	1,019,325	2.74X
2020	2,791,043	0	0	0	0	0	529,313	488,348	1,017,660	2.74X
2021	2,791,043	0	0	0	0	0	550,581	463,268	1,013,849	2.75X
2022	2,791,043	0	0	0	0	0	0	892,738	892,738	3.13X
2023	2,791,043	0	0	0	0	0	0	899,500	899,500	3.10X
Total		\$403,225	\$267,790	\$144,710	\$290,620	\$856,450	\$2,924,111	\$6,397,891	\$10,001,022	

- Notes: (1) Based on revenues from the Waterworks and Sewerage Fund from the 2011 Comprehensive Annual Financial Report. The available revenues are the resulting amount from subtracting operating expenses from operating revenues and adding depreciation and interest income.
- (2) Subject to change. Excludes the Refunded Bonds.
- (3) Debt service estimated at an average coupon rate of 2.4%.

PLAN OF FINANCING

The Bond proceeds will be used to fund an escrow account (the “Escrow”) to current refund a portion of the Village's outstanding 1998 Bonds, 1998A Bonds and 2001A Bonds; to advance refund a portion of the 2003G Bonds and 2004E Bonds (together with the 1998 Bonds, 1998A Bonds, 2001A Bonds and 2003G Bonds, the “Refunded Bonds”), as listed below; and to pay the costs of issuance of the Bonds.

1998 Bonds

Maturities	Outstanding Amount	Amount Refunded	Redemption Price	Redemption Date
5/1/2013.....	\$ 150,000	\$ 0	NA	NA
5/1/2014.....	150,000	0	NA	NA
5/1/2015.....	200,000	200,000	100.00%	11/15/2012
5/1/2016.....	250,000	250,000	100.00%	11/15/2012
5/1/2017.....	250,000	250,000	100.00%	11/15/2012
5/1/2018.....	<u>250,000</u>	<u>250,000</u>	100.00%	11/15/2012
Total.....	\$1,250,000	\$950,000		

1998A Bonds

Maturities	Outstanding Amount	Amount Refunded	Redemption Price	Redemption Date
5/1/2013.....	\$240,000	\$ 0	NA	NA
5/1/2014.....	250,000	250,000	100.00%	11/15/2012
5/1/2015.....	<u>130,000</u>	<u>130,000</u>	100.00%	11/15/2012
Total.....	\$620,000	\$380,000		

2001A Bonds

Maturities	Outstanding Amount	Amount Refunded	Redemption Price	Redemption Date
5/1/2013.....	\$ 30,000	\$ 0	NA	NA
5/1/2014.....	35,000	0	NA	NA
5/1/2015.....	90,000	90,000	100.00%	11/15/2012
5/1/2016.....	190,000	190,000	100.00%	11/15/2012
5/1/2017.....	210,000	210,000	100.00%	11/15/2012
5/1/2018.....	<u>215,000</u>	<u>215,000</u>	100.00%	11/15/2012
Total.....	\$770,000	\$705,000		

2003G Bonds

Maturities	Outstanding Amount	Amount Refunded	Redemption Price	Redemption Date
5/1/2013.....	\$ 175,000	\$ 0	NA	NA
5/1/2014.....	125,000	0	NA	NA
5/1/2015.....	150,000	0	NA	NA
5/1/2016.....	150,000	0	NA	NA
5/1/2017.....	150,000	150,000	100.00%	5/1/2013
5/1/2018.....	150,000	150,000	100.00%	5/1/2013
5/1/2019.....	400,000	400,000	100.00%	5/1/2013
5/1/2020.....	400,000	400,000	100.00%	5/1/2013
5/1/2021.....	<u>400,000</u>	<u>400,000</u>	100.00%	5/1/2013
Total.....	\$2,100,000	\$1,500,000		

2004E Bonds

<u>Maturities</u>	<u>Outstanding Amount</u>	<u>Amount Refunded</u>	<u>Redemption Price</u>	<u>Redemption Date</u>
5/1/2013.....	\$ 25,000	\$ 0	NA	NA
5/1/2014.....	25,000	0	NA	NA
5/1/2015.....	70,000	0	NA	NA
5/1/2016.....	80,000	0	NA	NA
5/1/2017.....	90,000	0	NA	NA
5/1/2018.....	115,000	0	NA	NA
5/1/2019.....	370,000	0	NA	NA
5/1/2020.....	405,000	0	NA	NA
5/1/2021.....	445,000	0	NA	NA
5/1/2022.....	825,000	825,000	100.00%	5/1/2014
5/1/2023.....	<u>875,000</u>	<u>875,000</u>	100.00%	5/1/2014
Total.....	\$3,325,000	\$1,700,000		

Refunded Bonds

Bond proceeds to refund the 1998 Bonds, 1998A Bonds and 2001A Bonds will be deposited in the Escrow to pay principal and interest on the respective bonds on the redemption date.

Bond proceeds to refund the 2003G Bonds and 2004E Bonds will be used to purchase direct full faith and credit obligations of the United States of America (the “Government Securities”), the principal of which together with interest to be earned thereon will be sufficient (i) to pay when due the interest on the 2003G Bonds and 2004E Bonds, and (ii) to pay principal of and call premium, if any, on the 2003G Bonds and 2004E Bonds on the respective redemption date.

The remaining bond proceeds will be used to pay the costs of issuing the Bonds.

The Escrow created pursuant to an escrow agreement (the “Escrow Agreement”) dated the date of delivery, between the Village and The Bank of New York Mellon Trust Company, National Association, Chicago, Illinois, as Escrow Agent (the “Escrow Agent”) will hold all Bond proceeds.

The mathematical calculations: (a) of the adequacy of the deposit made pursuant to the Escrow Agreement to provide for the payment of certain interest, principal and call premiums on the Refunded Bonds, and (b) supporting the opinion of Bond Counsel that the interest of the Bonds is excludable from gross income of the owners thereof for federal income tax purposes will be verified by Stanley P. Stone & Associates, Inc., Financing Consultants, New York, New York, at the time of delivery of the Bonds. All moneys and Government Securities deposited for the payment of Refunded Bonds, including interest thereon, are required to be applied solely and irrevocably to the payment of the Refunded Bonds.

DEBT INFORMATION

After issuance of the Bonds and the refunding of the Refunded Bonds, the Village will have outstanding \$2,840,000 principal amount of general obligation bonds intended to be paid by property taxes levied in the Village. The Village will have outstanding \$15,210,000 of installment contract certificates. The Village will have \$35,402,147 of non-water and sewer general obligation alternate revenue source bonds and \$8,580,000 of waterworks and sewerage revenue and alternate revenue bonds.

General Obligation Bonded Bonds (I) (Principal Only)

Calendar Year	Series 2009 Bonds	Total Bonds	Cumulative Principal Retired	
			Amount	Percent
2012	\$ 445,000	\$ 445,000	\$ 445,000	15.67%
2013	460,000	460,000	905,000	31.87%
2014	470,000	470,000	1,375,000	48.42%
2015	485,000	485,000	1,860,000	65.49%
2016	500,000	500,000	2,360,000	83.10%
2017	480,000	480,000	2,840,000	100.00%
Total	\$2,840,000	\$2,840,000		

Note: (1) Source: the Village.

Installment Contract Certificate Debt(I) (Principal Only)

Calendar Year	Series 2003C	Series 2003D	Series 2004B	Series 2005	Series 2006A	Series 2006B	Series 2008B	Series 2012D	Total Outstanding Debt	Cumulative Principal Retired	
	Tax Exempt Debt Cert.	Tax Exempt Debt Cert.	Taxable G.O. Debt Cert.	Tax Exempt Debt Cert.	Taxable G.O. Debt Cert.	Tax Exempt Certificates	Taxable Certificates	Taxable Certificates		Amount	Percent
2012	\$115,000	\$240,000	\$ 865,000	\$ 55,000	\$ 0	\$ 0	\$280,000	\$ 35,000	\$ 1,590,000	\$ 1,590,000	10.45%
2013	120,000	0	915,000	60,000	930,000	0	0	385,000	2,410,000	4,000,000	26.30%
2014	0	0	965,000	65,000	990,000	0	0	390,000	2,410,000	6,410,000	42.14%
2015	0	0	1,020,000	65,000	80,000	970,000	0	480,000	2,615,000	9,025,000	59.34%
2016	0	0	1,085,000	70,000	0	1,095,000	0	400,000	2,650,000	11,675,000	76.76%
2017	0	0	1,150,000	75,000	0	0	0	510,000	1,735,000	13,410,000	88.17%
2018	0	0	1,220,000	80,000	0	0	0	0	1,300,000	14,710,000	96.71%
2019	0	0	0	90,000	0	0	0	0	90,000	14,800,000	97.30%
2020	0	0	0	200,000	0	0	0	0	200,000	15,000,000	98.62%
2021	0	0	0	210,000	0	0	0	0	210,000	15,210,000	100.00%
Total ...	\$235,000	\$240,000	\$7,220,000	\$970,000	\$2,000,000	\$2,065,000	\$280,000	\$2,200,000	\$15,210,000		

Note: (1) Source: the Village.

**Non-Water and Sewer General Obligation (Alternate Revenue Source) Bonded Debt(1)
 (Principal Only)**

Calendar Year	Series 2002B	Series 2003A	Series 2004D	Series 2011A	Series 2011B	Series 2011C	Series 2011D	Series 2012A	Series 2012B	Series 2012C	Total Debt	Cumulative	
	Bonds(2)	Bonds(3)	Bonds(4)	Bonds(5)	Bonds(6)	Bonds(7)	Bonds(5)	Bonds(3)	Bonds(2)	Bonds(3)		Principal	Retired
2012	\$80,000	\$102,147	\$ 195,000	\$ 0	\$ 205,000	\$ 75,000	\$ 90,000	\$ 0	\$ 0	\$ 0	\$ 747,147	\$ 747,147	2.11%
2013	0	0	200,000	0	275,000	160,000	110,000	50,000	105,000	120,000	1,020,000	1,767,147	4.99%
2014	0	0	210,000	0	280,000	155,000	115,000	190,000	110,000	105,000	1,165,000	2,932,147	8.28%
2015	0	0	220,000	100,000	290,000	155,000	130,000	200,000	120,000	110,000	1,325,000	4,257,147	12.03%
2016	0	0	230,000	100,000	295,000	150,000	145,000	205,000	120,000	105,000	1,350,000	5,607,147	15.84%
2017	0	0	235,000	100,000	310,000	150,000	150,000	205,000	125,000	105,000	1,380,000	6,987,147	19.74%
2018	0	0	245,000	100,000	315,000	150,000	150,000	210,000	120,000	110,000	1,400,000	8,387,147	23.69%
2019	0	0	260,000	100,000	330,000	195,000	145,000	215,000	125,000	115,000	1,485,000	9,872,147	27.89%
2020	0	0	270,000	225,000	345,000	190,000	595,000	225,000	120,000	115,000	2,085,000	11,957,147	33.78%
2021	0	0	285,000	250,000	360,000	0	0	230,000	0	125,000	1,250,000	13,207,147	37.31%
2022	0	0	295,000	500,000	375,000	0	0	0	0	390,000	1,560,000	14,767,147	41.71%
2023	0	0	310,000	1,000,000	390,000	0	0	0	0	0	1,700,000	16,467,147	46.51%
2024	0	0	0	1,200,000	415,000	0	0	0	0	0	1,615,000	18,082,147	51.08%
2025	0	0	0	1,250,000	435,000	0	0	0	0	0	1,685,000	19,767,147	55.84%
2026	0	0	0	1,400,000	460,000	0	0	0	0	0	1,860,000	21,627,147	61.09%
2027	0	0	0	1,950,000	490,000	0	0	0	0	0	2,440,000	24,067,147	67.98%
2028	0	0	0	2,950,000	515,000	0	0	0	0	0	3,465,000	27,532,147	77.77%
2029	0	0	0	3,340,000	545,000	0	0	0	0	0	3,885,000	31,417,147	88.74%
2030	0	0	0	3,410,000	575,000	0	0	0	0	0	3,985,000	35,402,147	100.00%
Total ...	\$80,000	\$102,147	\$2,955,000	\$17,975,000	\$7,205,000	\$1,380,000	\$1,630,000	\$1,730,000	\$945,000	\$1,400,000	\$35,402,147		

- Notes: (1) Source: the Village.
 (2) Payable from utility taxes.
 (3) Payable from general obligation limited tax bonds or notes.
 (4) Payable from licenses and permits.
 (5) Payable from TIF revenues and sales taxes.
 (6) Payable from SSA taxes and municipal telecommunications taxes.
 (7) Payable from TIF revenues and utility taxes.

**Outstanding Waterworks and Sewerage Revenue and Alternate Revenue Bonds(1)
 (Principal Only)**

Calendar Year	Series 1998	Series 1998A	Series 2001A	Series 2003	Series 2003G	Series 2004E	Total Debt	Cumulative Retired	
	Alt. Rev. Bonds	Alt. Rev. Bonds	Alt. Rev. Bonds	Rev. Bonds	Alt. Rev. Bonds	Alt. Rev. Bonds		Amount	Percent
2013.....	\$ 150,000	\$240,000	\$ 30,000	\$165,000	\$ 75,000	\$ 25,000	\$ 685,000	\$ 685,000	8.31%
2014.....	150,000	250,000	35,000	110,000	125,000	25,000	695,000	1,380,000	16.75%
2015.....	200,000	130,000	90,000	0	150,000	70,000	640,000	2,020,000	24.51%
2016.....	250,000	0	190,000	0	150,000	80,000	670,000	2,690,000	32.65%
2017.....	250,000	0	210,000	0	150,000	90,000	700,000	3,390,000	41.14%
2018.....	250,000	0	215,000	0	150,000	115,000	730,000	4,120,000	50.00%
2019.....	0	0	0	0	400,000	370,000	770,000	4,890,000	59.34%
2020.....	0	0	0	0	400,000	405,000	805,000	5,695,000	69.11%
2021.....	0	0	0	0	400,000	445,000	845,000	6,540,000	79.37%
2022.....	0	0	0	0	0	825,000	825,000	7,365,000	89.38%
2023.....	0	0	0	0	0	875,000	875,000	8,240,000	100.00%
Total....	\$1,250,000	\$620,000	\$770,000	\$275,000	\$2,000,000	\$3,325,000	\$8,240,000		

Note: (1) Source: the Village.

**Waterworks and Sewerage Revenue and Alternate Revenue Bonds(1)
 (After Sale of the Bonds – Principal Only)**

Calendar Year	Outstanding Debt	The Bonds(2)	Less: The Refunded Bonds					Total Debt(2)	Cumulative Retired(2)	
			1998 Bonds	1998A Bonds	2001A Bonds	2003G Bonds	2004E Bonds		Amount	Percent
2013.....	\$ 685,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 685,000	\$ 685,000	7.98%
2014.....	695,000	310,000	0	(250,000)	0	0	0	755,000	1,440,000	16.78%
2015.....	640,000	475,000	(200,000)	(130,000)	(90,000)	0	0	695,000	2,135,000	24.88%
2016.....	670,000	480,000	(250,000)	0	(190,000)	0	0	710,000	2,845,000	33.16%
2017.....	700,000	645,000	(250,000)	0	(210,000)	(150,000)	0	735,000	3,580,000	41.72%
2018.....	730,000	640,000	(250,000)	0	(215,000)	(150,000)	0	755,000	4,335,000	50.52%
2019.....	770,000	430,000	0	0	0	(400,000)	0	800,000	5,135,000	59.85%
2020.....	805,000	420,000	0	0	0	(400,000)	0	825,000	5,960,000	69.46%
2021.....	845,000	405,000	0	0	0	(400,000)	0	850,000	6,810,000	79.37%
2022.....	825,000	845,000	0	0	0	0	(825,000)	845,000	7,655,000	89.22%
2023.....	875,000	875,000	0	0	0	0	(825,000)	925,000	8,580,000	100.00%
Total.....	\$8,240,000	\$5,525,000	\$(950,000)	\$(380,000)	\$(705,000)	\$(1,500,000)	\$(1,650,000)	\$8,580,000		

Notes: (1) Source: the Village.
 (2) Subject to change.

Detailed Overlapping Bonded Debt(1)
 (As of September 18, 2012)

	Outstanding Debt(2)	Applicable to the Village	
		Percent(2)	Amount
Schools:			
Grade School District Number 2.....	\$37,336,922	72.35%	\$27,013,263
Grade School District Number 7.....	2,255,000	2.16%	48,708
Grade School Number 83.....	32,235,000	3.91%	1,260,389
High School District Number 100.....	3,980,000	42.04%	1,673,192
High School District Number 212.....	14,865,000	1.41%	209,597
Unit School District Number 205.....	123,058,882	2.25%	2,768,825
Community College District Number 502.....	260,980,000	1.58%	4,123,484
Total Schools.....			<u>\$37,097,457</u>
Other:			
DuPage County.....	\$255,550,000	1.53%	\$ 3,909,915
DuPage County Forest Preserve District.....	235,078,071	1.53%	3,596,694
Cook County.....	3,709,260,000	0.02%	741,852
Cook County Forest Preserve District.....	94,885,000	0.02%	18,977
Chicago Metropolitan Water Reclamation District..	2,300,335,115	0.02%	460,067
Bensenville Park District.....	7,965,780	76.49%	6,093,025
Wood Dale Park District.....	2,573,773	2.00%	51,475
Total Other.....			<u>\$14,872,006</u>
Total Schools and Other Overlapping Bonded Debt.....			<u>\$51,969,463</u>

- Notes: (1) Source: DuPage County Clerk and Cook County Clerk.
 (2) Overlapping debt percentages are based on the 2011 EAV, the most current available.

Statement of Bonded Indebtedness(1)

	Amount Applicable	Ratio To		Per Capita (2010 Census 18,352)
		Equalized Assessed	Estimated Actual	
2011 Village EAV of Taxable Property(1).....	\$ 606,499,348	100.00%	33.33%	\$33,048.13
2011 Estimated Actual Value.....	\$1,819,498,044	300.00%	100.00%	\$99,144.40
Total Direct Debt(2).....	\$ 61,807,147	10.19%	3.40%	\$ 3,367.87
Less: Non-Tax Supported Debt.....	(43,757,147)	(7.21%)	(2.40%)	(2,384.33)
Net Direct Debt(2)(3).....	\$ 18,050,000	2.98%	0.99%	\$ 983.54
Overlapping Bonded Debt(4):				
Schools.....	\$ 37,336,922	6.16%	2.05%	\$ 2,034.49
Other.....	14,872,006	2.45%	0.82%	810.38
Total Overlapping Bonded Debt.....	<u>\$ 52,208,928</u>	<u>8.61%</u>	<u>2.87%</u>	<u>\$ 2,844.86</u>
Total Net Direct and Overlapping Bonded Debt(2) .	\$ 70,258,928	11.58%	3.86%	\$ 3,828.41

- Notes: (1) Source: DuPage and Cook Counties Clerks.
 (2) Subject to change.
 (3) The Village's debt limit is 8.625% of Equalized Assessed Value; remaining debt capacity is \$34,260,569.
 (4) As of September 18, 2012.

Legal Debt Margin(1)

2011 DuPage Portion Equalized Assessed Valuation.....	\$575,191,658
2011 Cook Portion Equalized Assessed Valuation.....	<u>31,307,690</u>
Equalized Assessed Valuation.....	\$606,499,348
Statutory Debt Limitation (8.625% of EAV).....	\$ 52,310,569

General Obligation Bonded Debt:

Series 1998 ARS(2)(3).....	\$ 300,000
Series 1998A ARS(2)(3).....	240,000
Series 2001A ARS(2)(3).....	65,000
Series 2003G ARS(2)(3).....	600,000
Series 2004E ARS(2)(3).....	1,625,000
The Bonds(2)(4).....	<u>5,525,000</u>

Series 2009 Limited Tax.....	2,840,000
------------------------------	-----------

Series 2002A ARS(2)(3).....	0
Series 2002B ARS(2)(3).....	80,000
Series 2003A ARS(2)(3).....	102,147
Series 2004D ARS(2).....	2,955,000
Series 2011A ARS(2).....	17,975,000
Series 2011B ARS(2).....	7,205,000
Series 2011C ARS(2).....	1,380,000
Series 2011D ARS(2).....	1,630,000
Series 2012A ARS(2).....	1,730,000
Series 2012B ARS(2).....	945,000
Series 2012C ARS(2).....	<u>1,400,000</u>

Other Debt:

Debt Certificate, Series 2003C.....	235,000
Debt Certificate, Series 2003D.....	240,000
Taxable Debt Certificate, Series 2004B.....	7,220,000
Debt Certificates, Series 2005.....	970,000
Taxable Limited Tax General Obligation Debt Certificates, Series 2006A.....	2,000,000
Limited Tax General Obligation Debt Certificates, Series 2006B.....	2,065,000
Taxable Limited Tax General Obligation Debt Certificates, Series 2008B.....	280,000
Taxable Series 2012D.....	<u>2,200,000</u>
Total(4).....	\$ 61,807,147

Less Alternate Revenue Source Bonds:

Waterworks and Sewerage Alternate Bonds.....	\$ (8,355,000)
Other Alternate Bonds.....	<u>(35,402,147)</u>
Total Deductions.....	\$(43,757,147)

Total Applicable Debt(4).....	<u>\$18,050,000</u>
Debt Margin(4).....	<u>\$34,260,569</u>

- Notes: (1) Source: the Village. Does not include \$275,000 Revenue Bonds, Series 2003.
 (2) As general obligation alternate bonds under the Act, the Bonds do not count against the 8.625% of EAV debt limit for general obligation bonded debt, so long as the debt service levy for such bonds is abated annually and not extended.
 (3) Does not include proposed Refunded Bonds.
 (4) Subject to change.

PROPERTY ASSESSMENT AND TAX INFORMATION

For the 2011 levy year DuPage County only, the Village's EAV was comprised of approximately 46% residential, 42% industrial, 12% commercial, and minor farm and railroad property valuations.

Village Equalized Assessed Valuation(1)

By Property Class(2)	Levy Years				
	2007	2008	2009	2010	2011
Residential.....	\$339,963,183	\$351,389,198	\$358,088,865	\$324,097,808	\$263,756,482
Farm.....	0	0	161	177	195
Commercial.....	63,463,534	63,118,246	76,385,169	68,613,902	67,683,375
Industrial.....	259,074,605	275,162,125	271,441,810	249,250,510	241,871,280
Railroad.....	698,939	923,838	1,141,572	1,636,793	1,880,326
Total.....	\$663,200,261	\$690,593,407	\$707,057,577	\$643,599,190	\$575,191,658
By County.....	2007	2008	2009	2010	2011
DuPage County.....	\$663,200,261	\$690,593,407	\$707,057,577	\$643,599,190	\$575,191,658
Cook County.....	46,141,493	40,909,104	36,893,141	34,613,066	31,307,690
Total.....	\$709,341,754	\$731,502,511	\$743,950,718	\$678,212,256	\$606,499,348
Percent Change.....	2.59%(3)	3.12%	1.70%	(8.84%)	(10.57%)

- Notes: (1) Source: DuPage and Cook Counties.
 (2) The EAVs by property class are for DuPage County only. The EAVs by property class were not available for Cook County.
 (3) Percentage change based on 2006 EAV of \$691,418,205.

Representative Tax Rates(1) (Per \$100 EAV)

Village:	Levy Years				
	2007	2008	2009	2010	2011
Corporate.....	\$0.2771	\$0.2796	\$0.2708	\$0.3198	\$0.3631
IMRF.....	0.0107	0.0303	0.0284	0.0322	0.0364
Bond and Interest.....	0.0327	0.0390	0.0728	0.0815	0.0907
Police Protection.....	0.1295	0.1322	0.1389	0.1574	0.1782
Policemen's Pension.....	0.0174	0.0306	0.0400	0.0449	0.0507
Tort Judgments.....	0.0631	0.0419	0.0365	0.0410	0.0464
Social Security.....	0.0155	0.0358	0.0331	0.0375	0.0424
Workers Compensation.....	0.0324	0.0258	0.0258	0.0292	0.0332
Total Village Rates(2).....	\$0.5784	\$0.6152	\$0.6463	\$0.7435	\$0.8411
DuPage County.....	0.1651	0.1557	0.1554	0.1659	0.1773
DuPage County Forest Preserve District.....	0.1187	0.1206	0.1217	0.1321	0.1414
DuPage Airport Authority.....	0.0170	0.0160	0.0148	0.0158	0.0169
Addison Township.....	0.0445	0.0443	0.0446	0.0509	0.0570
Addison Township Road District.....	0.0668	0.0664	0.0668	0.0762	0.0853
Bensenville Park District.....	0.3280	0.3262	0.3117	0.3614	0.4128
Bensenville Fire District Number 2.....	0.4767	0.4663	0.4844	0.5376	0.6192
Bensenville Community Library District.....	0.1546	0.1555	0.1566	0.1793	0.2038
School District Number 2.....	2.6906	2.7058	2.7529	3.1160	3.5405
High School District Number 100.....	1.3925	1.3935	1.3993	1.6157	1.8069
Community College District Number 502.....	0.1888	0.1858	0.2127	0.2349	0.2495
Total Rates(3).....	\$6.2217	\$6.2513	\$6.3672	\$7.2293	\$8.1517

- Notes: (1) Source: DuPage County Clerk.
 (2) Statutory tax rate limits for the Village are as follows: Corporate (\$0.4375) and Police Protection (\$0.6000).
 (3) Representative tax rates for other government units are for Addison Township tax code 3015, which represents approximately 46% of the Village's EAV.

**Village Tax Extensions and Collections(1)
 (DuPage Portion Only-Includes Road and Bridge)**

Levy Year	Coll. Year	Taxes Extended(2)	Taxes Collected	
			Amount(3)	Percent
2005	2006	\$4,177,174	\$4,184,506	100.18%
2006	2007	2,107,348	2,111,485	100.20%
2007	2008	4,029,609	4,029,609	100.00
2008	2009	4,448,731	4,434,281	99.68%
2009	2010	4,569,713	4,569,717	100.00%
2010(4)	2011	4,784,940	4,768,147	99.65%

- Notes: (1) Source: DuPage County Treasurer and the Village.
 (2) Adjusted for abatements.
 (3) Includes back taxes and penalties.
 (4) As of May 1, 2012.

Principal Village Taxpayers (1)

Name	Business/Service	2011 EAV(2)
AMB Prop. RE Tax Co.	Real Estate	\$49,429,230
YB Partners	Real Property	11,355,080
Crane & Norcross	Legal	5,841,220
Rreef American REIT II	Real Estate Investment Trust	5,761,080
TA Associates Realty	Real Estate Advisors	3,858,010
Linden Tower Apartments	Apartments	3,552,540
Midwest Senior Ministries	Nursing and Custodial Care Centers	2,857,440
Expeditors International	Freight Transportation	2,736,390
BT Property LLC	Real Estate	2,709,390
Center Point Properties	Real Estate	2,322,300
Total		\$90,422,680
Ten largest as a percent of the Village's EAV (\$606,499,348)		14.91%

- Notes: (1) Source: DuPage County Clerk.
 (2) Every effort has been made to seek out and report the largest taxpayers. However, many of the taxpayers listed contain multiple parcels, and it is possible that some parcels and their valuations have been overlooked. The 2011 EAV is the most current available.

REAL PROPERTY ASSESSMENT, TAX LEVY AND COLLECTION PROCEDURES

DuPage County Tax Levy and Collection Procedures

Local assessment officers determine the assessed valuation of taxable real property and railroad property not held or used for railroad operations. The Illinois Department of Revenue (the "Department") assesses certain other types of taxable property, including railroad property held or used for railroad operations. Local assessment officers' valuation determinations are subject to review at the county level and then, in general, to equalization by the Department. Such equalization is achieved by applying to each county's assessments a multiplier determined by the Department. The purpose of equalization is to provide a common basis of assessments among counties by adjusting assessments toward the statutory standard of 33-1/3% of fair cash value. Farmland is assessed according to a statutory formula which takes into account factors such as productivity and crop mix. Taxes are extended against the assessed values after equalization.

Property tax levies of each taxing body are filed in the office of the county clerk of each county in which territory of that taxing body is located. The county clerk computes the rates and amount of taxes applicable to taxable property subject to the tax levies of each taxing body and determines the dollar amount of taxes attributable to each respective parcel of taxable property. The county clerk then supplies to the appropriate collecting officials within the county the information needed to bill the taxes attributable to the various parcels therein. After the taxes have been collected, the collecting officials distribute to the various taxing bodies their respective shares of the taxes collected. Taxes levied in one calendar year are due and payable in two installments during the next calendar year. Taxes that are not paid when due, or that are not paid by mail and postmarked on or before the due date, are subject to a penalty of 1-1/2% per month until paid. Unpaid property taxes, together with penalties, interest and costs, constitute a lien against the property subject to the tax.

DuPage County Exemptions

An annual General Homestead Exemption (the "General Homestead Exemption") provides that the Equalized Assessed Valuation ("EAV") of certain property owned and used for residential purposes ("Residential Property") may be reduced by the amount of any increase over the 1977 EAV, up to a maximum reduction of \$3,500 for assessment years prior to assessment year 2004 in counties with less than 3,000,000 inhabitants, and a maximum reduction of \$5,000 for assessment year 2004 through 2007 in all counties. Additionally, the maximum reduction is \$5,500 for assessment year 2008 and the maximum reduction is \$6,000 for assessment year 2009 and thereafter in all counties.

The Homestead Improvement Exemption applies to Residential Properties that have been improved or rebuilt in the 2 years following a catastrophic event. The exemption is limited to \$45,000 through December 31, 2003, and \$75,000 per year beginning January 1, 2004 and thereafter, to the extent the assessed value is attributable solely to such improvements or rebuilding.

Additional exemptions exist for senior citizens. The Senior Citizens Homestead Exemption ("Senior Citizens Homestead Exemption") operates annually to reduce the EAV on a senior citizen's home for assessment years prior to 2004 by \$2,000 in counties with less than 3,000,000 inhabitants. For assessment years 2004 and 2005, the maximum reduction is \$3,000 in all counties. For assessment years 2006 and 2007, the maximum reduction is \$3,500 in all counties. In addition, for assessment year 2008 and thereafter, the maximum reduction is \$4,000 for all counties. Furthermore, beginning with assessment year 2003, for taxes payable in 2004, property that is first occupied as a residence after January 1 of any assessment year by a person who is eligible for the Senior Citizens Homestead Exemption must be granted a pro rata exemption for the assessment year based on the number of days during the assessment year that the property is occupied as a residence by a person eligible for the exemption.

A Senior Citizens Assessment Freeze Homestead Exemption ("Senior Citizens Assessment Freeze Homestead Exemption") freezes property tax assessments for homeowners, who are 65 and older and receive a household income not in excess of the maximum income limitation. The maximum income limitation is \$35,000 for years prior to 1999, \$40,000 for assessment years 1999 through 2003, \$45,000 for assessment years 2004 and 2005, \$50,000 from assessment years 2006 and 2007 and for assessments year 2008 and after, the maximum income limitation is \$55,000. In general, the Senior Citizens Assessment Freeze Homestead Exemption limits the annual real property tax bill of such property by granting to qualifying senior citizens an exemption as to a portion of the valuation of their property. In counties with a population of 3,000,000 or more, the exemption for all assessment years is equal to the EAV of the residence in the assessment year for which application is made less the base amount. Furthermore, for those counties with a population of less than 3,000,000, the Senior Citizens Assessment Freeze Homestead Exemption is as follows: through assessment year 2005 and for assessment year 2007 and later, the exempt amount is the difference between (i) the current EAV of their residence and (ii) the base amount, which is the EAV of a senior citizen's residence for the year prior to the year in which he or she first qualifies and applies for the Exemption (plus the EAV of improvements since such year). For assessment year 2006, the amount of the Senior Citizens Assessment Freeze Homestead Exemption phases out as the amount of household income increases. The amount of the Senior Citizens Assessment Freeze Homestead Exemption is calculated by using the same formula as above, and then multiplying the resulting value by a ratio that varies according to household income.

Another exemption available to disabled veterans operates annually to exempt up to \$70,000 of the Assessed Valuation of property owned and used exclusively by such veterans or their spouses for residential purposes. Also, certain property is exempt from taxation on the basis of ownership and/or use, such as public parks, not-for-profit schools and public schools, churches, and not-for-profit hospitals and public hospitals. However, individuals claiming exemption under the Disabled Persons' Homestead Exemption ("Disabled Persons' Homestead Exemption") or the Disabled Veterans Standard Homestead Exemption ("Disabled Veterans Standard Homestead Exemption") cannot claim the aforementioned exemption.

Furthermore, beginning with assessment year 2007, the Disabled Persons' Homestead Exemption provides an annual homestead exemption in the amount of \$2,000 for property that is owned and occupied by certain persons with a disability. However, individuals claiming exemption as a disabled veteran or claiming exemption under the Disabled Veterans Standard Homestead Exemption cannot claim the aforementioned exemption.

In addition, the Disabled Veterans Standard Homestead Exemption provides disabled veterans an annual homestead exemption starting with assessment year 2007 and thereafter. Specifically, (i) those veterans with a service-connected disability of 75% are granted an exemption of \$5,000 and (ii) those veterans with a service-connected disability of less than 75%, but at least 50% are granted an exemption of \$2,500. Furthermore, the veteran's surviving spouse is entitled to the benefit of the exemption, provided that the spouse has legal or beneficial title of the homestead, resides permanently on the homestead and does not remarry. Moreover, if the property is sold by the surviving spouse, then an exemption amount not to exceed the amount specified by the current property tax roll may be transferred to the spouse's new residence, provided that it is the spouse's primary residence and the spouse does not remarry. However, individuals claiming exemption as a disabled veteran or claiming exemption under the Disabled Persons' Homestead Exemption cannot claim the aforementioned exemption.

Beginning with assessment year 2007, the Returning Veterans' Homestead Exemption ("Returning Veterans' Homestead Exemption") is available for property owned and occupied as the principal residence of a veteran in the assessment year the veteran returns from an armed conflict while on active duty in the United States armed forces. This provision grants a homestead exemption of \$5,000, which is applicable in all counties. In order to apply for the Returning Veterans' Homestead Exemption, the individual must pay real estate taxes on the property, own the property or have either a legal or an equitable interest in the property, "or a leasehold interest of land on which a single family residence is located, which is occupied as a principle residence of a veteran returning from an armed conflict involving the armed forces of the United States who has an ownership interest therein, legal, equitable or as a lessee, and on which the veteran is liable for the payment of property taxes." Those individuals eligible for the Returning Veterans' Homestead Exemption may claim the Returning Veterans' Homestead Exemption, in addition to other homestead exemptions, unless otherwise noted.

DuPage County Property Tax Extension Limitation Law

The Property Tax Extension Limitation Law, as amended (the "Limitation Law"), limits the annual growth in the amount of property taxes to be extended for certain Illinois non-home-rule units, including the Village. In general, the annual growth permitted under the Limitation Law is the lesser of 5% or the percentage increase in the Consumer Price Index during the calendar year preceding the levy year. Taxes can also be increased due to new construction, referendum approval of tax rate increases, mergers and consolidations.

The effect of the Limitation Law is to limit the amount of property taxes that can be extended for a taxing body. In addition, general obligation bonds, notes and installment contracts payable from ad valorem taxes unlimited as to rate and amount cannot be issued by the affected taxing bodies unless they are approved by referendum, are alternate bonds or are for certain refunding purposes.

The Village has the authority to levy taxes for many different purposes. See the table entitled **Representative Tax Rates** under “**PROPERTY ASSESSMENT AND TAX INFORMATION**” herein. The ceiling at any particular time on the rate at which these taxes may be extended for the Village is either (i) unlimited (as provided by statute), (ii) initially set by statute but permitted to be increased by referendum, (iii) capped by statute, or (iv) limited to the rate approved by referendum. Public Act 94-0976, effective June 30, 2006, provides that the only ceiling on a particular tax rate is the ceiling set by statute above, at which the rate is not permitted to be further increased by referendum or otherwise. Therefore, taxing districts (such as the Village) will have increased flexibility to levy taxes for the purposes for which they most need the money. The total aggregate tax rate for the various purposes subject to the Limitation Law, however, will not be allowed to exceed the Village’s limiting rate computed in accordance with the provisions of the Limitation Law.

Local governments, including the Village, can issue limited tax bonds in lieu of general obligation bonds that have otherwise been authorized by applicable law. See “**DESCRIPTION OF THE BONDS**” herein.

Cook County Real Property Assessment

The County Assessor (the “Assessor”) is responsible for the assessment of all taxable real property within Cook County (the “County”), including that in the Village, except for certain railroad property and pollution control facilities, which are assessed directly by the Illinois Department of Revenue (the “Department of Revenue”). For triennial reassessment purposes, Cook County is divided into three districts: west and south suburbs (the “South Tri”), north and northwest suburbs (the “North Tri”), and the City of Chicago (the “City Tri”). The Village is located in the North Tri and was reassessed for the 2010 tax levy year.

Real property in the County is separated into classes for assessment purposes. After the County Assessor establishes the fair market value of a parcel of property, that value is multiplied by the appropriate classification percentage to arrive at the assessed valuation (the “*Assessed Valuation*”) for the parcel. Prior to the 2009 tax levy year, the classification percentages ranged from 16% for certain residential, commercial and industrial property to 36% and 38%, respectively, for other industrial and commercial property. On September 17, 2008, the Cook County Board of Commissioners approved changes to the property classification ordinance. The changes reduced the percentages used to calculate the assessed value of real property in the County for real estate tax purposes. These reductions take effect in the 2009 tax levy year. Such new classification percentages range from 10% for certain residential, commercial and industrial property to 25% for other industrial and commercial property.

Property is classified for assessment into six basic categories, each of which is assessed (beginning with the 2009 tax levy year) at various percentages of fair market value as follows: Class 1) unimproved real estate - 10%; Class 2) residential - 10%; Class 3) rental-residential - 16%, in tax year 2009, 13% in assessment year 2010, and 10% in assessment year 2011 and subsequent years; Class 4) not-for-profit - 25%; Class 5a) commercial - 25%; Class 5b) industrial - 25%. There are also seven additional categories. Newly constructed industrial properties or substantially rehabilitated sections of existing industrial properties within the County may qualify for a Class 6b assessment level, which assessment level is 10% for the first 10 years and for any subsequent 10-year renewal periods. However, if the incentive is not renewed, the 6b assessment level is 15% in year 11 and 20% in year 12, hereafter reverting to Class 5b. Real estate, which is to be used for industrial or commercial purposes where such real estate has undergone environmental testing and remediation, may be eligible for a Class C assessment level. The Class C assessment level for industrial properties is 10% for the first 10 years, 15% in year 11 and 20% in year 12, thereafter reverting to Class 5b. Class C commercial properties are assessed at 10% for the first 10 years, 15% in year 11 and 20% in year 12, thereafter reverting to Class 5a. Commercial properties that are newly constructed or substantially rehabilitated and are within an area determined to be an area in need of commercial development may be classified as Class 7a or 7b property, and will then be assessed at a level of 10% for the first 10 years, 15% in year 11 and 20% in year 12, thereafter reverting to Class 5a. Certain commercial and industrial properties located in zones determined to be in need of substantial revitalization or in an enterprise community could be eligible for Class 8 assessments. The Class 8 assessment level for industrial properties is 10% for the first 10 years and for any subsequent 10-year renewal periods. If the incentive is not renewed, the Class 8 assessment level for industrial properties is 15% in year 11 and 20% in year 12, thereafter reverting to Class 5b. The Class 8 assessment level for commercial properties is 10% for the first 10 years, 15% in year 11 and 20% in year 12, thereafter reverting to Class 5a. Substantially rehabilitated or new construction multi-family residential properties within certain target areas, empowerment or enterprise zones may be eligible for Class 9 categorization. The Class 9 assessment level is 10% for an initial 10-year period, renewable upon application for additional 10-year periods. When the Class 9 assessment level expires, the assessment level reverts to the applicable classification. Rental-residential (Class 3) properties subject to a Section 8 contract that has been renewed under the "Mark Up To Market" option may qualify for a Class S assessment level. The Class S assessment level is 10% for the term of the Section 8 contract renewal under the Mark Up To Market option, and for any additional terms of renewal of the Section 8 contract under the Mark Up To Market option. When the Class S assessment level expires, the assessment level reverts to Class 3. Substantially rehabilitated properties which are designated as Class 3, Class 4, Class 5a or Class 5b and which qualify as Landmark or Contributing buildings may qualify for a Class L assessment level. The Class L assessment level for Class 3, 4 or 5b properties is 10% for the first 10 years and for any subsequent 10-year renewal periods. If the incentive is not renewed, the Class L assessment level is 15% in year 11 and 20% in year 12, thereafter reverting to Class 3, 4 or 5b. Class L commercial properties are assessed at 10% for the first 10 years, 15% in year 11 and 20% in year 12, thereafter reverting to Class 5a.

The Assessor has established procedures enabling taxpayers to contest their proposed Assessed Valuations. Once the Assessor certifies its final Assessed Valuations, a taxpayer can seek review of its assessment by appealing to the Cook County Board of Review, which consists of three commissioners elected by the voters of the County. The Board of Review has the power to adjust the Assessed Valuations set by the Assessor.

Owners of both residential property having six or fewer units and owners of real estate other than residential property with six or fewer units are able to appeal decisions of the Board of Review to the Illinois Property Tax Appeal Board (the "PTAB"), a statewide administrative body. The PTAB has the power to determine the Assessed Valuation of real property based on equity and the weight of the evidence. Taxpayers may appeal the decision of PTAB to either the Circuit Court of Cook County or the Illinois Appellate Court under the Illinois Administrative Review Law.

As an alternative to seeking review of Assessed Valuations by PTAB, taxpayers who have first exhausted their remedies before the Board of Review may file an objection in the Circuit Court of Cook County similar to the previous judicial review procedure but with a different standard of proof than that previously required. In addition, in cases where the Assessor agrees that an assessment error has been made after tax bills have been issued, the Assessor can correct any factual error, and thus reduce the amount of taxes due, by issuing a Certificate of Error. Certificates of Error are not issued in cases where the only issue is the opinion of the valuation of the property.

Cook County Equalization

After the County Assessor has established the Assessed Valuation for each parcel for a given year, and following any revisions by the Board of Review or PTAB, the Illinois Department of Revenue is required by statute to review the Assessed Valuations. The Illinois Department of Revenue establishes an equalization factor (the “Equalization Factor”), commonly called the “multiplier,” for each county to make all valuations uniform among the 102 counties in the State. Under State law, the aggregate of the assessments within each county is to be equalized at 33-1/3% of the estimated fair cash value of real property located within the county prior to any applicable exemptions. One multiplier is applied to all property in Cook County, regardless of its assessment category, except for some farmland property which is not subject to equalization.

Once the Equalization Factor is established, the Assessed Valuation, as revised by the Board of Review or PTAB, is multiplied by the Equalization Factor to determine the equalized assessed valuation (the “EAV”) of that parcel. The EAV for each parcel is the final property valuation used for determination of tax liability. The aggregate EAV for all parcels in any taxing body’s jurisdiction, plus the valuation of property assessed directly by the State, constitutes the total real estate tax base for the taxing body and is the figure used to calculate tax rates (the “Assessment Base”). The following table sets forth the Equalization Factor for Cook County for the last 10 tax levy years.

<u>TAX LEVY YEAR</u>	<u>EQUALIZATION FACTOR</u>
2002	2.4689
2003	2.4598
2004	2.5757
2005	2.7320
2006	2.7076
2007	2.8439
2008	2.9786
2009	3.3701
2010	3.3000
2011	2.9706

Cook County Exemptions

Public Act 95-644, effective October 17, 2007, made changes to and added a number of property tax exemptions taken by residential property owners. These changes are discussed below.

An annual General Homestead Exemption provides that the EAV of certain property owned and used for residential purposes (“Residential Property”) may be reduced by \$5,000 for assessment years 2004 through assessment year 2007. Additionally, the reduction may be \$5,500 for assessment year 2008, and \$6,000 for assessment years 2009 and forward (the “General Homestead Exemption”).

The Alternative General Homestead Exemption (the “Alternative General Homestead Exemption”) caps EAV increases for homeowners (who also reside on the property as their principal place of residence) at 7% a year, up to a certain maximum each year as defined by the statute. Any amount of increase that exceeds the maximum exemption as defined is added to the 7% increase and is part of that property’s taxable EAV. Homes that do not increase by at least 7% a year are entitled, in the alternative, to the General Homestead Exemption as discussed above.

The Base Year for purposes of calculation of the Alternative General Homestead Exemption is 2002 for properties located in the City Tri, 2003 for properties located in the North Tri and 2004 for properties located in the South Tri. The Base Homestead Value is the EAV of the homestead property minus the General Homestead Exemption for that year: \$4,500 for years prior to 2004; \$5,000 for 2004 through 2007; \$5,500 for 2008 and \$6,000 for the year 2009 and thereafter.

For properties in the City Tri, the Alternative General Homestead Exemption cannot exceed \$33,000 for assessment year 2006 (except as noted below), \$26,000 for assessment year 2007, \$20,000 for assessment year 2008 and \$6,000 thereafter. For properties in the North Tri, the Alternative General Homestead Exemption cannot exceed \$20,000 for assessment year 2006, \$33,000 for assessment year 2007, \$26,000 for assessment year 2008, \$20,000 for assessment year 2009 and \$6,000 thereafter. For properties in the South Tri, the Alternative General Homestead Exemption cannot exceed \$20,000 for assessment years 2006 and 2007, \$33,000 for assessment year 2008, \$26,000 for assessment year 2009, \$20,000 for assessment year 2010 and \$6,000 thereafter.

Furthermore, only in the City Tri and only for assessment year 2006, the maximum exemption amount may be increased to: (i) \$40,000, provided that the EAV of the property for assessment year 2006 exceeds the EAV of that property for assessment year 2002 by an amount equal to or greater than 100%, or (ii) \$35,000 provided that the EAV of the property for assessment year 2006 exceeds the EAV of that property for assessment year 2002 by an amount greater than 80% but not more than 100%.

Finally, the Long-Time Occupant Homestead Exemption applies to those counties subject to the Alternative General Homestead Exemption, including Cook County. Beginning with assessment year 2007 and thereafter, the EAV of homestead property of a taxpayer who has owned the property for at least 10 years (or 5 years if purchased with certain government assistance) and who has a household income of \$100,000 or less ("Qualified Homestead Property") may increase by no more than 10% per year. If the taxpayer's annual income is \$75,000 or less, the EAV of the Qualified Homestead Property may increase by no more than 7% per year. There is no exemption limit for Qualified Homestead Properties. Individuals applying for this exemption must comply with the following guidelines: (i) continuously occupy their property for 10 years, as of January 1st of the assessment year, and occupy such property as their principal residence or, (ii) continuously occupy their property as their principal place of residence for 5 years, as of January 1st of the assessment year, provided that the property was purchased with certain government assistance.

In addition, the Homestead Improvement Exemption ("Homestead Improvement Exemption") applies to residential properties that have been improved and to properties that have been rebuilt in the two years following a catastrophic event. The exemption is limited to \$45,000 through December 31, 2003, and \$75,000 per year beginning January 1, 2004, and thereafter, to the extent the assessed value is attributable solely to such improvements or rebuilding.

Additional exemptions exist for senior citizens. The Senior Citizens Homestead Exemption ("Senior Citizens Homestead Exemption") operates annually to reduce the EAV on a senior citizen's home by \$3,500 in all counties. In addition, for assessment year 2008 and thereafter, the maximum reduction is \$4,000 for all counties. Furthermore, property that is first occupied as a residence after January 1 of any assessment year by a person who is eligible for the Senior Citizens Homestead Exemption must be granted a prorata exemption for the assessment year based on the number of days during the assessment year that the property is occupied as a residence by a person eligible for the exemption.

A Senior Citizens Assessment Freeze Homestead Exemption ("Senior Citizens Assessment Freeze Homestead Exemption") freezes property tax assessments for homeowners who are 65 and older, reside in their property as their principal place of residence and receive a household income not in excess of the maximum income limitation. The maximum income limitation is \$50,000 for assessment years 2006 and 2007; for assessment years 2008 and after, the maximum income limitation is \$55,000. In general, the exemption grants qualifying senior citizens an exemption based upon a "freeze" of their home's Assessed Valuation.

Another exemption, available to disabled veterans, may be applied annually to exempt up to \$70,000 of the Assessed Valuation of property owned and used exclusively by such veterans or their spouses for residential purposes. However, individuals claiming exemption under the Disabled Persons' Homestead Exemption ("Disabled Persons' Homestead Exemption") or the hereinafter defined Disabled Veterans Standard Homestead Exemption cannot claim the aforementioned exemption.

Also, certain property is exempt from taxation on the basis of ownership and/or use, such as public parks, not-for-profit schools and public schools, churches, and not-for-profit hospitals and public hospitals.

Furthermore, beginning with assessment year 2007, the Disabled Persons' Homestead Exemption provides an annual homestead exemption in the amount of \$2,000 for property that is owned and occupied by certain persons with a disability. However, individuals claiming exemption as a disabled veteran or claiming exemption under the Disabled Veterans Standard Homestead Exemption cannot claim the Disabled Persons' Homestead Exemption.

In addition, the Disabled Veterans Standard Homestead Exemption ("Disabled Veterans Standard Homestead Exemption") provides disabled veterans an annual homestead exemption starting with assessment year 2007 and thereafter. Specifically, (i) those veterans with a service-connected disability of 75% are granted an exemption of \$5,000 and (ii) those veterans with a service-connected disability of less than 75%, but at least 50%, are granted an exemption of \$2,500. Furthermore, the veteran's surviving spouse is entitled to the benefit of the exemption, provided that the spouse has legal or beneficial title of the homestead, resides permanently on the homestead and does not remarry. Moreover, if the property is sold by the surviving spouse, then an exemption amount not to exceed the amount specified by the current property tax roll may be transferred to the spouse's new residence, provided that it is the spouse's primary residence and the spouse does not remarry. However, individuals claiming exemption as a disabled veteran or claiming an exemption under the Disabled Persons' Homestead Exemption cannot claim the aforementioned exemption.

Also, beginning with assessment year 2007, the Returning Veterans' Homestead Exemption ("Returning Veterans' Homestead Exemption") is available for property owned and occupied as the principal residence of a veteran in the assessment year the veteran returns from an armed conflict while on active duty in the United States armed forces. This provision grants a homestead exemption of \$5,000, which is applicable in all counties. In order to apply for this exemption, the individual must pay real estate taxes on the property, own the property or have either a legal or an equitable interest in the property, subject to some limitations. Those individuals eligible for this exemption may claim the exemption in addition to other homestead exemptions, unless otherwise noted.

Cook County Tax Levy

As part of the annual budgetary process of governmental units (the "Units") with power to levy taxes in the County, proceedings are adopted by the designated body for each Unit each year in which it determines to levy real estate taxes. The administration and collection of real estate taxes is statutorily assigned to the County Clerk and the County Treasurer. After the Units file their annual tax levies, the County Clerk computes the annual tax rate for each Unit. The Cook County Clerk uses the prior year's EAV to compute the taxing district's maximum allowable levy. The maximum levy that can be raised for a Unit is the maximum tax rate for that Unit multiplied by the prior year, EAV for all property currently in the district. The prior year's EAV includes the prior year's EAV plus the EAV of any new property, the current year value of any annexed property, and any recovered tax increment value, minus any disconnected property for the current year under the Property Tax Extension Limitation Law ("Limitation Law"). The tax rate for a Unit is computed by dividing the lesser of the maximum allowable levy or the actual levy by the current year's EAV.

Cook County Property Tax Extension Limitation Law

The Limitation Law is applied after the prior year EAV limitation. The Limitation Law limits the annual growth in the amount of property taxes to be extended for certain Illinois non-home rule units, including the Village. The effect of the Limitation Law is to limit the amount of property taxes that can be extended for a taxing body. In addition, general obligation bonds, notes and installment contracts payable from ad valorem taxes, unlimited as to rate and amount, cannot be issued by the affected taxing bodies unless they are approved by referendum, are alternate bonds or are for certain refunding purposes.

The use of prior year EAVs to limit the allowable tax levy may reduce tax rates for funds that are at or near their maximum rates in districts with rising EAVs. These reduced rates and all other rates for those funds subject to the Limitation Law are added together, which results in the aggregate preliminary rate. The aggregate preliminary rate is then compared to the limiting rate. If the limiting rate is more than the aggregate preliminary rate, there is no further reduction in rates due to the Limitation Law. If the limiting rate is less than the aggregate preliminary rate, the aggregate preliminary rate is further reduced to the limiting rate. In all cases, taxes are extended using current year EAV under Section 18-140 of the Property Tax Code.

The Village has the authority to levy taxes for many different purposes. See the table entitled “**Representative Tax Rates**” under “**PROPERTY ASSESSMENT AND TAX INFORMATION**” herein. The ceiling at any particular time on the rate at which these taxes may be extended for the Village is either (i) unlimited (as provided by statute), (ii) initially set by statute but permitted to be increased by referendum, (iii) capped by statute, or (iv) limited to the rate approved by referendum. Public Act 94-0976, effective June 30, 2006, provides that the only ceiling on a particular tax rate is the ceiling set by statute above, at which the rate is not permitted to be further increased by referendum or otherwise. Therefore, taxing districts (such as the Village) will have increased flexibility to levy taxes for the purposes for which they most need the money. The total aggregate tax rate for the various purposes subject to the Limitation Law, however, will not be allowed to exceed the Village’s limiting rate computed in accordance with the provisions of the Limitation Law.

In general, the annual growth permitted under the Limitation Law is the lesser of 5% or the percentage increase in the Consumer Price Index during the calendar year preceding the levy year. Taxes can also be increased due to new construction, referendum approval of tax rate increases, mergers and consolidations. Local governments, including the Village, can issue limited tax bonds in lieu of general obligation bonds that have otherwise been authorized by applicable law. See “**DESCRIPTION OF THE BONDS**” herein.

Extensions

The County Clerk then computes the total tax rate applicable to each parcel of real property by aggregating the tax rates of all of the Units having jurisdiction over the particular parcel. The County Clerk extends the tax by entering the tax (determined by multiplying the total tax rate by the EAV of that parcel for the current assessment year) in the books prepared for the County Collector (the “Warrant Books”) along with the tax rates, the Assessed Valuation and the EAV. The Warrant Books are the County Collector’s authority for the collection of taxes and are used by the County Collector as the basis for issuing tax bills to all property owners.

Collections

Property taxes are collected by the County Collector, who is also the County Treasurer, who remits to each Unit its share of the collections. Taxes levied in one year become payable during the following year in two installments, the first due on March 1 and the second on the later of August 1 or 30 days after the mailing of the tax bills. A payment due is deemed to be paid on time if the payment is postmarked on the due date. The first installment is equal to one-half of the prior year's tax bill; beginning in collection year 2010, this estimated amount was raised to 55% of the prior year's tax bill. However, if a Certificate of Error is approved by a court or certified on or before November 30 of the preceding year and before the estimated tax bills are prepared, then the first installment is instead equal to one-half of the corrected prior year's tax bill. The second installment is for the balance of the current year's tax bill, and is based on the then current tax year levy, assessed value and Equalization Factor, and reflects any changes from the prior year in those factors. The following table sets forth the second installment penalty date for the last 10 tax levy years in Cook County; the first installment penalty date has been March 1 for all such years.

<u>TAX LEVY YEAR</u>	<u>SECOND INSTALLMENT PENALTY DATE</u>
2002	October 1, 2003
2003	November 15, 2004
2004	November 2, 2005
2005	September 1, 2006
2006	December 3, 2007
2007	November 3, 2008
2008	December 1, 2009
2009	December 13, 2010
2010	November 1, 2011
2011	August 1, 2012

It is possible that the changes to the assessment appeals process described above will cause delays similar to those experienced in past years in preparation and mailing of the second installment in future years. The County may provide for tax bills to be payable in four installments instead of two. However, the County has not required payment of tax bills in four installments. During the periods of peak collections, tax receipts are forwarded to each Unit on a weekly basis. Upon receipt of taxes from the County Collector, the Village promptly credits the taxes received to the funds for which they were levied.

At the end of each collection year, the County Collector presents the Warrant Books to the Circuit Court and applies for a judgment for all unpaid taxes. The court orders resulting from the application for judgment provides for an Annual Tax Sale (the "Annual Tax Sale") of unpaid taxes shown on that year's Warrant Books. A public sale is held, at which time successful tax buyers pay the unpaid taxes plus penalties. In each such public sale, the collector can use any "automated means." Unpaid taxes accrue penalties at the rate of 1.5% per month from their due date until the date of sale. Taxpayers can redeem their property by paying the amount paid at the sale, plus a maximum of 12% for each six-month period after the sale. If no redemption is made within the applicable redemption period (ranging from six months to two and one-half years depending on the type and occupancy of the property) and the tax buyer files a petition in the Circuit Court, notifying the necessary parties in accordance with the applicable law, the tax buyer receives a deed to the property. In addition, there are miscellaneous statutory provisions for foreclosure of tax liens.

If there is no sale of the tax lien on a parcel of property at the Annual Tax Sale, the taxes are forfeited and the property becomes eligible to be purchased at any time thereafter at an amount equal to all delinquent taxes and interest accrued to the date of purchase. Redemption periods and procedures are the same as applicable to the Annual Tax Sale.

The Scavenger Sale (the “Scavenger Sale”), like the Annual Tax Sale, is a sale of unpaid taxes. The Scavenger Sale is held every two years on all property on which two or more years’ taxes are delinquent. The sale price of the unpaid taxes is the amount bid at such sale, which may be less than the amount of delinquent taxes. Redemption periods vary from six months to two and a half years depending upon the type and occupancy of the property.

Truth in Taxation Law

Legislation known as the Truth in Taxation Law (the “Law”) limits the aggregate amount of certain taxes which can be levied by, and extended for, a taxing district to 105% of the amount of taxes extended in the preceding year unless specified notice, hearing and certification requirements are met by the taxing body. The express purpose of the Law is to require published disclosure of, and hearing upon, an intention to adopt a levy in excess of the specified levels.

FINANCIAL INFORMATION

Financial Reports

The Village's financial statements are audited annually by certified public accountants. The Village's financial statements are completed on a modified accrual basis of accounting consistent with generally accepted accounting principles applicable to governmental entities. See **APPENDIX A** for more detail.

No Consent or Updated Information Requested of the Auditor

The tables and excerpts (collectively, the “Excerpted Financial Information”) contained in this “**FINANCIAL INFORMATION**” section and in **APPENDIX A** are from the audited financial statements of the Village, including the audited financial statements for the fiscal year ended December 31, 2011 (the “2011 Audit”). The 2011 Audit has been prepared by Crowe Horwath LLP, Oak Brook, Illinois, (the “Auditor”) and accepted by the Village. The Village has not requested the Auditor to update information contained in the Excerpted Financial Information; nor has the Village requested that the Auditor consent to the use of the Excerpted Financial Information in this Official Statement. Other than as expressly set forth in this Official Statement, the financial information contained in the Excerpted Financial Information has not been updated since the date of the 2011 Audit. The inclusion of the Excerpted Financial Information in this Official Statement in and of itself is not intended to demonstrate the fiscal condition of the Village since the date of the 2011 Audit. Questions or inquiries relating to financial information of the Village since the date of the 2011 Audit should be directed to the Village.

Summary Financial Information

The following tables are summaries and do not purport to be the complete audits, copies of which are available upon request. See **APPENDIX A** for excerpts of the Village's 2011 fiscal year audit.

The Village changed its fiscal year end from April 30 to December 31. Fiscal year 2010 covered a 20 month period from May 1, 2009 through December 31, 2010.

Statement of Net Assets Governmental Activities

	Audited As of April 30			Audited As of December 31	
	2007	2008	2009	2010(1)	2011
	2007	2008	2009	2010(1)	2011
ASSETS:					
Cash and Cash Equivalents.....	\$ 3,046,051	\$ 2,821,707	\$ 1,564,791	\$ 7,958,099	\$ 29,519,259
Property Tax Receivable.....	5,019,065	7,037,528	7,152,063	5,150,761	5,227,414
Accounts Receivable.....	3,365,622	3,730,120	530,668	458,600	554,597
Other Receivable.....	0	0	0	46,397	12,228
Notes Receivable.....	0	0	10,000	0	0
Prepaid Expenses.....	158,300	419,492	483,196	1,199,476	995,908
Due from Other Governments.....	30,001	20,000	2,714,333	3,354,946	3,975,906
Due from Fiduciary Fund.....	78,577	78,577	0	0	0
Internal Balances.....	10,650,996	(2,016,964)	(3,660,403)	(443,727)	(443,727)
Deferred Items.....	209,601	334,486	298,855	302,213	855,667
Assets Held for Resale.....	800,963	1,100,963	846,715	796,298	608,998
Inventories.....	0	61,012	33,199	42,625	17,793
Capital Assets Not Being Depreciated.....	1,746,052	9,117,034	9,173,222	11,080,060	18,398,125
Capital Assets Being Depreciated, Net.....	43,798,292	57,909,159	58,065,380	53,533,395	53,929,181
Total Assets.....	<u>\$68,903,520</u>	<u>\$80,613,114</u>	<u>\$77,212,019</u>	<u>\$83,479,143</u>	<u>\$113,651,349</u>
LIABILITIES AND NET ASSETS:					
Liabilities:					
Accounts Payable.....	\$ 786,743	\$ 1,702,688	\$ 869,968	\$ 1,802,680	\$ 3,651,985
Payroll Liabilities.....	234,289	314,962	346,870	374,742	349,917
Other Liabilities.....	200,151	279,272	421,024	371,908	118,644
Due to Other Governments.....	173,299	173,299	173,299	173,299	0
Accrued Interest Payable.....	1,582,721	1,880,089	2,097,785	1,378,989	1,647,095
Due to Fiduciary Funds.....	908,479	806,816	800,514	0	489,857
Deferred Revenue.....	2,727,122	4,012,950	4,043,710	5,076,548	5,613,167
Long-term Obligations, Due Within One Year:					
Compensated Absences Payable.....	409,416	400,343	514,991	408,685	424,764
General Obligation Bonds Payable.....	265,000	275,000	385,000	435,000	445,000
Revenue Bonds Payable.....	1,050,000	1,225,000	900,000	900,000	810,000
Special Service Area Bonds Payable.....	70,000	75,000	80,000	0	0
Debt Certificates Payable.....	1,674,855	2,150,006	3,275,000	2,290,000	2,435,000
Installment Notes Payable.....	487,783	1,025,000	68,092	103,388	108,933
Capital Leases Payable.....	0	46,022	0	0	0
Notes Payable.....	0	0	237,710	0	0
Long-term Obligations, Due in More Than One Year:					
Compensated Absences Payable.....	461,203	282,749	219,220	303,247	332,814
General Obligation Bonds Payable.....	514,600	239,800	130,000	2,332,623	1,961,874
Revenue Bonds Payable.....	20,625,982	22,070,533	21,216,695	10,007,947	34,300,408
Special Service Area Bonds Payable.....	235,000	160,000	80,000	0	0
Debt Certificates Payable.....	11,564,836	21,990,852	18,908,543	15,839,004	13,424,979
Installment Notes Payable.....	0	0	291,731	305,898	196,952
Notes Payable.....	3,000,000	3,300,000	3,000,000	3,000,000	3,000,000
Net OPEB.....	0	0	157,978	460,364	656,621
Net Pension Obligation.....	3,047,044	2,702,912	2,303,570	3,506,535	3,771,110
Capital Leases Payable.....	0	218,151	0	0	0
Total Liabilities.....	<u>\$50,018,523</u>	<u>\$65,331,444</u>	<u>\$60,521,700</u>	<u>\$49,070,857</u>	<u>\$ 73,739,120</u>
Net Assets:					
Invested in Capital Assets, Net of Related Debt....	\$ 9,945,063	\$17,657,270	\$19,512,546	\$30,195,893	\$ 33,751,620
Restricted Net Assets.....	5,734,884	4,083,329	3,715,587	5,439,725	3,645,165
Unrestricted Net Assets.....	3,205,050	(6,458,929)	(6,537,814)	(1,227,332)	2,515,444
Total Net Assets.....	<u>18,884,997</u>	<u>15,281,670</u>	<u>16,690,319</u>	<u>34,408,286</u>	<u>39,912,229</u>
Total Liabilities and Net Assets.....	<u>\$68,903,520</u>	<u>\$80,613,114</u>	<u>\$77,212,019</u>	<u>\$83,479,143</u>	<u>\$113,651,349</u>

Note: (1) Includes the period May 1, 2009 through December 31, 2010.

Statement of Activities
Governmental Activities
Statement of Net (Expenses) Revenue and Changes in Net Assets

	Audited As of April 30			Audited As of December 31	
	2007	2008	2009	2010(3)	2011
GOVERNMENTAL ACTIVITIES(1):					
General Government.....	\$ (4,226,220)	\$ (3,639,531)	\$ (6,405,224)	\$ (5,743,604)	\$ (3,127,102)
Public Safety.....	(4,631,374)	(3,410,126)	(3,135,151)	(8,390,869)	(5,225,802)
Community Development.....	(252,167)	(1,103,896)	(701,496)	(2,695,208)	(867,576)
Public Works.....	(2,091,515)	(2,974,373)	(3,752,256)	(4,711,207)	(3,333,285)
Culture and Recreation.....	(2,383,951)	(2,429,458)	(1,640,202)	(512,248)	(422,231)
Interest on Long-Term Debt.....	(2,234,115)	(1,551,817)	(2,742,206)	(3,614,769)	(3,127,824)
Total Governmental Activities.....	<u>\$ (15,819,342)</u>	<u>\$ (15,109,201)</u>	<u>\$ (18,376,535)</u>	<u>\$ (25,667,905)</u>	<u>\$ (16,103,820)</u>
GENERAL REVENUES:					
Taxes:					
Property Taxes.....	\$ 6,296,205	\$ 5,422,926	\$ 6,689,674	\$ 9,424,984	\$ 5,693,411
Income Taxes.....	2,050,368	2,245,031	1,858,552	2,468,898	1,513,159
Sales Taxes.....	7,490,554	8,196,195	7,192,046	12,041,271	7,820,571
Utility Tax.....	1,732,806	1,814,950	1,699,946	2,443,227	1,568,554
Telecommunications Tax.....	1,516,558	1,560,784	1,510,611	2,271,431	1,399,094
Other Taxes.....	411,304	416,221	660,732	1,016,202	592,241
Investment Earnings.....	345,295	360,176	147,976	629,387	83,385
Other General Revenues.....	584,353	207,928	179,417	1,267,326	1,806,422
Sale of Assets.....	0	0	0	0	154,907
Transfers.....	<u>2,649,692</u>	<u>(9,923,323)</u>	<u>66,923</u>	<u>881,087</u>	<u>976,019</u>
Total General Revenues and Transfers.....	<u>\$23,077,135</u>	<u>\$ 10,300,888</u>	<u>\$ 20,005,877</u>	<u>\$ 32,443,813</u>	<u>\$ 21,607,763</u>
Special Items:					
Reduction of Firefighters' Net Pension Obligation...	0	\$ 1,204,986	\$ 0	\$ 0	\$ 0
Contribution of Firefighters' Capital Assets.....	0	0	(467,055)	0	0
Special Items.....	0	0	0	10,942,059	0
Change in Net Assets.....	\$ 7,257,793	\$ (3,603,327)	1,162,287	17,717,967	5,503,943
Net Assets, Beginning of Year.....	<u>11,627,204(2)</u>	<u>18,884,997</u>	<u>15,528,032(2)</u>	<u>16,690,319</u>	<u>34,408,286</u>
Net Assets, End of Year.....	<u>\$18,884,997</u>	<u>\$ 15,281,670</u>	<u>\$ 16,690,319</u>	<u>\$ 34,408,286</u>	<u>\$ 39,912,229</u>

- Notes: (1) Expenses net of program revenues of fees, fines and charges for services, and operating grants and contributions.
 (2) Restated.
 (3) Includes the period May 1, 2009 through December 31, 2010.

General Fund Balance Sheet

	Audited as of April 30			Audited As of December 31	
	2007	2008	2009	2010(1)	2011
ASSETS:					
Cash and Investments.....	\$ 2,210,859	\$ 2,147,046	\$ 578,233	\$ 2,108,763	\$ 7,438,449
Receivables:					
Property Taxes.....	1,814,113	3,866,442	4,130,705	4,592,022	4,634,511
Intergovernmental.....	535,428	598,490	0	0	0
Other.....	1,628,995	1,747,619	0	0	0
Accounts.....	110,610	497,005	506,379	427,740	474,223
Inventory.....	0	0	33,199	42,625	17,793
Prepaid Items.....	0	175,504	483,196	1,199,476	995,908
Due from Other Funds.....	9,766,614	230,892	0	0	0
Due from Other Governments.....	0	0	2,012,502	2,474,477	2,333,699
Due from Fiduciary Fund.....	0	78,577	0	0	0
Deferred Items.....	0	0	0	0	0
Advances to Other Funds.....	0	0	4,780,367	4,153,043	2,908,351
Other.....	236,877	0	0	0	0
Total Assets.....	<u>\$16,303,496</u>	<u>\$ 9,341,575</u>	<u>\$12,524,581</u>	<u>\$14,998,146</u>	<u>\$18,802,934</u>
LIABILITIES & FUND EQUITY:					
Liabilities:					
Accounts Payable.....	\$ 380,519	\$ 1,048,437	\$ 666,697	\$ 1,091,012	\$ 995,734
Other Liabilities.....	88,587	148,338	279,416	352,026	98,762
Deposits.....	0	0	0	0	0
Accrued Payroll.....	234,289	305,434	346,870	374,742	349,917
Due to Other Funds/Other.....	21,324	2,562,277	6,807,597	0	0
Due to Fiduciary Fund.....	0	21,324	800,514	0	489,875
Deferred Revenues.....	1,539,059	2,682,166	2,651,588	5,079,461	5,588,344
Total Liabilities.....	<u>\$ 2,263,778</u>	<u>\$ 6,767,976</u>	<u>\$11,552,682</u>	<u>\$ 6,897,241</u>	<u>\$ 7,522,632</u>
Fund Equity:					
Fund Balance-Reserved.....	\$ 158,300	\$ 114,492	\$ 6,126,717	\$ 7,351,126	\$ 0
Fund Balance-Unreserved.....	13,881,418	2,459,107	(5,154,818)	749,779	0
Fund Balance - Nonspendable.....	0	0	0	0	3,922,052
Fund Balance - Restricted.....	0	0	0	0	2,364,691
Fund Balance - Assigned.....	0	0	0	0	1,179,280
Fund Balance - Unassigned.....	0	0	0	0	3,814,297
Total Liabilities & Fund Equity...	<u>\$16,303,496</u>	<u>\$ 9,341,575</u>	<u>\$12,524,581</u>	<u>\$14,998,146</u>	<u>\$18,802,932</u>

Note: (1) Includes the period May 1, 2009 through December 31, 2010.

General Fund Revenues and Expenditures

	Fiscal Years Ending April 30			Audited As of December 31	
	2007	2008	2009	2010(6)	2011
REVENUES:					
Taxes:					
Property.....	\$ 2,736,638	\$ 2,718,912	\$ 3,554,057	\$ 0	\$ 0
Utility.....	0	0	1,699,946	0	0
Other.....	8,281,206	8,239,662	6,762,687	0	0
Taxes(1)(2).....	0	0	0	18,823,180	12,431,064
Licenses and Permits.....	1,188,731	1,327,883	1,238,157	1,326,467	513,642
Intergovernmental(2).....	2,252,782	2,449,147	2,116,010	4,002,946	2,375,343
Charges for Services.....	444,607	636,875	3,901,447	5,895,625	3,146,344
Fines and Forfeitures.....	354,910	480,239	604,266	1,356,623	998,843
Investment Income.....	172,180	212,429	61,338	609,514	29,841
Miscellaneous.....	503,900	100,316	242,619	1,070,717	826,868
Total Revenues.....	<u>\$15,934,954</u>	<u>\$ 16,165,463</u>	<u>\$20,180,527</u>	<u>\$33,085,072</u>	<u>\$20,321,945</u>
EXPENDITURES:					
General Government.....	\$ 3,956,390	\$ 4,495,570	\$ 7,742,379	\$ 7,614,811	\$ 4,294,219
Public Safety.....	6,316,864	3,851,485(4)	4,160,766	8,468,617	5,506,442
Community Development.....	617,413	1,431,654	1,336,467	2,017,052	971,631
Public Works.....	1,721,351	2,050,299	2,296,694	3,498,502	2,461,847
Culture and Recreation.....	2,442,643	2,428,958	4,026,493	5,046,925	2,846,631
Miscellaneous.....	413	0	63,746	0	0
Debt Service-Principal Retired.....	0	0	0	128,943	103,401
Debt Service-Interest and Charges.....	0	0	0	30,749	18,896
Total Expenditures.....	<u>\$15,055,074</u>	<u>\$ 14,257,966</u>	<u>\$19,626,545</u>	<u>\$26,805,599</u>	<u>\$16,203,067</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures Before Other Financing Sources (Uses).....	\$ 879,880	\$ 1,907,497	\$ 553,982	\$ 6,279,473	\$ 4,118,878
Other Financing Sources (Uses).....	<u>2,238,126</u>	<u>(13,373,616)(5)</u>	<u>(2,155,682)</u>	<u>(4,752,145)</u>	<u>(939,463)</u>
Special Items.....	<u>0</u>	<u>0</u>	<u>0</u>	<u>6,464,832(7)</u>	<u>0</u>
Excess (Deficiency) of Revenues & Other Financing Sources Over (Under) Expenditures & Other Uses..	\$ 3,118,006	\$(11,466,119)	\$(1,601,700)	\$ 7,992,160	\$ 3,179,415
Fund Balance Beginning of Year.....	<u>10,921,712(3)</u>	<u>14,039,718</u>	<u>2,573,599</u>	<u>108,745</u>	<u>8,100,905</u>
Fund Balance End of Year.....	<u>\$14,039,718</u>	<u>\$ 2,573,599</u>	<u>\$ 971,899</u>	<u>\$ 8,100,905</u>	<u>\$11,280,320</u>

- Notes: (1) Reporting format change.
 (2) Includes sales tax and income tax.
 (3) Restated.
 (4) Decrease reflects Fire Department becoming a separate taxing entity.
 (5) The Village transferred an amount to the Recreation Fund and supporting debt service funds to close the fund and in the future all transactions of the recreation department will be within the General Fund.
 (6) Includes the period May 1, 2009 through December 31, 2010.
 (7) Part of the \$16,000,000 O'Hare settlement with the City of Chicago.

General Fund Budget and Interim Financial Information(1)

	Budget Twelve Months Ending 12/31/12	Interim Period Ending 9/11/12
REVENUES:		
Taxes:		
Property	\$ 4,583,300	\$ 2,498,307
Utility	1,620,000	876,327
Other	1,736,000	1,076,575
Licenses and Permits	461,500	288,745
Intergovernmental	6,845,600	4,202,333
Fines and Forfeits	798,500	437,230
Charges for Services	2,939,400	1,544,794
Investment Income	50,260	21,023
Interfund Transfers In	843,000	475,500
Interfund Transfers Out	(2,022,280)	(1,011,140)
Miscellaneous	<u>27,600</u>	<u>58,254</u>
Total Revenues	<u>\$17,882,880</u>	<u>\$10,467,948</u>
EXPENDITURES:		
Governance	\$ 350,685	\$ 215,563
Office of the Village Manager	3,692,989	2,015,937
Finance Department	942,860	720,234
Police Department	5,998,501	3,858,373
Community and Economic Development	1,111,100	736,802
Public Works Department	2,940,545	1,532,459
Recreation and Community Programming	<u>2,846,200</u>	<u>1,828,150</u>
Total Expenditures	<u>\$17,882,880</u>	<u>\$10,907,518</u>

Note: (1) Source: the Village.

Statement of Net Assets Waterworks and Sewerage Fund

	Audited As of April 30			Audited As of December 31	
	2007	2008	2009	2010(1)	2011
ASSETS:					
Current Assets:					
Cash and Cash Equivalents.....	\$ 2,593,684	\$ 5,181,047	\$ 1,642,076	\$10,790,971	\$10,436,893
Investments.....	11,164	0	0	0	0
Property Tax Receivable.....	0	0	0	0	0
Accounts Receivable.....	1,505,809	1,020,293	1,354,269	1,124,602	1,178,808
Other Receivables.....	0	0	0	0	456
Accrued Interest.....	115	59	0	0	0
Deferred Items.....	86,603	81,072	0	0	0
Due from Other Funds.....	1,877,368	1,500,000	0	0	0
Noncurrent Assets:					
Land.....	1,447,929	1,447,929	0	0	0
Construction in Progress.....	0	108,331	0	0	0
Capital Assets.....	0	0	0	0	0
Buildings.....	7,413,443	7,413,443	0	0	0
Vehicles.....	883,456	982,878	0	0	0
Machinery and Equipment.....	6,431,971	6,431,971	0	0	0
Wells and Reservoirs.....	1,830,245	1,830,245	0	0	0
Transmission and Distribution Systems.....	30,615,315	30,615,315	0	0	0
Infrastructure.....	56,548,532	56,548,532	0	0	0
Accumulated Depreciation.....	(38,574,485)	(39,991,290)	0	0	0
Advances to Other Funds.....	0	0	3,250,000	486,727	486,727
Prepaid Items.....	0	0	834,055	0	0
Deferred Items.....	0	0	75,541	66,323	60,792
Capital Assets Not Being Depreciated.....	0	0	3,764,100	1,835,279	2,076,197
Capital Assets Being Depreciated, Net.....	0	0	62,797,072	59,674,834	59,053,367
TOTAL ASSETS.....	<u>\$72,671,149</u>	<u>\$73,169,825</u>	<u>\$73,717,113</u>	<u>\$73,978,736</u>	<u>\$73,293,240</u>
LIABILITIES AND NET ASSETS:					
Liabilities:					
Current Liabilities:					
Accounts Payable.....	\$ 492,403	\$ 524,048	\$ 1,128,619	\$ 814,551	\$ 854,651
Payroll Liabilities.....	28,833	36,652	43,359	46,956	46,845
Other Liabilities.....	0	0	117,353	67,562	0
Deposits Payable.....	57,951	66,856	92,470	56,208	55,533
Accrued Interest Payable.....	257,646	247,197	249,055	75,117	69,962
Deferred Revenue.....	0	0	0	0	0
Due within One Year.....	465,000	572,362	0	0	0
Noncurrent Liabilities:					
Due after One Year.....	11,214,760	10,675,259	0	0	0
Long-term Obligations, Due Within One Year:					
Compensated Absences Payable.....	0	0	49,461	60,145	71,543
Revenue Bonds Payable.....	0	0	585,000	620,000	645,000
Installment Notes Payable.....	0	0	12,362	35,173	36,953
Long-term Obligations, Due in More Than One Year:					
Advances from Other Funds.....	0	0	0	43,000	43,000
Compensated Absences Payable.....	0	0	28,201	26,118	31,546
Revenue Bonds Payable.....	0	0	9,934,302	8,750,789	8,127,527
Installment Notes Payable.....	0	0	71,676	167,044	130,091
Total Liabilities.....	<u>\$12,516,593</u>	<u>\$12,122,374</u>	<u>\$12,311,858</u>	<u>\$10,762,663</u>	<u>\$10,112,651</u>
Net Assets:					
Invested in Capital Assets, Net of Related Debt.....	\$55,056,288	\$54,233,525	\$55,957,832	\$51,937,107	\$52,189,993
Unrestricted.....	5,098,268	6,813,926	5,447,423	11,278,966	10,990,596
Total Net Assets.....	<u>\$60,154,556</u>	<u>\$61,047,451</u>	<u>\$61,405,255</u>	<u>\$63,216,073</u>	<u>\$63,180,589</u>
TOTAL LIABILITIES AND NET ASSETS.....	<u>\$72,671,149</u>	<u>\$73,169,825</u>	<u>\$73,717,113</u>	<u>\$73,978,736</u>	<u>\$73,293,240</u>

Note: (1) For the period May 1, 2009 through December 31, 2010.

**Statement of Revenues, Expenses and Changes in Fund Net Assets
 Waterworks and Sewerage Fund**

	Audited As of April 30			Audited As of December 31	
	2007	2008	2009	2010(1)	2011
Operating Revenues:					
Charges for Services.....	\$ 7,473,841	\$ 6,710,090	\$ 8,547,534	\$14,593,267	\$ 9,179,198
Total Operating Revenues.....	\$ 7,473,841	\$ 6,710,090	\$ 8,547,534	\$14,593,267	\$ 9,179,198
Operating Expenses:					
Operations.....	\$ 4,825,468	\$ 4,558,740	\$ 6,061,309	\$ 9,757,663	\$ 6,391,328
Depreciation and Amortization.....	1,398,622	1,416,805	1,520,358	2,399,034	1,497,200
Total Operating Expenses.....	\$ 6,224,090	\$ 5,975,545	\$ 7,581,667	\$12,156,697	\$ 7,888,528
Operating Income (Loss).....	1,249,751	734,545	965,867	2,436,570	1,290,670
Nonoperating Revenues and (Expenses):					
Property Taxes.....	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Investment Income.....	11,352	622	730	665	3,173
Loss on Sale of Assets.....	0	0	0	0	0
Debt Service - Interest and Fees.....	(611,966)	(552,472)	(541,870)	(820,236)	(456,408)
DuPage Water Commission Refund.....	0	1,205,289	0	0	0
Total Nonoperating Revenues and (Expenses).....	\$ (600,614)	\$ 653,439	\$ (541,140)	\$ (819,571)	\$ (453,235)
Income (Loss) Before Transfers.....	649,137	1,387,984	424,727	1,616,999	837,435
Transfers:					
Transfers In.....	1,444,127	0	0	646,669	957,081
Transfers Out.....	(4,226,414)	(495,089)	(66,923)	(452,850)	(1,830,000)
Total Transfers.....	\$ (2,782,287)	\$ (495,089)	\$ (66,923)	\$ 193,819	\$ (872,919)
Change in Net Assets.....	(2,133,150)	892,895	357,804	1,810,818	(35,484)
Net Assets at Beginning of Year.....	62,287,706(2)	60,154,556	61,047,451	61,405,255	63,216,073
Net Assets at End of Year.....	\$60,154,556	\$61,047,451	\$61,405,255	\$63,216,073	\$63,180,589

Notes: (1) Includes the period May 1, 2009 through December 31, 2010.
 (2) Restated.

**Water and Sewer Fund
 Budget Financial Information(1)**

	Budget Twelve Months Ending 12/31/12	Interim Period Ending 9/11/12
Water/Sewer Fund:		
Budgeted Revenues:		
Total Water/Sewer	\$13,040,285(2)	\$6,898,542
Budgeted Expenditures:		
Utility Administration	\$ 2,776,150	\$1,712,388
Water and Sewer Billing	362,905	256,315
Water Distribution Systems	1,249,480	665,725
Water Production	258,385	174,888
Wastewater Conveyance	12,200	12,885
Wastewater Treatment	2,274,815	1,198,803
Capital Improvements	3,569,640	1,446,212
Debt Service	1,052,010	855,275
Total Water/Sewer Fund Budgeted Expenditures	\$11,555,585	\$6,322,491
Total Water/Sewer Fund Revenues Over Expenditures	\$ 1,484,700	

Notes: (1) Source: the Village.
 (2) \$4,500,000 of budgeted revenues were for a bond issuance the Village is no longer pursuing.

EMPLOYER RETIREMENT SYSTEMS

Illinois Municipal Retirement Fund ⁽¹⁾

Plan Description

The employer's defined benefit pension plan for Regular employees provides retirement, and disability benefits, post retirement increases and death benefits to plan members and beneficiaries. The Village's plan is affiliated with the Illinois Municipal Retirement Fund ("IMRF"), an agent multiple-employer plan. Benefit provisions are established by statute and may only be changed by the General Assembly of the State of Illinois. IMRF issues a publicly available report that includes financial statements and required supplementary information. That report may be obtained on-line at www.imrf.org.

Funding Policy

As set by statute, the Regular plan members are required to contribute 4.50% of their annual covered salary. The statute requires employers to contribute the amount necessary, in addition to member contributions, to finance the retirement coverage of its own employees. The employer contribution rate for calendar year 2011 was 10.56% of annual covered payroll. The Village also contributes for disability benefits, death benefits and supplemental retirement benefits, all of which are pooled at the IMRF level. Contribution rates for disability and death benefits are set by the IMRF Board of Trustees, while the supplemental retirement benefits rate is set by statute.

Annual Pension Cost

For calendar year 2011, the Village's contributions to the regular plan were \$508,978 less than the annual pension cost of \$617,426.

The required contribution was determined as part of the December 31, 2009, actuarial valuation using the early age normal actuarial cost method. The actuarial assumptions at December 31, 2009, included (a) 7.5% investment rate of return (net of administrative and direct investment expenses), (b) projected salary increases of 4.00% a year, attributable to inflation, (c) additional projected salary increases ranging from 0.4% to 10% per year depending on age and service, attributable to seniority/merit, and (d) post retirement benefit increases of 3% annually. The actuarial value of the Village's Regular plan assets was determined using techniques that spread the effect of short-term volatility in the market value of investments over a five-year period with a 20% corridor between the actuarial and market value of assets. The Village's Regular plan's unfunded actuarial accrued liability ("UAAL") at December 31, 2009 is being amortized as a level percentage of projected payroll on an open 30 year basis.

Funded Status and Funding Progress

As of December 31, 2011, the most recent actuarial valuation date, the Regular plan was 77.87% funded. The actuarial accrued liability for benefits was \$18,542,610 and the actuarial value of assets was \$14,438,868, resulting in a UAAL of \$4,103,742. The covered payroll (annual payroll of active employees covered by the plan) was \$4,819,872 and the ratio of the UAAL to the covered payroll was 85%.

Below is a schedule of funding progress for the IMRF.

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability – Entry Age (b)	Unfunded AAL (UAAL) (b-a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll ((b-a) / c)
12/31/2007	\$13,976,135	\$14,219,394	\$243,259	98.29%	\$4,913,961	4.95%
12/31/2008	12,946,353	15,630,657	2,684,304	82.83%	4,861,157	55.22%
12/31/2009	12,869,611	16,147,042	3,277,431	79.70%	4,800,382	68.27%
12/31/2010	13,656,502	17,284,950	3,628,448	79.01%	4,305,189	84.28%
12/31/2011	14,438,868	18,542,610	4,103,742	77.87%	4,819,872	85.14%

(1) Source: The Village's Audited Financial Statements for the fiscal year ended December 31, 2011.

Police Pension Plan ⁽¹⁾

Plan Description

The Police Pension Plan is a single-employer defined benefit pension plan that covers all sworn police personnel of the Village. The Police Pension Plan provides retirement, disability, and death benefits, as well as automatic annual cost of living adjustments, to plan members and their beneficiaries. Plan members are required to contribute 9.91% of their annual covered payroll. The Village is required to contribute at an actuarially determined rate. Although this is a single employer pension plan, the defined benefits and contribution requirements of the plan members and the Village are governed by Illinois Compiled Statutes and may be amended only by the Illinois legislature. The Village accounts for the plan as a pension trust fund. The Police Pension Plan issues separate financial statements and has a December 31 year end. The Police Pension Plan financial statements can be obtained by contacting the Village at 12 South Center Street, Bensenville, Illinois 60106.

As of December 31, 2010, the date of the latest actuarial valuation, the Police Pension Plan membership consisted of the following:

Retirees and beneficiaries currently receiving benefits and terminated employees entitled to benefits but not yet receiving them	32
Current Employees:	
Active plan members	<u>32</u>
	<u>64</u>

The following is a summary of the Police Pension Plan as provided for in Illinois Compiled Statutes.

The Police Pension Plan provides retirement benefits as well as death and disability benefits. Participants attaining the age of 50 or more with 20 or more years of creditable service are entitled to receive an annual retirement benefit of one half of the salary attached to the rank held on the last day of service, or for one year prior to the last day, whichever is greater. The pension shall be increased by 2.5% of such salary for each additional year of service over 20 years up to 30 years to a maximum of 75% of such salary. Employees with at least 8 years but less than 20 years of credited service may retire at or after age 60 and receive a reduced retirement benefit. The monthly pension of a police officer who retired with 20 or more years of service after January 1, 1977 shall be increased annually, following the first anniversary date of retirement and paid upon reaching at least the age 55, by 3% of the original pension and 3% compounded annually thereafter.

Funding Policy

Covered employees are required to contribute 9.91% of their base salary to the Police Pension Plan. If an employee leaves covered employment with less than 20 years of service, accumulated employee contributions may be refunded without accumulated interest. The Village is required to contribute the remaining amounts necessary to finance the plans as actuarially determined by an enrolled actuary. Effective January 1, 2011, the Village has until the year 2040 to fund 90% of the past service cost for the Police Pension Plan. For the year ended December 30, 2010, the Village's contribution was 35.41% of covered payroll.

Basis of Accounting

The financial statements of the pension fund are prepared using the accrual basis of accounting. Plan member contributions are recognized in the period in which contributions are due. The Village's contributions are recognized when due and a formal commitment to provide the contributions are made. Benefits and refunds are recognized when due and payable in accordance with the terms of the plan.

(1) Source: The Village's Audited Financial Statements for the fiscal year ended December 31, 2011.

Police Pension Plan (continued) ⁽¹⁾

Method Used to Value Investments

Plan investments are reported at fair value. Short-term investments are reported at cost, which approximates fair value. Investments that do not have any established market are reported at estimated fair values.

Annual Pension Cost

For the fiscal period ending December 31, 2011, the Village's contributions to the Police Pension Plan were \$154,295 less than the annual pension cost of \$943,526.

Funded Status and Funding Progress

As of December 31, 2010, the most recent actuarial valuation date, the Police Pension Plan was 54.84% funded. The actuarial accrued liability for benefits was \$22,868,030 and the actuarial value of assets was \$12,539,774, resulting in a UAAL of \$10,328,256. The covered payroll was \$2,444,783 and the ratio of the UAAL to the covered payroll was 422.46%.

Below is a schedule of funding progress for the Police Pension Plan.

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability – Entry Age (b)	Unfunded AAL (UAAL) (b)-(a)	Funded Ratio (a)/(b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll ((b-a) / c)
4/30/2005	N/A	N/A	N/A	N/A	N/A	N/A
4/30/2006	\$12,619,030	\$17,538,690	\$4,919,660	71.95%	\$2,091,172	235.26%
4/30/2007	N/A	N/A	N/A	N/A	N/A	N/A
4/30/2008	13,065,169	20,643,852	7,578,683	63.29%	2,166,492	349.81%
4/30/2009	10,448,151	20,887,297	10,439,146	50.02%	2,352,581	443.73%
4/30/2010	11,550,751	21,604,610	10,053,859	53.46%	2,406,640	417.76%
12/31/2010*	12,539,774	22,868,030	10,328,256	54.84%	2,444,783	422.46%

*Fiscal year end was changed from April 30 to December 31 in 2010.

Net Pension Obligation ⁽¹⁾

The following is the net pension obligation for IMRF and the Police Pension Plan:

<u>Net Pension Obligation:</u>	IMRF	Police Pension Plan
Annual required contribution	\$617,426	\$ 879,721
Interest on net pension obligation	6,426	171,043
Adjustment to annual required contribution	(4,594)	(107,238)
Annual pension cost	619,258	943,526
Contributions made	508,978	789,231
Change in net pension obligation	110,280	154,295
Net pension obligation, beginning of period	85,675	3,420,860
Net pension obligation, end of period	<u>\$195,955</u>	<u>\$3,575,155</u>

(1) Source: The Village's Audited Financial Statements for the fiscal year ended December 31, 2011.

The Village annual required contribution for the current period and related information for each plan is as follows:

	IMRF	Police Pension Plan
	December 31, 2011	December 31, 2010
Actuarial valuation date		
Contribution rates		
Employer	10.56%	35.41%
Employee	4.50%	9.91%
Annual pension cost	\$619,258	\$943,526
Contributions made	\$508,978	\$789,231
Actuarial cost method	Entry age normal	Entry age normal
Asset valuation method	5-Year smoothed market	Market
Amortization method	Level percentage of payroll	Level percentage of payroll
Amortization period	30 Years, open	29 Years, closed
Actuarial assumptions		
Investment rate of return	7.50%	7.50%
Projected salary increases	0.4% to 10.0%	5.00%
Inflation rate included	4.00%	3.00%
Cost-of-living adjustments	3.00%	3.00%

Trend Information ⁽¹⁾

Trend information gives an indication of the progress made in accumulating sufficient assets to pay benefits when due.

	Fiscal Year Ending	IMRF	Police Pension Plan
	Annual pension cost (APC)	Dec. 31, 2011	\$619,258
Dec. 31, 2010		498,983	1,581,173
Dec. 31, 2009		419,073	739,672
Contributions made	Dec. 31, 2011	\$508,978	\$ 789,231
	Dec. 31, 2010	413,308	1,086,741
	Dec. 31, 2009	419,073	116,814
Percentage of APC contributed	Dec. 31, 2011	82.2%	83.6%
	Dec. 31, 2010	82.8%	68.7%
	Dec. 31, 2009	100.00%	15.8%
Net pension obligation	Dec. 31, 2011	\$195,955	\$3,575,155
	Dec. 31, 2010	85,675	3,420,860
	Dec. 31, 2009	-	2,926,428

(1) Source: The Village's Audited Financial Statements for the fiscal year ended December 31, 2011.

OTHER POST-EMPLOYMENT BENEFITS

Plan Description ⁽¹⁾

The Village provides the continuation of health care benefits and life insurance to Police and Municipal employees who retire from the Village in accordance with Illinois Compiled Statutes. Employees who terminate after reaching retirement eligibility in the plan are eligible to elect to continue their health care coverage by paying the monthly premium rate. Retirement eligibility for Police employees is age 50 and 20 years of service, and for Municipal employees is age 55 and 25 years of service; or age 60 and 8 years of service; or combined age and service of 85. Because the actuarial cost of health benefits exceeds the average amount paid by retirees, the additional cost is paid by the Village and is the basis for the other post employment benefits (“OPEB”) obligation is accounted for under GASB Statement 45. The Village Board of Trustees has the authority of establishing and amending benefits offered by this plan. The OPEB plan is a single-employer plan. There is no separate, audited GAAP-basis postemployment benefit plan report available.

Funding Policy ⁽¹⁾

Funding is provided by the Village on a pay-as-you-go basis. Retirees and their dependants may continue coverage under The Village’s group health program by contributing a monthly premium. They may participate in any of the plans available to active employees. For Municipal employees, retirees prior to age 65 contribute the blended average employee group cost. After age 65, retirees pay the full Medicare eligible cost of coverage. The Village pays the difference between the actuarial cost of the health coverage for retirees and the blended average employee group cost. For Police employees, the Village pays the difference between the actuarial cost of the health coverage for retirees and the blended average employee group cost.

Annual OPEB Cost and Net OPEB Obligation ⁽¹⁾

The Village’s annual other post employee benefit cost is calculated based on the annual required contribution (“ARC”). The ARC represents the normal cost each year and an amount to amortize the unfunded actuarial liability over thirty years. The following table shows the components of the Village’s annual OPEB costs, the amount actually contributed to the plan, and changes in the Village’s net OPEB obligation for the period ending December 31, 2011.

Annual required contribution	\$238,684
Interest on net OPEB obligation	23,018
Adjustment to the ARC	<u>(28,521)</u>
Annual OPEB Cost	233,181
Contributions made	<u>(36,924)</u>
Increase in the net OPEB obligation	196,257
Net OPEB obligation beginning of period	<u>460,364</u>
Net OPEB obligation end of period	\$656,621

(1) Source: The Village’s Audited Financial Statements for the fiscal year ended December 31, 2011.

Funded Status and Funding Progress ⁽¹⁾

As of December 31, 2011, the OPEB Plan was unfunded. The actuarial accrued liability for benefits was \$2,022,991 and the actuarial value of assets was \$0, resulting in a UAAL of \$2,022,991. The covered payroll was \$6,424,058 and the ratio of the UAAL to the covered payroll was 31.49%.

Below is a schedule of funding progress for the OPEB Plan.

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Liability – Entry Age (b)	Unfunded AAL (UAAL) (b)-(a)	Funded Ratio (a)/(b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll ((b) (a) / (c))
4/30/2009	\$-	\$1,441,086	\$1,441,086	0.00%	\$6,206,819	23.22%
4/30/2010	-	1,583,408	1,583,408	0.00%	6,419,918	24.66%
12/31/2010*	-	1,799,457	1,799,457	0.00%	6,206,819	28.99%
12/31/2011	-	2,022,991	2,022,991	0.00%	6,424,058	31.49%

*Fiscal year end was changed from April 30 to December 31 in 2010.

The Village’s annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation for calendar year 2011 and the preceding fiscal periods were as follows:

Period Ended	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Obligation
December 31, 2011	\$233,181	15.8%	\$656,621
December 31, 2010	378,600	20.1%	460,364
April 30, 2009	204,590	22.8%	157,978

Note: April 30, 2009 was the first period GASB Statement 45 was applicable for the Village.

Actuarial Assumptions ⁽¹⁾

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan understood by the employer and plan members) and include the benefits provided at the time each valuation and the historical pattern of sharing of benefit costs between the employer and plan members. In the December 31, 2011 actuarial valuation, the entry age normal cost method was used. The actuarial assumptions included an annual healthcare cost trend rate of 9% initially, reduced to an ultimate rate of 5% after five years. Rates include a 3.5% general inflation assumption. The UAAL is being amortized as a level dollar amount over an open amortization period of 30 years.

(1) Source: The Village’s Audited Financial Statements for the fiscal year ended December 31, 2011.

REGISTRATION, TRANSFER AND EXCHANGE

See also **APPENDIX B** for information on registration, transfer and exchange of book-entry bonds. The Bonds will be initially issued as book-entry bonds.

The Village shall cause books (the "Bond Register") for the registration and for the transfer of the Bonds to be kept at the principal office maintained for the purpose by the Bond Registrar in Chicago, Illinois. The Village will authorize to be prepared, and the Bond Registrar shall keep custody of, multiple bond blanks executed by the Village for use in the transfer and exchange of Bonds.

Any Bond may be transferred or exchanged, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in the Bond Ordinance. Upon surrender for transfer or exchange of any Bond at the principal office maintained for the purpose by the Bond Registrar, duly endorsed by, or accompanied by a written instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by the registered owner or such owner's attorney duly authorized in writing, the Village shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the registered owner, transferee or transferees (as the case may be) a new fully registered Bonds of the same maturity and interest rate of authorized denominations, for a like aggregate principal amount.

The execution by the Village of any fully registered Bond shall constitute full and due authorization of such Bond, and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond, provided, however, the principal amount of outstanding Bonds of each maturity authenticated by the Bond Registrar shall not exceed the authorized principal amount of Bonds for such maturity less Bonds previously paid.

The Bond Registrar shall not be required to transfer or exchange any Bond following the close of business on the fifteenth day of the month in which an interest payment date occurs on such Bond (known as the record date), nor to transfer or exchange any Bond after notice calling such Bond for redemption has been mailed, nor during a period of fifteen days next preceding mailing of a notice of redemption of any Bonds.

The Bond Registrar shall not be required to transfer or exchange any Bond following the close of business on the fifteenth day of the month next preceding any interest payment date on such Bond (known as the record date), nor to transfer or exchange any Bond after notice calling such Bond for redemption has been mailed, nor during a period of fifteen days next preceding mailing of a notice of redemption of any Bonds.

The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on any Bonds shall be made only to or upon the order of the registered owner thereof or such owner's legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer or exchange of Bonds, but the Village or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds except in the case of the issuance of Bonds for the unredeemed portion of a bond surrendered for redemption.

TAX EXEMPTION

Federal tax law contains a number of requirements and restrictions which apply to the Bonds, including investment restrictions, periodic payments of arbitrage profits to the United States, requirements regarding the proper use of bond proceeds and the facilities financed therewith, and certain other matters. The Village has covenanted to comply with all requirements that must be satisfied in order for the interest on the Bonds to be excludable from gross income for federal income tax purposes. Failure to comply with certain of such covenants could cause interest on the Bonds to become includible in gross income for federal income tax purposes retroactively to the date of issuance of the Bonds.

Subject to the Village's compliance with the above-referenced covenants, under present law, in the opinion of Bond Counsel, interest on the Bonds is excludable from the gross income of the owners thereof for federal income tax purposes, and is not included as an item of tax preference in computing the federal alternative minimum tax for individuals and corporations, but interest on the Bonds is taken into account, however, in computing an adjustment used in determining the federal alternative minimum tax for certain corporations.

In rendering its opinion, Bond Counsel will rely upon certifications of the Village with respect to certain material facts within the Village's knowledge. Bond Counsel's opinion represents its legal judgment based upon its review of the law and the facts that it deems relevant to render such opinion and is not a guarantee of a result.

The Internal Revenue Code of 1986, as amended (the "Code"), includes provisions for an alternative minimum tax ("AMT") for corporations in addition to the corporate regular tax in certain cases. The AMT for a corporation, if any, depends upon the corporation's alternative minimum taxable income ("AMTI"), which is the corporation's taxable income with certain adjustments. One of the adjustment items used in computing the AMTI of a corporation (with certain exceptions) is an amount equal to 75% of the excess of such corporation's "adjusted current earnings" over an amount equal to its AMTI (before such adjustment item and the alternative tax net operating loss deduction). "Adjusted current earnings" would generally include certain tax-exempt interest, but not interest on the Bonds.

Ownership of the Bonds may result in collateral federal income tax consequences to certain taxpayers, including, without limitation, corporations subject to the alternative minimum tax, corporations subject to the branch profits tax, financial institutions, certain insurance companies, certain S corporations, individual recipients of Social Security or Railroad Retirement benefits and taxpayers who may be deemed to have incurred (or continued) indebtedness to purchase or carry tax-exempt obligations. Prospective purchasers of the Bonds should consult their tax advisors as to applicability of any such collateral consequences.

The issue price (the "Issue Price") for each maturity of the Bonds is the price at which a substantial amount of such maturity of the Bonds is first sold to the public. The Issue Price of a maturity of the Bonds may be different from the price set forth, or the price corresponding to the yield set forth, on the cover page hereof.

If the Issue Price of a maturity of the Bonds is less than the principal amount payable at maturity, the difference between the Issue Price of each such maturity, if any, of the Bonds (the "OID Bonds") and the principal amount payable at maturity is original issue discount.

For an investor who purchases an OID Bond in the initial public offering at the Issue Price for such maturity and who holds such OID Bond to its stated maturity, subject to the condition that the Village complies with the covenants discussed above, (a) the full amount of original issue discount with respect to such OID Bond constitutes interest which is excludable from the gross income of the owner thereof for federal income tax purposes; (b) such owner will not realize taxable capital gain or market discount upon payment of such OID Bond at its stated maturity; (c) such original issue discount is not included as an item of tax preference in computing the alternative minimum tax for individuals and corporations under the Code, but owners of OID Bonds should consult their own tax advisors as to whether original issue discount is taken into account in computing adjusted current earnings, which is used in determining the alternative minimum tax for certain corporations under the Code, as described above; and (d) the accretion of original issue discount in each year may result in an alternative minimum tax liability for corporations or certain other collateral federal income tax consequences in each year even though a corresponding cash payment may not be received until a later year. Based upon the stated position of the Illinois Department of Revenue under Illinois income tax law, accreted original issue discount on such OID Bonds is subject to taxation as it accretes, even though there may not be a corresponding cash payment until a later year. Owners of OID Bonds should consult their own tax advisors with respect to the state and local tax consequences of original issue discount on such OID Bonds.

Owners of Bonds who dispose of Bonds prior to the stated maturity (whether by sale, redemption or otherwise), purchase Bonds in the initial public offering, but at a price different from the Issue Price or purchase Bonds subsequent to the initial public offering should consult their own tax advisors.

If a Bond is purchased at any time for a price that is less than the Bond's stated redemption price at maturity or, in the case of an OID Bond, its Issue Price plus accreted original issue discount (the "Revised Issue Price"), the purchaser will be treated as having purchased a Bond with market discount subject to the market discount rules of the Code (unless a statutory de minimis rule applies). Accrued market discount is treated as taxable ordinary income and is recognized when a Bond is disposed of (to the extent such accrued discount does not exceed gain realized) or, at the purchaser's election, as it accrues. Such treatment would apply to any purchaser who purchases an OID Bond for a price that is less than its Revised Issue Price. The applicability of the market discount rules may adversely affect the liquidity or secondary market price of such Bond. Purchasers should consult their own tax advisors regarding the potential implications of market discount with respect to the Bonds.

An investor may purchase a Bond at a price in excess of its stated principal amount. Such excess is characterized for federal income tax purposes as "bond premium" and must be amortized by an investor on a constant yield basis over the remaining term of the Bond in a manner that takes into account potential call dates and call prices. An investor cannot deduct amortized bond premium relating to a tax-exempt bond. The amortized bond premium is treated as a reduction in the tax-exempt interest received. As bond premium is amortized, it reduces the investor's basis in the Bond. Investors who purchase a Bond at a premium should consult their own tax advisors regarding the amortization of bond premium and its effect on the Bond's basis for purposes of computing gain or loss in connection with the sale, exchange, redemption or early retirement of the Bond.

There are or may be pending in the Congress of the United States legislative proposals, including some that carry retroactive effective dates, that, if enacted, could alter or amend the federal tax matters referred to above or affect the market value of the Bonds. It cannot be predicted whether or in what form any such proposal might be enacted or whether, if enacted, it would apply to bonds issued prior to enactment. Prospective purchasers of the Bonds should consult their own tax advisors regarding any pending or proposed federal tax legislation. Bond Counsel expresses no opinion regarding any pending or proposed federal tax legislation.

The Internal Revenue Service (the "Service") has an ongoing program of auditing tax-exempt obligations to determine whether, in the view of the Service, interest on such tax-exempt obligations is includible in the gross income of the owners thereof for federal income tax purposes. It cannot be predicted whether or not the Service will commence an audit of the Bonds. If an audit is commenced, under current procedures the Service may treat the Village as a taxpayer and the Bondholders may have no right to participate in such procedure. The commencement of an audit could adversely affect the market value and liquidity of the Bonds until the audit is concluded, regardless of the ultimate outcome.

Payments of interest on, and proceeds of the sale, redemption or maturity of, tax-exempt obligations, including the Bonds, are in certain cases required to be reported to the Service. Additionally, backup withholding may apply to any such payments to any Bond owner who fails to provide an accurate Form W-9 Request for Taxpayer Identification Number and Certification, or a substantially identical form, or to any Bond owner who is notified by the Service of a failure to report any interest or dividends required to be shown on federal income tax returns. The reporting and backup withholding requirements do not affect the excludability of such interest from gross income for federal tax purposes.

Interest on the Bonds is not exempt from present State of Illinois income taxes. Ownership of the Bonds may result in other state and local tax consequences to certain taxpayers. Bond Counsel expresses no opinion regarding any such collateral consequences arising with respect to the Bonds. Prospective purchasers of the Bonds should consult their tax advisors regarding the applicability of any such state and local taxes.

QUALIFIED TAX-EXEMPT OBLIGATIONS

Subject to the Village's compliance with certain covenants, in the opinion of Bond Counsel, the Bonds are "qualified tax-exempt obligations" under the small issuer exception provided under Section 265(b)(3) of the Code, which affords banks and certain other financial institutions more favorable treatment of their deduction for interest expense than would otherwise be allowed under Section 265(b)(2) of the Code.

CONTINUING DISCLOSURE

The Village will enter into a Continuing Disclosure Undertaking (the "Undertaking") for the benefit of the beneficial owners of the Bonds to send certain information annually and to provide notice of certain events to the Municipal Securities Rulemaking Board (the "MSRB") pursuant to the requirements of Section (b)(5) of Rule 15c2-12 (the "Rule") adopted by the Securities and Exchange Commission (the "Commission") under the Securities Exchange Act of 1934. No person, other than the Village, has undertaken, or is otherwise expected, to provide continuing disclosure with respect to the Bonds. The information to be provided on an annual basis, the events which will be noticed on an occurrence basis and a summary of other terms of the Undertaking, including termination, amendment and remedies, are set forth below under "**THE UNDERTAKING.**"

The Village has not failed to comply in all material respects with each and every undertaking previously entered into by it pursuant to the Rule. However, the Village failed to file its audited financial statements for the 2007 through 2010 fiscal years within the time periods specified in prior continuing disclosure undertakings. As of the date of this official statement, the Village has filed such audited financial statements. The Village has established procedures to ensure that such audited financial statements will be filed in a timely manner in the future. The Village filed the 2011 Comprehensive Annual Financial Reports as required. Also a certain material event disclosure pertaining to bond insurance rating changes required in prior undertakings was not submitted within the timeframe required in the prior undertakings. On September 18, 2012, this material event disclosure was filed with the MSRB through EMMA. A failure by the Village to comply with the Undertaking will not constitute a default under the Ordinance and beneficial owners of the Bonds are limited to the remedies described in the Undertaking. See "**THE UNDERTAKING - Consequences of Failure of the Village to Provide Information.**" The Village must report any failure to comply with the Undertaking in accordance with the Rule. Any broker, dealer or municipal securities dealer must consider such report before recommending the purchase or sale of the Bonds in the secondary market. Consequently, such a failure may adversely affect the transferability and liquidity of the Bonds and their market price.

Bond Counsel expresses no opinion as to whether the Undertaking complies with the requirements of Section (b)(5) of the Rule.

THE UNDERTAKING

The following is a brief summary of certain provisions of the Undertaking of the Village and does not purport to be complete. The statements made under this caption are subject to the detailed provisions of the Undertaking, a copy of which is available upon request from the Village.

Annual Financial Information Disclosure

The Village covenants that it will disseminate its Annual Financial Information and its Audited Financial Statements, if any (as described below) to the MSRB in such manner and format and accompanied by identifying information as is prescribed by the MSRB or the Commission at the time of delivery of such information within 210 days after the last day of the Village's fiscal year (currently December 31). If Audited Financial Statements are not available when the Annual Financial Information is filed, the Village will file unaudited financial statements. The Village will submit Audited Financial Statements to the MSRB's Electronic Municipal Market Access ("EMMA") system within 30 days after availability to the Village. MSRB Rule G-32 requires all EMMA filings to be in word-searchable PDF format. This requirement extends to all documents to be filed with EMMA, including financial statements and other externally prepared reports.

“Annual Financial Information” means:

1. The table under the heading of “**Retailers’ Occupation, Service Occupation and Use Tax**” within this Official Statement;
2. All of the tables under the heading “**PROPERTY ASSESSMENT AND TAX INFORMATION**” within this Official Statement;
3. All of the tables under the heading “**DEBT INFORMATION**” within this Official Statement; and
4. All of the tables under the heading “**FINANCIAL INFORMATION**” within this Official Statement.

Audited Financial Statements. To the MSRB electronically through the EMMA system, when and if available, the audited financial statements of the Village for each twelve (12) month period, beginning with the twelve (12) month period ending December 31, together with the opinion of such independent certified public accountants engaged by the Village and all notes thereto, within sixty (60) days of receipt from said accountants.

Reportable Events Disclosure

The Village shall disclose the following events, in a timely manner within 10 business days of the occurrence of any of the following events, **regardless of materiality**, electronically to the MSRB through the EMMA system:

- non-payment related defaults; if material
- modifications to rights of Bondholders; if material
- bond calls; if material
- release, substitution or sale of property securing repayment of the Bonds; if material
- the consummation of a merger, consolidation, or acquisition, or certain asset sales, involving the obligated person, or entry into or termination of a definitive agreement relating to the foregoing; if material
- appointment of a successor or additional trustee or the change of name of a trustee; if material
- appointment of a successor or additional trustee or the change of name of a trustee; if material
- principal and interest payment delinquencies;
- unscheduled draws on debt service reserves reflecting financial difficulties;
- unscheduled draws on credit enhancements reflecting financial difficulties;
- substitution of credit or liquidity providers, or their failure to perform;
- defeasances;
- rating changes;
- adverse tax opinions or other material events affecting the tax exempt status of the Bonds; the issuance by the IRS of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the securities;
- tender offers; and
- bankruptcy, insolvency, receivership or similar event of the obligated person.

Consequences of Failure of the Village to Provide Information

The Village shall give notice in a timely manner to the MSRB of any failure to provide disclosure of Annual Financial Information and Audited Financial Statements when the same are due under the Undertaking.

In the event of a failure of the Village to comply with any provision of the Undertaking, the beneficial owner of any Bond may seek mandamus or specific performance by court order, to cause the Village to comply with its obligations under the Undertaking. A default under the Undertaking shall not be deemed a default under the Bond Ordinance, and the sole remedy under the Undertaking in the event of any failure of the Village to comply with the Undertaking shall be an action to compel performance.

Amendment; Waiver

Notwithstanding any other provision of the Undertaking, the Village by resolution or ordinance authorizing such amendment or waiver, may amend the Undertaking, and any provision of the Undertaking may be waived, if:

- (a) (i) The amendment or the waiver is made in connection with a change in circumstances that arises from a change in legal requirements, a change in law, or a change in the identity, nature, or status of the Village, or type of business conducted; or
 - (ii) The Undertaking, as amended, or the provision, as waived, would have complied with the requirements of the Rule on the date hereof, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and
- (b) The amendment or waiver does not materially impair the interests of the beneficial owners of the Bonds, as determined by any person selected by the Village that is unaffiliated with the Village (such as Bond Counsel).
- (c) such amendment or modification (including an amendment or modification which rescinds this Agreement) is permitted by the SEC Rule, as then in effect.

In the event that the Commission or the MSRB or other regulatory authority approves or requires Annual Financial Information or notices of a Reportable Event to be filed with a central post office, governmental agency or similar entity other than the MSRB or in lieu of the MSRB, the Village shall, if required, make such dissemination to such central post office, governmental agency or similar entity without the necessity of amending the Undertaking.

Termination of Undertaking

The Undertaking shall be terminated if the Village shall no longer have any legal liability for any obligation on or relating to repayment of the Bonds under the Bond Ordinance. The Village shall give notice to the MSRB in a timely manner if this paragraph is applicable.

Additional Information

Nothing in the Undertaking shall be deemed to prevent the Village from disseminating any other information, using the means of dissemination set forth in the Undertaking or any other means of communication, or including any other information in any Annual Financial Information or Audited Financial Statements or notice of occurrence of a Reportable Event, in addition to that which is required by the Undertaking. If the Village chooses to include any information from any document or notice of occurrence of a Reportable Event in addition to that which is specifically required by the Undertaking, the Village shall have no obligation under the Undertaking to update such information or include it in any future disclosure or notice of occurrence of a Reportable Event.

Dissemination of Information; Dissemination Agent

The Village may, at its sole discretion, utilize an agent (the "Dissemination Agent) in connection with the dissemination of any information required to be provided by the Village pursuant to the terms of the SEC Rule and this Agreement. Further, the Village may, at its sole discretion, retain counsel or others with expertise in securities matters for the purpose of assisting the Village in making judgments with respect to the scope of its obligations.

OPTIONAL REDEMPTION

Bonds due May 1, 2014-20____, inclusive, are non-callable. Bonds due May 1, 20____-2023, inclusive, are callable in whole or in part on any date on or after May 1, 20____, at a price of par and accrued interest. If less than all the Bonds are called, they shall be redeemed in such principal amounts and from such maturities as determined by the Village and within any maturity by lot.

The Bond Registrar will give notice of redemption, identifying the Bonds (or portions thereof) to be redeemed, by mailing a copy of the redemption notice by first class mail not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption to the registered owner of each Bond (or portion thereof) to be redeemed at the address shown on the registration books maintained by the Bond Registrar. Unless moneys sufficient to pay the redemption price of the Bonds to be redeemed are received by the Bond Registrar prior to the giving of such notice of redemption, such notice may, at the option of the Village, state that said redemption will be conditional upon the receipt of such moneys by the Bond Registrar on or prior to the date fixed for redemption. If such moneys are not received, such notice will be of no force and effect, the Village will not redeem such Bonds, and the Bond Registrar will give notice, in the same manner in which the notice of redemption has been given, that such moneys were not so received and that such Bonds will not be redeemed. Otherwise, prior to any redemption date, the Village will deposit with the Bond Registrar an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on the date.

Subject to the provisions for a conditional redemption described above, notice of redemption having been given as described above and in the Bond Ordinance, the Bonds or portions of Bonds so to be redeemed will, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the Village shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds will be paid by the Bond Registrar at the redemption price.

LITIGATION

There is no litigation of any nature now pending or threatened restraining or enjoining the issuance, sale, execution or delivery of the Bonds, or in any way contesting or affecting the validity of the Bonds or any proceedings of the Village taken with respect to the issuance or sale thereof.

LEGAL OPINIONS AND ENFORCEABILITY OF REMEDIES

The various legal opinions to be delivered concurrently with the delivery of the Bonds express the professional judgment of the attorneys rendering the opinion as to the legal issues explicitly addressed therein. By rendering a legal opinion, the opinion giver does not become an insurer or guarantor of that expression of professional judgment, of the transaction opined upon, or of the future performance of parties to such transaction. Nor does the rendering of an opinion guarantee the outcome of any legal dispute that may arise out of the transaction.

The remedies available to the Bondholder upon a default under the Ordinance are in many respects dependent upon judicial actions which are often subject to discretion and delay. Under existing constitutional and statutory law and judicial decisions, including specifically Title 11 of the United States Code (the federal bankruptcy code), the remedies provided in the Ordinance may not be readily available or may be limited. Under Federal and State environmental laws, certain liens may be imposed on property of the Village from time to time, but the Village does not have reason to believe, under existing law, that any such lien would have priority over the lien on the ad valorem property tax which is pledged to the owners of the Bonds under the Ordinance.

The legal opinion to be delivered concurrently with the delivery of the Bonds will be qualified as to the enforceability of the various legal instruments by limitations imposed by the valid exercise of the constitutional powers of the Village, the State of Illinois and the United States of America and bankruptcy, reorganization, insolvency or other similar laws affecting the rights of creditors generally, and by general principles of equity (regardless of whether such enforceability is considered in a proceeding in equity or at law.)

OFFICIAL STATEMENT AUTHORIZATION

This Official Statement has been authorized for distribution to prospective purchasers of the Bonds. All statements, information, and statistics herein are believed to be correct but are not guaranteed by the consultants or by the Village, and all expressions of opinion, whether or not so stated, are intended only as such.

INVESTMENT RATING

The Village has supplied certain information and material concerning the Bonds and the Village to the rating service shown on the cover page, including certain information and materials which may not have been included in this Official Statement, as part of its application for an investment rating on the Bonds. A rating reflects only the views of the rating agency assigning such rating and an explanation of the significance of such rating may be obtained from such rating agency. Generally, such rating service bases its rating on such information and material, and also on such investigations, studies and assumptions that it may undertake independently. There is no assurance that such rating will continue for any given period of time or that it may not be lowered or withdrawn entirely by such rating service if, in its judgment, circumstances so warrant. Any such downward change in or withdrawal of such rating may have an adverse effect on the secondary market price of the Bonds. An explanation of the significance of the investment rating may be obtained from the rating agency: Standard & Poor's Corporation, 55 Water Street, New York, New York 10041, telephone 212-438-2000. The Village will provide appropriate periodic credit information to the rating service to maintain a rating on the Bonds.

DEFEASANCE

The Bonds are subject to legal defeasance by the irrevocable deposit of full faith and credit obligations of the United States of America, obligations the timely payment of which are guaranteed by the United States Treasury, or certificates of participation in a trust comprised solely of full faith and credit obligations of the United States of America (collectively, the "Government Obligations") with a bank or trust company acting as escrow agent. Any such deposit must be of sufficient amount that the receipts from the Government Obligations plus any cash on deposit will be sufficient to pay debt service on the Bonds when due or as called for redemption.

UNDERWRITING

Bernardi Securities, Inc., Chicago, Illinois and Robert W. Baird & Co., Naperville, Illinois (the "Underwriters") have agreed to purchase all but not less than all of the Bonds at a price of \$ _____ (reflecting the par amount of \$ _____, plus a reoffering premium of \$ _____, less a net original issue discount of \$ _____ and an Underwriter's Discount of \$ _____, plus accrued interest to the date of delivery). It is anticipated that delivery of the Bonds will occur on the date shown on the cover page hereof. The Bonds may be offered and sold to certain dealers (including the Underwriters or other dealers depositing Bonds into investment trusts) at prices or yields other than such public offering prices or yields shown in this Official Statement, and such public offering prices or yields may be changed, from time to time, by the Underwriters.

FINANCIAL ADVISOR

The Village has engaged Speer Financial, Inc. as financial advisor (the "Financial Advisor") in connection with the issuance and sale of the Bonds. The Financial Advisor is a Registered Municipal Advisor in accordance with the rules of the MSRB. The Financial Advisor will not participate in the underwriting of the Bonds. The financial information included in the Official Statement has been compiled by the Financial Advisor. Such information does not purport to be a review, audit or certified forecast of future events and may not conform with accounting principles applicable to compilations of financial information. The Financial Advisor is not a firm of certified public accountants and does not serve in that capacity or provide accounting services in connection with the Bonds. The Financial Advisor is not obligated to undertake any independent verification of or to assume any responsibility for the accuracy, completeness or fairness of the information contained in this Official Statement, nor is the Financial Advisor obligated by the Village's continuing disclosure undertaking.

CERTIFICATION

We have examined this Official Statement dated September 19, 2012, for the \$5,525,000* General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012E, believe it to be true and correct and will provide to the purchaser of the Bonds at the time of delivery a certificate confirming to the purchaser that to the best of our knowledge and belief information in the Official Statement was at the time of acceptance of the bid for the Bonds and, including any addenda thereto, was at the time of delivery of the Bonds true and correct in all material respects and does not include any untrue statement of a material fact, nor does it omit the statement of any material fact required to be stated therein, or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading.

/s/ **MICHAEL CASSADY**
Village Manager
VILLAGE OF BENSENVILLE
DuPage and Cook Counties, Illinois

/s/ **FRANK SOTO**
Village President
VILLAGE OF BENSENVILLE
DuPage and Cook Counties, Illinois

**Subject to change.*

APPENDIX A

**VILLAGE OF BENSENVILLE
DUPAGE AND COOK COUNTIES, ILLINOIS**

EXCERPTS OF FISCAL YEAR 2011 AUDITED FINANCIAL STATEMENTS

VILLAGE OF BENSENVILLE, ILLINOIS
STATEMENT OF NET ASSETS
December 31, 2011

	Governmental Activities	Business-type Activities	Total
ASSETS			
Cash and Investments	\$ 29,519,259	\$ 11,075,936	\$ 40,595,195
Property Tax Receivable	5,227,414	-	5,227,414
Accounts Receivable	554,597	1,356,975	1,911,572
Other Receivable	12,228	456	12,684
Inventories	17,793	-	17,793
Due from Other Governments	3,975,906	-	3,975,906
Internal Balances	(443,727)	443,727	-
Prepays/Deposits	995,908	-	995,908
Deferred Charges	855,667	60,792	916,459
Assets Held for Resale	608,998	-	608,998
Capital Assets Not Being Depreciated	18,398,125	2,132,919	20,531,044
Capital Assets Being Depreciated, Net	53,929,181	59,448,551	113,377,732
TOTAL ASSETS	\$ 113,651,349	\$ 74,519,356	\$ 188,170,705
LIABILITIES AND NET ASSETS			
Liabilities			
Accounts Payable	\$ 3,651,985	\$ 1,125,204	\$ 4,777,189
Payroll Liabilities	349,917	46,845	396,762
Deposits Payable	-	55,533	55,533
Other Liabilities	118,644	-	118,644
Accrued Interest Payable	1,647,095	69,962	1,717,057
Due to Fiduciary Fund	489,857	-	489,857
Unearned Revenue	5,613,167	-	5,613,167
Long-term Obligations, Due Within One Year:			
Compensated Absences Payable	424,764	71,543	496,307
General Obligation Bonds Payable	445,000	-	445,000
Revenue Bonds Payable	810,000	645,000	1,455,000
Debt Certificates Payable	2,435,000	-	2,435,000
Installment Notes Payable	108,933	36,953	145,886
Long-term Obligations, Due in More Than One Year:			
Compensated Absences Payable	332,814	31,546	364,360
General Obligation Bonds Payable	1,961,874	-	1,961,874
Revenue Bonds Payable	34,300,408	8,127,527	42,427,935
Debt Certificates Payable	13,424,979	-	13,424,979
Installment Notes Payable	196,952	130,091	327,043
Notes Payable	3,000,000	-	3,000,000
Net OPEB Obligation	656,621	-	656,621
Net Pension Obligation - IMRF	195,955	-	195,955
Net Pension Obligation - Police	3,575,155	-	3,575,155
Total Liabilities	73,739,120	10,340,204	84,079,324
Net Assets			
Invested in Capital Assets, Net of Related Debt	33,751,620	52,641,899	86,393,519
Restricted for Debt Service	1,280,474	-	1,280,474
Restricted for Insurance	412,243	-	412,243
Restricted for Streets	1,698,694	-	1,698,694
Restricted for Public Safety	253,754	-	253,754
Unrestricted	2,515,444	11,537,253	14,052,697
Total Net Assets	39,912,229	64,179,152	104,091,381
TOTAL LIABILITIES AND NET ASSETS	\$ 113,651,349	\$ 74,519,356	\$ 188,170,705

THIS PAGE INTENTIONALLY

LEFT BLANK

VILLAGE OF BENSENVILLE, ILLINOIS
STATEMENT OF ACTIVITIES
Year Ended December 31, 2011

Functions/Programs	Expenses	Program Revenues			Net (Expense) Revenue and Changes in Net Assets		
		Fees, Fines & Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	Total
Primary Government:							
Governmental Activities:							
General Government	\$ 4,067,242	\$ 940,140	\$ -	\$ -	\$ (3,127,102)		\$ (3,127,102)
Public Safety	6,327,083	1,052,219	49,062	-	(5,225,802)		(5,225,802)
Community Development	1,268,374	332,231	66,982	1,585	(867,576)		(867,576)
Public Works	4,406,662	52,002	578,710	442,665	(3,333,285)		(3,333,285)
Culture and Recreation	3,155,828	2,733,597	-	-	(422,231)		(422,231)
Interest on Long-Term Debt	3,127,824	-	-	-	(3,127,824)		(3,127,824)
Total Governmental Activities	<u>22,353,013</u>	<u>5,110,189</u>	<u>694,754</u>	<u>444,250</u>	<u>(16,103,820)</u>		<u>(16,103,820)</u>
Business-type Activities:							
Waterworks/Sewage/Garbage	9,930,070	10,675,508	-	-	-	\$ 745,438	745,438
Parking	14,417	36,743	-	-	-	22,326	22,326
Total Business-type Activities:	<u>9,944,487</u>	<u>10,712,251</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>767,764</u>	<u>767,764</u>
Total Primary Government	\$ 32,297,500	\$ 15,822,440	\$ 694,754	\$ 444,250	(16,103,820)	767,764	(15,336,056)
General Revenues:							
Taxes:							
Property Taxes					5,693,411	-	5,693,411
Income Tax					1,513,159	-	1,513,159
Sales Tax					7,820,571	-	7,820,571
Utility Tax					1,568,554	-	1,568,554
Telecommunication Tax					1,399,094	-	1,399,094
Other Taxes					592,241	-	592,241
Investment Earnings					83,385	3,173	86,558
Gain on Sale of Capital Assets					154,907	-	154,907
Other General Revenues					1,806,422	-	1,806,422
Transfers					976,019	(976,019)	-
Total General Revenues and Transfers					<u>21,607,763</u>	<u>(972,846)</u>	<u>20,634,917</u>
Change in Net Assets					5,503,943	(205,082)	5,298,861
Net Assets, January 1, 2011					<u>34,408,286</u>	<u>64,384,234</u>	<u>98,792,520</u>
Net Assets, December 31, 2011					<u>\$ 39,912,229</u>	<u>\$ 64,179,152</u>	<u>\$ 104,091,381</u>

THIS PAGE INTENTIONALLY

LEFT BLANK

VILLAGE OF BENSENVILLE, ILLINOIS
BALANCE SHEET
GOVERNMENTAL FUNDS
December 31, 2011

	Major Governmental Funds				TIF VII Irving Park/ Church Rd. Fund
	General Fund	Debt Service Fund	Capital Improvement Fund	North Industrial TIF District Fund	
ASSETS					
Cash	\$ 7,438,449	\$ 2,921,576	\$ 175,337	\$ -	-
Property Tax Receivable	4,634,511	553,100	-	-	-
Accounts Receivable	474,223	-	-	12,228	33,656
Other Receivable	-	-	-	-	-
Inventory	17,793	-	-	-	-
Due from Other Governments	2,333,699	-	1,544,238	-	-
Prepays/Deposits	995,908	-	-	-	-
Advances to Other Funds	2,908,351	-	2,239,556	-	-
Assets Held for Resale	-	-	608,998	-	-
TOTAL ASSETS	\$ 18,802,934	\$ 3,474,676	\$ 4,568,129	\$ 13,341,277	\$ 33,656
LIABILITIES AND FUND BALANCES					
Liabilities					
Accounts Payable	\$ 995,734	\$ 1,375	\$ 442,774	\$ -	\$ 375
Payroll Liabilities	349,917	-	-	-	-
Other Liabilities	98,762	-	-	-	-
Accrued Interest Payable	-	-	-	-	-
Due to Fiduciary Fund	489,857	-	-	-	-
Advances from Other Funds	-	-	-	-	3,265,351
Deferred Revenue	5,588,344	545,732	787,646	-	-
Total Liabilities	7,522,614	547,107	1,230,420	1,080,766	3,265,726
Fund Balances					
Nonspendable	-	-	-	-	-
Inventory	17,793	-	-	-	-
Prepays/Deposits	995,908	-	-	-	-
Long-term Interfund Advances	2,908,351	-	2,239,556	-	-
Assets Held for Resale	-	-	608,998	-	-
Restricted	412,243	-	-	-	-
Insurance	1,698,694	-	-	-	-
Streets	253,754	-	-	-	-
Public Safety	-	-	-	-	-
Community Development	-	-	-	-	-
Debt Service	-	2,927,569	-	-	-
Committed	-	-	-	-	-
Sewer Improvements	-	-	-	-	-
Assigned	-	-	-	-	-
Streets	-	-	489,155	-	-
Subsidies to Other Funds	1,179,280	-	-	-	-
Unassigned	3,814,297	-	-	-	(3,232,070)
Total Fund Balances	11,280,320	2,927,569	3,337,709	12,260,511	(3,232,070)
TOTAL LIABILITIES AND FUND BALANCES	\$ 18,802,934	\$ 3,474,676	\$ 4,568,129	\$ 13,341,277	\$ 33,656

	North			Total Governmental Funds
	Industrial TIF District Fund	Nonmajor Governmental Funds	Major Governmental Funds	
	\$ 13,329,049	\$ 5,654,848	\$ 29,519,259	\$ 46,060,010
	-	39,803	5,227,414	5,267,217
	-	46,718	554,597	601,315
	12,228	-	12,228	24,456
	-	-	17,793	17,793
	-	97,969	3,975,906	4,073,875
	-	-	995,908	995,908
	-	-	5,147,907	5,147,907
	-	-	608,998	608,998
	\$ 13,341,277	\$ 5,839,338	\$ 46,060,010	\$ 46,060,010
	\$ 1,080,766	\$ 1,130,961	\$ 3,651,985	\$ 5,863,708
	-	-	349,917	349,917
	-	19,882	118,644	138,526
	-	7,252	7,252	14,504
	-	-	489,857	489,857
	-	2,326,283	5,591,634	8,144,167
	-	126,782	7,048,504	7,175,286
	1,080,766	3,611,160	17,257,793	19,951,719
	-	-	17,793	17,793
	-	-	995,908	995,908
	-	-	5,147,907	5,147,907
	-	-	608,998	608,998
	-	-	412,243	412,243
	-	-	1,698,694	1,698,694
	-	-	253,754	253,754
	12,260,511	3,373,407	15,633,918	19,067,836
	-	-	2,927,569	2,927,569
	-	826,051	826,051	826,051
	-	-	489,155	489,155
	-	-	1,179,280	1,179,280
	-	(1,971,280)	(1,389,053)	(3,360,333)
	12,260,511	2,228,178	28,802,217	33,310,906
	\$ 13,341,277	\$ 5,839,338	\$ 46,060,010	\$ 46,060,010

VILLAGE OF BENSENVILLE, ILLINOIS
 RECONCILIATION OF GOVERNMENTAL FUNDS BALANCE SHEET
 TO STATEMENT OF NET ASSETS
 December 31, 2011

Total Fund Balances - Governmental Funds \$ 28,802,217

Amounts reported for governmental activities in the statement of net assets are different because:

Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds:

Capital Assets	\$ 98,893,170
Accumulated Depreciation	<u>(26,565,864)</u>
Net Capital Assets	72,327,306

Other long-term assets are not available to pay for current Year expenditures and therefore are deferred in the funds:

Taxes Receivable	848,306
Due from Other Governments	97,969
Grant Receivable	<u>489,062</u>
Total Receivable	1,435,337

Costs related to the issuance of long-term debt are recorded as expenditures when incurred in governmental funds, but are capitalized and amortized over the life of the debt issue in the statement of net assets.

Generally, interest on long-term debt is not accrued in governmental funds, but rather is recognized when due.

Some liabilities reported in the statement of net assets do not require the use of current financial resources and therefore are not reported as liabilities in governmental funds.

These liabilities consist of :

Compensated Absences Payable	(757,578)
General Obligation Bonds Payable	(2,406,874)
Revenue Bonds Payable	(35,110,408)
Debt Certificates Payable	(15,859,979)
Installment Notes Payable	(305,885)
Notes Payable	(3,000,000)
Other post employment benefits (OPEB)	(656,621)
Net Pension Obligation - IMRF	(195,955)
Net Pension Obligation - Police	<u>(3,575,155)</u>
Total Long-term Liabilities	(61,868,455)

Net Assets of Governmental Activities \$ 39,912,229

THIS PAGE INTENTIONALLY

LEFT BLANK

VILLAGE OF BENSENVILLE, ILLINOIS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
Year Ended December 31, 2011

	Major Governmental Funds					Total Governmental Funds
	General Fund	Debt Service Fund	Capital Improvement Fund	Living Park/Church Rd. Fund	TIF VII	
Revenues						
Taxes	\$ 12,431,064	\$ 537,565	\$ 3,405,705	\$ 49,125	-	\$ 16,932,110
Licenses and Permits	513,642	-	400,659	-	-	914,301
Intergovernmental Revenues	2,375,343	-	26,126	-	-	2,401,469
Charges for Services	3,146,344	-	-	-	-	3,146,344
Fines and Forfeitures	986,843	-	-	-	-	986,843
Investment Income	29,841	2,213	27,214	2	-	83,389
Other Revenues	826,868	-	859,816	-	-	1,737,417
Total Revenues	20,321,945	539,778	4,719,520	49,127	-	26,213,873
Expenditures						
Current:						
General Government	4,294,219	-	-	-	-	4,294,219
Public Safety	5,506,442	-	-	-	-	5,506,442
Community Development	971,631	-	-	-	-	9,533,435
Public Works	2,461,847	-	2,367,050	23,485	-	4,852,382
Culture and Recreation	2,846,631	-	-	-	-	2,846,631
Debt Service - Principal Retired	103,401	3,079,685	-	155,000	-	3,728,401
Debt Service - Interest and Charges	18,896	1,141,021	-	84,954	-	2,677,610
Total Expenditures	16,203,067	4,220,706	2,367,050	263,439	-	33,439,120
Excess (Deficiency) of Revenues over (under) Expenditures	4,118,878	(3,680,928)	2,352,470	(214,312)	-	(7,225,247)
Other Financing Sources (Uses)						
Issuance of Debt	-	-	-	1,380,000	-	28,190,000
Premium on Bonds Sold	-	-	-	30,637	-	329,585
Discount on Bonds Sold	-	-	-	(4,589)	-	(521,258)
Payment to Escrow	-	-	-	(1,375,000)	-	(2,980,000)
Sale of Capital Assets	-	-	202,000	-	-	202,000
Transfers In	1,860,000	3,414,673	294,025	195,285	-	6,296,928
Transfers Out	(2,799,463)	-	(2,397,465)	-	-	(5,320,909)
Total Other Financing Sources (Uses)	(939,463)	3,414,673	(1,901,440)	226,333	-	26,186,346
Net Change in Fund Balances	3,179,415	(266,255)	451,030	12,021	-	18,961,099
Fund Balances at Beginning of Year	8,100,905	3,193,824	2,886,679	(3,244,091)	-	9,841,118
Fund Balances at End of Year	\$ 11,280,320	\$ 2,927,569	\$ 3,337,709	\$ (3,232,070)	\$ -	\$ 28,802,217

	North Industrial TIF District Fund		Nonmajor Governmental Funds	Total Governmental Funds
	\$ -	\$ -	\$ 508,651	\$ 16,932,110
	-	-	-	914,301
	-	-	-	2,401,469
	-	-	-	3,146,344
	-	-	-	986,843
	21,234	-	2,885	83,389
	-	-	50,733	1,737,417
	21,234	-	562,269	26,213,873
	-	-	-	4,294,219
	-	-	-	5,506,442
	4,417,033	-	4,144,771	9,533,435
	-	-	-	4,852,382
	-	-	-	2,846,631
	-	-	390,315	3,728,401
	756,221	-	676,518	2,677,610
	5,173,254	-	5,211,604	33,439,120
	(5,152,020)	-	(4,649,335)	(7,225,247)
	17,975,000	-	8,835,000	28,190,000
	(424,593)	-	296,948	329,585
	-	-	(82,076)	(521,258)
	-	-	(1,615,000)	(2,980,000)
	-	-	-	202,000
	-	-	532,945	6,296,928
	-	-	(123,981)	(5,320,909)
	17,550,407	-	7,835,836	26,186,346
	12,398,387	-	3,186,501	18,961,099
	(137,876)	-	(958,323)	9,841,118
	\$ 12,260,511	\$ -	\$ 2,228,178	\$ 28,802,217

VILLAGE OF BENSENVILLE, ILLINOIS
STATEMENT OF NET ASSETS
PROPRIETARY FUNDS
December 31, 2011

	Major Enterprise Fund	Nonmajor Enterprise Funds	Total Enterprise Funds
ASSETS			
Current Assets:			
Cash and Investments	\$ 10,436,893	\$ 639,043	\$ 11,075,936
Accounts Receivable	1,178,808	178,167	1,356,975
Other Receivable	456	-	456
Total Current Assets	11,616,157	817,210	12,433,367
Noncurrent Assets:			
Advances to Other Funds	486,727	-	486,727
Deferred Charges	60,792	-	60,792
Capital Assets Not Being Depreciated	2,076,197	56,722	2,132,919
Capital Assets Being Depreciated, Net	59,053,367	395,184	59,448,551
Total Noncurrent Assets	61,677,083	451,906	62,128,989
TOTAL ASSETS	\$ 73,293,240	\$ 1,269,116	\$ 74,562,356
LIABILITIES AND NET ASSETS			
Liabilities			
Current Liabilities:			
Accounts Payable	\$ 854,651	\$ 270,553	\$ 1,125,204
Payroll Liabilities	46,845	-	46,845
Deposits Payable	55,533	-	55,533
Accrued Interest Payable	69,962	-	69,962
Total Current Liabilities	1,026,991	270,553	1,297,544
Long-term Obligations, Due Within One Year:			
Compensated Absences Payable	71,543	-	71,543
Revenue Bonds Payable	645,000	-	645,000
Installment Notes Payable	36,953	-	36,953
Long-term Obligations, Due in More Than One Year:			
Advances from Other Funds	43,000	-	43,000
Compensated Absences Payable	31,546	-	31,546
Revenue Bonds Payable	8,127,527	-	8,127,527
Installment Notes Payable	130,091	-	130,091
Total Long-Term Obligations	9,085,660	-	9,085,660
Total Liabilities	10,112,651	270,553	10,383,204
Net Assets			
Invested in Capital Assets, Net of Related Debt Unrestricted	52,189,993	451,906	52,641,899
Total Net Assets	10,990,596	546,657	11,537,253
	63,180,589	998,563	64,179,152
TOTAL LIABILITIES AND NET ASSETS	\$ 73,293,240	\$ 1,269,116	\$ 74,562,356

VILLAGE OF BENSENVILLE, ILLINOIS
RECONCILIATION OF STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND
BALANCES OF GOVERNMENTAL FUNDS TO STATEMENT OF ACTIVITIES
Year Ended December 31, 2011

Net Change in Total Fund Balances	\$ 18,961,099
Amounts reported for governmental activities in the Statement of Activities are different because:	
Some revenues were not collected for several months after the close of the fiscal year and therefore were not considered to be "available" and are not reported as revenue in the governmental funds. The change from fiscal period 2010 to 2011 consists of:	
Taxes Received from the State of Illinois	\$ (28,477)
Other Intergovernmental Revenues	37,969
Grant Revenue	442,665
Total Revenue	512,157
The proceeds from the sale of assets in the governmental funds were reported as an other financing source. However, the original cost of assets disposed of had a net value less than the disposal proceeds. The difference has been recorded in the statement of activities.	(47,093)
In governmental funds, long-term debt is considered an other financing source, but in the statement of net assets, debt is reported as a liability. In the current period, proceeds were received from:	
General Obligation Bonds	(28,190,000)
Some expenses reported in the statement of activities do not require the use of current financial resources and therefore are not reported in the governmental funds.	
Increase in Long-term Compensated Absences	(45,646)
Accretion of Interest on Capital Appreciation Bonds	(83,128)
Increase in Accrued Interest Payable	(260,854)
Increase in Net Pension Obligation - IMRF	(110,280)
Increase in Net Pension Obligation - Police	(154,295)
Increase in Other Post Employment Benefits (OPEB)	(196,257)
Amortization of Deferred Bond Issuance Costs, Premiums, Discounts, & Loss on Refunding	(166,665)
Total Expenses of Non-current Resources	(1,017,125)
Governmental funds report purchases of capital assets as expenditures while governmental activities report depreciation expense to allocate those expenditures over the life of the assets.	
Capital Expenditures	9,670,115
Depreciation	(1,909,171)
Capital Expenditures in Excess of Depreciation	7,760,944
Repayment of principal on long-term debt is an expenditure in the governmental funds, but the repayment reduces long term liabilities in the statement of net assets.	
General Obligation Bonds Payable	435,000
Revenue Bonds Payable	900,000
Debt Certificates Payable	2,290,000
Installment Notes Payable	103,401
Payment to Refunding Escrow	2,990,000
Total Retirement of Debt	6,718,401
Bond issuances costs and premiums/discounts on issuance were reported in the governmental funds. However, these amounts have been deferred and amortized in the statement of net assets.	
Bond Premium	191,673
Bond Issuance Costs	613,887
Total Deferred Costs	805,560
Change in Net Assets of Governmental Activities	\$ 5,503,943

VILLAGE OF BENSENVILLE, ILLINOIS
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
Year Ended December 31, 2011

	Major Enterprise Fund	Nonmajor Enterprise Funds	Total Enterprise Funds
Cash Flow from Operating Activities:			
Cash Received from Customers	\$ 9,124,536	\$ 1,747,931	\$ 10,872,467
Cash Payments to Suppliers for Good and Services	(5,124,136)	(1,444,766)	(6,568,902)
Cash Payments to Employees for Services	(1,278,605)	-	(1,278,605)
Net Cash Provided/(Used) by Operating Activities	2,721,795	303,165	3,024,960
Cash Flows from Noncapital Financing Activities:			
Transfers In	957,081	-	957,081
Transfers Out	(1,830,000)	(103,100)	(1,933,100)
Net Cash Provided/(Used) by Noncapital Financing Activities	(872,919)	(103,100)	(976,019)
Cash Flows from Capital and Related Financing Activities:			
Principal Payments	(655,335)	-	(655,335)
Acquisition and Construction of Capital Assets	(1,116,652)	-	(1,116,652)
Interest Paid	(434,140)	-	(434,140)
Net Cash Provided/(Used) by Capital and Related Financing Activities	(2,206,127)	-	(2,206,127)
Cash Flows from Investing Activities:			
Investment Income	3,173	-	3,173
Net Cash Provided/(Used) by Investing Activities	3,173	-	3,173
Net Increase (Decrease) in Cash & Investments	(354,078)	200,065	(154,013)
Cash & Investments, January 1, 2011	10,790,971	438,978	11,229,949
Cash & Investments, December 31, 2011	\$ 10,436,893	\$ 639,043	\$ 11,075,936
Reconciliation of Operating Income/(Loss) to Net Cash Provided/(Used) by Operating Activities:			
Operating Income/(Loss)	\$ 1,290,670	\$ (66,498)	\$ 1,224,172
Adjustment to Reconcile Operating Income/(Loss) to Net Cash Provided/(Used) by Operating Activities:			
Depreciation	1,497,200	12,602	1,509,802
Decrease (Increase) in Receivables	(54,662)	214,878	160,216
(Decrease) Increase in Accounts Payable	40,100	142,183	182,283
(Decrease) Increase in Other Liabilities	(67,562)	-	(67,562)
(Decrease) Increase in Deposits Payable	(675)	-	(675)
(Decrease) Increase in Compensated Absences Payable	16,826	-	16,826
(Decrease) Increase in Accrued Payroll	(102)	-	(102)
Total Adjustments	1,431,125	369,663	1,800,788
Net Cash Provided/(Used) by Operating Activities	\$ 2,721,795	\$ 303,165	\$ 3,024,960

VILLAGE OF BENSENVILLE, ILLINOIS
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET ASSETS
PROPRIETARY FUNDS
Year Ended December 31, 2011

	Major Enterprise Fund	Nonmajor Enterprise Funds	Total Enterprise Funds
Operating Revenues			
Charges for Services	\$ 9,179,198	\$ 1,533,053	\$ 10,712,251
Total Operating Revenues	9,179,198	1,533,053	10,712,251
Operating Expenses			
Operations	6,391,328	1,586,949	7,978,277
Depreciation	1,497,200	12,602	1,509,802
Total Operating Expenses	7,888,528	1,599,551	9,488,079
Operating Income (Loss)	1,290,670	(66,498)	1,224,172
Nonoperating Revenues and (Expenses)			
Investment Income	3,173	-	3,173
Debt Service - Interest & Fees	(456,408)	-	(456,408)
Total Nonoperating Revenues and (Expenses)	(453,235)	-	(453,235)
Income (Loss) Before Transfers	837,435	(66,498)	770,937
Transfers			
Transfers In	957,081	-	957,081
Transfers Out	(1,830,000)	(103,100)	(1,933,100)
Total Transfers	(872,919)	(103,100)	(976,019)
Change in Net Assets	(35,484)	(169,598)	(205,082)
Net Assets at Beginning of Year	63,216,073	1,168,161	64,384,234
Net Assets at End of Year	\$ 63,180,589	\$ 998,563	\$ 64,179,152

VILLAGE OF BENSENVILLE, ILLINOIS
STATEMENT OF CHANGES IN PLAN NET ASSETS
PENSION TRUST FUND
Year Ended December 31, 2011

	Pension Trust Fund
ADDITIONS	
Contributions:	
Employer	\$ 789,231
Plan Members	285,713
Total Contributions	<u>1,074,944</u>
Investment Earnings:	
Interest & Dividend Earnings	259,941
Net Change in the Fair Value of Investments	(44,385)
Total Investment Earnings	<u>215,556</u>
Less Investment Expense	(24,733)
Net Investment Earnings	<u>190,823</u>
Total Additions	<u>1,265,767</u>
DEDUCTIONS	
Administration	33,067
Benefits and Refunds	<u>1,178,501</u>
Total Deductions	<u>1,211,568</u>
Change in Plan Net Assets	54,199
Plan Net Assets at Beginning of Year	<u>12,539,775</u>
Plan Net Assets at End of Year	<u>\$ 12,593,974</u>

VILLAGE OF BENSENVILLE, ILLINOIS
STATEMENT OF FIDUCIARY NET ASSETS
FIDUCIARY FUNDS
December 31, 2011

	Pension Trust Fund	Agency Fund
ASSETS		
Cash	\$ 26,029	\$ 724,241
Investments:		
U.S. Government and Agency Obligations	3,136,461	-
Insurance Company Contracts	2,472,975	-
Equity Mutual Funds	5,970,721	-
Money Market Mutual Funds	491,753	-
Accounts Receivable	-	315
Interest Receivable	17,553	-
Due from Primary Government	489,857	-
TOTAL ASSETS	<u>\$ 12,605,349</u>	<u>\$ 724,556</u>
LIABILITIES AND NET ASSETS		
Liabilities		
Accounts Payable	\$ 11,375	\$ 11,769
Deposits Payable	-	673,945
Other Liabilities	-	38,842
Total Liabilities	<u>11,375</u>	<u>\$ 724,556</u>
Net Assets		
Held in Trust for Pension Benefits	<u>12,593,974</u>	
TOTAL LIABILITIES AND NET ASSETS	<u>\$ 12,605,349</u>	

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Government-wide and Fund Financial Statements

The government-wide financial statements (i.e., the Statement of net Assets and the Statement of Activities) report information on all of the non-fiduciary activities of the Village. As a general rule, the effect of interfund activity has been removed from these statements. Exceptions to this general rule are payments-in-lieu of taxes and other charges between the government's enterprise functions and various other functions of the Village. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for services.

The Statement of Activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment, 2) operating grants and contributions that are restricted to meeting the requirements of a particular function or segment and 3) capital grants and contributions, including special assessments, that are restricted to meeting capital requirements of a particular function or segment. Taxes and other items, including internally dedicated resources, not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary funds and the pension fund financial statements. The agency fund has no measurement focus but utilizes the accrual basis of accounting for reporting its assets and liabilities. For the proprietary funds and the pension fund, revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal year. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Property taxes, replacement taxes, certain intergovernmental revenues, and interest associated with the current fiscal year are all considered to be susceptible to accrual and are recognized as revenues of the current fiscal year. All other revenue items are considered to be measurable and available only when cash is received by the Village.

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Village of Bensenville (the "Village") was incorporated on June 25, 1884. The Village is a non-home rule municipality, under the 1970 Illinois Constitution, located in Cook County, Illinois. The Village operates under a Board-Manager form of government and provides the following services as authorized by its charter: public safety (police and emergency management), highway and streets, sanitation (water and sewer), health and social services, culture-recreation, public improvements, planning and zoning, and general administrative services.

The financial statements of the Village have been prepared in conformity with accounting principles generally accepted in the United States of America as applied to governmental units, hereinafter referred to as GAAP (generally accepted accounting principles). The accepted standard-setting body for establishing governmental accounting and financial reporting principles is GASB (the Governmental Accounting Standards Board).

The Village's significant accounting policies are described below.

The Reporting Entity:

As defined by GAAP, the financial reporting entity consists solely of the primary government. Even though there are local governmental agencies within the geographic area served by the Village, such as the library, park district, and fire district, these agencies have been excluded from the report because they are legally separate and the Village is not financially accountable for them. Financial accountability is defined as:

- (A) Appointment of a voting majority or the component unit's board, and either a) the ability to impose the will of the primary government, or b) the possibility that the component unit will provide a financial benefit to or impose a financial burden on the primary government; or
- (B) Fiscal dependency on the primary government.

The Village's financial statements include the following pension trust fund.

Police Pension Employees Retirement System (PPERS) – is established for the Village's police employees. PPERS functions for the benefit of these employees and is governed by a five-member pension board. Two members appointed by the Village President, one pension beneficiary elected by the membership, and two police employees elected by the membership constitute the pension board. The Village and the PPERS participants are obligated to fund all PPERS costs based upon actuarial valuations. The State of Illinois is authorized to establish benefit levels and the Village is authorized to approve the actuarial assumptions used in the determination of contribution levels. Although it possesses many characteristics of a legally separate government, PPERS is reported as if it were part of the primary government because its sole purpose is to finance and administer the pensions of the Village's police employees and because of the fiduciary nature of such activities. PPERS is reported as a pension trust fund.

Complete financial statements for the component unit may be obtained at the entity's administrative offices.

Police Pension Board
100 North Church
Bensenville, IL 60106

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

North Industrial TIF District Fund – is used to account for monies generated for and by the Village's tax incremental finance district and the related restricted capital project usages within the North Industrial TIF district.

The Village reports the following major proprietary fund:

The Utility Fund – is used to account for all resources needed to produce and distribute water to Bensenville residents and businesses. In addition this fund accounts for the resources needed to collect and treat wastewater as well as maintenance of the Village's stormwater drainage system. Revenues are generated through charges to users based upon water consumption.

Additionally, the Village reports the following fiduciary fund types which are held in a trustee or agent capacity for others and therefore are not available to support Village programs. Since by definition these assets are being held for the benefit of a third party (other local governments, private parties, pension participants, etc.) and cannot be used to address activities or obligations of the Village, these funds are not incorporated into the government-wide statements:

The Pension Trust Fund – accounts for the activities of the Police Pension fund, which accumulates resources for pension benefit payments to qualified public safety employees.

The Agency Funds – accounts for monies received from individuals or private organizations and held by the Village in a refundable deposit nature. The money is refunded when the improvements have been completed and approved.

Assets, Liabilities, and Net Assets or Equity

Cash and Investments

The Village's cash is considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition. Investments of the Village, as well as for its component unit, are reported at fair value. The State Treasurer's Investment Pool operates in accordance with appropriate state laws and regulations. The reported value of the pool is the same as the fair value of the pool shares.

Receivables and Payables

Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either "due to/from other funds" (i.e., the current portion of interfund loans) or "advances to/from other funds" (i.e., the non-current portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds." Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "internal balances."

All water and sewage receivables are shown net of an allowance for uncollectibles. The allowance for uncollectible accounts is determined based on a percentage of outstanding receivables. At December 31, 2011, the allowance for uncollectible amounts was \$462,320.

Inventory

On government-wide financial statements, inventories are recorded at the lower of cost or market on a first-in-first-out basis and are expensed when used. Inventories in the governmental activities consist of items held for resale at the Edge I and II Ice Arenas.

Prepays/Deposits

Certain payments to vendors that reflect costs applicable to future accounting periods are recorded as prepaid expenses in both government-wide and fund financial statements.

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

For the year ended December 31, 2011, a portion of the Village's share of the State Income Tax was received past 60 days of year end due to the current fiscal issues facing the State of Illinois. As such, the Village elected to recognize the portion received after 60 days as revenue, or \$377,299 in order to properly present 12 months of revenue on the financial statements.

The Village reports deferred and unearned revenues on its financial statements. Deferred revenues arise when potential revenue does not meet both the measurable and available criteria for recognition in the current period. Unearned revenues arise when resources are received by the Village before it has a legal claim to them, as when grant monies are received prior to the incurrence of qualifying expenditures. In subsequent periods, when both revenue recognition criteria are met, or when the Village has a legal claim to the resources, the liability for deferred and unearned revenue is removed from the balance sheet or statement of net assets and revenue is recognized.

Private-sector standards of accounting and financial reporting issued prior to December 1, 1989, generally are followed in both the government-wide and proprietary fund financial statements to the extent that those standards do not conflict with or contradict guidance of the Governmental Accounting Standards Board. Governments also have the option of following subsequent private-sector guidance for their business-type activities and enterprise funds, subject to this same limitation. The Village has elected not to follow subsequent private-sector guidance.

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the Village's proprietary (enterprise) funds are charges to customers for sales and services. The funds also recognize as operating revenue the portion of tap fees intended to recover the cost of connecting new customers to the system. Operating expenses include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

Fund and Accounting Entity

A fund is an independent fiscal and accounting entity with a self-balancing set of accounts. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with finance-related legal and contractual provisions. The minimum numbers of funds are maintained consistent with legal and managerial requirements.

The Village reports the following major governmental funds:

The General Fund – is the Village's primary operating fund. It accounts for all financial resources of the Village, except those required to be accounted for in another fund.

The Debt Service Fund – is used to account for the resources accumulated and payments made for principal and interest on long-term general obligation debt of governmental funds.

The Capital Improvement Fund – is used to account for financial resources to be used for the acquisition or construction of major capital facilities other than those financed through TIF capital projects funds or proprietary funds.

The TIF VII Irving Park/Church Rd. Fund – is used to account for monies generated for and by the Village's tax incremental finance district and the related restricted capital project usages within the TIF VII district.

VILLAGE OF BENSENVILLE, ILLINOIS
 NOTES TO THE FINANCIAL STATEMENTS
 December 31, 2011

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Use of Estimates

The preparation of the basic financial statements in conformity with GAAP requires the Village's management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the basic financial statements and/or the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates, but the Village believes that the differences will be insignificant.

Net Asset Classifications

Equity is classified as net assets and displayed in three components:

Invested in capital assets, net of related debt – Consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets less than any unspent debt proceeds.

Restricted net assets – Consists of net assets with constraints placed on their use either by 1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments or; 2) law through constitutional provisions or enabling legislation.

Unrestricted net assets – all other net assets that do not meet the definition of "restricted" or "invested in capital assets, net of related debt."

When both restricted and unrestricted resources are available for use, it is the Village's policy to use restricted resources first, and then unrestricted resources as they are needed.

Fund Balance

In order to comply with the Governmental Accounting Standard Board's (GASB) Statement No. 54, *Fund Balance Reporting and Government Fund Type Definitions*, the fund balance section of the balance sheet of the governmental funds has been modified from prior years. Previously, the fund balance section focused on whether these resources were available for spending. It also distinguished the unreserved fund balance from the reserved fund balance. In order to show compliance with GASB Statement No. 54, however, the components of the new fund balance include the following line items:

- a) Nonspendable fund balance is inherently nonspendable, such as portions of net resources that cannot be spent because of their form and portions of net resources that cannot be spent because they must be maintained intact.
- b) Restricted fund balance is externally enforceable limitations on use, such as limitations imposed by creditors, grantors, contributors, or laws and regulations of other government as well as limitations imposed by law through constitutional provision or enabling legislation. Restricted fund balances reported on the Village's Governmental Funds Balance Sheet mainly include restricted property tax levies, bond proceeds, and grant awards.

VILLAGE OF BENSENVILLE, ILLINOIS
 NOTES TO THE FINANCIAL STATEMENTS
 December 31, 2011

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Capital Assets

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements and proprietary fund statements. Capital assets are defined by the government as assets with an initial, individual cost above a set dollar threshold (see chart below). Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of the donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

Property, plant, and equipment of the primary government are depreciated using the straight line method over the following estimated useful lives:

Assets	Threshold	Years
Land	\$ 25,000	N/A
Building and Improvements	15,000	3 – 50
Furniture, Machinery and Equipment	5,000	3 – 10
Vehicles	5,000	3 – 10
Infrastructure – Street Network	50,000	30 – 100
Infrastructure – Water Network	50,000	30 – 100
Infrastructure – Sanitary Sewer	25,000	30 – 100
Infrastructure – Storm Sewer	25,000	30 – 100

The Village does not depreciate land

Included with the Village's *Furniture, Machinery, and Equipment* capital assets, the Village has capitalized an intangible asset, computer software. The Village follows the same capitalization policy and estimated useful life for its intangible asset as it does for its *Furniture, Machinery, and Equipment* capital assets. The Village also amortizes the intangible asset utilizing the straight-line method.

Compensated Absences

The liability for compensated absences, (unused vacation and sick leave time) of the Village, at December 31, 2011 of \$860,667, is recorded in the government-wide financial statements. The amount recorded includes the associated payroll taxes and retirement contribution amounts.

For governmental fund financial statements, the portion of the liability which is currently due and payable is recorded as a liability in the appropriate fund. The government-wide financial statements record unused vacation and sick leave as expenses and liabilities when earned by employees. The long term portion of compensated absences will be paid from the fund which the employee is paid.

The accumulated vacation and sick leave time liability of employees charged to the proprietary funds types is reported as an expense and as a liability of those funds as the benefits accrue to the employees.

Long-Term Obligations

In the government-wide financial statements, and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, or proprietary fund type statement of net assets. Bond premiums and discounts, as well as issuance costs, are deferred and amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are reported as deferred charges and amortized over the term of the related debt.

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

- c) Committed fund balance has self-imposed limitations set in place prior to the end of the period. The limitations are imposed at the highest level of decision making that requires formal action at the same level to remove. Fund Balance of the Village may be committed for a specific source by passing of a Board Resolution by the Village's Board of Trustees. Amendments or modifications of the committed fund balance must be also approved by passing of a Board Resolution by the Board of Trustees.
- d) Assigned fund balance has limitations resulting from intended use consisting of amounts where the intended use is established by the Board of Trustees designated for that purpose. The intended use is established by an official designated for that purpose. When it is appropriate for fund balance to be assigned in any fund, the Village delegates such authority to the Director of Finance.
- e) Unassigned fund balance is the total fund balance in the general fund in excess of nonspendable, restricted, committed, and assigned fund balance. In addition, if there is a deficit balance in another governmental fund, it will be reported as a negative amount in that fund's unassigned classification.

The implementation of these new components is intended to decrease confusion and help serve the needs of the financial statement users.

In circumstances where an expenditure is to be made for a purpose for which amounts are available in multiple fund balance classifications, the order in which resources will be expended is as follows: restricted fund balance, followed by committed fund balance, assigned fund balance, and lastly, unassigned fund balance.

The Village will maintain a minimum Unassigned Fund Balance that is sufficient to provide financial resources for the Village in the event of an emergency or the loss of a major revenue source. Therefore, the Village has set the minimum Unassigned Fund Balance for the General Fund at an amount equal to three months of General Fund operating expenditures. The minimum Fund Balance for the Unassigned / Assigned Fund Balance in the Capital Improvement Fund has been established at one half (50%) of the operating revenues allocated to this fund (this does not include capital grants or other one time revenue sources).

NOTE 2 - STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

Budgetary Information

Annual budgets are adopted. The budget is amended by the Board of Trustees. All annual appropriations lapse at fiscal yearend.

Annually, the Village Manager submits to the Village Board a proposed operating budget for the fiscal year. The operating budget includes proposed expenditures and the means of financing them. Public hearings are conducted to obtain taxpayer comments. Prior to the first day of the fiscal year, the budget is legally enacted through passage of an ordinance. Formal budgetary integration is employed as a management control device for the majority of Village funds.

The Village is authorized to change budgeted amounts within any fund. Revisions that impact the total amount appropriated within a fund must be approved by two-thirds of the members of the Village Board. No revisions can be made increasing the budget unless funding is available for the purpose of the revision. The legal level of budgetary control (i.e., the level at which expenditures may not legally exceed

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 2 - STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY (Continued)

appropriations) is the fund level. The appropriated budget is prepared by fund, function, and department. The Village Manager is authorized to transfer budget amounts between departments within any fund; however, the Village Board must approve revisions that alter the total expenditures of any fund.

The budget was approved on December 10, 2010, and amended on April 19, 2011, and August 9, 2011.

The following funds have legally adopted budgets:

- General
- Debt Service
- Special Service Area #4
- Special Service Area #6
- Special Service Area #8
- TIF IV Grand Ave/Sexton
- TIF VI Route 83/Thorndale
- TIF XI Grand Ave/York Rd
- Capital Improvement
- Special Service Area #3
- Special Service Area #5
- Special Service Area #7
- Special Service Area #9
- TIF V Heritage Square
- TIF VII Irving Park/Church Rd
- North Industrial TIF District

Excess of Expenditures over Appropriations

For the year ended December 31, 2011 expenditures exceeded appropriations in the following funds:

<u>Fund</u>	<u>Excess</u>
Debt Service	\$ 271,463
TIF VII Irving Park/Church Rd.	23,429
TIF XI Grand Ave/York Road	27,590

As of December 31, 2011, the following funds had deficit fund balances:

<u>Fund</u>	<u>Deficit Balance</u>
TIF VII Irving Park/Church Rd.	\$ 3,232,070
Special Service Area #9	219,208
TIF IV Grand Ave/Sexton	1,008,737
TIF V Heritage Square	131,771
TIF XI Grand Ave/York Rd.	611,564

The above deficits are expected to be eliminated from future revenues and/or transfers.

NOTE 3 - PROPERTY TAX REVENUES

Property taxes for levy year 2011 attach as an enforceable lien on January 1, 2011, on property values assessed as of the same date. Taxes are levied by December following the lien date (by passage of a Tax Levy Ordinance).

Tax bills are prepared by DuPage County and issued on or about May 1, 2012 and August 1, 2012, and are payable in two installments, on or about June 1, 2012, and September 1, 2012. Tax bills are prepared by Cook County and issued on or about February 1, 2012, and September 1, 2012 and are payable in two installments, on or about March 1, 2012 and October 1, 2012 or within 30 days of the tax bills being issued.

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 3 - PROPERTY TAX REVENUES (Continued)

The Counties collect such taxes and remit them periodically. Since the 2011 levy is intended to finance the 2012 fiscal year, the levy has been recorded as receivable and deferred revenue. The revenues in the current year financial statements represent the 2010 property tax levy.

As explained further in Note 6, the Village has established several Tax Increment Financing Districts to encourage development of certain areas within Redevelopment Project Areas (RPA) and to enhance the value of those properties. In connection with the agreements of the RPA, the real estate taxes, which relates to the incremental increase in property values within the RPA, are paid directly to the respective TIF Funds.

NOTE 4 - DEPOSITS AND INVESTMENTS

The Village maintains a cash and investment pool that is available for use by all funds, except the pension trust fund. Each fund type's portion of this pool is displayed on the statement of net assets and balance sheet as cash and investments. In addition, investments are separately held by several of the Village's funds. The deposits and investments of the pension trust fund are held separately from those of other funds.

Permitted Deposits and Investments – Statutes authorize the Village to make deposits/investments in insured commercial banks, savings and loan institutions, obligations of the U.S. Treasury and U.S. Agencies, insured credit union shares, money market mutual funds with portfolios of securities issued or guaranteed by the United States or agreement to repurchase these same obligations, repurchase agreements, short-term commercial paper rated within the three highest classifications by at least two standard rating services, and the Illinois Funds Investment Pool. The Village's investment policy allows the Village to invest in any type of security allowable in Illinois statutes regarding the investment the public funds.

Statutes authorize the Pension Fund to make deposits/invest in interest bearing direct obligations of the United States of America; obligations that are fully guaranteed or insured as to the payment of principal and interest by the United States of America; bonds, notes, debentures, or similar obligations of agencies of the United States of America; savings accounts or certificates of deposit issued by banks or savings and loan associations chartered by the United States of America or by the State of Illinois, to the extent that the deposits are insured by the agencies or instrumentalities of the federal government; credit unions, to the extent that the deposits are insured by the agencies or instrumentalities of the federal government; State of Illinois' bonds; pooled accounts managed by the Illinois Public Treasurer, or by banks, their subsidiaries or holding companies, in accordance with the laws of the State of Illinois; bonds or tax anticipation warrants of any county, township, or municipal corporation of the State of Illinois; direct obligations of the State of Israel; money market mutual funds managed by investment companies that are registered under the Federal Investment Company Act of 1940 and the Illinois Securities Law of 1953 and are diversified, open-ended management investment companies, provided the portfolio is limited to specified restrictions; general accounts of life insurance companies; and separate accounts of life insurance companies and mutual funds, the mutual funds must meet specific restrictions, provided the investment in separate accounts and mutual funds does not exceed ten percent of the Pension Fund's plan net assets; and corporate bonds managed through an investment advisor, rated as investment grade by one of the two largest rating services at the time of purchase. Pension Funds with plan net assets of 2.5 million or more may invest up to forty-five percent of plan net assets in separate accounts of life insurance companies and mutual funds. Pension Funds with plan net assets of at least 5 million that have appointed an investment advisor, may through that investment advisor invest up to forty-five percent of the plan net assets in common and preferred stocks that meet specific restrictions. In addition, pension funds with plan net assets of at least 10 million that have appointed an investment advisor, may invest up to fifty percent of its net plan assets in common and preferred stocks and mutual funds that meet specific restrictions effective July 1, 2011 and up to fifty-five percent effective July 1, 2012.

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 4 - DEPOSITS AND INVESTMENTS (Continued)

Illinois Funds is an investment pool managed by the State of Illinois, Office of the Treasurer, which allows governments within the State to pool their funds for investment purposes. Illinois Funds is not registered with the SEC as an investment company, but does operate in a manner consistent with Rule 2a7 of the Investment Company Act of 1940. Investments in Illinois Funds are valued at Illinois Fund's share price, the price for which the investments could be sold.

At year-end, the Village cash and investments was comprised of the following:

	Government-wide	Fiduciary	Total
Cash	\$ 35,389,567	\$ 750,270	\$ 36,139,837
Illinois Fund	5,198,788	-	5,198,788
U.S. agencies	1,202	3,136,461	3,143,301
Equity mutual funds	-	5,970,721	5,970,721
Money market mutual funds	5,638	491,753	491,753
Insurance company contracts	-	2,472,975	2,472,975
Total	\$ 40,595,195	\$ 12,822,480	\$ 53,417,375

Occasionally certain funds participating in the common bank accounts will incur overdrafts (deficits) in the account. The overdrafts result from expenditures that have been approved by the Board.

For disclosure purposes, the cash and investments of the Village are segregated into three components:
1) cash on hand 2) deposits with financial institutions, which include amounts held in demand accounts, savings accounts and non-negotiable certificates of deposit; and 3) other investments, which consist of all investments other than certificates of deposit, as follows:

	Cash and Investments
Cash on hand	\$ 4,500
Deposits with financial institutions	41,334,125
Other investments	12,078,750
Total	\$ 53,417,375

The following schedule reports the fair values and maturities (using the segmented time distribution method) for the Village and Pension Fund's debt securities and investments at December 31, 2011:

	Fair Value	Less than one	Investment Maturity (In Years)	More than 10
		1 - 5	6 - 10	
Village:				
Governmental				
National Mortgage Assn.	\$ 1,202	-	-	\$ 1,202
Money Market Mutual Funds	5,638	-	-	-
Illinois Funds	5,198,788	5,638	-	-
Total Village	5,205,628	5,204,426	-	1,202

(Continued)

NOTE 4 - DEPOSITS AND INVESTMENTS (Continued)

Police Pension:					
Governmental					
National Mortgage	\$ 3,136,461	\$ -	\$ 3,208	\$ 799	\$ 3,132,454
Asset					
Money Market	491,753	491,753	-	-	-
Mutual Funds					
Total Police Pension	<u>3,628,214</u>	<u>491,753</u>	<u>3,208</u>	<u>799</u>	<u>3,132,454</u>
Total	<u>\$ 8,833,842</u>	<u>\$ 5,696,179</u>	<u>\$ 3,208</u>	<u>\$ 799</u>	<u>\$ 3,133,656</u>

Interest Rate Risk

Interest Rate Risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The Police Pension Fund assumes any callable securities will not be called.

Village

The Village's investment policy limits interest rate risk by limiting the life of the investment to under one year unless there is a specific cash flow need. Then it will allow for an investment greater than one year.

Police Pension Fund

The Police Pension Fund limits its exposure to interest rate risk by structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.

Credit Risk

Village

State Statutes limit the investments in commercial paper on the top three ratings of two nationally recognized statistical rating organizations (NRSRO's).

Police Pension Fund

The Fund helps limit its exposure to credit risk by primarily investing in securities issued by the United States Government and/or its agencies that are implicitly guaranteed by the United States Government. The Pension Fund's investment policy establishes criteria for allowable investments; those criteria follow the requirements of the Illinois Pension Code. Credit Ratings for the investments in the securities of U.S. government agencies were not available; however they have an implied triple A credit rating. The Pension Fund's investment policy also prescribes to the "prudent person" rule, which states, "investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the primary objective of safety as well as the secondary objective of the attainment of market rates of return."

NOTE 4 - DEPOSITS AND INVESTMENTS (Continued)

Concentration of Credit Risk

Police Pension Fund

This is the risk of loss attributed to the magnitude of the Fund's investment in a single issuer. At December 31, 2011, the Pension Fund has over 5% of plan net assets, \$629,699, invested in various agency securities as indicated in the table below and various insurance contracts and mutual funds listed below. Agency investments represent a large portion of the portfolio; however the investments are diversified by maturity date and as mentioned earlier are backed by the issuing organization. Although unlike Treasuries, agency securities do not have the "full faith and credit" backing of the U.S. Government, they are considered to have a moral obligation of implicit backing and are supported by Treasury lines of credit and increasingly stringent federal regulation. The Fund's investment policy specifies an investment with, or in, anyone institution shall be limited to the sum of 10% of the Pension Fund's portfolio.

The Pension Board has diversified its insurance contract and equity mutual fund holdings as follows:

- ING Insurance Contracts - \$1,294,013
- Jackson National Life Insurance Contracts - \$964,132
- Allianz Index Insurance Contract - \$314,830
- Vanguard Mutual Funds - \$2,838,544
- American Amcap Mutual Fund - \$460,524
- Fundamental Investment Income Mutual Fund - \$440,010
- Washington Mutual Investment Fund - \$333,605
- American Mutual Fund - \$316,900
- Investment Company of America - \$312,679
- Growth Fund of American Mutual Fund - \$298,104
- New Perspective Mutual Fund - \$282,883
- New Economy Mutual Fund - \$146,056
- Capital World Growth & Income Fund - \$143,052
- New World Mutual Fund - \$134,105
- Europacific Growth Mutual Fund - \$133,054
- Smallcap World Mutual Fund - \$131,205

Custodial Credit Risk – Deposits

With respect to deposits, custodial credit risk refers to the risk that, in the event of a bank failure, the government's deposits may not be returned to it.

Village

The Village's investment policy limits the exposure to deposit custodial credit risk by requiring all deposits in excess of FDIC insurable limits to be secured with collateralization pledged by the applicable financial institution. As of December 31, 2011, all of the deposits of the Village were collateralized by the financial institutions. Bank balances as of December 31, 2011 totaled \$41,274,612.

VILLAGE OF BENSENVILLE, ILLINOIS
 NOTES TO THE FINANCIAL STATEMENTS
 December 31, 2011

NOTE 4 - DEPOSITS AND INVESTMENTS (Continued)

Police Pension Fund

The Pension Fund's investment policy does not require pledging of collateral for all bank balances in excess of federal depository insurance, since flow-through FDIC insurance is available for the Pension Fund's deposits with financial institutions. At December 31, 2011, the entire amount of the bank balance of the deposits was covered by federal depository or equivalent insurance. Bank balances as of December 31, 2011 totaled \$26,466.

Custodial Credit Risk – Investments

With respect to investments, custodial credit risk is the risk that, in the event of the failure of the counterparty, the government will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party.

Village

The Village's investment policy requires all securities to be held by a third party custodian designated by the Treasurer and evidenced by safekeeping receipts.

Police Pension Fund

Money market mutual funds and equity mutual funds are not subject to custodial credit risk. Although the Pension Fund's investment policy does not require a third-party custodian, the Fund limits its exposure by requiring the investment broker/custodian to acquire an excess SIPC policy to provide sufficient account protection equal to the amount of total net equity of securities held in custody.

NOTE 5 - INTERFUND ADVANCES AND TRANSFERS

Advances to/from other funds as of December 31, 2011, are summarized below:

	<i>Advances to</i>	<i>Advances from</i>
	<i>Other Funds</i>	<i>Other Funds</i>
Major Governmental Funds:		
General	\$ 2,908,351	\$ -
Capital Improvement	2,239,556	-
TIF VII Irving Park/Church Rd.	-	3,265,351
Nonmajor Governmental Funds	-	2,326,283
Major Enterprise Funds:		
Utility	486,727	43,000
Total	\$ 5,634,634	\$ 5,634,634

The interfund advances exist due to deficit cash positions in the comingled checking account in many funds.

VILLAGE OF BENSENVILLE, ILLINOIS
 NOTES TO THE FINANCIAL STATEMENTS
 December 31, 2011

NOTE 5 - INTERFUND ADVANCES AND TRANSFERS (Continued)

The following transfers were made during the fiscal year between funds within the primary government:

	<i>Transfers in</i>	<i>Transfers out</i>
Major Governmental Funds:		
General	\$ 1,860,000	\$ 2,799,463
Debt Service	3,414,673	-
Capital Improvement	294,025	2,397,465
TIF VII Irving Park/Church Rd.	195,285	-
Nonmajor Governmental Funds	532,945	123,981
Major Enterprise Funds:		
Utility	957,081	1,830,000
Nonmajor Enterprise Funds	-	103,100
Total	\$ 7,254,009	\$ 7,254,009

The transfers represent both routine and non-routine items. Generally, the principal purpose of routine transfers are used to 1) move revenues from the fund that statute or budget requires to collect them to the fund that statute or budget requires to expand them, 2) move receipts restricted to debt service from the funds collecting the receipts to the debt service fund as debt service payments become due, and 3) use unrestricted revenues collected in the general fund to finance various programs accounted for in other funds in accordance with budgetary authorizations.

NOTE 6 - TAX INCREMENT FINANCING DISTRICT

The Village of Bensenville has established several Tax Increment Redevelopment Project Areas (RPAs) to encourage redevelopment of certain sites for more market oriented commercial uses of the properties that will enhance their value and improve their contributions to the Village and its surrounding areas. As part of the redevelopment plans, the Village has made significant improvements to utilities, public parking, intersections, and traffic signalization, streets and landscaping. The redevelopment plans also include site preparation, land acquisition and assembly, and demolition/clearance.

Construction and development in the RPA's were the responsibility of developers and are substantially complete. To entice development of the areas, the Village created tax increments financing (TIF) districts to finance public improvements made within the RPAs.

Several funds have been established to record the revenues generated in the RPA's that relate directly to servicing the debt issued to make public improvements in the RPA's.

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 7 - CAPITAL ASSETS

Capital asset activity for the Village for the year ended December 31, 2011, was as follows:

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balance</u>
<i>Governmental Activities</i>				
Capital assets not being depreciated				
Land*	\$ 8,113,672	\$ -	\$ -	\$ 8,113,672
Construction in progress	2,927,294	8,417,738	(1,060,579)	10,284,453
Total capital assets not being depreciated	11,040,966	8,417,738	(1,060,579)	18,398,125
Capital assets being depreciated				
Infrastructure	38,397,442	1,198,774	(63,260)	39,532,956
Building and improvements*	33,428,698	916,298	-	34,344,996
Furniture, machinery and equipment	5,432,854	134,445	-	5,567,299
Vehicles	986,355	63,439	-	1,049,794
Total capital assets being depreciated	78,245,349	2,312,956	(63,260)	80,495,045
Total accumulated depreciation for:				
Infrastructure	(7,178,258)	(526,715)	16,167	(7,688,806)
Building and improvements*	(12,262,346)	(1,027,298)	-	(13,289,642)
Furniture, machinery and equipment*	(4,463,268)	(262,936)	-	(4,726,205)
Vehicles	(768,987)	(62,224)	-	(831,211)
Total accumulated depreciation	(24,672,860)	(1,909,171)	16,167	(26,565,864)
Net capital assets being depreciated	53,572,489	403,785	(47,093)	53,929,181
Net governmental activities capital assets	\$ 64,613,455	\$ 8,821,523	\$ (1,107,672)	\$ 72,327,306

*A reclassification was made to the beginning balances to adjust the categorization of certain capital asset items and related accumulated depreciation.

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 7 - CAPITAL ASSETS (Continued)

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balance</u>
<i>Business-Type Activities</i>				
Capital assets not being depreciated				
Land	\$ 1,504,651	\$ -	\$ -	\$ 1,504,651
Construction in progress	387,350	628,268	(387,350)	628,268
Total capital assets not being depreciated	1,892,001	628,268	(387,350)	2,132,919
Capital assets being depreciated				
Infrastructure	53,498,790	387,349	-	53,886,139
Building and improvements	8,355,777	132,548	-	8,488,325
Furniture, machinery and equipment	7,216,574	332,724	-	7,549,298
Vehicles	1,146,640	23,112	-	1,169,752
Wells and reservoirs	1,830,245	-	-	1,830,245
Trans. and distribution lines	30,615,315	-	-	30,615,315
Total capital assets being depreciated	102,663,341	875,733	-	103,539,074
Less accumulated depreciation for:				
Infrastructure	(16,852,027)	(568,262)	-	(17,420,289)
Building and improvements	(5,550,815)	(187,927)	-	(5,738,742)
Furniture, machinery and equipment	(5,914,138)	(160,130)	-	(6,074,268)
Vehicles	(918,944)	(32,738)	-	(951,682)
Wells and reservoirs	(772,820)	(21,863)	-	(794,713)
Trans and distribution lines	(12,571,977)	(528,852)	-	(13,100,829)
Total accumulated depreciation	(42,580,721)	(1,509,802)	-	(44,090,523)
Net capital assets being depreciated	60,082,620	(634,069)	-	59,448,551
Net business-type activities capital assets	\$ 61,974,821	\$ (5,801)	\$ (387,350)	\$ 61,581,470
Depreciation expense was recognized in the operating activities of the Village as follows:				
<i>Governmental Activities</i>				
General Government				Depreciation
Culture and recreation				\$ 385,158
Public works				787,717
Public safety				137,226
Total depreciation expense governmental activities				639,070
<i>Business-Type Activities</i>				
Sewer/water/garbage				Depreciation
Parking				\$ 1,487,200
Total depreciation expense business-type activities				12,602
				\$ 1,509,802

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 8 - LONG-TERM LIABILITIES

The following is a summary of changes to the Village's long-term liabilities for the fiscal year:

	Balances January 1, 2011	Additions	Retirement	Balances December 31, 2011	Due within one year
Governmental Activities:					
General Obligation Bonds					
Series of 2009	\$ 3,275,000	\$ -	\$ 435,000	\$ 2,840,000	\$ 445,000
Less deferred amounts:	(513,344)	-	(75,124)	(438,220)	-
Gain/Loss on Refunding	5,967	-	873	5,094	-
Discounts/Premiums	2,767,623	-	360,749	2,406,874	445,000
Total General Obligation Bonds	3,529,246	-	719,625	2,809,621	890,000
Revenue Bonds					
Series of 2010C	355,000	-	355,000	-	-
Series of 2010D	1,420,000	-	1,420,000	-	-
Series of 2011E	1,685,000	-	1,685,000	-	-
Series of 2012A	1,745,000	-	-	1,745,000	80,000
Series of 2002B	1,080,000	-	75,000	1,005,000	165,000
Series of 2003A	1,527,274	-	165,000	1,445,402	195,000
Series of 2004D	3,145,000	83,128	190,000	2,955,000	195,000
Series of 2011A	-	17,975,000	-	17,975,000	205,000
Series of 2011B	-	7,205,000	-	7,205,000	75,000
Series of 2011C	-	1,380,000	-	1,380,000	90,000
Series of 2011D	-	1,630,000	-	1,630,000	-
Less deferred amounts:	(49,327)	(191,673)	(11,006)	(229,994)	-
Discounts/Premiums	10,907,947	28,081,465	3,878,994	35,110,408	810,000
Total Revenue Bonds	14,412,120	27,889,732	4,042,994	28,258,858	1,405,000
Debt Certificates					
Series of 2003C	345,000	-	110,000	235,000	115,000
Series of 2003D	455,000	-	215,000	240,000	240,000
Series of 2004B	8,040,000	-	820,000	7,220,000	865,000
Series of 2005	1,020,000	-	50,000	970,000	55,000
Series of 2006A	3,710,000	-	830,000	2,880,000	880,000
Series of 2006B	2,065,000	-	-	2,065,000	-
Series of 2008B	2,630,000	-	265,000	2,365,000	280,000
Less deferred amounts:	(10,990)	-	(3,298)	(7,692)	-
Gain/Loss on Refunding	(125,006)	-	(17,677)	(107,329)	-
Discounts/Premiums	18,129,004	-	2,269,025	15,859,979	2,435,000
Total Debt Certificates/Installment Contracts/Leases	18,129,004	-	2,269,025	15,859,979	2,435,000
Republic First Bank					
Lease 102GBEN	9,356	-	4,381	4,975	4,602
Lease 102GBEN2	142,662	-	32,658	110,204	34,215
Lease 0624HBEN	66,529	-	22,445	44,084	23,556
Lease 122HBEN	32,818	-	9,798	23,020	10,309
Lease 1012JBEN	60,045	-	9,078	50,967	9,552
Lease P110 Copiers	97,676	-	25,041	72,635	26,699
Total Installment Contracts/Leases	409,296	-	103,401	305,895	108,933

* Represents the accretion of interest

The Village issues bonds, debt certificates, and other debt instruments to pay the principal and interest on other outstanding bonds, purchase capital assets, finance various public capital infrastructure improvements such as the construction and installation of street, water and sewer improvements, and to finance corporate purpose projects of the Village. Long term obligations outstanding as of December 31, 2011 and the remaining principal payments to maturity are as follows:

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 8 - LONG-TERM LIABILITIES (Continued)

	Balances January 1, 2011	Additions	Retirement	Balances December 31, 2011	Due within one year
Notes Payable					
Real Estate					
Opportunity Corporation	\$ 1,000,000	\$ -	\$ -	\$ 1,000,000	\$ -
US Cellular Corporation	2,000,000	-	-	2,000,000	-
Total Notes Payable	3,000,000	-	-	3,000,000	-
Compensated Absences	711,932	454,331	408,685	757,578	424,764
Net Pension Obligation - Police	3,420,860	154,295	-	3,575,155	-
Net Pension Obligation - IMRF	85,675	110,280	-	195,955	-
Net OPEB Obligation	460,364	196,257	-	656,621	-
Total Governmental Activities	\$ 39,892,691	\$ 28,996,618	\$ 7,020,854	\$ 61,868,455	\$ 4,223,697
Business-type activities:					
Revenue Bonds					
Series of 1998	\$ 1,450,000	\$ -	\$ 100,000	\$ 1,350,000	\$ 100,000
Series of 1998A	1,270,000	-	320,000	950,000	330,000
Series of 2001A	780,000	-	-	780,000	10,000
Series of 2003	580,000	-	150,000	430,000	185,000
Series of 2003G	2,050,000	-	25,000	2,025,000	25,000
Series of 2004E	3,375,000	-	25,000	3,350,000	25,000
Less deferred amounts:	(76,880)	-	(16,678)	(60,202)	-
Gain/Loss on Refunding	(57,331)	-	(5,060)	(62,271)	-
Discounts/Premiums	9,370,789	-	598,262	8,772,527	645,000
Total Revenue Bonds	14,412,120	-	4,042,994	10,369,126	1,405,000
Total Installment Contracts/Leases					
Republic First Bank					
Lease 102GBEN2	62,112	-	13,966	48,116	14,663
Lease 1012JBEN	140,105	-	21,177	118,928	22,290
Total Installment Contracts/Leases	202,217	-	35,173	167,044	36,953
Compensated Absences	86,263	76,971	60,145	103,089	71,543
Total Business-type Activities	\$ 9,659,269	\$ 76,971	\$ 693,580	\$ 9,042,660	\$ 753,496

* Represents the accretion of interest

The Village issues bonds, debt certificates, and other debt instruments to pay the principal and interest on other outstanding bonds, purchase capital assets, finance various public capital infrastructure improvements such as the construction and installation of street, water and sewer improvements, and to finance corporate purpose projects of the Village. Long term obligations outstanding as of December 31, 2011 and the remaining principal payments to maturity are as follows:

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 8 - LONG-TERM LIABILITIES (Continued)

	Year Ending December 31	Principal	Interest	Total
Governmental Activities:				
General Obligation Refunding Bonds:				
Series 2009	2012	\$ 445,000	\$ 85,895	\$ 530,895
Dated October 28, 2009	2013	460,000	74,770	534,770
Interest Payable June 30 and	2014	470,000	60,970	530,970
December 30 of each year at a	2015	485,000	46,870	531,870
Rates of 2.5% to 3.4%	2016	500,000	32,320	532,320
	2017	480,000	16,320	496,320
Paid from Debt Service Fund		2,840,000	317,145	3,157,145
Revenue Bonds:				
General Obligation Serial Bonds	2012	-	-	-
Series 2002A	2013	55,000	-	55,000
Dated February 28, 2002	2014	175,000	86,845	261,845
Interest Payable June 30 and	2015	185,000	78,358	263,358
December 30 of each year at	2016	195,000	69,293	264,293
Rates of 3.00% to 5.35%	2017-2021	1,135,000	186,008	1,321,008
Paid from Debt Service Fund		1,745,000	420,504	2,165,504
Tax Increment Revenue Bonds				
Series 2002B	2012	80,000	50,615	130,615
Dated February 28, 2002	2013	90,000	46,855	136,855
Interest Payable June 30 and	2014	100,000	42,580	142,580
December 30 of each year at	2015	110,000	37,730	147,730
Rates of 3.6% to 5.3%	2016	115,000	32,340	147,340
Paid from TIF IV Grand Ave/Sexton Fund	2017-2020	510,000	67,410	577,410
		1,005,000	277,530	1,282,530
General Obligation Capital				
Appreciation Bonds	2012	165,000	79,827	244,827
Series 2003A	2013	160,000	76,063	236,063
Dated February 4, 2003	2014	165,000	72,058	237,058
Interest is not paid but rather	2015	165,000	67,354	232,354
accrues to principal each	2016	160,000	62,247	222,247
December 30	2017-2021	810,000	223,381	1,033,381
At rates of 4.40% to 5.80%	2022	425,000	23,668	448,668
Paid from Debt Service Fund		2,050,000	604,598	2,654,598
		1,445,402	-	1,445,402
General Obligation Serial Bonds				
Series 2004D	2012	195,000	133,969	328,969
Dated February 28, 2002	2013	200,000	126,364	326,364
Interest Payable June 30 and	2014	210,000	118,564	328,564
December 30 of each year at	2015	220,000	110,164	330,164
Rates of 3.00% to 5.35%	2016	230,000	101,034	331,034
Paid from Debt Service Fund	2017-2021	1,295,000	336,559	1,631,559
	2022-2023	605,000	43,463	648,463
		2,955,000	970,117	3,925,117

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 8 - LONG-TERM LIABILITIES (Continued)

	Year Ending December 31	Principal	Interest	Total
Tax Increment Revenue Bonds				
Series 2011A	2012	\$ -	\$ 875,550	\$ 875,550
Dated June 14, 2011	2013	-	875,550	875,550
Interest Payable June 15 and	2014	-	875,550	875,550
December 15 of each year at	2015	100,000	875,550	975,550
Rates of 3.0% to 5.0%	2016	100,000	872,550	972,550
Paid from North Industrial TIF District Fund	2017-2021	775,000	4,305,500	5,080,500
	2022-2026	5,350,000	3,778,400	9,128,400
	2027-2030	11,650,000	1,575,500	13,225,500
		17,975,000	14,034,150	32,009,150
Special Service Area Revenue Bonds				
Series 2011B	2012	205,000	388,153	593,153
Dated October 3, 2011	2013	275,000	308,506	583,506
Interest Payable June 30 and	2014	280,000	303,006	583,006
December 30 of each year at	2015	290,000	294,606	584,606
Rates of 2.0% to 5.0%	2016	295,000	285,906	580,906
Paid from Special Service Area	2017-2021	1,660,000	1,247,631	2,907,631
Funds #3, #4, #5, #6, #7, & #8	2022-2026	2,075,000	804,781	2,879,781
	2027-2030	2,125,000	252,294	2,377,294
		7,205,000	3,884,883	11,089,883
Tax Increment Revenue Refunding Bonds				
Series 2011C	2012	75,000	53,097	128,097
Dated October 3, 2011	2013	160,000	41,262	201,262
Interest Payable June 30 and	2014	155,000	38,063	193,063
December 30 of each year at	2015	155,000	33,412	188,412
Rates of 2.0% to 4.0%	2016	150,000	28,763	178,763
Paid from TIF VII Irving Park/Church Rd. Fund	2017-2020	685,000	61,200	746,200
		1,380,000	255,797	1,635,797
Tax Increment Revenue Refunding Bonds				
Series 2011D	2012	90,000	64,730	154,730
Dated October 3, 2011	2013	110,000	50,331	160,331
Interest Payable June 30 and	2014	115,000	48,131	163,131
December 30 of each year at	2015	130,000	44,681	174,681
Rates of 2.0% to 4.0%	2016	145,000	40,781	185,781
Paid from TIF XI Grand Ave/York Rd. Fund	2017-2020	1,040,000	111,375	1,151,375
		1,630,000	360,029	1,990,029
Debt Certificates:				
General Obligation Debt Certificates	2012	115,000	10,225	125,225
Series 2003C	2013	120,000	5,280	125,280
Dated February 18, 2003		235,000	15,505	250,505
Interest Payable June 1 and				
December 1 of each year at				
Rates of 1.6% to 4.4%				
Paid from TIF VII Irving Park/Church Rd. Fund				

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 8 - LONG-TERM LIABILITIES (Continued)

	Year Ending December 31	Principal	Interest	Total
General Obligation Debt Certificates Series 2003D Dated April 1, 2003 Interest Payable June 1 and December 1 of each year at Rates of 3.0% to 4.4% Paid from Debt Service Fund	2012 2013 2014 2015 2016 2017-2018	\$ 240,000	\$ 10,560	\$ 250,560
General Obligation Debt Certificates Series 2004B Dated May 15, 2004 Interest Payable June 1 and December 1 of each year at Rates of 3.2% to 6.08% Paid from Debt Service Fund	2012 2013 2014 2015 2016 2017-2018	865,000 915,000 965,000 1,020,000 1,085,000 2,370,000 7,220,000	400,655 351,171 288,907 241,072 177,080 146,224 1,615,109	1,265,655 1,266,171 1,253,907 1,261,072 1,262,080 2,516,224 8,835,109
General Obligation Debt Certificates Series 2005 Dated March 1, 2005 Interest Payable June 15 and December 15 of each year at Rates of 2.65% to 4.6% Paid from TIF V Heritage Square Fund	2012 2013 2014 2015 2017-2021	55,000 60,000 65,000 65,000 70,000 655,000 970,000	41,960 39,925 37,615 35,015 32,350 106,560 283,445	96,960 99,925 102,615 100,015 102,350 761,560 1,253,445
General Obligation Debt Certificates Series 2006A Dated May 22, 2006 Interest Payable April 1 and October 1 of each year at Rates of 5.5% to 5.8% Paid from Debt Service Fund	2012 2013 2014 2015	880,000 930,000 990,000 80,000 2,880,000	140,835 88,798 33,350 2,320 265,303	1,020,835 1,018,798 1,023,350 82,320 3,145,303
General Obligation Debt Certificates Series 2006B Dated May 22, 2006 Interest Payable April 1 and October 1 of each year at Rate of 5.0% Paid from Debt Service Fund	2012 2013 2014 2015 2016	- - 970,000 1,095,000 2,065,000	103,250 103,250 79,000 27,375 416,125	103,250 103,250 1,049,000 1,122,375 2,481,125

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 8 - LONG-TERM LIABILITIES (Continued)

	Year Ending December 31	Principal	Interest	Total
General Obligation Refunding Debt Certificates Series 2008B Dated November 20, 2008 Interest Payable June 1 and December 1 of each year at a Rate of 6.42% Paid from Debt Service Fund	2012 2013 2014 2015 2016 2017	\$ 280,000 295,000 310,000 435,000 345,000 700,000 2,365,000	\$ 151,450 135,490 118,085 99,175 71,770 49,000 624,970	\$ 431,450 430,490 428,085 534,175 416,770 749,000 2,989,970
Notes Payable: Note Payable Real Estate Opportunity Corp. Dated February 20, 2001 Interest and principal Payable February 20, 2024 at a rate of 8.0% Paid from TIF VI Route 83/Thorndale Fund	2024	1,000,000	3,808,804	4,808,804
Note Payable U.S. Cellular Corporation Dated February 20, 2001 Interest and principal Payable February 20, 2024 at a rate of 8.0% Paid from TIF VI Route 83/Thorndale Fund	2024	2,000,000	3,230,903	5,230,903
Business-type Activities: Revenue Bonds: Series 1998 Dated October 1, 1998 Interest Payable May 1 and November 1 of each year at Rates of 4.0 to 4.5% Paid from Utility Fund	2012 2013 2014 2015 2016 2017-2018	100,000 150,000 150,000 200,000 250,000 500,000 1,350,000	56,825 51,612 45,238 37,650 27,750 22,375 241,550	156,825 201,612 195,238 237,650 277,750 522,375 1,591,550
Revenue Bonds Series 1998A Dated December 15, 1998 Interest Payable May 1 and November 1 of each year at Rates of 4.0% to 4.6% Paid from Utility Fund	2012 2013 2014 2015	330,000 240,000 250,000 130,000 950,000	34,968 22,510 11,605 2,980 72,073	364,968 262,510 261,605 132,980 1,022,073

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 8 - LONG-TERM LIABILITIES (Continued)

Utility	Fund	2011 Net Pledged Revenues	2011 Debt Service	Purpose of debt
Utility		\$ 2,791,043	\$ 1,051,860	Extending and improving the water and sewer system.

Current Year Defeasance of Debt - On October 3, 2011, the Village issued \$1,380,000 of General Obligation (Alternative Revenue Source) Refunding Bonds, Series 2011C. The proceeds of the bonds, net of the issuance costs were used to refund all of the outstanding Series 2007D Revenue Bonds (\$1,375,000). The Village reduced its total debt service payments over the next 9 years by \$114,391 and obtained an economic gain (difference between the present values of the debt service payments on the old and new debt) of \$97,412. As a result of the refunding, the refunded Bonds are considered defeased and that portion of the liability for those bonds are not included in the financial statements of the Village. The balance of the defeased debt as of December 31, 2011 was \$1,375,000.

On October 3, 2011, the Village issued \$1,630,000 of General Obligation (Alternative Revenue Source) Refunding Bonds, Series 2011D. The proceeds of the bonds, net of the issuance costs were used to refund all of the outstanding Series 2007E Revenue Bonds (\$1,615,000). The Village reduced its total debt service payments over the next 9 years by \$147,035 and obtained an economic gain (difference between the present values of the debt service payments on the old and new debt) of \$123,799. As a result of the refunding, the refunded Bonds are considered defeased and that portion of the liability for those bonds are not included in the financial statements of the Village. The balance of the defeased debt as of December 31, 2011 was \$1,615,000.

Prior Years' Defeasance of Debt - In prior years, the Village has defeased various debt issues by creating separate irrevocable trust funds. New debt has been issued and the proceeds have been used to purchase U.S. government securities that were placed in the trust funds. The investments and fixed earnings from the investments are sufficient to fully service the defeased debt until the debt is called or matures. For financial reporting purposes, the debt has been considered defeased and therefore removed as a liability from the Village's government-wide financial statements. The total balance of defeased debt as of December 31, 2011 was \$3,820,000.

Capital Leases: The Village has entered into lease agreements as lessee for financing the acquisition of equipment. The lease agreements qualify as capital leases for accounting purposes and, therefore, the assets and obligations have been recorded at the present value of the future minimum lease payments as of the inception date. At December 31, 2011, \$874,474 of capital assets was acquired through capital leases. The accumulated depreciation of those assets was \$480,017. The future minimum lease obligations and the net present value of these minimum lease payments as of December 31, 2011 are as follows:

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 8 - LONG-TERM LIABILITIES (Continued)

	Year Ending December 31	Principal	Interest	Total
Revenue Bonds Series 2001A Dated April 15, 2001	2012	\$ 10,000	\$ 40,870	\$ 50,870
Interest Payable May 1 and November 1 of each year at Rates of 4.15% to 5.35%	2013	30,000	39,855	69,855
	2014	35,000	38,189	73,189
	2015	90,000	34,948	124,948
	2016	190,000	27,620	217,620
Paid from Utility Fund	2017-2018	425,000	22,819	447,819
		760,000	204,301	964,301
Revenue Refunding Bonds Series 2003 (Ref. 1985) Dated February 1, 2003	2012	155,000	14,403	169,403
Interest Payable May 1 and November 1 of each year at Rates of 2.10% to 5.00%	2013	165,000	7,810	172,810
	2014	110,000	2,255	112,255
Paid from Utility Fund		430,000	24,468	454,468
Revenue Bonds Series 2003G Dated November 1, 2003	2012	25,000	96,200	121,200
Interest Payable May 1 and November 1 of each year at Rates of 2.85% to 5.05%	2013	75,000	94,200	169,200
	2014	125,000	90,013	215,013
	2015	150,000	84,025	234,025
	2016	150,000	77,313	227,313
Paid from Utility Fund	2017-2021	1,500,000	224,075	1,724,075
		2,025,000	665,528	2,690,528
Revenue Bonds Series 2004E Dated September 1, 2004	2012	25,000	160,643	185,643
Interest Payable May 1 and November 1 of each year at Rates of 4.35% to 5.0%	2013	25,000	159,383	184,383
	2014	25,000	158,143	183,143
	2015	70,000	155,785	225,785
	2016	80,000	152,353	232,353
Paid from Utility Fund	2017-2021	1,425,000	635,930	2,060,930
	2022-2023	1,700,000	86,250	1,786,250
		3,350,000	1,508,407	4,858,407
Total		\$ 66,040,402	\$ 34,122,192	\$ 100,162,594

The Village has pledged future TIF incremental property tax revenues to repay the various General Obligation Tax Increment Revenue Bonds, issued to redevelop certain areas as described in Note 6. The bonds are payable solely from the incremental property taxes collected in the refurbished districts. The amount pledged is equal to the remaining outstanding debt service requirements for these bonds. The pledge continues for the life of the bonds.

Net revenues of the Village's enterprise funds, defined as net operating income plus depreciation expense and interest earnings, have been pledged for repayment of long-term bonded debt incurred by these funds. The amount pledged is equal to the remaining outstanding debt service requirements for these bonds. The pledge continues for the life of the bonds. For the year ended December 31, 2011, net pledged revenue by fund was as follows:

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 8 - LONG-TERM LIABILITIES (Continued)

Fiscal Year	Lease 102GBEN		Lease 102GBEN2		Lease 0624HBEN		Lease 1222HBEN	
	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest
2012	\$ 4,602	\$ 157	\$ 48,878	\$ 6,349	\$ 23,556	\$ 1,616	\$ 10,309	\$ 936
2013	373	23	51,207	4,019	20,528	458	10,848	397
2014	-	-	53,648	1,579	-	-	1,863	12
2015	-	-	4,587	18	-	-	-	-
2016	-	-	-	-	-	-	-	-
	<u>\$ 4,975</u>	<u>\$ 180</u>	<u>\$ 158,320</u>	<u>\$ 11,965</u>	<u>\$ 44,084</u>	<u>\$ 2,074</u>	<u>\$ 23,020</u>	<u>\$ 1,345</u>

Fiscal Year	Lease 1012JBEN		Lease FY10 Copiers		Total	
	Principal	Interest	Principal	Interest	Principal	Interest
2012	\$ 31,842	\$ 7,825	\$ 26,699	\$ 3,893	\$ 145,886	\$ 20,776
2013	33,484	6,184	28,467	2,124	144,907	13,205
2014	35,210	4,458	17,469	376	108,190	6,425
2015	37,024	2,644	-	-	41,611	2,662
2016	-	-	-	-	32,335	750
	<u>\$ 169,895</u>	<u>\$ 21,861</u>	<u>\$ 72,635</u>	<u>\$ 6,393</u>	<u>\$ 472,929</u>	<u>\$ 43,818</u>

NOTE 9 - RISK MANAGEMENT

Self-Insurance Program

The Village is exposed to various risks of loss related to torts; theft of, damage to and destruction assets; errors and omissions; natural disasters; and injuries to the Village's employees. The Village has purchased insurance from private insurance companies for auto, general liabilities, employee bonds, boiler and machinery, property and health risks. The policies call for various levels of deductibles or self-insured retentions. The Village is self-insured for workers compensation. Commercial insurance is carried for amounts in excess of the self-insured amounts. There have been no significant reductions in insurance coverage during the current year. For all insured programs, settlement amounts have not exceeded insurance coverage for the current or three prior years.

The Village reports self-insurance activities within the General Fund. The Village's policy is to finance currently, all claims paid, estimated future payments with respect to claims made, and estimated claims incurred but not reported. Such payments are displayed on the financial statement as revenues and expenditures/expense (quasi-external transfers).

Liabilities are reported when it is probable that a loss has occurred and the amount of the loss can be reasonably estimated. Liabilities include an amount for claims that have been incurred but not reported (IBNR). The unpaid claims liability is reported within the accounts payable line on the statement of net assets.

NOTE 9 - RISK MANAGEMENT (Continued)

A reconciliation of claims liability for the current year and that of the preceding period is reported below:

	<u>Workers' Compensation</u>
Unpaid Claim Liability – April 30, 2009	\$ 180,194
Claims Incurred Fiscal Period 2010	624,942
Claims Paid Fiscal Period 2010	(422,064)
Unpaid Claims Liability – December 31, 2010	<u>383,072</u>
Claims Incurred Fiscal Year 2011	46,712
Claims Paid Fiscal Year 2011	(325,949)
Unpaid Claims Liability – December 31, 2011	<u>\$ 103,835</u>

NOTE 10 - EMPLOYER RETIREMENT SYSTEMS

Illinois Municipal Retirement Fund

Plan Description. The employer's defined benefit pension plan for Regular employees provides retirement and disability benefits, post retirement increases and death benefits to plan members and beneficiaries. The Village's plan is affiliated with the Illinois Municipal Retirement Fund (IMRF), an agent multiple-employer plan. Benefit provisions are established by statute and may only be changed by the General Assembly of the State of Illinois. IMRF issues a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained on-line at www.imrf.org.

Funding Policy. As set by statute, the Regular plan members are required to contribute 4.50 percent of their annual covered salary. The statute requires employers to contribute the amount necessary, in addition to member contributions, to finance the retirement coverage of its own employees. The employer contribution rate for calendar year 2011 was 10.56 percent of annual covered payroll. The employer annual required contribution rate for calendar year 2011 was 12.81 percent. The Village also contributes for disability benefits, death benefits and supplemental retirement benefits, all of which are pooled at the IMRF level. Contribution rates for disability and death benefits are set by the IMRF Board of Trustees, while the supplemental retirement benefits rate is set by statute.

Annual Pension Cost. For calendar year ending December 31, 2011, the Village's actual contributions for pension cost for the Regular plan were \$508,978. Its required contribution for calendar year 2011 was \$617,426.

The required contribution for 2011 was determined as part of the December 31, 2009, actuarial valuation using the early age normal actuarial cost method. The actuarial assumptions at December 31, 2009, included (a) 7.5 percent investment rate of return (net of administrative and direct investment expenses), (b) projected salary increases of 4.00% a year, attributable to inflation, (c) additional projected salary increases ranging from 0.4% to 10% per year depending on age and service, attributable to seniority/merit, and (d) post retirement benefit increases of 3% annually. The actuarial value of the Village's Regular plan assets was determined using techniques that spread the effect of short-term volatility in the market value of investments over a five-year period with a 20% corridor between the actuarial and market value of assets. The Village's Regular plan's unfunded actuarial accrued liability at December 31, 2009 is being amortized as a level percentage of projected payroll on an open 30 year basis.

NOTE 10 - EMPLOYER RETIREMENT SYSTEMS (Continued)

Tier 2 employees (those hired on or after January 1, 2011) attaining the age of 55 or older with ten or more years of creditable service are entitled to receive an annual retirement benefit equal to the average monthly salary obtained by dividing the total salary of the police officer during the 96 consecutive months of service within the last 120 months of service in which the total salary was the highest by the number of months of service in that period. Police officers' salary for pension purposes shall not exceed \$106,800 however, that amount shall increase annually by the lesser of 1/2% of the annual change in the Consumer Price Index or 3.0% compounded. The annual benefit shall be increased by 2.5% of such salary for each additional year of service over 20 years up to 30 years to a maximum of 75.0% of such salary. Employees with at least ten years may retire at or after age 50 and receive a reduced benefit (i.e. 1/2% for each month under 55).

The monthly benefit of a Tier 2 police officer shall be increased annually at age 60 on the January 1st after the police officer retires, or the first anniversary of the pension starting date, whichever is later. Noncompounding increases occur annually, each January thereafter. The increase is the lesser of 3.0% or 1/2% of the change in the Consumer Price Index for the preceding calendar year.

Funding Policy. Covered employees are required to contribute 9.91% of their base salary to the Police Pension Plan. If an employee leaves covered employment with less than 20 years of service, accumulated employee contributions may be refunded without accumulated interest. The Village is required to contribute the remaining amounts necessary to finance the plans as actuarially determined by an enrolled actuary. Effective January 1, 2011, the Village has until the year 2040 to fund 90% of the past service costs for the Police Pension Plan. For the year ended December 30, 2010, the Village's contribution was 35.41% of covered payroll.

Basis of Accounting. The financial statements of the pension fund are prepared using the accrual basis of accounting. Plan member contributions are recognized in the period in which contributions are due. The Village's contributions are recognized when due and a formal commitment to provide the contributions are made. Benefits and refunds are recognized when due and payable in accordance with the terms of the plan.

Method Used to Value Investments. Plan investments are reported at fair value. Short-term investments are reported at cost, which approximated fair value. Investments that do not have an established market are reported at estimated fair values.

Annual Pension Cost. For the year ended December 31, 2011, the Village's contributions to the police pension plan were \$154,295 less than the annual pension cost of \$943,526.

Funded Status and Funding Progress. As of December 31, 2010, the most recent actuarial valuation date, the Police Pension Plan was 54.84% funded. The actuarial accrued liability for benefits was \$22,868,030 and the actuarial value of assets was \$12,539,774, resulting in an underfunded actuarial accrued liability (UAAL) of \$10,328,256. The covered payroll (annual payroll of active employees covered by the plan) was \$2,444,783 and the ratio of the UAAL to the covered payroll was 422.46%.

The schedule of funding progress, presented as RSI following the notes to the financial statements, presents multi-year trend information about whether the actuarial value of plan assets in increasing or decreasing over time relative to the actuarial accrued liability for benefits.

NOTE 10 - EMPLOYER RETIREMENT SYSTEMS (Continued)

Funded Status and Funding Progress. As of December 31, 2011, the most recent actuarial valuation date, the Regular plan was 77.87% funded. The actuarial accrued liability for benefits was \$18,542,610 and the actuarial value of assets was \$14,438,868, resulting in an underfunded actuarial accrued liability (UAAL) of \$4,103,742. The covered payroll (annual payroll of active employees covered by the plan) for calendar year 2011 was \$4,819,872 and the ratio of the UAAL to the covered payroll was 85%.

The schedule of funding progress, presented as RSI following the notes to the financial statements, presents multi-year trend information about whether the actuarial value of plan assets in increasing or decreasing over time relative to the actuarial accrued liability for benefits.

Police Pension

Plan Description. The Police Pension Plan is a single-employer defined benefit plan that covers all sworn police personnel of the Village. The Police Pension Plan provides retirement, disability, and death benefits, as well as automatic annual cost of living adjustments, to plan members and their beneficiaries. Plan members are required to contribute 9.91% of their annual covered payroll. The Village is required to contribute at an actuarially determined rate. Although this is a single employer pension plan, the defined benefits and contribution requirements of the plan members and the Village are governed by Illinois Compiled Statutes and may be amended only by the Illinois legislature. The Village accounts for the plan as a pension trust fund. The Police Pension Plan issues separate financial statements and has a December 31 year end. The Police Pension Plan financial statements can be obtained by contacting the Village at 12 South Center Street, Bensenville, Illinois 60106.

At December 31, 2010, the date of the latest actuarial valuation, the Police Pension membership consisted of the following:

Retirees and beneficiaries currently receiving benefits and terminated employees entitled to benefits but not yet receiving them	32
Current employees:	
Active plan members	<u>32</u>
Total	<u>64</u>

The following is a summary of the Police Pension Fund as provided for in Illinois Compiled Statutes.

The Police Pension Fund provides retirement benefits as well as death and disability benefits.

Tier 1 employees (those hired prior to January 1, 2011) attaining the age of 50 or older with 20 or more years of creditable service are entitled to receive an annual retirement benefit equal to one-half of the salary attached to the rank held on the last day of service, or for one year prior to the last day, whichever is greater. The annual benefit shall be increased by 2.5% of such salary for each additional year of service over 20 years up to 30 years to a maximum of 75% of such salary. Employees with at least eight years but less than 20 years of credited service may retire at or after age 60 and receive a reduced benefit of 2.5% of final salary for each year of service.

The monthly benefit of a police officer who retired with 20 or more years of service after January 1, 1977 shall be increased annually, following the first anniversary date of retirement and be paid upon reaching the age of at least 55 years, by 3.0% of the original pension and 3.0% compounded annually thereafter.

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 10 - EMPLOYER RETIREMENT SYSTEMS (Continued)

Net Pension Obligation:

The following is the net pension obligation for IMRF and the Police Pension Plan:

	<u>IMRF</u>	<u>Police Pension</u>
Annual required contribution	\$ 617,426	\$ 879,721
Interest on net pension obligation	6,426	171,043
Adjustment to annual required contribution	(4,594)	(107,238)
Annual pension cost	619,258	943,526
Contributions made	508,978	789,231
Change in net pension obligation	110,280	154,295
Net pension obligation, beginning of period	85,675	3,420,860
Net pension obligation, end of period	\$ 195,955	\$ 3,575,155

The Village annual required contributions for the current year and related information for each plan is as follows:

	<u>Illinois Municipal Retirement</u>	<u>Police Pension</u>
	December 31, 2011	December 31, 2010
Actuarial valuation date		
Contribution rates:		
Employer	10.56%	35.41%
Employee	4.50%	9.91%
Annual pension cost	\$619,258	\$943,526
Contributions made	\$508,978	\$789,231
Actuarial cost method	Entry-age normal	Entry-age normal
Asset valuation method	5 year smoothed market	Market
Amortization method	Level percentage of payroll	Level percentage of payroll
Amortization period	30 years, open	29 years, closed
Actuarial assumptions:		
Investment rate of return	7.50%	7.50%
Projected salary increases	0.4% to 10.0%	5.00%
Inflation rate included	4.00%	3.00%
Cost-of-living adjustments	3.00%	3.00%

VILLAGE OF BENSENVILLE, ILLINOIS
NOTES TO THE FINANCIAL STATEMENTS
December 31, 2011

NOTE 10 - EMPLOYER RETIREMENT SYSTEMS (Continued)

Trend Information

Trend information gives an indication of the progress made in accumulating sufficient assets to pay benefits when due.

	<u>Fiscal Year Ending</u>	<u>Illinois Municipal Retirement</u>	<u>Fiscal Period Ending</u>	<u>Police Pension</u>
Annual pension cost (APC)	Dec. 31, 2011	\$ 619,258	Dec. 31, 2011	\$ 943,526
	Dec. 31, 2010	498,983	Dec. 31, 2010	1,581,173
	Dec. 31, 2009	419,073	April 30, 2009	739,672
Contributions made	Dec. 31, 2011	\$ 508,978	Dec. 31, 2011	\$ 789,231
	Dec. 31, 2010	413,308	Dec. 31, 2010	1,086,741
	Dec. 31, 2009	419,073	April 30, 2009	116,814
Percentage of APC contributed	Dec. 31, 2011	82.2%	Dec. 31, 2011	83.6%
	Dec. 31, 2010	82.8%	Dec. 31, 2010	68.7%
	Dec. 31, 2009	100.0%	April 30, 2009	15.8%
Net pension obligation	Dec. 31, 2011	\$ 195,955	Dec. 31, 2011	\$ 3,575,155
	Dec. 31, 2010	85,675	Dec. 31, 2010	3,420,860
	Dec. 31, 2009	-	April 30, 2009	2,926,428

NOTE 11 - COMMITMENTS

DuPage Water Commission (DWC)

The Village is a customer of the DWC and has executed a Water Supply Contract with the DWC for a term ending in 2017. The contract provides that the Village pay its proportionate share of fixed costs (debt service and capital costs) to the DWC, such obligation being unconditional and irrevocable whether or not water is delivered.

The Village capitalized these costs until such time as the DWC began to deliver water and is amortizing them using the straight-line method over the remaining term of the contract. These costs are being expensed along with the other operation and maintenance charges from the DWC.

Fiscal Year Ending December 31, Amount

2012	\$ 209,554
2013	419,108
2014	419,102
2015	419,102
2016	419,102
2017	419,102

NOTE 11 - COMMITMENTS (Continued)

These amounts are estimates, which have been calculated using the Village's current allocation percentage of 2.933%. In future years, the estimates and the allocation percentage will be subject to change. Estimates for the remaining years of the contract are not currently available. However, the Village does not expect the minimum amounts for the remaining years of the contract to materially vary from the amounts presented above.

Construction Contracts

The Village has entered into various contracts for construction within the Village. Below is a schedule outlining the various projects that are currently under contract.

Project Description	Expended To Date	Remaining Commitment
North Industrial Project (engineering & construction)	\$ 9,721,265	\$ 5,777,405
Yolk Brothers Phase II Street Reconstruction (eng. & const.)	941,756	953,265
Jefferson St. Sidewalk (eng. & const.)	57,655	34,976
Jefferson St. Watermain Engineering	-	15,394
SCADA System	295,209	155,101
Wastewater Treatment Plant (engineering & construction)	83,544	16,500
Green St. LAPP Engineering	-	21,175
Green York Watermain	-	23,700
North Industrial Engineering CBEEEL	-	41,122
Public Works Security Gates	-	23,571
Sanitary Sewer Rehab	-	193,206
County Line Rd. Watermain	-	35,000
Total	\$ 11,099,429	\$ 7,290,415

Sales Tax Rebates

On February 17, 2009, the Village amended their existing agreement with Larry Roesch Volkswagen (Roesch) whereas the Village now agrees to rebate 50% of the Village's share of sales tax revenue generated by Roesch's sales of vehicles, parts and service. This incentive agreement is effective until the total rebate amount reaches \$1,000,000. Through December 31, 2011, the Village has remitted a total of \$888,412, including \$58,275 remitted in the current fiscal period.

On June 11, 2011, the Village entered into an agreement with Roesch Ford (Roesch) whereas the Village agrees to rebate 75% of the Village's share of sales tax revenue generated by Roesch's sales of vehicles, parts and service during the 12 month periods ending March 31, 2011, 2012 and 2013. For the 12 month periods ending March 31, 2014 through 2025, the Village shall rebate 50% of the Village's share of sales tax revenue. This incentive agreement is effective until the total rebate amount reaches \$2,350,000. During 2011, the first year of this agreement, the Village has remitted a total of \$125,144.

NOTE 12 - SUBSEQUENT EVENTS

The Village issued the following debt issuances on May 23, 2012:

- \$1,730,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012A for the purpose of refunding a portion of the outstanding Series 2002A General Obligation Bonds (Alternate Revenue Source). Interest of between 2.0% and 3.0% is payable semiannually on June 30 and December 30 of each year commencing June 30, 2013. Principal is payable annually on December 30 of each year commencing on December 30, 2013. The bonds will mature on December 30, 2021.
- \$945,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012B for the purpose of refunding a portion of the outstanding Series 2002B General Obligation Bonds (Alternate Revenue Source). Interest of between 2.0% and 3.0% is payable semiannually on June 30 and December 30 of each year commencing June 30, 2012. Principal is payable annually on December 30 of each year commencing on December 30, 2013. The bonds will mature on December 30, 2020.
- \$1,400,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012C for the purpose of refunding a portion of the outstanding Series 2003A General Obligation Capital Appreciation Bonds (Alternate Revenue Source). Interest of between 2.0% and 4.0% is payable semiannually on June 30 and December 30 of each year commencing December 30, 2012. Principal is payable annually on December 30 of each year commencing on December 30, 2013. The bonds will mature on December 30, 2022.
- \$2,200,000 General Obligation Refunding Debt Certificates, Series 2012D for the purpose of refunding a portion of the outstanding Series 2008B General Obligation Refunding Certificates. Interest of between 2.5% and 3.1% is payable semiannually on June 1 and December 1 of each year commencing December 1, 2012. Principal is payable annually on December 1 of each year commencing on December 1, 2012. The bonds will mature on December 1, 2017.

NOTE 13 - CONTINGENT LIABILITIES

Pending Lawsuits

The Village is a defendant in various lawsuits. Although the outcome of these lawsuits is not presently determinable, in the opinion of the Village's attorneys, the resolution of these matters will not have a material adverse effect on the financial statements of the Village.

NOTE 14 - OTHER POST EMPLOYMENT BENEFITS

Plan Description: The Village provides the continuation of health care benefits and life insurance to Police and Municipal employees who retire from the Village in accordance with Illinois Compiled Statutes. Employees who terminate after reaching retirement eligibility in the plan are eligible to elect to continue their health care coverage by paying the monthly premium rate. Retirement eligibility for Police employees is age 50 and 20 years of service, and for Municipal employees is age 55 and 25 years of service, or age 60 and 8 years of service, or combined age and service of 85. Because the actuarial cost of health benefits for retirees exceeds the average amount paid by retirees, the additional cost is paid by the Village and is the basis for the OPEB obligation is accounted for under GASB Statement 45. The Village Board of Trustees has the authority of establishing and amending benefits offered by this plan. The OPEB plan is a single-employer plan. There is no separate, audited GAAP-basis postemployment benefit plan report available.

NOTE 14 - OTHER POST EMPLOYMENT BENEFITS (Continued)

Actuarial Assumptions: Projections of benefits for financial reporting purposes are based on the subsidized plan (the plan understood by the employer and plan members) and include the benefits provided at the time each valuation and the historical pattern of sharing of benefit costs between the employer and plan members. Actuarial valuations for the plan involve estimates of the value of reported amounts and assumptions about the probability of events far into the future. Actuarially determined amounts reflect a long-term perspective and are subject to continual revision as results are compared to past expectations and new estimates are made about the future. In the December 31, 2011 actuarial valuation, the entry age normal cost method was used. The actuarial assumptions included an annual healthcare cost trend rate of 9% initially, reduced to an ultimate rate of 5% after five years. Rates include a 3.5% general inflation assumption. The Unfunded Accrued Actuarial Liability is being amortized as a level dollar amount over an open amortization period of thirty years.

NOTE 15 - NEW ACCOUNTING PRONOUNCEMENTS

In November 2010, the GASB issued Statement No. 60, *Accounting and Financial Reporting for Service Concession Arrangements*. The Statement improves financial reporting by addressing issues related to service concession arrangements, which are arrangements between a transferor (government) and an operator (governmental or non-governmental entity) in which (1) the transferor conveys to an operator the right and related obligation to provide services through the use of infrastructure in exchange for significant consideration and (2) the operator collects and is compensated by fees from third parties. This Statement is effective for the Village's financial year ending December 31, 2012. The Village has not engaged in transferor-operator service concession arrangements, therefore implementation of this statement will have no impact.

In November 2010, the GASB issued Statement No. 61, *The Financial Reporting Entity: Omnibus*. The Statement improves financial reporting for a governmental financial reporting entity. The requirements of Statement No. 14, *The Financial Reporting Entity*, and the related financial reporting requirements of Statement No. 34, *Basic Financial Statements—Management's Discussion and Analysis—For State and Local Governments*, were amended to better meet user needs and to address reporting entity issues. This Statement is effective for the Village's financial year ending December 31, 2013. Management has not determined what impact, if any, this GASB statement might have on its financial statements.

In December 2010, the GASB issued Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*. The Statement incorporates into the GASB's authoritative literature certain accounting and financial reporting guidance that is included in the following pronouncements issued on or before November 30, 1989, which does not conflict with or contradict GASB pronouncements: (1) Financial Accounting Standards Board (FASB) Statements and Interpretations; (2) Accounting Principles Board Opinions; and (3) Accounting Research Bulletins of the American Institute of Certified Public Accountants (AICPA) Committee on Accounting Procedure. This Statement is effective for the Village's financial year ending December 31, 2012. The Village plans to implement this codification for the year ending December 31, 2012.

NOTE 14 - OTHER POST EMPLOYMENT BENEFITS (Continued)

Funding Policy: Funding is provided by the Village on a pay-as-you-go basis. Retirees and their dependants may continue coverage under The Village of Bensenville's group health program by contributing a monthly premium. They may participate in any of the plans available to active employees. For Municipal employees, retirees prior to age 65 contribute the blended average employee group cost. After age 65, retirees pay the full Medicare eligible cost of coverage. The Village pays the difference between the actuarial cost of the health coverage for retirees and the blended average employee group cost. For Police employees, the Village pays the difference between the actuarial cost of the health coverage for retirees and the blended average employee group cost.

Annual OPEB Cost and Net OPEB Obligation: The Village's annual other post employment benefit cost is calculated based on the annual required contribution (ARC). The ARC represents the normal cost each year and an amount to amortize the unfunded actuarial liability over thirty years. The following table shows the components of the Village's annual OPEB costs, the amount actually contributed to the plan, and changes in the Village's net OPEB obligation for the year ending December 31, 2011.

Annual required contribution	\$ 238,684
Interest on net OPEB obligation	23,018
Adjustment to the ARC	<u>(28,521)</u>
Annual OPEB Cost	233,181
Contributions made	<u>(36,924)</u>
Increase in net OPEB obligation	196,257
Net OPEB obligation beginning of year	<u>460,364</u>
Net OPEB end of year	<u>\$ 656,621</u>

Funded Status and Funding Progress: As of December 31, 2011, the OPEB Plan was unfunded. The actuarial accrued liability for benefits was \$2,022,991 and the actuarial value of assets was \$0, resulting in an underfunded actuarial accrued liability (UAAL) of \$2,022,991. The covered payroll (annual payroll of active employees covered by the plan) was \$6,424,058 and the ratio of the UAAL to the covered payroll was 31.49%.

The schedule of funding progress, presented as RSI following the notes to the financial statements, presents multi-year trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits.

The Village's annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation for calendar year 2011 and the preceding fiscal periods were as follows:

Period Ended	Three Year Trend Information		
	Annual OPEB Cost	Annual OPEB Cost Contributed	Net OPEB Obligation
Dec. 31, 2011	\$ 233,181	15.8%	\$ 656,621
Dec. 31, 2010	378,600	20.1%	460,364
April 30, 2009	204,590	22.8%	157,978

Note: April 30, 2009 was the first period GASB Statement 45 was applicable for the Village.

NOTE 15 - NEW ACCOUNTING PRONOUNCEMENTS (Continued)

Statement No. 13, *Accounting for Operating Leases with Scheduled Rent Increases*, and result in guidance that is consistent with the requirements in Statement No. 48, *Sales and Pledges of Receivables and Future Revenues and Intra-Entity Transfers of Assets and Future Revenues*, respectively. The provisions of this Statement are effective for the Village's financial year ending December 15, 2013. Management has not determined what impact, if any, this GASB statement might have on its financial statements.

In June 2012, the GASB issued Statement 67, *Financial Reporting for Pension Plans*. This Statement replaces the requirements of Statement No. 25, *Financial Reporting for Defined Benefit Pension Plans and Note Disclosures for Defined Contribution Plans* and Statement 50 as they relate to pension plans that are administered through trusts or similar arrangements meeting certain criteria. The Statement builds upon the existing framework for financial reports of defined benefit pension plans, which includes a statement of fiduciary net position (the amount held in a trust for paying retirement benefits) and a statement of changes in fiduciary net position. Statement 67 enhances note disclosures and RSI for both defined benefit and defined contribution pension plans. Statement 67 also requires the presentation of new information about annual money-weighted rates of return in the notes to the financial statements and in 10-year RSI schedules. The provisions of this Statement are effective for the Village's Police Pension Fund fiscal year ending December 31, 2014. Management has not determined what impact, if any, this GASB statement might have on its financial statements.

In June 2012, the GASB issued Statement 68, *Accounting and Financial Reporting for Pensions*. This Statement replaces the requirements of Statement No. 27, *Accounting for Pensions by State and Local Governmental Employers* and Statement No. 50, *Pension Disclosures*, as they relate to governments that provide pensions through pension plans administered as trusts or similar arrangements that meet certain criteria. Statement 68 requires governments providing defined benefit pensions to recognize their long-term obligation for pension benefits as a liability for the first time, and to more comprehensively and comparably measure the annual costs of pension benefits. The Statement also enhances accountability and transparency through revised and new note disclosures and required supplementary information (RSI). The provisions of this Statement are effective for the Village's financial year ending December 31, 2015. Management has not determined what impact, if any, this GASB statement might have on its financial statements.

NOTE 15 - NEW ACCOUNTING PRONOUNCEMENTS (Continued)

In June 2011, the GASB issued Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*. This Statement provides a new statement of net position format to report all assets, deferred outflows of resources, liabilities, deferred inflows of resources, and net position (which is the net residual amount of the other elements). This Statement requires that deferred outflows of resources and deferred inflows of resources be reported separately from assets and liabilities. This Statement also amends certain provisions of GASB Statement No. 34, *Basic Financial Statements -- and Management's Discussion and Analysis -- for State and Local Governments*, and related pronouncements to reflect the residual measure in the statement of financial position as net position, rather than net assets. This Statement is effective for the Village's financial year ending December 15, 2012. The Village plans to implement the new reporting requirements for the year ending December 31, 2012.

In June 2011, the GASB issued Statement No. 64, *Derivative Instruments: Application of Hedge Accounting Terminator Provisions* (an amendment of GASB Statement No. 53). This Statement clarifies that when certain conditions are met, the use of hedge accounting should not be terminated. When all of the conditions specified by the Statement exist, the GASB believes that the hedging relationship continues and hedge accounting should continue to be applied. This Statement is effective for the Village's financial year ending December 31, 2012. The Village has considered the impacts of implementing this Statement and has determined that the implementation will not have a significant effect on its financial statements.

In March 2012, the GASB issued Statement No. 65, *Items Previously Reported as Assets and Liabilities*. This Statement establishes accounting and financial reporting standards that reclassify, as deferred outflows of resources or deferred inflows of resources, certain items that were previously reported as assets and liabilities and recognizes, as outflows of resources or inflows of resources, certain items that were previously reported as assets and liabilities. This Statement also provides other financial reporting guidance related to the impact of the financial statement elements deferred outflows of resources and deferred inflows of resources, such as changes in the determination of the major fund calculations and limiting the use of the term *deferred* in financial statement presentations. The provisions of this Statement are effective for the Village's financial year ending December 15, 2013. The Village plans to implement the new reporting requirements for the year ending December 31, 2012.

In March 2012, the GASB issued Statement No. 66, *Technical Corrections -- 2012, an amendment of GASB Statements No. 10 and No. 62*. The objective of this Statement is to improve accounting and financial reporting for a governmental financial reporting entity by resolving conflicting guidance that resulted from the issuance of two pronouncements, Statements No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, and No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*. This Statement amends Statement No. 10, *Accounting and Financial Reporting for Risk Financing and Related Insurance Issues*, by removing the provision that limits fund-based reporting of an entity's risk financing activities to the general fund and the internal service fund type. As a result, governments should base their decisions about fund type classification on the nature of the activity to be reported, as required in Statement 54 and Statement No. 34, *Basic Financial Statements--and Management's Discussion and Analysis--for State and Local Governments*. This Statement also amends Statement 62 by modifying the specific guidance on accounting for (1) operating lease payments that vary from a straight-line basis, (2) the difference between the initial investment (purchase price) and the principal amount of a purchased loan or group of loans, and (3) servicing fees related to mortgage loans that are sold when the stated service fee rate differs significantly from a current (normal) servicing fee rate. These changes clarify how to apply

VILLAGE OF BENSENVILLE, ILLINOIS
 REQUIRED SUPPLEMENTARY INFORMATION
 SCHEDULES OF FUNDING PROGRESS
 December 31, 2011

Actual Valuation Date	Actual Value of Assets (a)	Actual Accrued Liability - Entry Age (b)	Unfunded AAL (UAAL) (b-a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll ((b-a)/c)
12/31/2009	\$ 12,869,611	\$ 16,147,042	\$ 3,277,431	79.70 %	\$ 4,800,382	68.27 %
12/31/2010	13,656,502	17,284,950	3,628,448	79.01	4,305,189	84.28
12/31/2011	14,438,868	18,542,610	4,103,742	77.87	4,819,872	85.14
Police Pension						
4/30/2006	12,619,030	17,538,690	4,919,660	71.95	2,091,172	235.26
4/30/2007	N/A	N/A	N/A	N/A	N/A	N/A
4/30/2008	13,065,169	20,643,652	7,578,683	63.29	2,166,492	349.61
4/30/2009	10,448,151	20,887,297	10,439,146	50.02	2,352,581	443.73
4/30/2010	11,550,751	21,604,610	10,053,859	53.46	2,406,640	417.76
12/31/2010 *	12,539,774	22,868,030	10,328,256	54.84	2,444,783	422.46
Other Post Employment Benefits						
4/30/2009	-	1,441,086	1,441,086	0.00	6,206,819	23.22
4/30/2010	-	1,583,408	1,583,408	0.00	6,419,918	24.66
12/31/2010 *	-	1,799,457	1,799,457	0.00	6,206,819	28.99
12/31/2011	-	2,022,991	2,022,991	0.00	6,424,058	31.49

* - Fiscal year end was changed from April 30 to December 31 in 2010.

VILLAGE OF BENSENVILLE, ILLINOIS
 REQUIRED SUPPLEMENTARY INFORMATION
 SCHEDULES OF EMPLOYER CONTRIBUTIONS
 December 31, 2011

Period Ended	Police Pension		Employer Contributions		Annual Required Contributions	Percentage Contributed
	Annual Required Contributions	Year Ended	Annual Required Contributions	Year Ended		
4/30/2009	\$ 690,236	12/31/2009	\$ 419,073	12/31/2009	419,073	100.0 %
12/31/2010 *	1,479,218	12/31/2010	498,983	12/31/2010	498,983	82.8
12/31/2011	879,721	12/31/2011	617,426	12/31/2011	617,426	82.4

* - Fiscal year end was changed from April 30 to December 31 in 2010.

APPENDIX B

DESCRIBING BOOK-ENTRY-ONLY ISSUANCE

1. The Depository Trust Company (“DTC”), New York, New York, will act as securities depository for the Bonds (the “Securities”). The Securities will be issued as fully-registered securities registered in the name of Cede & Co. (DTC’s partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Security certificate will be issued for each issue of the Securities, each in the aggregate principal amount of such issue, and will be deposited with DTC.

2. DTC, the world’s largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a “banking organization” within the meaning of the New York Banking Law, a member of the Federal Reserve System, a “clearing corporation” within the meaning of the New York Uniform Commercial Code, and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal bond issues, and money market instruments (from over 100 countries) that DTC’s participants (“Direct Participants”) deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants’ accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation (“DTCC”). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (“Indirect Participants”). DTC has a Standard & Poor’s rating of AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

3. Purchases of Securities under the DTC system must be made by or through Direct Participants, which will receive a credit for the Securities on DTC’s records. The ownership interest of each actual purchaser of each Security (“Beneficial Owner”) is in turn to be recorded on the Direct and Indirect Participants’ records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Securities are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Securities, except in the event that use of the book-entry system for the Securities is discontinued.

4. To facilitate subsequent transfers, all Securities deposited by Direct Participants with DTC are registered in the name of DTC’s partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Securities with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Securities; DTC’s records reflect only the identity of the Direct Participants to whose accounts such Securities are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

5. Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Securities may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Securities, such as redemptions, tenders, defaults, and proposed amendments to the Security documents. For example, Beneficial Owners of Securities may wish to ascertain that the nominee holding the Securities for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of notices be provided directly to them.

6. Redemption notices shall be sent to DTC. If less than all of the Securities within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

7. Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Securities unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the Village as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Securities are credited on the record date (identified in a listing attached to the Omnibus Proxy).

8. Redemption proceeds, distributions, and dividend payments on the Securities will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the Village or the Paying Agent, on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, the Paying Agent, or the Village, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Village or the Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

9. A Beneficial Owner shall give notice to elect to have its Securities purchased or tendered, through its Participant, to any Tender/Remarketing Agent, and shall effect delivery of such Securities by causing the Direct Participant to transfer the Participant's interest in the Securities, on DTC's records, to any Tender/Remarketing Agent. The requirement for physical delivery of Securities in connection with an optional tender or a mandatory purchase will be deemed satisfied when the ownership rights in the Securities are transferred by Direct Participants on DTC's records and followed by a book-entry credit of tendered Securities to any Tender/Remarketing Agent's DTC account.

10. DTC may discontinue providing its services as depository with respect to the Securities at any time by giving reasonable notice to the Village or the Paying Agent. Under such circumstances, in the event that a successor depository is not obtained, Security certificates are required to be printed and delivered.

11. The Village may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Security certificates will be printed and delivered to DTC.

12. The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the Village believes to be reliable, but the Village takes no responsibility for the accuracy thereof.

**THIS PAGE INTENTIONALLY
LEFT BLANK**

APPENDIX C
DRAFT LEGAL OPINION

October 15, 2012

Village of Bensenville, Illinois
Bensenville, Illinois

Robert W. Baird & Co., Inc.
Naperville, Illinois

Bernardi Securities, Inc.
Chicago, Illinois

Re: Village of Bensenville, DuPage and Cook Counties, Illinois
General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012E
Total Issue: \$ _____
Original Date: October 15, 2012

Ladies and Gentlemen:

We have acted as bond counsel in connection with the issuance by the Village of Bensenville, DuPage and Cook Counties, Illinois ("Village") of \$ _____ of its General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012E, dated October 15, 2012 (the "Bonds"). We have examined the law and the certified transcript of proceedings of the Village relative to the authorization, issuance and sale of the Bonds and such other papers as we deem necessary to render this opinion. We have relied upon the certified transcript of proceedings and other certificates of public officials, including the Village's tax covenants and representations ("Tax Representations"), and we have not undertaken to verify any facts by independent investigation.

Based upon our examination, we are of the opinion, as of the date hereof, as follows:

1. The Bonds are valid and binding general obligations of the Village.
2. The Bonds are payable as to principal and interest from (a) revenue of the waterworks and sewerage system of the Village, and (b) ad valorem taxes levied against all taxable property with the Village without limitation as to rate or amount.
3. Under federal statutes, decisions, regulations and rulings existing on this date, the interest on the Bonds is excludable from gross income for purposes of federal income taxation pursuant to Section 103 of the Internal Revenue Code of 1986, as in effect on the date hereof (the "Code"), is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, but is taken into account in determining adjusted current earnings for the purpose of computing the federal alternative minimum tax imposed on certain corporations. This opinion is conditioned on continuing compliance by the Village with the Tax Representations. Failure to comply with the Tax Representations could cause interest on the Bonds to lose the exclusion from gross income for purposes of federal income taxation retroactive to the date of issuance of the Bonds.

The Bonds have been designated as "qualified tax exempt obligations" for purposes of Section 265(b)(3) of the Code, as amended to this date, relating to the exception from the 100% disallowance for the deduction for interest expense allocable to interest on tax exempt obligations acquired by financial institutions. The designation is conditioned upon continuing compliance with the Tax Representations.

The opinions set forth herein express the professional judgment of the attorneys participating in the transactions as to the legal issues addressed herein. By rendering such opinions, the undersigned does not become an insurer or guarantor of that expression of professional judgment or of the transaction opined upon. Nor does the rendering of that opinion guarantee the outcome of any legal dispute that may arise out of the transaction.

It is to be understood that the rights of the owners of the Bonds and the enforceability thereof may be subject to (i) bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights heretofore or hereafter enacted and that their enforcement may be subject to the exercise of judicial discretion in accordance with general principles of equity; and (ii) the valid exercise of the constitutional powers of the State of Illinois and the United States of America.

Very truly yours,

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 9/19/2012

DESCRIPTION: Resolution authorizing the execution of a multi-year contract to Winkler's Tree Service, Inc. for the 2012-2015 Tree Pruning Program in the amount of \$114,493.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" 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>

ASSIGNED COMMITTEE: I & E (unanimous approval)

DATE: 9/18/2012

BACKGROUND: This is the second year of an ongoing multiyear program to prune the Village's approximately 6,000 parkway trees in accordance with guidelines laid out by the Department's Forestry Management Plan that was developed in 2011. Our proposed pruning program for 2012-2013 will again include a combination of contracted (>10" DBH) and in-house work (<10" DBH). Year 2 (Zone 4) includes the area bounded by York Road, Red Oak Street, County Line Road, and Green Street. Last year the Village Board approved a multi-year Parkway Tree Pruning Program that was to extend through the 2014-2015 winter season. Due to performance issues with the last contractor, we terminated their contract. We are now ready to move forward with a new contractor for the remainder of the program. The new contract will again be a multi-year contract with automatic renewals, unless cancelled by the Village within 60 days of the end of the term.

KEY ISSUES: A recent bid advertisement for the multi-year pruning program produced the following results:

Company	Year 2 (Zone 4 = 552)	Year 3 (Zone 5 = 771)	Year 4 (Zone 1&2 = 933)	Total Bid Price (2,256 trees)
Winkler's Tree Service, Inc. La Grange Park, IL	\$26,936.00	\$39,054.00	\$48,502.50	\$114,492.50
Dawsons Tree Service, Inc. Elmhurst, IL	\$31,652.00	\$44,543.00	\$53,197.00	\$129,392.00
Steve Piper & Sons Inc. Naperville, IL	\$34,160.00	\$50,091.10	\$61,628.60	\$145,879.70
Kramer Tree Specialists, Inc. West Chicago, IL	\$58,461.00	\$83,415.00	\$102,955.00	\$244,831.00
Asplundh Tree Expert Co. Willow Grove, PA	\$67,811.09	\$95,965.80	\$120,123.68	\$283,900.57
The Davey Tree Expert Co. Burr Ridge, IL	\$72,860.00	\$108,190.00	\$137,170.00	\$318,220.00
Clean Cut Tree Service, Inc. Lake Villa, IL	\$116,050.00	\$165,637.80	\$201,014.49	\$482,702.29

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Staff recommends approval of the pruning contract with Winkler's Tree Service, Inc. of La Grange Park, IL as the lowest responsible bidder. Award will be for the second year of the pruning program with automatic renewals for years three and four pending performance. The I&E Committee unanimously recommended approval of this contract at their September 18, 2012 meeting.

BUDGET IMPACT: Total three-year contract (Years 2, 3, and 4) of \$114,492.50. Funds (\$70,000) have been allocated in FY12 for year 2 of the program. Additional funds will be requested in future fiscal years as needed to complete the pruning program. (Acct. No. 11050430 549990)

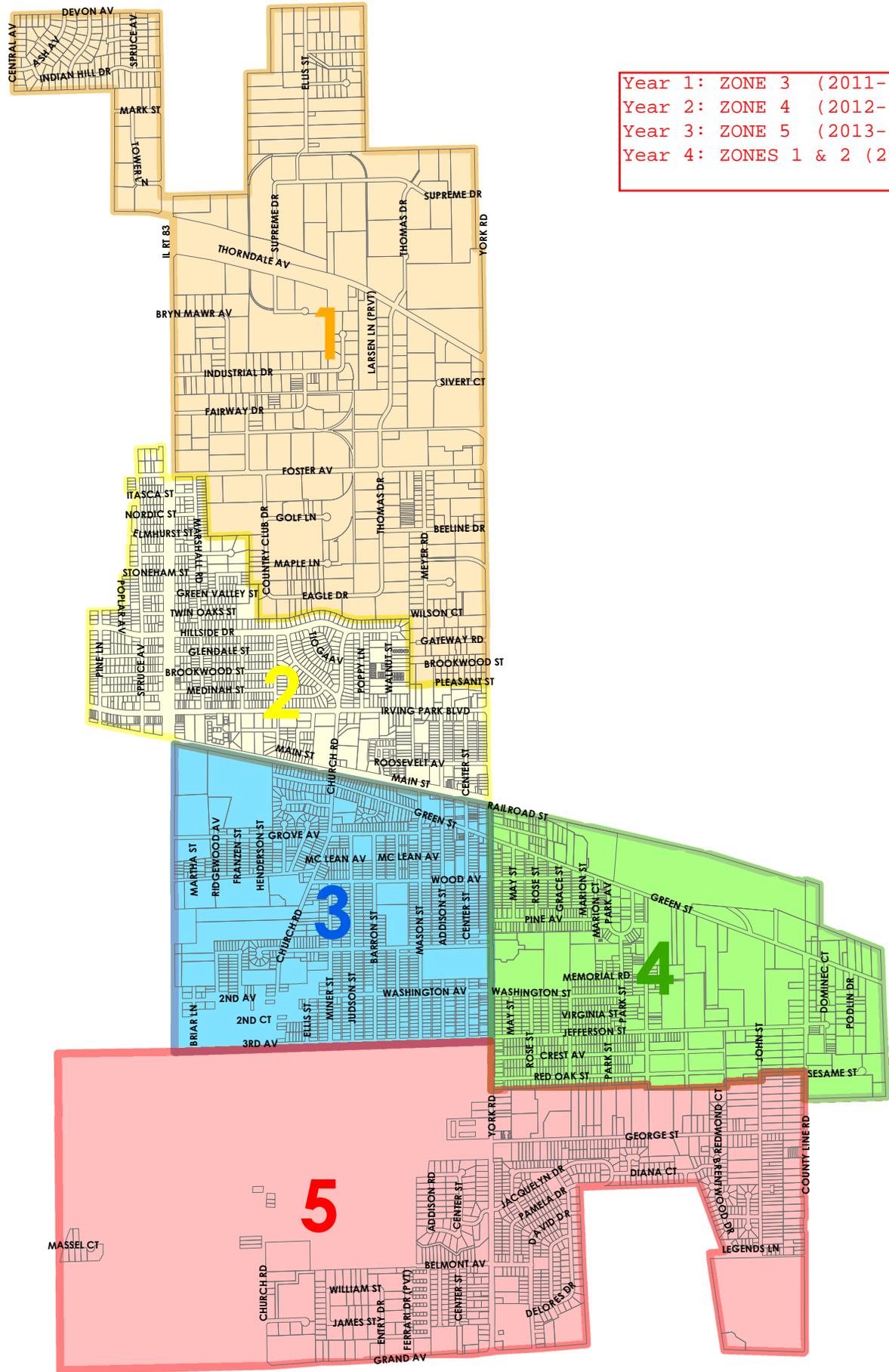
ACTION REQUIRED: Approve a Resolution authorizing the execution of a multi-year contract (with automatic renewals) to Winkler's Tree Service, Inc. for the 2012-2015 Tree Pruning Program



Village of Bensenville

Public Works Maintenance Zones

Year 1: ZONE 3 (2011-2012)
Year 2: ZONE 4 (2012-2013)
Year 3: ZONE 5 (2013-2014)
Year 4: ZONES 1 & 2 (2014-2015)



RESOLUTION NO.

**AUTHORIZING THE EXECUTION OF A MULTI-YEAR CONTRACT (WITH
AUTOMATIC RENEWALS) TO WINKLER'S TREE SERVICE, INC.
FOR THE 2012-2015 TREE PRUNING PROGRAM**

WHEREAS the Village of Bensenville, in an effort to enhance our urban forest, encourage it's growth, and provide for beautiful parkway trees for the residents of Bensenville and who travel through our Village, and

WHEREAS, the Forestry Management Plan established a pruning program to ensure a healthy public tree population and to provide for its ongoing care and maintenance, and

WHEREAS Winkler's Tree Service, Inc. provided the lowest responsive bid at the September 10, 2012 public bid opening, AND

WHEREAS the contract shall be originally approved for the 2012-2013 Pruning Season with two successive one-year automatic renewals, unless cancelled by the Village Board at least 60 days before the end of the term, and

WHEREAS the total value of the contract for the three years is \$114,493 split as follows:

2012-2013	\$26,936
2013-2014	\$39,054
2014-2015	\$48,503

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 Winkler's Tree Service, Inc. of La Grange Park, IL for parkway tree planting services for an amount not to exceed \$26,936.00 for the 2012 Parkway Tree Pruning Program; and

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, _____, 2012.

APPROVED:

Frank Soto
Village President

ATTEST:

Susan Janowiak
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____



VILLAGE OF BENSENVILLE

Contract Document Number
PW-2012-18

Tree Pruning Program

Conformed Agreement

Village Board Approval on

SAP

TABLE OF CONTENTS

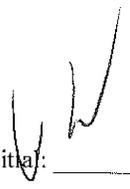
INVITATION TO BID3

BID SPECIFICATIONS4

BIDDER INFORMATION SHEET.....12

BID SHEETS13

GENERAL CONDITIONS AND INSTRUCTIONS TO BIDDERS20

Initial: 

INVITATION TO BID

PARKWAY TREE PRUNING PROGRAM

The Village of Bensenville will accept bids for a Multi-year **“Parkway Tree Pruning Program”** The bids shall be sent to the Office of the Village Clerk located at 12 S. Center St. Bensenville, IL 60106.

The bids shall be publicly opened at **10:00AM on Monday, September 10th, 2012** at Bensenville Village Hall 12 S. Center St. The Bid must be in a sealed opaque envelope plainly marked **Tree Pruning-BID**

Detailed specifications may be obtained by contacting Ken Rubach, Public Works Supervisor at 630-350-3435, or via email at krubach@bensenville.il.us

The Village Board reserves the right to reject any and all bids or portions thereof

Susan Janowiak
Village Clerk

Initial: W

BID SPECIFICATIONS

Village of Bensenville, Illinois

Parkway Tree Pruning Program

PART I GENERAL SPECIFICATIONS

1. CONDITIONS

Bidders are advised to become familiar with all conditions, instructions and specifications governing their proposal. Once the award has been made, failure to have read all the conditions, instructions and specifications of their contract shall not be cause to alter the original contract or to request additional compensation.

2. BID SECURITY

2.1 Each Bid must be accompanied by Bid security made payable to the Village in an amount of five percent (5%) of the Bidder's maximum Bid price and in the form of a certified or bank check or a Bid Bond.

2.2 Bid Bonds shall be duly executed by the Bidder as principal and having as surety thereon a surety company approved by the OWNER, having the minimum equivalent of a Best and Co. 5A Rating.

3. ADJUSTMENTS TO THE CONTRACT

Prospective Bidders are forewarned that the Village of Bensenville reserves the right to adjust the quantities of work to be accomplished, either up or down, dependent on the current budget or until budgeted funds are depleted without prejudice to the Contract. Payment will be based on measured quantities and accepted unit prices.

4. PRE-WORK MEETING

Upon execution of the contract with the successful Bidder, the Village will schedule a meeting with the CONTRACTOR. In attendance shall be the CONTRACTOR'S foreman and sales representative (both are required to be I.S.A. certified Arborists) that will be working on this job. The purpose of the pre-work meeting is to review the scope of work. In addition, the Village will review, with the CONTRACTOR, the required equipment (including signs and safety equipment) personnel requirements, pruning procedures, and other activities related to execution of the Contract.

Initial: W O

5. DAMAGES TO PROPERTY

5.1 The CONTRACTOR shall be responsible for any damage to properties caused by the acts of their work in the course of performance of this contract and shall replace or restore to its original condition any such damaged property at no cost to the occupant or owner or the Village. The Village shall be held harmless for all liability under the Scope of Work of this contract.

5.2 The Contractor is not authorized to drive equipment on to private property without proper written authority from the property owner.

5.3 It is recommended that, for the Contractor's protection, if any damage exists before work begins (including sidewalk, driveway cracks) that the Director of Public Works or appointed representative be notified of such, prior to work beginning. Visual records (pictures) shall be taken by the contractor of any preexisting damage before work begins.

6. TIME OF COMPLETION, PENALTY, AND LIQUIDATED DAMAGES

6.1 The CONTRACTOR understands that all contract times are of the essence. Penalties will be imposed for non-completion of the set dates.

6.2 Should the CONTRACTOR fail to complete the work within the time specified in the Contract or within such extended time as may have been allowed, the CONTRACTOR shall be liable to the OWNER in the amount of Two Hundred Fifty dollars (\$250.00), as liquidated damages, for each day of overrun in the contract time or such extended time as may have been allowed. The daily charge shall be made for every day shown on the calendar beyond the specified completion date.

6.3 Any penalty or liquidated damages owed the Village may be deducted from any payments to the CONTRACTOR. If the deduction does not satisfy the full extent of the CONTRACTOR'S penalty obligation, then the CONTRACTOR shall pay the difference to the OWNER. The parties further agree that the liquidated damages represent the minimum damage the Village will sustain for each calendar day of the delay in final completion of the work.

Initial: WJ

PART II TECHNICAL SPECIFICATIONS

1. SCOPE OF THE WORK

1.1 The work included in this Contract shall be for cleaning, thinning, raising and specialty pruning of trees ten inches (10") in diameter and larger located on public property (R-O-W) within the Village of Bensenville. Work shall include hauling and disposing of all wood, wood chips, and debris and cleaning up by raking lawn areas and sweeping sidewalks, streets and gutters and restoring the premises to its original condition (unless otherwise specified by the Director of Public Works or his designee).

1.2 **Pruning quantities may change up or down, based on the proposed budget for that year.**

2. PROSECUTION OF THE WORK

2.1 Once work has commenced, the CONTRACTOR will be expected to have a minimum of two and a maximum of three crews working every weekday, weather permitting, until the project is completed. Final completion requires the pruning of all trees identified on the list in addition to the correction of any tree identified by the Director of Public Works or his designee as deficient.

2.2 A pruning crew shall consist of not less than three people per each crew (*the foreman will be included in this number*) with the required equipment to perform tree pruning operations satisfactorily.

2.3 Pruning must begin by November 1 of each year. In order to meet the deadlines, a minimum of one-third of the trees shall be pruned by December 15, two-thirds of the trees shall be pruned by January 30, and all of the trees shall be pruned by the last day of February.

3. PRUNING OPERATIONS

3.1 Pruning will be done in accordance with the most current edition of *the American National Standard for Tree Care Operations - ANSI A300 (part 1) Pruning.*

3.2 This work will be accomplished within the following specifications:

- a. Crown cleaning and thinning of branches 1"-2" in diameter and greater.
- b. To remove under branches to permit clearance of approximately fourteen feet (14') where practical to allow passage of second class motor vehicles on the street side of the tree and approximately eight feet (8') on the sidewalk or pedestrian side of the tree. This height is a guide and can be adjusted by the Director of Public Works or his designee.
- c. To remove trunk suckers and water sprouts especially where they are present on the trunk of the tree.

Initial: 

- d. Limbs shall be removed which overhang houses with the objective to raise the trees aesthetically to maintain clearance until the scheduled time to return. Exceptions to this requirement may be made when the removal of a sound limb will greatly detract from the overall appearance of the tree. In those cases where determinations cannot be easily made, the Director of Public Works or his designee shall be consulted.
- e. Smaller limbs shall be removed within 3' of house drops or as necessary for proper clearance.
- f. Removal of large limbs may be required to achieve the above standards and will be addressed at no additional cost to the Village (this is rare).
- g. Remove all dead, dying, diseased, interfering, objectionable and weak branches and stubs greater than two inches in diameter from all trees.
- h. Remove one of two or more crossed and/or rubbing branches greater than 2 inches in diameter from all trees where practical.
- i. All cuts to be made sufficiently close to parent limb, without cutting into the branch collar or leaving a protruding stub, so that closure can readily start under normal conditions.
- j. Rope down all branches where damage could be incurred by gouging of a sodded area and/or damage to public walks. Use caution where there is the possibility of damaging adjacent privately owned shrubs, trees, or flowers.
- k. Pre-cut all limbs being removed whenever there is a possibility of stripping the bark.
- l. No person working in trees shall use shoes with spikes or any other footwear, which will, in the Village's opinion, injure the trees while work is being performed. At no time shall any person working in trees for pruning purposes wear spurs or climbing irons.
- m. Clear all streetlight and traffic control devices including non-illuminated signage to allow adequate lighting and sign visibility for the length of the trim cycle. Clear small parkway trees to allow natural growth habit without severely altering the form of the larger tree.

3.3 The CONTRACTOR shall use all safety devices and procedures which will conform to the most current editions of American National Standards Institute, Standard Z 133.1 (for Pruning, Repairing, Maintaining and Removing Trees and Cutting Brush and for Arboricultural Operations – Safety Requirements).

3.4 It shall be necessary to rake and sweep the area after the tree has been pruned. In the event that the ground is covered with snow, it shall be the CONTRACTORS responsibility to properly clean the area of debris after snow melt. An amount of \$1,000 will be held from the last invoice to ensure cleanup and will be paid after all cleanup is completed.

3.5 It is the responsibility of the CONTRACTOR to notify the utility company's tree pruning contractor of any extensive utility pruning that is needed. The utility company contractor must perform the work before the CONTRACTOR prunes the parkway trees.

Initial: 

4. INSPECTION

All phases of the pruning operations performed under this contract will be subject to inspection by and with the approval of the Director of Public Works or his designee.

5. REPORTS TO THE VILLAGE

5.1 Duties of the foreman: On a weekly basis the CONTRACTOR shall prepare and submit to the Director of Public Works or his designee a report including identification of defective trees:

- a. Any structural weakness, large quantity of deadwood - 50%, decayed trunk or branches, split crotches, or branches, etc. Report of structural weakness or major deadwood must be made before pruning of tree to determine necessity of tree removal. No pruning will be done on questionable trees (*50% dead, split, etc.*) until after the Director of Public Works or his designee has been notified and inspects the tree. Payment will not be made on questionable trees that the contractor prunes before the Director of Public Works or his designee reviews them.
- b. An updated pruning list will be turned in every Friday identifying those trees that were pruned in addition to any comments.
- c. The foreman will be required to note any problems such as: wrong species, wrong address, diameter, number of trees, etc. on the tree inventory sheets and report it in writing to the Director of Public Works or his designee as soon as it is noticed and before the tree is pruned.

5.2 The CONTRACTOR shall immediately report to the Village any accidents. This accident report shall include the location of the accident, nature of the accident, the vehicle involved, identification number and any other information requested by the Village. A summary of the same information shall also be reported to the Village.

5.3 The Village reserves the right to alter any forms it issues for use under this contract, as needed in order to ensure the collection of all data necessary to evaluate the CONTRACTOR'S performance. While the Village shall provide a model form to the CONTRACTOR, it is the obligation of the CONTRACTOR to print and make available for his use a sufficient number of copies of all required forms.

6. SPECIAL PROVISION FOR ASH WOOD

6.1 It is the responsibility of the successful bidder to provide documentation to the Village of Bensenville that a compliance agreement has been signed with the Illinois Department of Agriculture.

6.2 The contractor shall ensure that the chips produced by the chipper are no bigger than 1" X 1".

6.3 The Village may request the contractor to cut and label branches for EAB sampling.

Initial: W

7. MEASUREMENT (DBH)

All measurements will be made by the Director of Public Works or his designee, measuring the circumference at a point approximately 4 ½ feet above ground using a diameter tape. Measurements are made prior to pruning of the tree. Measurements will be made to the nearest tenth of an inch rounding off the nearest whole diameter inch. If there are any discrepancies those must be verified in the field by the Director of Public Works or his designee before payment is made.

Multi-stem or forked tree shall be measured 4 ½ feet above the ground and each stem will be measured separately and then added together to determine the total DBH measurement. If the tree starts to fork at 4 ½ feet above the ground, then the measurement shall be taken just below the start of the fork.

8. DEBRIS REMOVAL

8.1 The CONTRACTOR shall arrange to keep sidewalks open for traffic when possible. Signs or cones must be properly used if closing sidewalks.

8.2 All debris from tree pruning operations shall be removed from the site and from the Village of Bensenville the same day it is placed. No debris is to remain in the street or on the sidewalk overnight. Under **NO** circumstances will debris be left on the parkway over the weekend unless otherwise specified by the Director of Public Works or his designee. Payment for removal and disposal of debris is to be included in the unit prices for tree pruning.

8.3 All applicable State and Local laws and ordinances related to the hauling, handling and disposition of such material will be followed by the CONTRACTOR.

8.4 The CONTRACTOR shall furnish a letter for each contemplated final disposal site that such site meets all state, local and Environmental Protection Agency requirements for the disposal of landscape waste.

8.5 Any change in disposal site(s) throughout the term of the Contract must have the prior written approval of the Director of Public Works or his designee and conform to all requirements stated herein.

8.6 The CONTRACTOR shall remove all surplus materials and debris from the streets as the work progresses so that the public may have the use of the street a maximum amount of time.

8.7 The CONTRACTOR shall provide proof of their IDOA compliance agreement with this bid.

Initial: WB

9. NOTIFICATION OF UTILITY COMPANIES

All pruning and removal work will be made on Village parkways at various addresses. It will be the CONTRACTOR'S responsibility to ensure that overhead lines are cleared by the respective agency so that the final pruning of these trees will not be delayed.

10. TRAFFIC CONTROL

10.1 Proper warning signs, barricades, and other protective devices shall be on hand and used by the CONTRACTOR before work may commence. These shall be in accordance with the Manual of Uniform Traffic Control Devices, e.g. Tree Trimming, One Lane Ahead, Road Closed, etc.

10.2 During tree pruning, the **CONTRACTOR shall have the responsibility** to block the street (if need be) at each intersection, using proper signs and barricades to prevent any motorized vehicle from entering, with the exception of State or County highways, which will not be completely blocked off. Prior to working on County or State highways, the CONTRACTOR shall have the responsibility of notifying the Village of Bensenville Police (630-350-3455) and Bensenville Fire Protection District (630-350-3441). Coordination with the Public Works department may be necessary.

10.3 If the street is not properly barricaded and proper signs installed when performing tree removal and pruning operations, the Village will stop work until the proper street barricading is accomplished. If this happens more than two times this can be cause for termination of contract.

10.4 The CONTRACTOR shall also be required to contact the appropriate State or County agency when engaged in removal work on their rights-of-way: flagmen will be necessary when working on main roads.

11. PEDESTRIAN SIDEWALK CONTROL

While overhead removal work is taking place, the bidder shall block off the sidewalk to pedestrian traffic immediately under the trees being trimmed.

12. EQUIPMENT

12.1 The equipment used for pruning shall be of sufficient type, capacity and quantity to safely and efficiently perform the pruning work as specified.

12.2 No off-street parking for equipment shall be provided by the Village of Bensenville on any of our public properties. Unless authorized by the Owner under no circumstances shall any motorized equipment be permitted to be driven on the parkways, driveways, or public walks while performing work under the provisions of this Contract. If access is needed to the parkway or private property the Contractor must first obtain permission by the property owner.

Initial: 

12.3 All equipment (including support equipment) to be used by the CONTRACTOR shall be listed on the CONTRACTOR'S Information Report at the time of the bid opening. All such equipment can be subject to the inspection and final approval of the Village. Such approval may require on-site demonstration of the capability of any proposed equipment to provide satisfactory performance.

13. RESTORATION

The CONTRACTOR shall take all necessary precautions to eliminate damage to the trees, grounds, driveways, streets and curbs, sidewalk, structures, and utilities on or adjacent to the work site. Any damage shall be reported in writing to the property owner and the Public Works Supervisors Office located at 717 E. Jefferson St., Bensenville, Illinois 60106, **on the day of occurrence**. Any damage shall be repaired at the CONTRACTOR'S expense within ten (10) days of the occurrence (unless demonstrable reason for a delay can be shown with the consent of the Public Works Supervisor). Should the damage not be rectified within the agreed time or to the satisfaction of the Director of Public Works or his Designee, the Village can reserve the right to repair or replace that which was damaged, or assess the CONTRACTOR such costs as may be reasonable and related to damage caused by the CONTRACTOR, and deduct these costs from any payment due the CONTRACTOR or failure may be cause for termination of the Contract.

14. WEATHER

14.1 For the purpose of this Contract, the National Weather Service at O'Hare International Airport shall be the weather forecasting and reporting agency. Any forecast by the National Weather Service shall be deemed to extend only 12 hours into the future.

14.2 CONTRACTOR may suspend operations if weather conditions are such that pruning operations cannot be carried out in a safe and effective manner. If such suspension occurs, the CONTRACTOR shall immediately notify the Director of Public Works or his designee.

14.3 The Director of Public Works or his designee shall at their discretion have the right to order the suspension of pruning OR removal operations whenever, in his judgment, present weather conditions or impending weather conditions are such that pruning operations cannot be carried out in an effective and safe manner.

Initial: 

BIDDER INFORMATION SHEET

NAME: (PRINT) Vince Winkler

SIGNATURE: Vince Winkler

COMPANY NAME: (PRINT)

ADDRESS: Winkler's Tree and Landscaping
P.O. Box 1154
La Grange Pk. IL 60526
(708)544-1219
info@winklerstreeservice.com

TELEPHONE: _____

FACSIMILE: 708-544-0405

EMAIL: info@winklerstreeservice.com
www.winklerstreeservice.com
(708)544-1219

Please Return to:

Corey Williamsen
Deputy Village Clerk
Village of Bensenville
12 S Center St.
Bensenville, IL 60106

The bid must be in a **sealed opaque envelope plainly marked:**
Tree Pruning- Bid

The bids must be received by **10:00am on September 10th, 2012**. They will be publicly opened and read on **September 10th, 2012 at 10:00am** in the Village Hall Board Room.

It shall be the responsibility of the bidder to deliver its bid to the designated person at the appointed place, prior to the announced time for the opening of the bids. Late delivery of a bid for any reason, including faulty or late delivery by United States Mail or other carrier will disqualify the bid

Initial: WV

BID SHEETS**PARKWAY TREE PRUNING ZONE 4**

1. a. BIDDER will complete the Work for the following price(s) from **November 1st, 2012** through **October 31st, 2013**:

D.B.H. SIZE CLASS	ESTIMATED NUMBER OF TREES	COST PER TREE	TOTAL COST PER CLASS
10-19"	302	\$ 38.00	\$ 11,476.00
20-29"	202	\$ 58.00	\$ 11,716.00
30-39"	43	\$ 78.00	\$ 3,354.00
40" & greater	5	\$ 78.00	\$ 390.00
Total Pruning Cost Zone 4			\$ 26,936.00

PARKWAY TREE PRUNING ZONE 5

1. b. BIDDER will complete the Work for the following price(s) from **November 1st, 2013** through **October 31st, 2014**:

D.B.H. SIZE CLASS	ESTIMATED NUMBER OF TREES	COST PER TREE	TOTAL COST PER CLASS
10-19"	398	\$ 39.50	\$ 15,721.00
20-29"	320	\$ 59.50	\$ 19,040.00
30-39"	51	\$ 81.00	\$ 4,131.00
40" & greater	2	\$ 81.00	\$ 162.00
Total Pruning Cost Zone 5			\$ 39,054.00

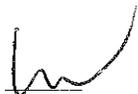
Initial: 

EQUIPMENT	COST PER HOUR	EQUIPMENT SUBSTITUTION/COST
AERIAL TOWER	\$ 25.00	\$
CLAM	\$ 50.00	\$
LOG TRUCK	\$ 25.00	\$
CHIPPER	\$ 25.00	\$
CHIPPER TRUCK	\$ 25.00	\$
STUMPER	\$ 25.00	\$
SEMI	\$ 150.00	\$
DUMP DISPOSAL	\$ 10. YARD	\$
PICKUP TRUCK	\$ 10.00	\$
CRANE	\$ 150.00	\$

2.b. BIDDER will complete the Work for the following price(s)
from November 1st, 2013 through October 31st, 2014:

TIME & MATERIAL BASIS FOR AUTHORIZED EMERGENCY WORK
HOURLY RATES FOR EMERGENCY PURPOSES

JOB CLASS	LABOR REGULAR TIME	LABOR OVER TIME
FOREMAN	\$ 77.00	\$ 88.00
SKILLED LABOR	\$ 77.00	\$ 88.00
COMMON LABOR	\$ 77.00	\$ 88.00
TOTAL PER LABOR HOUR	\$ 231.00	\$ 264.00

Initial: 



EQUIPMENT	COST PER HOUR	EQUIPMENT SUBSTITUTION/COST
AERIAL TOWER	\$ 25.00	\$
CLAM	\$ 50.00	\$
LOG TRUCK	\$ 25.00	\$
CHIPPER	\$ 25.00	\$
CHIPPER TRUCK	\$ 25.00	\$
STUMPER	\$ 25.00	\$
SEMI	\$ 150.00	\$
DUMP DISPOSAL	\$ 10 YP	\$
PICKUP TRUCK	\$ 10.00	\$
CRANE	\$ 150.00	\$

2.c. BIDDER will complete the Work for the following price(s)
from November 1st, 2014 through October 31st, 2015:

TIME & MATERIAL BASIS FOR AUTHORIZED EMERGENCY WORK
HOURLY RATES FOR EMERGENCY PURPOSES

JOB CLASS	LABOR REGULAR TIME	LABOR OVERTIME
FOREMAN	\$ 81.00	\$ 93.00
SKILLED LABOR	\$ 81.00	\$ 93.00
COMMON LABOR	\$ 81.00	\$ 93.00
TOTAL PER LABOR HOUR	\$ 243.00	\$ 279.00

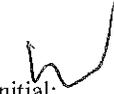
Initial: 

EQUIPMENT	COST PER HOUR	EQUIPMENT SUBSTITUTION/COST
AERIAL TOWER	\$ 25.00	\$
CLAM	\$ 50.00	\$
LOG TRUCK	\$ 25.00	\$
CHIPPER	\$ 25.00	\$
CHIPPER TRUCK	\$ 25.00	\$
STUMPER	\$ 25.00	\$
SEMI	\$ 150.00	\$
DUMP DISPOSAL	\$ 12.40	\$
PICKUP TRUCK	\$ 10.00	\$
CRANE	\$ 175.00	\$

EMERGENCY WORK

Labor Definitions shall be classified as follows:

- A. Common Labor - This classification describes labor having minimal skills and used in ground operations such as loading trucks, cutting limbs on the ground, operating chipper, raking and cleaning up area.
- B. Skilled Labor - This classification describes labor proficient in the proper pruning of trees, with at least 2 years of experience using an aerial tower truck or by rope and saddle. There will be no training of contractor's employees on Village of Bensenville trees.
- C. Foreman - This person must be an *International Society of Arboriculture Certified Arborist*. This person shall have responsibility for participating in the work, giving directions, making decisions, and assuming responsibility for all work completed at all times during pruning operation by the CONTRACTOR. Each foreman shall be fluent in English and be authorized by the CONTRACTOR to accept and act upon all directives issued by the Director of Public works or his designee.

Initial: 

1. **NEED & RESPONSE**

Throughout the term of the contract it may become necessary for the CONTRACTOR to assist the Village in providing emergency tree services. The CONTRACTOR shall provide telephone numbers at which it can be reached on a 24 hour emergency basis. When severe winds, ice, storms, or other conditions require emergency assistance, the CONTRACTOR shall respond and commence work within six hours of receiving the emergency request notification. The CONTRACTOR shall provide emergency assistance in the manner as set forth by the Director of Public Works and/or the Public Works Supervisor.

2. **EQUIPMENT**

When the request for emergency assistance has been issued, the CONTRACTOR must be able to furnish, as a minimum, the following quantity and types of equipment:

- A. 1 Aerial Tower
- B. 1 Clam
- C. 2 Chippers
- D. 2 Chipper Trucks
- E. 1 Stumper

3. **PERSONNEL**

The Director of Public Works or his designee will determine the number of crews required for emergency work.

4. **RECORDS**

4.1 All emergency assistance work orders shall be originated by the Director of Public Works or his designee. Completed work orders shall be returned to the Director of Public Works or his designee and shall indicate the date, time and location at which the emergency assistance was given, the name, classification, and hours worked of each employee and the description and hours worked of each major piece of equipment used in performing the work.

4.2 When engaged in providing emergency assistance, the CONTRACTOR shall provide daily records of the hours worked for all equipment and personnel. The daily work records shall be signed by the Foreman and approved by the Director of Public Works or his designee. All daily records shall be submitted in triplicate with the following distribution:

- a. **Original** copy to be submitted with periodic invoice;
- b. **Second** copy to be retained by the CONTRACTOR for files;
- c. **Third** copy to be given to the Public Works Supervisor after his verification that the work has been performed.

5. **MEASUREMENT & PAYMENT**

5.1 The payment for services rendered under emergency assistance shall be made for only those hours actually worked in giving assistance. No allowances will be given for travel time to and from the work site.

5.2 Payment for work accomplished shall be made at the hourly labor rate for each labor classification as set forth in the Proposal. Payment for equipment rental shall be made only at the equipment rental rate as set forth in the Proposal.

Initial: 

5.3 If the CONTRACTOR proposes to use the equipment that is different or in addition to that indicated in the Proposal, the hourly equipment rental rates for said equipment are to be indicated on a separate rate schedule and attached to the Proposal. Rates for additional equipment acquired by the CONTRACTOR after award of contract will be negotiated between the CONTRACTOR and the Village.

5.4 The hourly labor rates as bid for each labor classification in the Proposal shall include all labor costs, fringe benefits, insurance, pension, overhead, and profit as required by the CONTRACTOR and shall include the furnishing of all hand tools, chain saws, miscellaneous equipment and fuel for these tools. Payment for equipment rental rates shall include all costs of ownership, operation, insurance, and costs of transporting the equipment to and from the work site.

Initial: 

GENERAL CONDITIONS AND INSTRUCTIONS TO BIDDERS

The following conditions apply to all purchases/services and become a definite part of each invitation to bid. Failure to comply may disqualify your bid.

ELIGIBILITY TO BID

Non-Discrimination in Employment - Contractor, in performing under this contract, shall not discriminate against any worker, employee or applicant, or any member of the public because of race, creed, color, age, sex or national origin, or otherwise commit an unfair employment practice. The bidder, his sub-contractors, or labor organizations furnishing skilled or unskilled workers, craft union skilled labor, or anyone who may perform any labor or service, shall commit within the State of Illinois, under this contract, any unfair employment practices as defined in the act of the 72nd General Assembly entitled "Fair Employment Practices Act". Contractor is referred to Ill. Rev. Stat. 1961) ch. 48, paragraph 851 et seq. The contractor in all contracts entered into with suppliers of materials or services, and subcontractors and all labor organizations, furnishing skilled, unskilled and craft union skilled labor, or who may perform any such labor or services in connection with this contract.

- 1) Prevailing Wages- The bidder shall pay not less than the prevailing rate of wages as found by the Department of Labor or determined by the court to all laborers, workmen and mechanics performing work under this contract. Bidder must adhere at all times to Federal Wage Determination #1189-11, Rev.Stat.Section 39 S-2 (Modification #3).
- 2) Removal or Suspension of Bidders - The Village of Bensenville may remove or suspend any bidder from the bidder's list for a specified period not to exceed two (2) years. The Vendor will be given notice of such removal or suspension if:
 - a) Services performed do not comply with specifications of contract with the vendor;
 - b) Work is not done within the contract's specified in the contract;
 - c) An offer is not kept firm for the length of time specified in the contract;
 - d) Contractor fails to provide performance bond when required by invitation to bid;
 - e) Contractor is found guilty of collusion;
 - f) Bankruptcy or other evidence of insolvency is found;
 - g) An employee currently serves as a Board member or employee of Bensenville and is financially involved in proposed work.
- 3) Compliance to Law -
 - a) The bidder shall at all times observe and comply with all laws, ordinances, regulations and codes of federal, state, county, and village governments and/or

Initial: _____

any other local governing agencies which may in any manner affect the preparation of proposal or the performance of this contract.

- b) All merchandise or commodities must conform to all standards and regulations as set forth under the Occupation Safety Health Administration (O.S.H.A.)

CONDITIONS FOR BIDDING

1) Bid Definitions -

- a) Bidding documents include the advertisement of invitation to bid, terms and conditions, scope of work / specifications, the bid price form and the proposed contract documents including addenda issued prior to receipt of bids.
- b) Addenda are written or graphic instruments issued prior to the execution of the contract that modify or interpret the bidding documents, including drawings and specifications, by additions, deletions, clarifications, or corrections. Addenda will become part of the contract documents when the contract is executed.

- 2) Bid Price Form - Shall be submitted on the Bid Price Form provided, completed properly and signed in ink. Bid form shall be submitted in a sealed envelope plainly marked "Tree Pruning - BID".

- 3) Late Bids - Formal bids received after specified bid opening time will not be considered and will be returned unopened.

- 4) Withdrawal of Bids - A written request for withdrawal is required and must be received before bid opening. After bid opening, bids become a legal document and an integral part of the bid and shall not be withdrawn. Such requests are to be directed to the attention of the Deputy Village Clerk, telephone number (630) 350-3404.

- 5) Examination of Bidding Documents - Each bidder shall carefully examine all contract documents and all addenda thereto and shall thoroughly familiarize himself with the detailed requirements thereof prior to submitting a proposal. Should a bidder find discrepancies or ambiguities in, or omissions from documents, or should he/she be in doubt as to their meaning, he/she shall at once, and in any event not later than ten (10) days prior to bid due date, notify the Village Clerk who will, if necessary, send written addenda to all bidders. The Village will not be responsible for any oral instructions. All inquiries shall be directed to the Village Clerk. After the bids are received, no allowance will be made for oversight by the bidder.

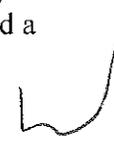
- 6) Mistake in Bid and Bid Changes - No bid may be modified after submittal. However, if an error is made in extending a total price, the unit price will govern. The bidder must initial erasures on the bid form.

Initial: _____

- 7) Bid Binding - Unless otherwise specified, all bids shall be binding for Ninety (90) days following the bid opening date.
- 8) Changes in Contract Documents - Changes or corrections may be made by the Village in contract documents after they have been issued by the Village to all bidders of record. Such addendum or addenda shall take precedence over that portion of the documents concerned, and shall become part of the contract documents. Except in unusual cases, addenda will be issued to each of the bidders at least four (4) days prior to date established for receipt of bids.
- 9) Response to Invitations - Contractors who are unable to bid or do not desire will provide a letter of explanation and return the bid form. Contractors who fail to respond on two (2) successive bids will be removed from the qualified bidder's list.
- 10) Bid Attachments - Bidders shall attach to the bid form any descriptive material necessary to fully describe the merchandise he/she proposes to furnish.
- 11) Bidder's Competence - The Village may require proof of facilities or equipment, insurance coverage and financial resources to perform the work. If required, the bidder shall submit to the Village a properly executed Contractor's Qualification statement, AIA Document A305. The Village reserves the right to require specific references of communities or companies that have purchased like materials.
- 12) Bid Opening - At the precise time set for bid opening, bids will legally be made public. Bidders or their representatives are encouraged to attend the bid opening.
- 13) Bid Award - The bidder acknowledges the right of the Village to reject any or all bids and to waive informality or irregularity in any bid received and to award each item to different bidders or all items to a single bidder (to accept, split, and or reject part(s) of any of all bids). In addition, the bidder recognizes the right of the Village to reject a bid if the bidder failed to furnish any required bid security or to submit the data required by the bidding documents, or if the bid is in any way incomplete or irregular.

AWARD OR REJECTION OF BIDS

- 1) Award or Rejection - Contracts are awarded to the lowest, most responsible bidder. In determining the responsibility of a bidder, the following are taken into consideration:
 - a) The character, integrity, reputation, judgment, experience and efficiency of the bidder;
 - b) The current, uncompleted work in which a contractor is involved, which might hinder or prevent prompt delivery of the Merchandise;
 - c) The financial resources of the bidder;
 - d) Cash discounts offered;
 - e) Quality, utility, suitability of work or material: the quality of the commodity to be furnished, as well as the price therefore, is to be taken into consideration, and a

Initial: 

bid which is low in point of price may be rejected if the material to be furnished is not the best;

f) Direct, indirect and incidental costs to the Village;

2) Notice of Award - A delivered executed contract shall be the binding contract.

CONTRACT PROVISION

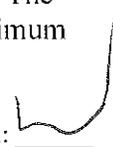
- 1) Material, Equipment, and Workmanship: - Unless otherwise specified, the materials and equipment incorporated in the Goods will be new and of good quality. All workmanship will be of good quality and free from defects. CONTRACTOR shall, if required to furnish satisfactory evidence as to the source, kind and quality of the materials and equipment incorporated in the GOODS.
- 2) Equipment and Shop Drawings - When the contract requires detailed shop drawings and layouts, bidder shall submit them to the Village Manager, or his/her designee, for his/her approval. Drawings shall show the characteristics of equipment and operation details.
- 3) Village Supervision - The Village Manager, or his/her designee, shall have full authority over the contracted work. He/she will interpret specifications in the event of a dispute. He/she may order minor changes in a specification if it becomes obvious to do so. Major changes will be treated as "additions".
- 4) Village Insurance Requirement - Contractors shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the CONTRACTOR, his agents, representatives, employees, or subcontractors.

A) Minimum Scope of Insurance Coverage shall be at least as broad as:

- (1) Insurance Services Office Commercial General Liability occurrence form CG 0001 (Ed. 11/85) with the Village of Bensenville named as additional insured; and
- (2) Owners and Contractors Protective Liability (OCP) policy (if required) with the Village of Bensenville as insured; and
- (3) Insurance Service Office Business Auto Liability coverage form number CA 0001 (ED. 10/90 or newer), Symbol 01 "Any Auto."
- (4) Workers' Compensation as required by the Labor Code of the State of Illinois and Employers' Liability Insurance.

B) Minimum Limits of Insurance Contractor shall maintain limits no less than:

- (1) Commercial General Liability \$1,000,000 combined single limit per occurrence for bodily injury, personal injury, and property damage. The general aggregate shall be twice the required occurrence limit. Minimum

Initial: 

General Aggregate shall be no less than \$2,000,000 or a project/contract specific aggregate of \$1,000,000.

- (2) Business Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage.
- (3) Worker's Compensation and Employers' Liability: Workers' Compensation coverage with statutory limits and Employers' Liability limits of \$1,000,000 per accident.

C) Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the Village of Bensenville. At the option of the Village of Bensenville, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the Village of Bensenville, its officials, agents, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

D) Other Insurance Provisions

The policies are to contain, or be endorsed to contain, the following provisions:

(1) General Liability and Automobile Liability Coverages

- (a) The Village of Bensenville, its officials, agents, employees, and volunteers are to be covered as insured's as respects: liability arising out of activities performed by or on behalf of the Contractor; premises owned, leased or used by the Contractor; or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protection afforded to the Village of Bensenville, its officials, agents, employees, and volunteers.
- (b) The Contractor's insurance coverage shall be primary as respects the Village of Bensenville, its officials, agents, employees, and volunteers. Any insurance maintained by the Village of Bensenville, its officials, agents, employees, and volunteers shall be excess of Contractor's insurance and shall not contribute with it.
- (c) Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Village of Bensenville, its officials, agents, employees, and volunteers.
- (d) The Contractor's insurance shall contain a Severability of Interests/Cross Liability clause or language stating that Contractor's insurance shall apply separately to each insured against who claim is made or suit is brought, except with respect to the limits of the insurer's liability.

(2) Workers' Compensation and Employers' Liability Coverage

The insurer shall agree to waive all rights of subrogation against the Village of Bensenville, its officials, agents, employees; and volunteers for losses arising from work performed by Contractor for the municipality.

Initial: _____

(3) All Coverages

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, cancelled, reduced in coverage or in limits except after thirty (30) days prior to written notice by certified mail, return receipt requested, has been given to the Village of Bensenville.

E) Acceptability of Insurers

Insurance is to be placed with insurers with a Best's rating of no less than A-, VII, and licensed to do business in the State of Illinois

F) Verification of Coverage

Contractor shall furnish the Village of Bensenville with certificates of insurance naming the Village of Bensenville, its officials, agents, employees, and volunteers as additional insured's, and with original endorsements affecting coverage require by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements may be on forms provided by the Village of Bensenville and are to be received and approved by the Village of Bensenville before any work commences. The attached Additional Insured Endorsement (Exhibit A) shall be provided to the insurer for their use in providing coverage to the additional insured. Other additional insured endorsements may be utilized, if they provide a scope of coverage at least as broad as the coverage stated on the attached endorsement (Exhibit A). The Village of Bensenville reserves the right to request full certified copies of the insurance policies and endorsements.

G) Subcontractors

Contractor shall include all subcontractors as insured's under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverage's for subcontractors shall be subject to all of the requirements stated herein.

H) Assumption of Liability

The Contractor assumes liability for all injury to or death of any person or persons including employees of the Contractor, any sub-contractor, any supplier or any other person and assumes liability for all damage to property sustained by any person or persons occasioned by or in any way arising out of any work performed pursuant to this agreement

I) Indemnity/Hold Harmless Provision

To the fullest extent permitted by law, the Contractor hereby agrees to defend, indemnify, and hold harmless the Village of Bensenville, its officials, agents, and employees against all injuries, deaths, loss, damages, claims, patent claims, suits, liabilities, judgments, cost and expenses, which may in anywise accrue against the Village of Bensenville, its officials, agents, and employees, arising in whole or in part or in consequence of the performance of this work by the Contractor, its employees, or subcontractors, or which may in anywise result therefore, except that arising out of

Initial: _____

the sole legal cause of the Village of Bensenville, its agents, or employees, the Contractor shall, at its own expense, appear, defend, and pay all charges of attorney and all costs and other expenses arising therefore or incurred in connections therewith, and if any judgment shall be rendered against the Village of Bensenville, its officials, agents, and employees, in any such action, the Contractor shall at its own expense, satisfy and discharge the same. Contractor expressly understand and agrees that any performance bond or insurance policies required by this contract, or otherwise provided by the Contractor, shall in no way limit the responsibility to indemnify, keep and save harmless and defend the Village of Bensenville, its officials, agents, and employees as herein provided.

The Contractor further agrees that to the extent that money is due the Contractor by virtue of this contract as shall be considered necessary in the judgment of the Village of Bensenville, may be retained by the Village of Bensenville to protect itself against said loss until such claims, suits, or judgments shall have been settled or discharged and/or evidence to that effect shall have been furnished to the satisfaction of the Village of Bensenville.

- 5) F.O.B. - All prices must be quoted F.O.B. Bensenville Illinois. Shipments shall become the property of the Village after delivery and acceptance.
 - a) CONTRACTOR shall assume all risk of loss or damage to the Goods prior to acceptance of delivery by OWNER at the point of delivery; and shall purchase and maintain insurance on the Goods during the process of fabrication and while in transit to insure against the perils of fire and extended coverage including "all risk" insurance for physical loss and damage including theft, vandalism and malicious, mischief, collapse, water damage and such other perils, as CONTRACTOR deems appropriate.
- 6) Delivery Schedule - Bid items must be delivered within sixty (60) days from the date of execution of the contract unless a specific delivery date is stated on the bid. The Village may cancel contract without obligation if Delivery requirements are not met. If said contract is not canceled by the Village, liquidated damages may be due and owing to the Village pursuant to the liquidated damage provision enumerated herein. All deliveries must be made on Monday - Friday, excluding Village holidays, between the hours of 7:00 a.m. and 3:30 p.m. Contractor is expected to ship in full truckload quantities within said sixty (60) day period unless prior approval has been granted by the Village in advance for circumstances beyond the control of the contractor.
- 7) Delivery - Bid price shall include delivery as indicated herein.

Initial: _____

- 8) Default - The Village may, subject to the provisions specified herein, by written notice of default to the contractor, terminate the whole or any part of this contract in any one of the following circumstances:

If the contractor fails to make delivery or to perform the services within the time specified herein or any extension hereof.

In the event the board terminates this contract in whole or in part as provided above, the Village may procure, upon such terms and in such manner as the Village may deem appropriate, supplies or services similar to those terminated, and the contractor shall be liable to the Village for any excess costs for such similar supplies for services; PROVIDED that the contractor shall continue the performance of this contract to the extent not terminated under the provisions of this clause.

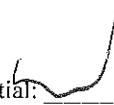
- 9) Alternate Materials and Equipment - Where specifications read "or approved equal", contractor shall direct a written description to the Public Works Director for approval, as set forth herein below. Generally, where specifications indicate a particular brand or manufacturer's catalog number, it shall be understood to mean that specification or equal, or item that will perform a comparable function and be equal thereto to fill the needs of the Village, unless "No Substitutes" is specified. When offering alternatives, they must be identified by brand name and catalog number; in addition, the manufacturer's literature shall be included with the bid. However, bidders will be required to furnish samples upon request and without charge to the Village.

- 10) Bidder's Access to Procurement Information - All procurement information concerning this bid shall be a public record to the extent provided in the Illinois Freedom of Information Act and Public Act #85-1295 and shall be available to all bidders as provided by such acts.

- 11) Acceptance - Contracted work will be considered accepted when final payment is made.

12) Payment -

- a) For services of merchandise ordered by purchase order, payment will be made to a vendor provided and service or merchandise has been properly tendered to and accepted by the Village. Payment by check to a vendor is mailed the week approval of payouts is made by the Board. Payout requests are considered at the regular Village Board meetings on the 2nd and 4th Tuesdays of the month.
- b) For construction, partial payouts will be made each month as the work progresses, provided the work has been properly completed and accepted by the Village. Payment by check to a contractor is mailed the week approval of payouts is made by the Board. Payout requests are considered at the regular Village Board meetings on the 2nd and 4th Tuesdays of the month.

Initial: 

- 13) Reorders - Reorders for the same item(s) shall be furnished at the base contract price or shall be furnished pursuant to a schedule of prices attached hereto by the contractor. Reordering shall be within the sole discretion of the Village.
- 14) Guarantees and Warranties -
- a) All material, workmanship, services, and purchased commodities will be guaranteed from defects for a period of at least one (1) year, or for the period of time specified in the bid documents, based on the date of completion. Upon notice of defect, bidder shall make necessary repairs, without delay, at no extra charge to the Village. Said time period shall be based on date of completion. Upon written notice of defect, contractor shall make all necessary repairs, without delay, at no extra charge to the Village.
 - b) All warranties for materials or equipment must be received with title before payment for same is recommended.
- 15) Changes/Additional Services/Deletions - Any requests for changes or modifications to this contract must be submitted in writing and approved by the Village Manager, or his/her designee, prior to such changes or modifications being made. Any additional service desired from the contractor under this contract will be requested in writing and the additional charges for these services will be in accordance with the rate submitted on the proposal page and will be agreed to with the contractor prior to additional work commencing. In the event that charges for additional services cannot be agreed upon, bids will be requested. The Village reserves the right to negotiate additional services based upon the contractor's price and performance, within all legal constraints.
- 16) Change Order Authorization - Pursuant to Public Act 85-1295 (Ill.Rev.Stat.ch.38, paragraph 33E-1 et seq.), no change order may be made in this contract which would authorize or necessitate an increase or decrease in either the cost of the contract by \$10,000.00 or more, or the time of completion by 30 days or more unless one of the following certifications is made by either the Village Board or its designee that:
- a) Circumstances said to necessitate the change in performance were not reasonably foreseeable at the time the contract was signed; or
 - b) The circumstances said to necessitate the Change were not within the contemplation of the contract as signed; or
 - c) The change is in the best interest of the Village;

The party authorized to execute the above certification is the Village of Bensenville.

Initial: _____

Winkler's Tree & Landscaping, Inc.
P.O. Box 1154
La Grange Pk, IL 60526
(708)544-1219

VENDOR:

Uma Lake
Signature

PRES
Title

8-31-12
Date

Village of Bensenville:

Signature

Title

Date

Initial: _____

TYPE: Ordinance SUBMITTED BY: S. Viger DATE: 09.20.12

DESCRIPTION: Consider a request for a Conditional Use Permit to allow a Pallet Manufacture/Repair and Variance for parking from the required 38 spaces to 8 spaces for ASAP Pallets, Inc. located at 480 Podlin Drive in an existing I – 4 General Industrial District.

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: Community & Economic Development
voted to approve (7-0)

DATE: 09.18.12

BACKGROUND:

ASAP Inc. is seeking to occupy a vacant building in the Eastern Business District to open a pallet manufacturing and repair business. The one-story brick building is located on the southwestern portion of Podlin Drive and was previously used for pallet manufacturing/repair until foreclosure several years ago. Approximately 20 trucks per day will be delivering/receiving pallets on the site (two trucks per a ten hour day).

KEY ISSUES:

To approve a Conditional Use Permit the Village shall find that the "Approval Criteria" found in the Zoning Ordinance are met. The Criteria include traffic, environmental nuisance, neighborhood character, use of public services and facilities, public necessity as well as other factors relating to the harmony of the use with other elements of compatibility. The CDC believes the Approval Criteria have been met due to the similar use found previously on site. The Variance "Approval Criteria" includes special circumstances, hardship, relating to the property, local character, consistent with title and plan, not resulting from applicant action, preserve rights conferred by the district, necessary for use of property and the minimum variance. The requested parking variance is a unique situation as the only allowable parking space is found to the west of the principle building due to Podlin Drive being composed of Village owned parcels.

ALTERNATIVES:

1. Board discretion.
2. Deny the Conditional Use Permit and Variance request.
3. Remand the request back to the Community Development Commission.

RECOMMENDATION: The CDC respectfully recommends approval of the requested Conditional Use Permit and Variance with several conditions. At the 09.10.12 Public Hearing there were no members of the public present and the Community Development Commission voted (6 - 0) to recommend approval of the Conditional Use Permit and Variance with the following conditions recommended by staff:

- The Conditional Use Permit be granted solely to ASAP Pallets, Inc. and shall be transferred only after a review by the Community Development Commission and approval of the Village Board;
- The property shall be developed and utilized in substantial conformance to the plans submitted as part of the application prepared by Thomas Budzik Architecture submitted 09.07.12;
- A copy of the Conditional Use Permit and associated variances must be kept on the premises of the establishment and be presented to any authorized Village official upon request;
- The property shall be developed and utilized in substantial conformance to the plans to be submitted as part of this application prepared for ASAP Pallets, Inc.;
- The floor be striped to dictate where pallets are allowed within the building, providing required aisles of egress to the correct width and location;
- Outdoor storage of pallets be located within the pre-approved locations, permanently marked with paint;
- An Annual Fire Alarm Inspection report and Commodity versus Density study be conducted;
- A landscape plan shall be submitted and approved as part of the sign/building permit.

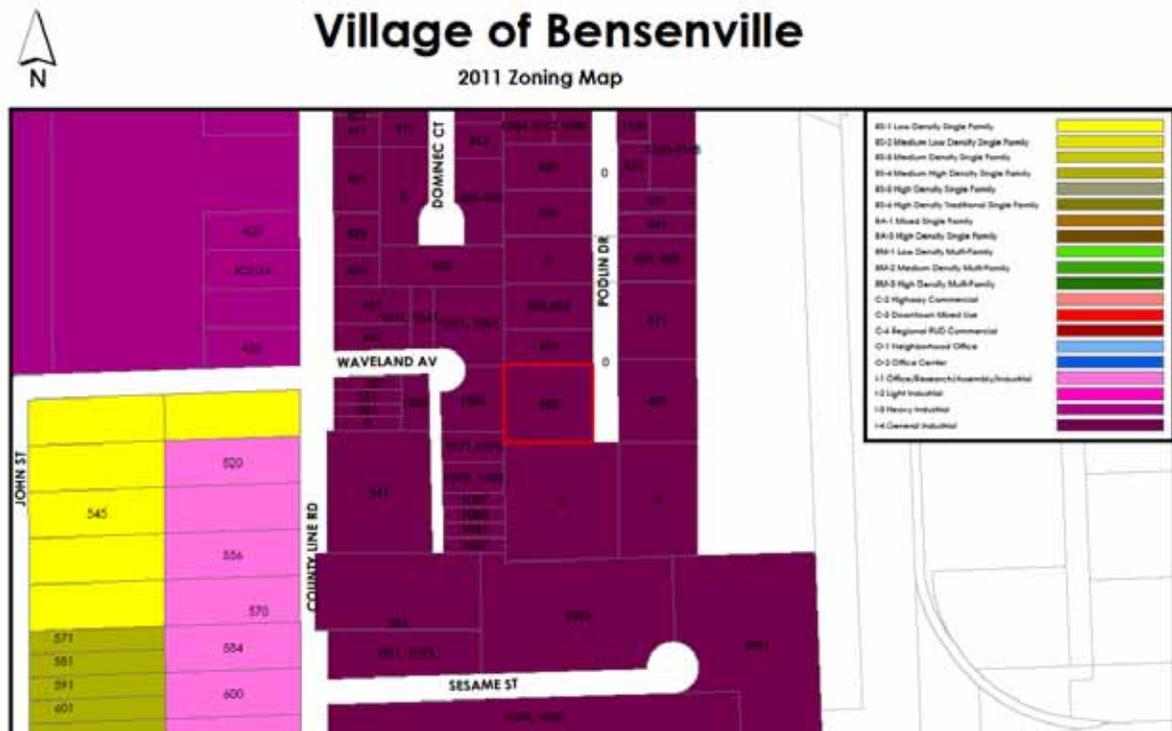
BUDGET IMPACT: N/A

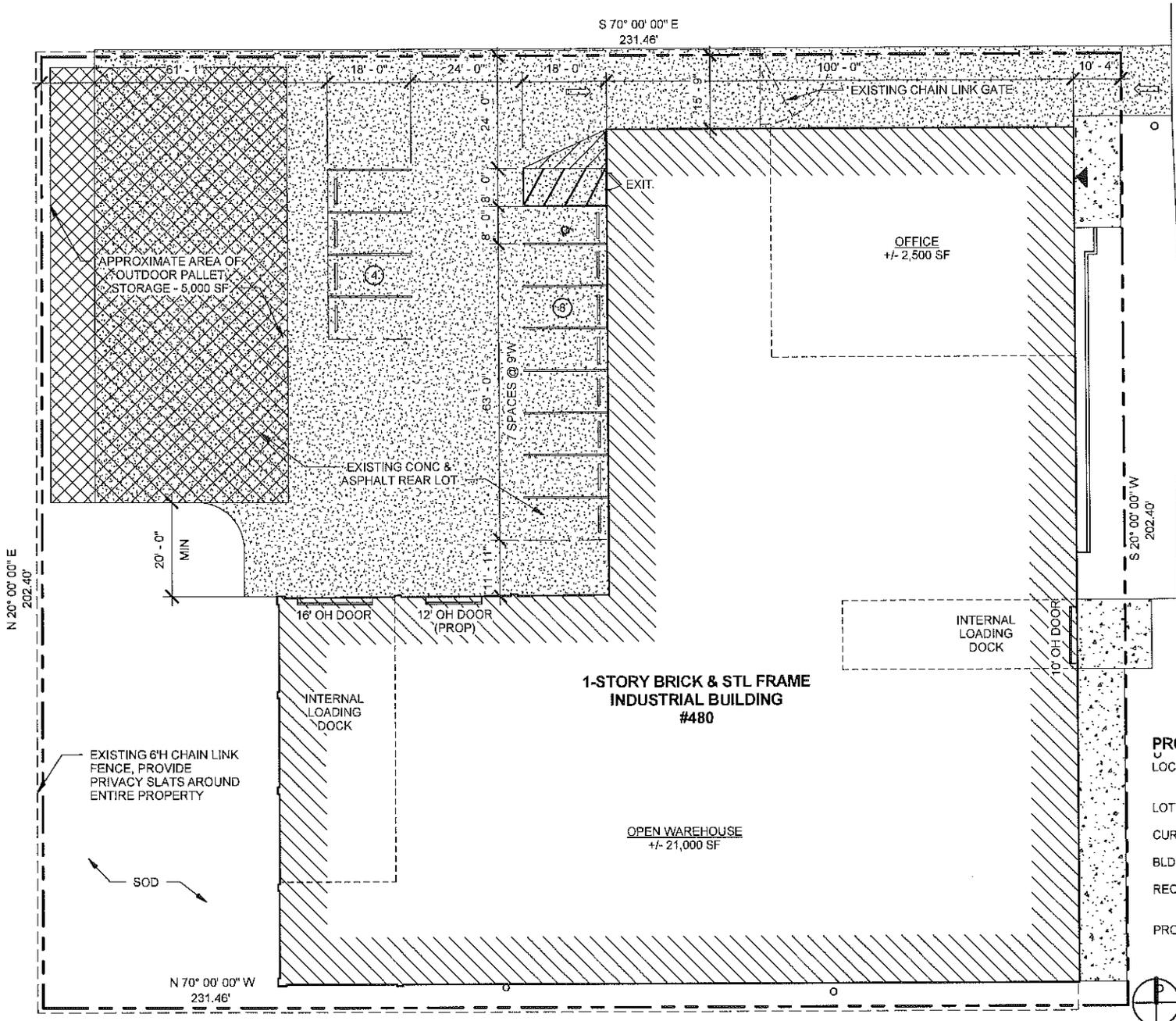
ACTION REQUIRED: Adoption of the attached Ordinance approving the Conditional Use Permit and Variance with conditions as recommended by staff and the CDC, however allowing the front yard parking to remain until Podlin Drive is improved.

CDC#2012 – 30

ASAP Pallets, Inc.

Conditional Use Permit – Pallet Manufacture/Repair





PROJECT DATA

LOCATION:	480 PODLIN DR FRANKLIN PARK, ILLINOIS
LOT AREA:	46,847 SF
CURRENT ZONING:	I-2, INDUSTRIAL
BLDG AREA:	24,016 SF
REQ'D PARKING:	0.5 PER 1,000 SF (GFA) 12 SPACES
PROP PARKING:	12 SPACES (1 ADA)

1 SITE PLAN - PROPOSED
1" = 20'-0"

P A I D

SEP - 7 2012

By

211 S Maple Ln
Prospect Hts., IL

THOMAS RICH ARCHITECTURE

t
h
o
m
a
s

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE GRANT OF A CONDITIONAL USE PERMIT AND ASSOCIATED VARIANCE TO ALLOW PALLET MANUFACTURE/REPAIR AT 480 PODLIN DRIVE, BENSENVILLE, ILLINOIS

WHEREAS, Citibank N.A. (“Owner”) and Angela Cortez (“Applicant”), filed an application seeking a conditional use permit to allow ASAP Pallets, Inc., to conduct Pallet Manufacture/Repair in the I-4 General Industrial District pursuant to Section 10-9D-3, and for a variance to parking requirements, pursuant to Sections 10-11-11 of *The Village of Bensenville Zoning Ordinance* (“Zoning Ordinance”) at property commonly known as 480 Podlin Drive, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “Subject Property”), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, Pallet Manufacture/Repair is allowed as a conditional use in the I-4 General Industrial District; and

WHEREAS, Notice of Public Hearing with respect to the conditional use permit and variance sought by the Owner for the tenant was published in the Daily Herald on August 25, 2012 in the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the property and via personal mail, 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 on September 10, 2012 as required by the statutes of the State of Illinois and the ordinances of the Village, and after hearing the application, made the findings of facts as set forth in Exhibit “B,” attached hereto and incorporated herein by reference; and

WHEREAS, upon said findings of facts, the Community Development Commission voted 6 – 0 to approve the application for conditional use permit to allow Pallet Manufacture/Repair and variance to parking as requested at the Subject Property, subject to the conditions as recommended in the staff report; and

WHEREAS, the Community Development Commission forwarded its recommendation to approve the application to the Village Board’s Community and Economic Development Committee which concurred in the recommendation to approve the application, with a modification to the

condition imposed relative to landscaping, to allow the Applicant to continue to park in the front of the building until such time as Podlin is improved; and

WHEREAS, the Community and Economic Development Committee then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees on September 25, 2012; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined, based on its consideration, that the permit and variance should be granted with the conditions as set forth herein, allowing the relief requested, finding that it is consistent with the Zoning Ordinance and the orderly and harmonious development of the Village.

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 application for a conditional use permit to allow ASAP Pallets, Inc. to conduct Pallet Manufacture/Repair at the Subject Property, in conjunction with its use of the Subject Property, is hereby granted and variance as follows is granted: variance to reduce the required parking from 38 to 8 spaces subject to the following conditions: (1) the conditional use permit shall only be applicable during the tenancy of ASAP Pallets, Inc., (2) a copy of the conditional use permit and associated variance must be kept on the premises of the establishment and be presented to any authorized Village official upon request, (3) the Subject Property shall be developed and utilized in substantial conformance to the plans submitted as part of this application prepared for ASAP Pallets, Inc., (4) the floor must be striped to dictate where the pallets are allowed within the building, providing required aisles of egress to the correct width and location; (5) outdoor storage of pallets be located within the preapproved locations, permanently marked with paint, (6) an annual fire alarm inspection report and commodity versus density study be conducted, (7) a landscape plan shall be submitted and approved as part of the building permit, however the parking spaces in the front of the building can continue to be used until such time as Podlin is improved.

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

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 25th day of September, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

f:\pkb\bensenville\ordinances\zoning\conditionaluse\480 podlin.doc

Ordinance # ____-2012
Exhibit "A"
Legal Description

The legal description is as follows:

PARCEL 1:

THAT PART OF THE NORTHWEST FRACTIONAL QUARTER OR SECTION 19, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER LINE OF FRANKLIN AVENUE AND A POINT OF 500.0 FEET (MEASURED AT RIGHT ANGLES) EAST OF THE WEST LINE OF SAID SECTION; THENCE SOUTH ON A LINE 500.0 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 984.53 FEET FOR A PLACE OF BEGINNING; THENCE CONTINUING SOUTH ON SAID PARALLEL LINE 202.40 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE 231.46 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID SECTION 202.40 FEET; THENCE WEST TO THE PLACE OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 OVER THAT PART OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT OF INTERSECTION OF THE CENTER LINE OF FRANKLIN AVENUE WITH A LINE 731.46 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION (731.46 FEET, FEET BEING MEASURED AT RIGHT ANGLES TO SAID WEST LINE); THENCE SOUTH PARALLEL WITH SAID WEST LINE OF SAID SECTION, A DISTANCE OF 1,099.84 FEET; THENCE EAST AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 66.00 FEET; THENCE NORTH PARALLEL TO THE WEST LINE OF SAID NORTHWEST FRACTIONAL QUARTER, A DISTANCE OF 1,075.27 FEET TO THE CENTER LINE OF FRANKLIN AVENUE; THENCE NORTHWESTERLY ALONG THE CENTER LINE OF FRANKLIN AVENUE TO THE POINT OF BEGINNING, AS CREATED BY GRANT OF EASEMENT RECORDED JUNE 16, 1955 AS DOCUMENT 16271421, ALL IN COOK COUNTY, ILLINOIS.

The common address is 480 Podlin Drive.

Ordinance # ____-2012
Exhibit "B"

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

September 10, 2012

CALL TO ORDER: The meeting was called to order by Chairman Moruzzi at 6:30 p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Janowiak, Rowe, Pisano, Weldon
Absent: James, Ventura
A quorum was present.

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission of August 13, 2012 were presented.

Motion: Commissioner Pisano made a motion to approve the minutes as presented. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon
Nays: None

All were in favor. Motion carried.

Village Attorney, Mary Dickson, reviewed the rules and process to the audience in attendance of the Public Hearings.

Village Attorney, Mary Dickson, swore in members of the audience under oath that planned to give testimony.

Commissioner James entered the meeting at 6:35 p.m.

Public Hearing: CDC Case Number 2012-30
Petitioner: ASAP Pallets, Inc. – Angela Cortez
Location: 480 Podlin Drive
Request: Conditional Use Permit to Allow Pallet Manufacturing and Repair and Parking Variance.

Motion: Chairman Moruzzi made a motion to open the Public Hearing for CDC Case Number 2012-30. Commissioner Rowe seconded the motion.

ROLL CALL :

Upon roll call the following Commissioners were present:
Moruzzi, James, Janowiak, Rowe, Pisano, Weldon
Absent: Ventura
A quorum was present.

Chairman Moruzzi opened the Public Hearing for CDC Case Number 2012-30 at 6:58 p.m.

Director of Community & Economic Development, Scott Viger, stated a legal notice was published in the Daily Herald on August 25, 2012 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mr. Viger also stated that Village Staff posted a notice of the Public Hearing sign on the property on August 24, 2012. Mr. Viger stated on August 24, 2012 Village Staff mailed first class notice of the public hearing to taxpayers of record within 250 feet of the property in question.

Marshall J. Subach, Attorney; Thomas Budzik, Architect; Philippe Delgado and Angela Cortez, owners, were all present and previously sworn in by Village Attorney, Mary Dickson. Mr. Subach submitted photos to the Commissioners. The photos have been attached to the minutes as "Exhibit B". Mr. Subach stated his clients are moving from Addison to Bensenville and are currently in negotiations with Citi Bank to purchase the building. Mr. Subach stated an inspector has already been out to the property and his clients are understandable with the recommendations set forth and are willing to comply with code. Mr. Subach stated after review of the site plan, there are currently seven parking spaces on the township owned right of way. Mr. Subach submitted a copy of the site plan to the Commissioners. A copy of the site plan has been attached to the minutes as "Exhibit C". Mr. Subach stated the plan allows for eight parking spaces behind the building. Mr. Subach stated there will be 5,000 square feet of outdoor storage, which is allowed in the current I-4 zoning district. Mr. Subach asked for Staff to reconsider their recommendations and amend recommendation number one and remove recommendation number four. Mr. Subach asked for clarification from Staff regarding the recommendation to landscape the property to the west. Mr. Subach asked for clarification on Staff's calculations of the 46 parking spaces required for the property.

Commissioner Pisano asked what the current plan is to pay the outstanding water bill. Mr. Subach stated he is currently in negotiations with Citi Bank over the outstanding water bill.

Commissioner Rowe asked if the company had trucks. Mr. Delgado stated they own several trucks for transportations and that the trucks will be stored inside.

Chairman Moruzzi asked if there was any member of the Public that would like to speak on behalf of CDC Case Number 2012-30. There was none.

Director of Community & Economic Development, Scott Viger, reviewed the Village Staff Report. Village Attorney, Mary Dickson asked Mr. Subach to review the approval criteria for his clients variance request. Mr. Subach reviewed the approval criteria for the variance and stated he would submit a written document to Staff at a later time. Mr. Viger stated Staff recommends approval with the following conditions:

1. The Conditional Use Permit be granted solely to ASAP Pallets, Inc. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit.
2. A copy of the Conditional Use Permit and associated variances must be kept on the premises of the establishment and be presented to any authorized Village official upon request.
3. The property shall be developed and utilized in substantial conformance to the plans to be submitted as part of this application prepared for ASAP Pallets, Inc.
4. The floor be striped to dictate where pallets are allowed within the building, providing required aisles of egress to the correct width and location.
5. Outdoor storage of pallets be located within the pre-approved locations, permanently marked with paint.
6. An Annual Fire Alarm Inspection report and Commodity versus Density study be conducted.
7. A landscape plan shall be submitted and approved as part of the sign/building permit.

Commissioner Pisano asked if the company uses a forklift. Mr. Delgado stated they use a propane forklift. Commissioner Pisano asked if the dust on the floor will affect the performance of the forklift. Mr. Delgado stated the dust is collected by machines in throughout the warehouse. Mr. Delgado stated he is willing to comply with Staff's recommendations.

Commissioner James asked if the building is sprinkled. Mr. Subach stated the building meets the proper code requirements. Commissioner James asked that a key be left with the fire department in case of an emergency. Mr. Delgado did not object.

Mr. Viger clarified a mistake in the Village Staff Report. Mr. Viger stated the landscaping in question was to the east side of the property, not the west side and that the property in question is Village owned and not Township owned. Mr. Subach asked that the recommendation be lifted due to the fact that his client will then loose seven parking spaces and invest money in landscaping for no purpose. Mr. Subach suggested allowing the use to occur as is and visit the issue at a later date when the Village decides to pave Podlin Drive.

Motion: Commissioner Rowe made a motion to close the Public Hearing for CDC Case Number 2012-30. Commissioner Janowiak seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case Number 2012-30 at 7:40 p.m.

Motion: Commissioner Rowe made a motion to approve the findings of facts for the conditional use permit request for CDC Case Number 2012-30 consisting of:

1. **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized.
2. **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not

characteristic of the historic use of the property or permitted uses in the district.

3. **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized.
4. **Use Of Public Services And Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.
5. **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community.
6. **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location.

Commissioner Pisano seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the findings of fact for the requested variance consisting of:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them.
2. **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.
3. **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on,

or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property.

4. **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.
5. **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy 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.
6. **Necessary For Use Of 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.
7. **Not Alter 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.
8. **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.

9. **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.

Commissioner Weldon seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the conditional use

permit requested with Staff recommendations. Commissioner Pisano seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Pisano made a motion to approve the variance requested from 38 to 8 parking stalls with Staff recommendations. Commissioner Weldon seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Rowe, Pisano, Weldon

Nays: None

Mike Moruzzi, Chairman
Community Development Commission

TYPE: Ordinance SUBMITTED BY: S. Viger DATE: 09.20.12

DESCRIPTION: Pass the Ordinance granting a Conditional Use Permit to allow a "Motor Vehicle Repair Major and Minor" for Tiger Auto Body internal to the existing industrial building located at 1081 S. Entry Drive in an existing I – 2 Light Industrial District.

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
(unanimously approved)

DATE: 09.18.12

BACKGROUND:

Tiger Auto Body Inc. is relocating to the Village from the City of Wood Dale. The space is located in a multiple tenant industrial building formerly housed a boxing gym. There is another auto body business in the building already. The applicant is a small "one man shop" and does not see expansion in his future, therefore the 3,800 square foot space should easily house any vehicle(s) the business is working on and none should be left out of doors.

KEY ISSUES:

To approve a Conditional Use Permit the Village shall find that the "Approval Criteria" found in the Zoning Ordinance are met. The Criteria include traffic, environmental nuisance, neighborhood character, use of public services and facilities, public necessity as well as other factors relating to the harmony of the use with other elements of compatibility. The staff believes the proposed motor vehicle repair internal to the existing building satisfies these criteria.

ALTERNATIVES:

1. Committee discretion.
2. Deny the Amended Conditional Use Permit request.
3. Remand the request back to the Community Development Commission.

RECOMMENDATION: Staff respectfully recommends approval of the requested Conditional Use Permit with several conditions. At the 07.23.12 Public Hearing there were no members of the public present and the Community Development Commission voted (6 - 0) to recommend approval of the Conditional Use Permit with the following conditions recommended by the Village staff:

- The Conditional Use Permit be granted solely to Tiger Auto Body, Inc. and shall be transferred only after a review by the Community Development Commission and approval of the Village Board.
- The property shall be developed and utilized in substantial conformance to the plans submitted as part of the application prepared for Tiger Auto Body Inc. and submitted 06.15.12.
- No outdoor storage of cars.
- No work outside of the building is allowed.

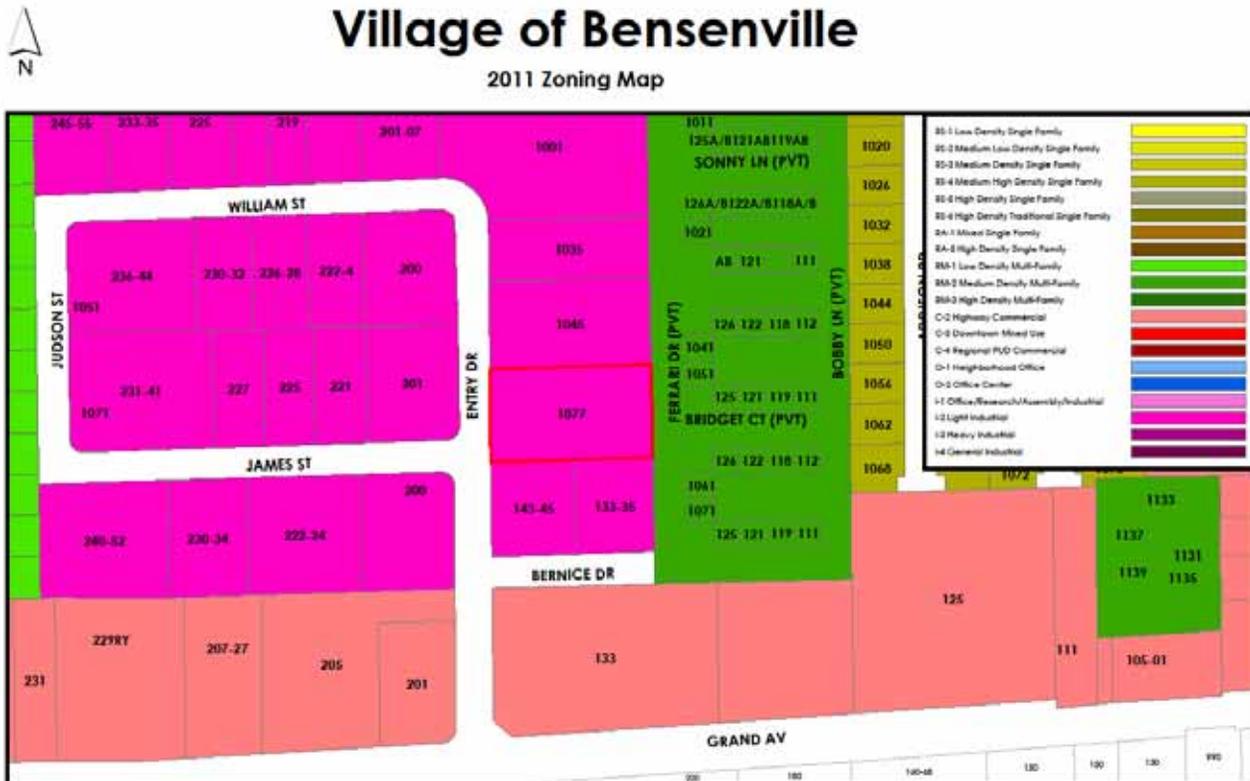
On 09.18.12 the CEDC voted unanimously to approve the request with the conditions recommended by the staff and CDC.

BUDGET IMPACT: N/A

ACTION REQUIRED: Pass the Ordinance.

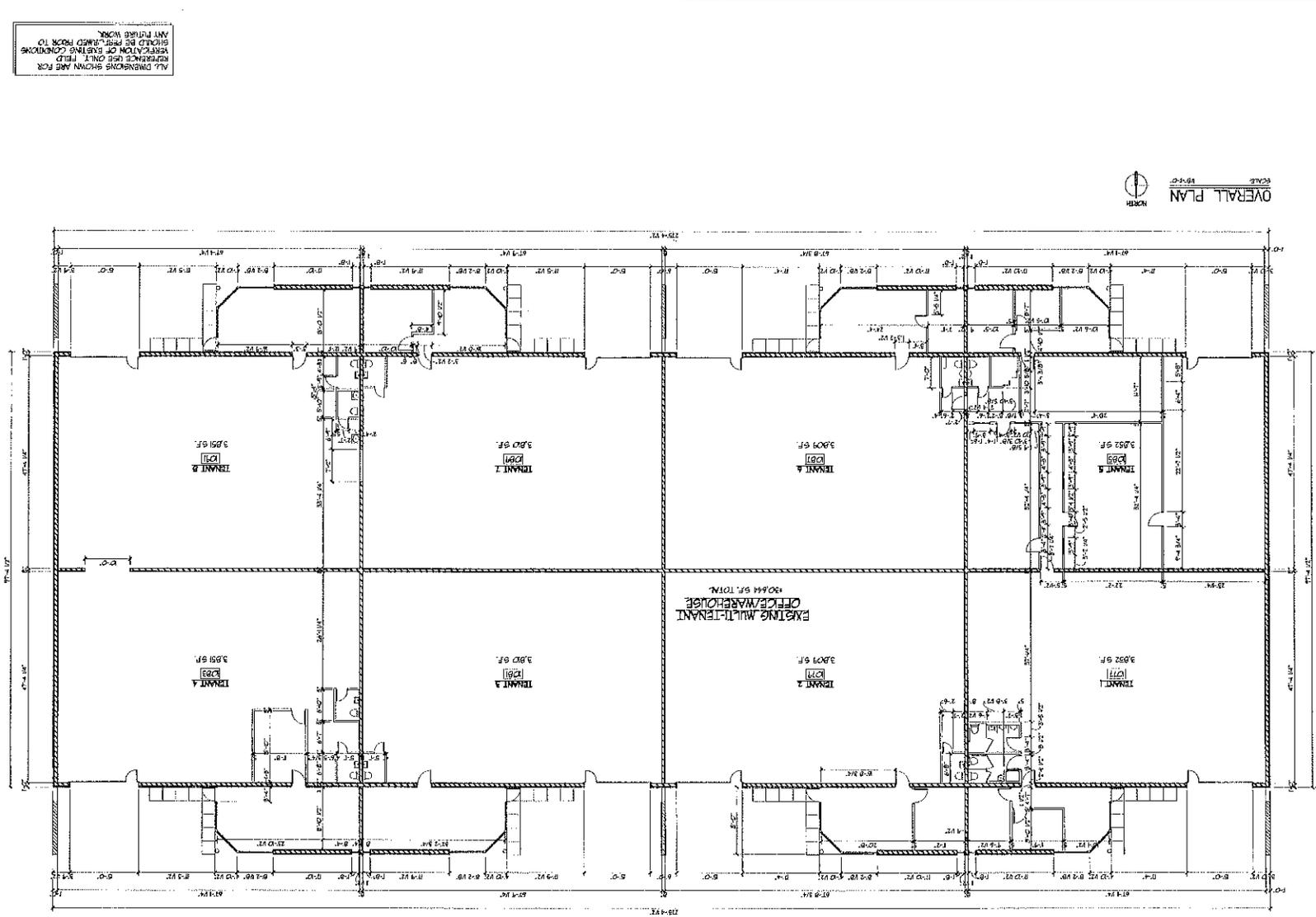
Tiger Auto Body - 1081 Entry Drive

Conditional Use Permit - Motor Vehicle Repair



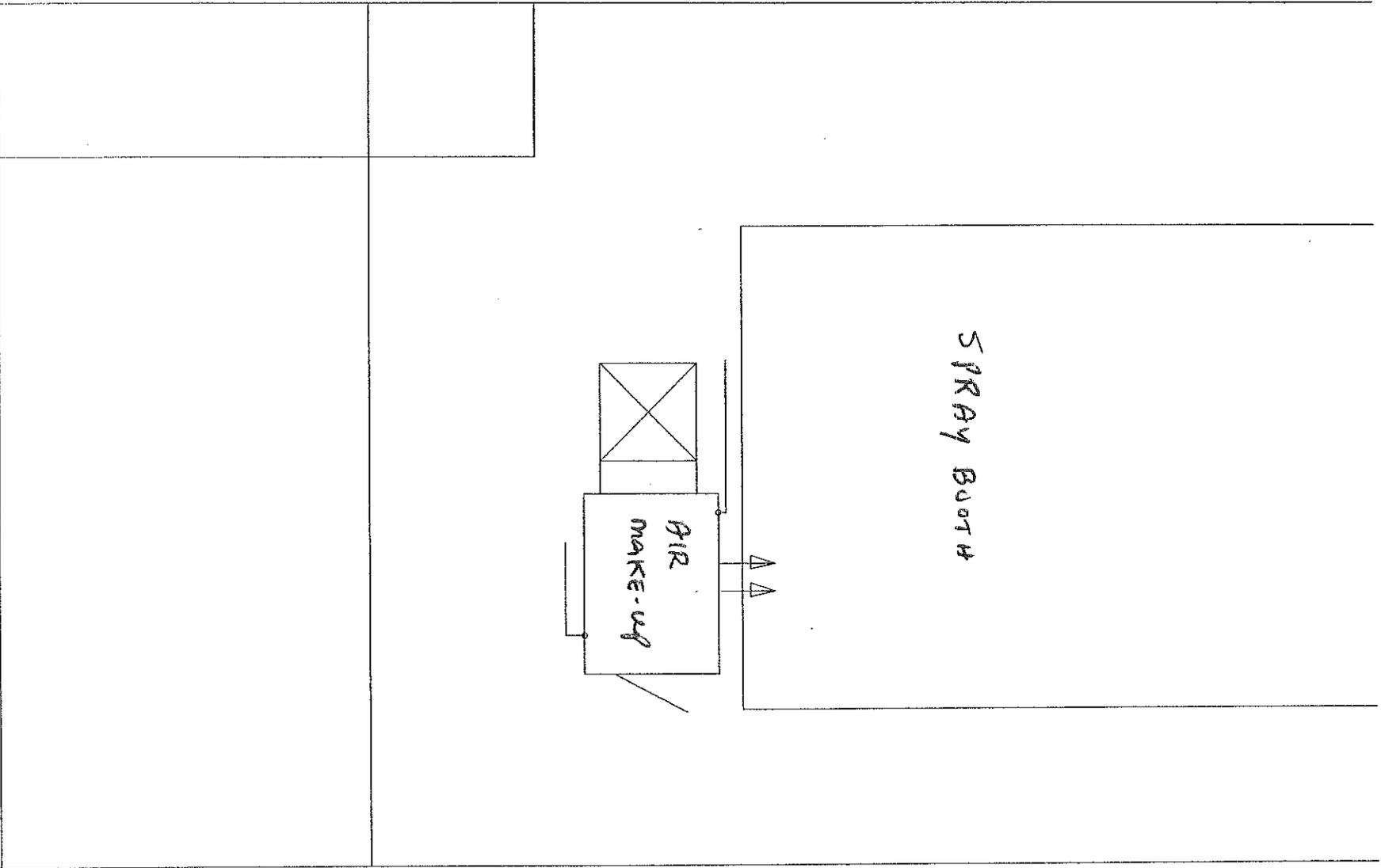
RECEIVED
CONSTRUCTION

SCALE: 1/8"=1'-0"
OVERALL PLAN
NORTH



ALL DIMENSIONS SHOWN ARE FOR
CONSTRUCTION AND SHALL BE
VERIFIED BY THE FIELD
ENGINEER. THE ONLY FIELD
REFERENCE TO BE PROVIDED FROM TO
ANY FUTURE WORK.

LOT LETTERS
1
SHEET NO.
PROJECT NO.
1077-1085
DRAWN BY
M.S.
DATE
RECORD DRAWING FOR
1077-1085 ENTRY DRIVE
LINDBERGH
HARRIS ARCHITECTS INC.
10000 W. HARRIS BLVD., SUITE 1000, HARRIS, TEXAS 77036
PH: 281.465.1000 FAX: 281.465.1001
WWW.HARRISARCHITECTS.COM



#1

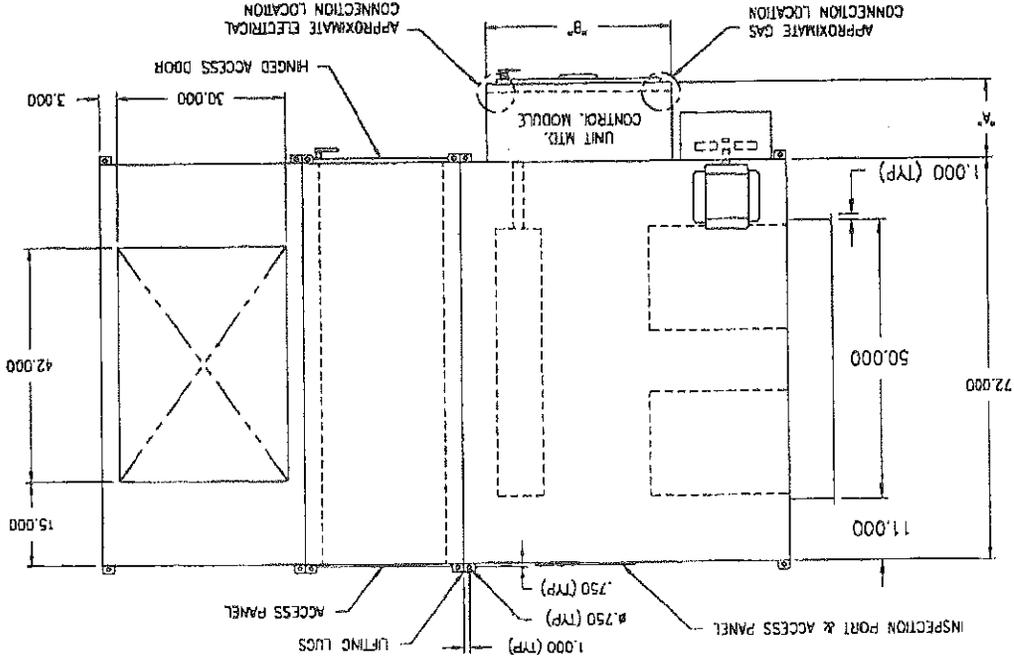
3064

REV	DESCRIPTION	DATE	BY

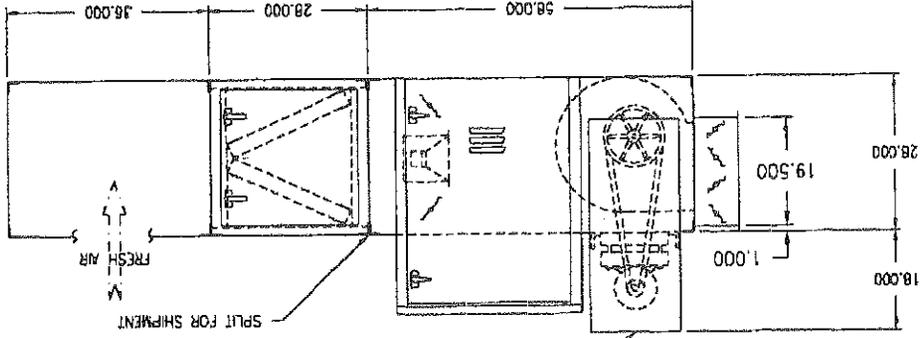
MODEL
 TOT 215 HLL INDOOR
 (SEE SUBMITTAL COVER SHEET FOR UNIT SPECIFICATIONS)

STANDARD FEATURES

- TESTED TO ANSI Z83.4 & Z83.18
- MAXITROL TEMPERATURE CONTROL SYSTEM
- ELECTRONIC FLAME SUPERVISION
- FACTORY TESTED
- 16 GAUGE CRS CASING
- 15" DWD FORWARD CURVED BLOWER
- UNIT MTD CONTROL MODULE
- LUBRICATED BEARINGS W/ ZIRK FITTINGS
- BELT GUARD (PER OSHA STANDARDS)
- AIR PROVING SWITCH
- AIR INLET SCREEN
- INDUSTRIAL ENAMEL EXTERIOR FINISH
- HEAT & RUST RESISTANT INTERIOR FINISH
- ADJUSTABLE BURNER PROFILE DAMPERS
- MIDCO BURNER



MOTORIZED DISCHARGE DAMPER
 BLOWER / BURNER HEAT SECTION
 FILTER SECTION
 VERTICAL PLENUM



SUPPLY AIR

NOTE:
 1.) DRAWING IS NOT TO SCALE.
 2.) THIS SUBMITTAL ONLY APPLICABLE TO DIRECT FIRED BURNER.
 3.) DUE TO SHIPPING REQ., SOME ELEC. RECONNECTION MAY BE NECESSARY.

WEATHER-RITE
 HEATING AND VENTILATION, INC.

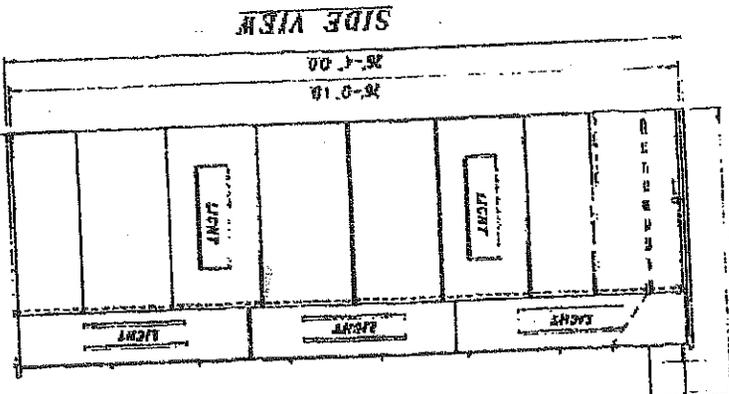
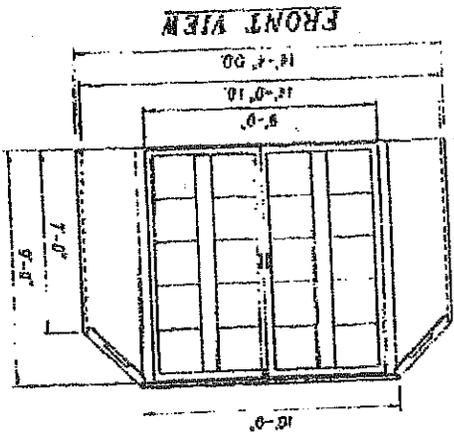
DRAWN BY: _____
 DATE: 12/02/98
 DIMENSIONS

C-336214-19

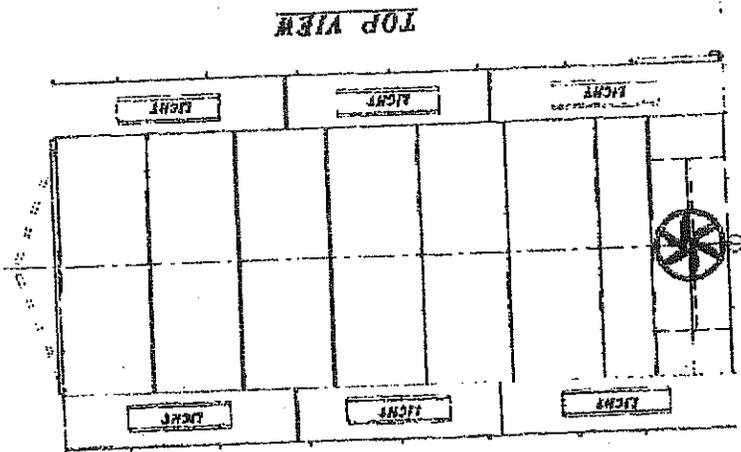
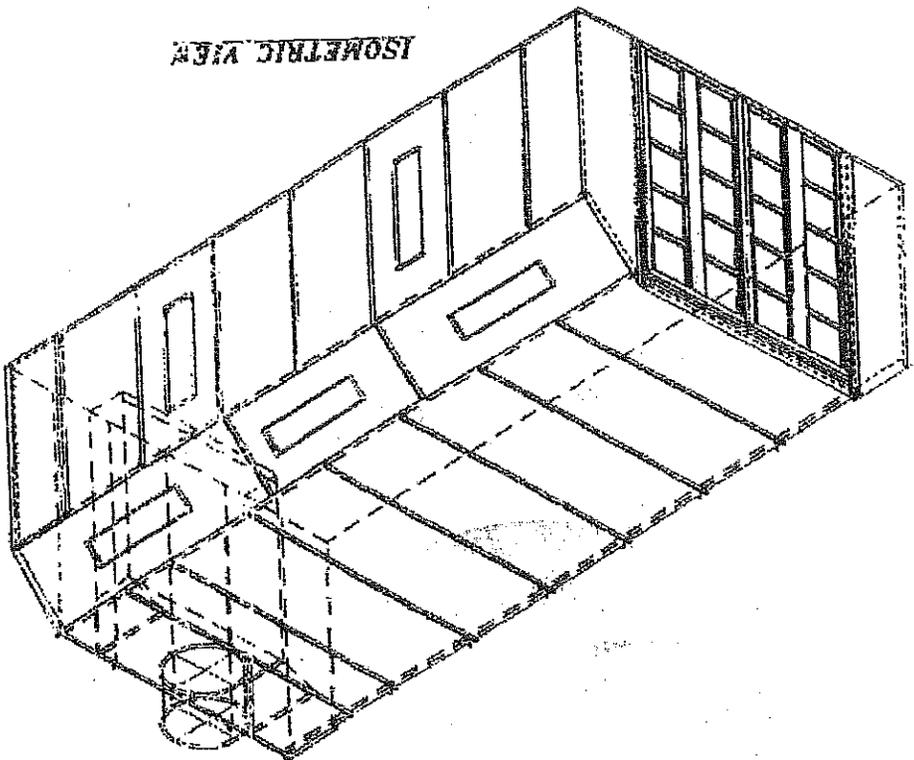
SHEET 1 OF 1

NO.	QTY	DESCRIPTION	UNIT
16.188	33.000	1" 1-1/4" 1-1/2"	GAS TRAIN SIZE
16.188	33.000	2"	
36.310	42.000	2-1/2" 3"	

DISTRIBUTED BY:



ISOMETRIC VIEW



Permit Drawing

PRO TOOLS & EQUIPMENT INC.
23529 EAGLE'S NEST RD
ANTIOCH IL 60002
(847)838-6666

July 9, 2012

Mr. Scott R. Viger, A.I.C.P.
Director/Community & Economic Development
Village of Bensenville
2 South Center Street
Bensenville, IL 60106

RE: Notification of Public Hearing for Tiger Auto Body – 1081 Entry Drive

Dear Mr. Viger:

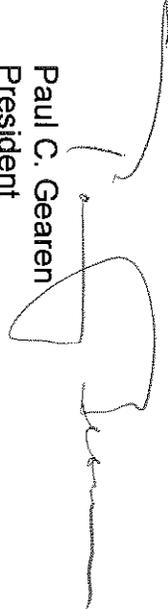
Nicolson, Porter & List represents the owner of an adjacent property (200 William Street) to the subject. Our concern in your granting a Conditional Use Permit to allow Motor Vehicle Repair is that with it might come the unsightly aspects that are frequently associated with vehicle repair shops – unsightly or half fixed vehicles left for extended time in the parking lot or daily on the street. Those sorts of things tend to be to the detriment of property values. I'm certain these people are fine operators, but that is a historical perception and one we would like to steer clear of in the park.

The second issue, I understand, is the installation of a paint booth. This is both a life safety issue and a concern about battered vehicles waiting in the parking lot to be fixed and painted.

Our concerns are property values and safety. I'm certain the Village authorities will represent the interests of existing property owners. Thank you.

Very truly yours,

NICOLSON, PORTER & LIST, Inc.


Paul C. Gearen
President

PCG:ld

Company/Document/PCG:Village of Bensenville

RECEIVED

JUL 10 2012

COMMUNITY DEVELOPMENT

TYPE: Ordinance SUBMITTED BY: S. Viger DATE: 09.20.12

DESCRIPTION: Pass the Ordinance granting a Conditional Use Permit to allow Motor Vehicle Repair, Major & Minor, for G.T.O. Automotive, located at 1148 E. Green Street in an existing I - 4 General Industrial District.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

- Financially Sound Village*
- Quality Customer Oriented Services*
- Safe and Beautiful Village*

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

COMMITTEE ACTION: Community & Economic Development
(unanimous approval)

DATE: 09.18.12

BACKGROUND: The applicant, G.T.O. Automotive, seeks a Conditional Use Permit to allow Motor Vehicle Repair, Major & Minor within a Multiple-Tenanted building located on the south side of Green Street, just east of County Line Road at 1148 E. Green Street. The location has previously been used for motor vehicle repair and contains two lifts.

KEY ISSUES: To approve a Conditional Use Permit the Village shall find that the "Approval Criteria" found in the Zoning Ordinance are met. The Criteria include Traffic, Environmental Nuisance, Neighborhood Character, Use of Public Services, Public Necessity, and Other Factors.

Staff finds the propose Conditional Use Permit does in fact satisfy these criteria due largely to the adequate parking available on-site, work being done within the building limiting the effect on neighboring businesses, and the fact that motor vehicle repair has been conducted on the property in question previously.

ALTERNATIVES:

1. Committee discretion.
2. Deny the Conditional Use Permit request.
3. Remand the request back to the Community Development Commission.

RECOMMENDATION: Staff respectfully recommended approval of the Conditional Use Permit with several conditions:

1. The Conditional Use Permit be granted solely to the tenant and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board;
2. A copy of the Conditional Use Permit be kept on the premises of the establishment and be presented to any authorized Village official upon request;
3. The property shall be developed and utilized in substantial conformance to the plans submitted as part of this application prepared for GTO Automotive submitted 08.22.12;
4. There shall be no work performed on vehicles out of doors, all work to be conducted within the fully enclosed building.

At the 09.10.12 Public Hearing the Community Development Commission voted (5 - 0) to recommend approval of the Conditional Use Permit with the conditions recommended by staff. There was no public comment at the Hearing. The CEDC Committee unanimously recommended approval (vote 7-0) of the Conditional Use Permit at their September 20, 2012 meeting.

BUDGET IMPACT: N/A

ACTION REQUIRED: Pass the Ordinance.

ORDINANCE NO. _____

**AN ORDINANCE APPROVING THE GRANT OF A CONDITIONAL USE PERMIT
TO ALLOW “MOTOR VEHICLE REPAIR (MAJOR & MINOR)”
AT 1081 ENTRY DRIVE, BENSENVILLE, ILLINOIS**

WHEREAS, Thomas Drive Partnership (“Owner”) and Tiger Auto Body, Inc. (“Applicant”) filed an application seeking a conditional use permit to allow the Owner/Applicant to allow Motor Vehicle Repair (Major & Minor) in the I-2 Light Industrial District pursuant to Sections 10-9B-3 of the *Village of Bensenville Zoning Ordinance* (“Zoning Ordinance”) at property commonly known as 1081 Entry Drive, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “Subject Property”), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, Motor Vehicle Repair (Major & Minor) are allowed as a conditional use in the I-2 Light Industrial District; and

WHEREAS, Notice of Public Hearing with respect to the conditional use permit sought by the Owner/Applicant was published in the Daily Herald on July 8, 2012, and the Notice of Hearing was posted and personal notice of the hearing provided as required by the Zoning Ordinance was made, 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 July 23, 2012 as required by the statutes of the State of Illinois and the ordinances of the Village, and after hearing the application, adopted the findings of facts proposed by Village Staff as set forth in Exhibit “B,” attached hereto and incorporated herein by reference; and

WHEREAS, upon said findings of facts, the Community Development Commission voted unanimously to approve the application for conditional use permit to allow Motor Vehicle Repair (Major & Minor) at the Subject Property, subject to the conditions as recommended in the Staff Report; and

WHEREAS, the Community Development Commission forwarded its recommendations concerning the application to the Village Board’s Community and Economic Development Committee which voted 7 – 0 to concur in the recommendation to approve the application for conditional use permit with conditions; and

WHEREAS, the Community and Economic Development Committee then forwarded its recommendations, along with that of the Community Development Commission, to the President and Board of Trustees on September 25, 2012; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined, based on its consideration, that the application for conditional use permit should be granted, with conditions, allowing the relief requested, finding that it is consistent with the Zoning Ordinance and the orderly and harmonious development of the Village.

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 application for a conditional use permit to allow Tiger Auto Body, Inc. to conduct Motor Vehicle Repair (Major & Minor), in conjunction with its use of the Subject Property, is hereby granted subject to the following conditions: (1) the conditional use permit shall only be applicable during the tenancy of Tiger Auto Body, Inc. and shall be transferred only after review by the Community Development Commission and approval of the Village Board. In the event of a sale or change of lease of the Subject Property, the proprietor shall appear before a public meeting of the Community Development Commission, and the Community Development Commission shall review the request and in its sole discretion, shall either recommend that the Village Board approve of the transfer of the permit to the new tenant and/or owner, without amendment of the conditional use permit, or if deemed needed, it shall require the new tenant/owner to petition for a new permit pursuant to the Zoning Ordinance; (2) the Subject Property shall be developed and utilized in substantial conformance to the plans submitted as part of the application, prepared for Tiger Autobody, Inc. submitted 06.15.2012; (3) no outdoor storage of cars shall be allowed; and (4) no work outside of the building is allowed.

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

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 25th day of September, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

f:\pkb\bensenville\ordinances\zoning\conditionaluse\1081 entry drive conduse.doc

Ordinance # ____-2012

Exhibit "A"

Legal Description

The legal Description is as follows:

THE SOUTH 400 FEET (EXCEPT THE SOUTH 200 FEET THEREOF) OF LOT 2 IN WHITE PINES CENTER FOR BUSINESS AND INDUSTRY, BEING A SUBDIVISION OF PART OF THE NORTH ½ OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 7, 1977 AS DOCUMENT NO. R77 – 102033 IN DUPAGE COUNTY, ILLINOIS.

The common address is 1081 Entry Drive.

MINUTES OF THE SPECIAL COMMUNITY DEVELOPMENT COMMISSION

July 23, 2012

CALL TO ORDER: The meeting was called to order by Chairman Moruzzi at 6:30 p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, James, Pisano, Rowe, Ventura, Weldon
Absent: Janowiak
A quorum was present.

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission of June 11, 2012 were presented.

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

Roll Call: Ayes: Moruzzi, James, Rowe, Pisano, Weldon

Nays: None

Abstained: Ventura

Motion carried.

Public Hearing: CDC Case Number 2012-23
Petitioner: Tiger Auto Body
Location: 1081 Entry Drive
Request: Conditional Use Permit to Allow Motor Vehicle Repair (Major & Minor)

Motion: Commissioner Pisano made a motion to open CDC Case No. 2012-23. Commissioner Rowe seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, James, Pisano, Rowe, Ventura, Weldon
Absent: Janowiak
A quorum was present.

Chairman Moruzzi opened the Public Hearing for CDC Case Number 2012-23 at 7:03 p.m.

Director of Community & Economic Development, Scott Viger, stated a legal notice was published in the Daily Herald on July 8, 2012 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mr. Viger also stated that Village Staff posted a notice of the Public Hearing sign on the property on July 6, 2012. Mr. Viger stated on July 6, 2012 Village Staff mailed first class notice of the public hearing to taxpayers of record within 250 feet of the property in question.

Joseph Larocchia, owner of Tiger Auto Body was present and sworn in by Chairman Moruzzi. Mr. Larocchia stated a spray booth had already been installed in the building when he moved in so he assumed the use was allowed. Mr. Larocchia stated he mostly refurbishes parts to cars and occasionally will work on the engine. Mr. Larocchia stated he runs a clean operation and insists his property is kept clean.

Commissioner Rowe asked if there is continuous spraying of vehicles. Mr. Larocchia stated he will paint cars every other day and proper air ventilations are installed.

Commissioner Weldon asked if there is any outdoor storage. Mr. Larocchia stated a car won't sit out in the lot for more than a half a day. He wants the cars in and out of the shop and has no intentions of parking vehicle outside.

Commissioner Weldon asked Staff what will be done if outdoor storage occurs. Mr. Viger stated it becomes an ordinance issue handled by Staff.

Commissioner James asked if the building was code compliant. Mr. Larocchia stated everything that needed to be done has been done.

Chairman Moruzzi asked if there was any member of the Public that would like to give testimony. There were none.

Director of Community & Economic Development, Scott Viger, presented his Staff report and stated Staff recommends approval of the Conditional Use Permit with the following conditions:

- 1) The Conditional Use Permit be granted solely to Tiger Auto Body, Inc. and shall be transferred only after review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new proprietor without amendment to the Conditional Use Permit,

or if the CDC deems that a new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit for a new public hearing before the CDC for a new Conditional Use Permit.

- 2) The property shall be developed and utilized in substantial conformance to the plans submitted as part of this application prepared for Tiger Auto Body, Inc. submitted June 15, 2012.
- 3) No outdoor storage of cars.
- 4) No work outside of the building is allowed.

Motion: Commissioner Weldon made a motion to close the Public Hearing for CDC Case Number 2012-23. Commissioner Ventura seconded the motion.

Roll Call: Ayes: Moruzzi, James, Rowe, Pisano, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case Number 2012-23 at 7:24 p.m.

Motion: Commissioner Pisano made a motion to approve the finding of facts for the conditional use permit for CDC Case Number 2012-23 consisting of:

- 1) **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized. Staff does not foresee any negative impacts on traffic flow associated with the approval of this Conditional Use.
- 2) **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district. Since all work is to be done indoors, there should not be a negative environmental impact.
- 3) **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized. The proposed use would fit harmoniously with

the existing character. The exterior appearance of the property in question will not be altered.

- 4) **Use Of Public Services And Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area. No significant increase in the utilization of the public utility systems is anticipated.
- 5) **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community.

Staff believes there is a public necessity to provide an auto body repair service in a location close in proximity to a variety of car dealerships.

- 6) **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location.

Chairman Moruzzi seconded the motion.

Roll Call: Ayes: Moruzzi, James, Rowe, Pisano, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

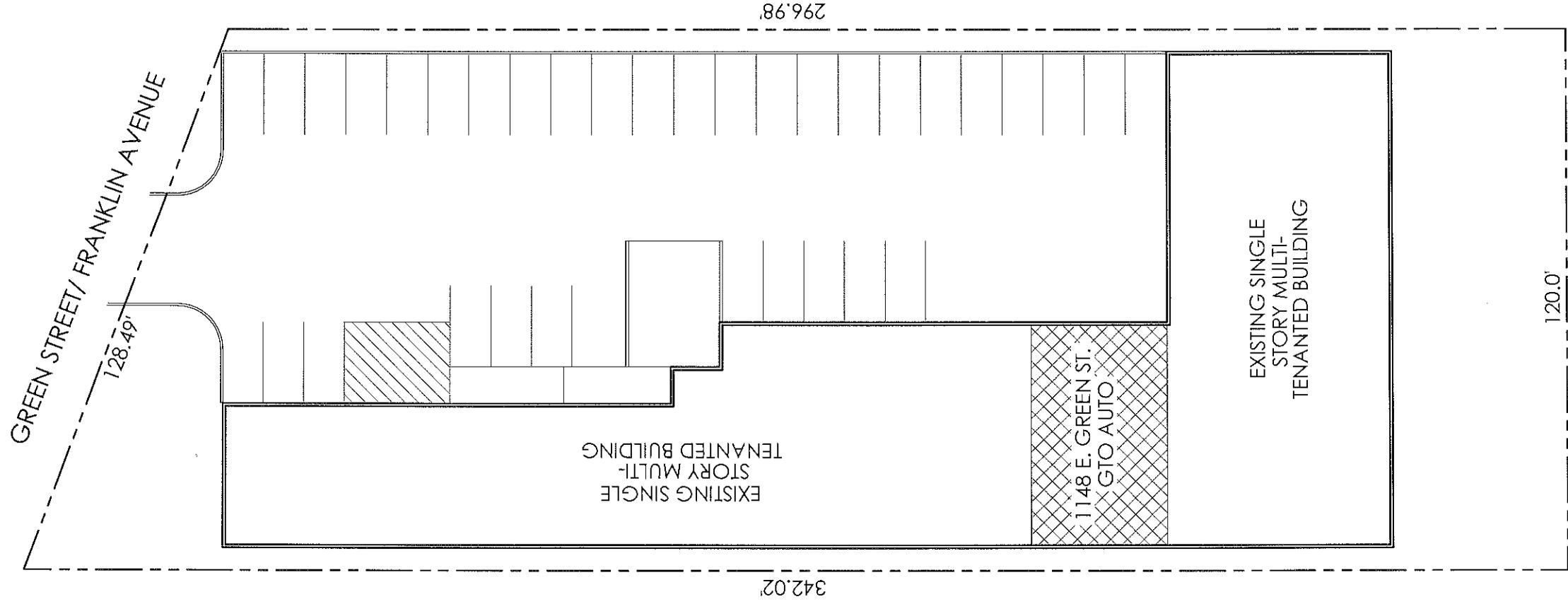
Motion: Commissioner Weldon made a motion to approve the conditional use permit request for CDC Case No. 2012-23 along with Staff's four recommendations. Chairman Moruzzi seconded the motion.

Roll Call: Ayes: Moruzzi, James, Rowe, Pisano, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

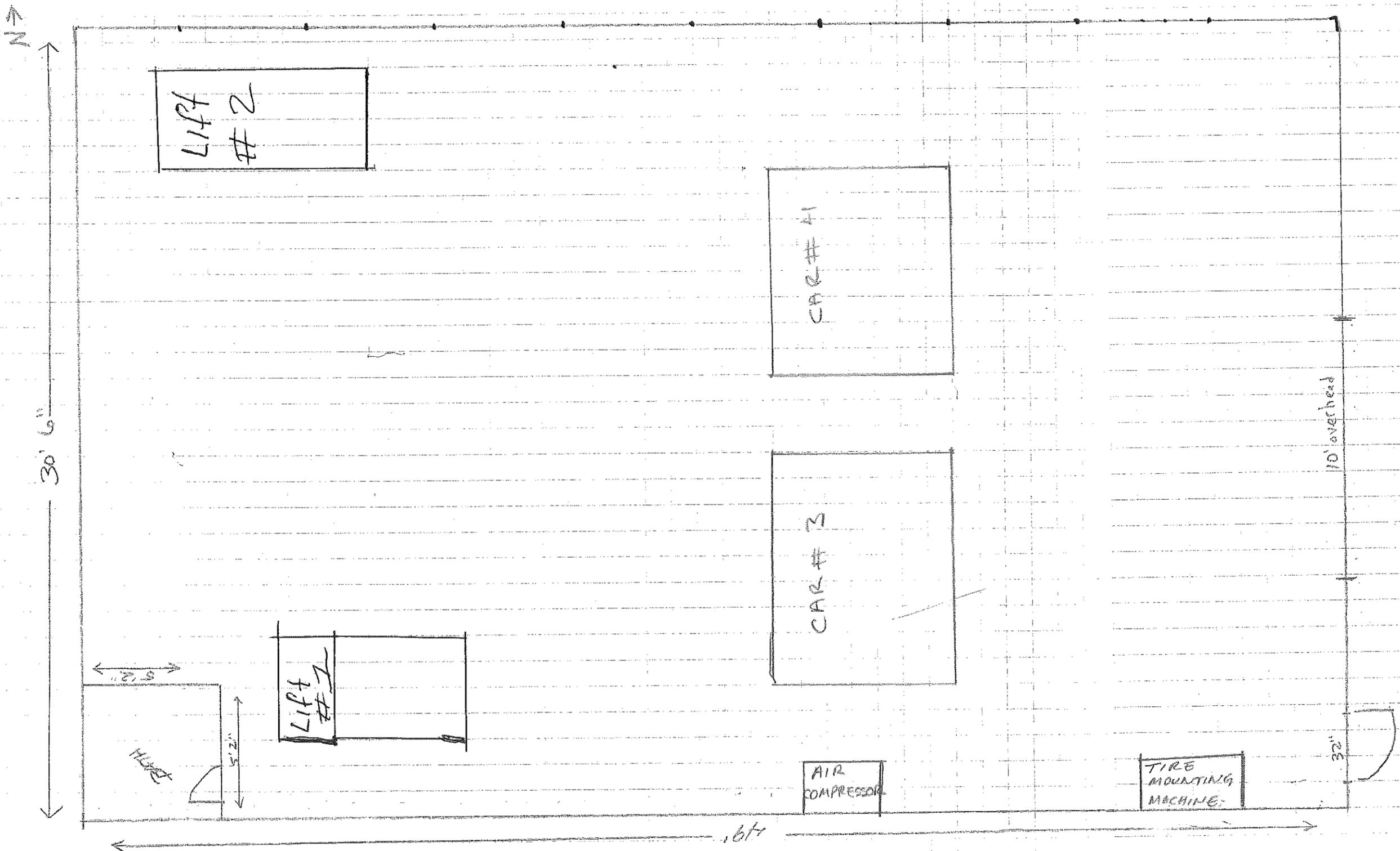
Mike Moruzzi, Chairman
Community Development Commission



EXISTING SITE PLAN

SCALE: 1" = 30'-0"





1/4" = 1'-0"
 1148 GREEN

ORDINANCE NO. _____

**AN ORDINANCE APPROVING THE GRANT OF A CONDITIONAL USE PERMIT
TO ALLOW MOTOR VEHICLE REPAIR (MAJOR AND MINOR)
AT 1148 E. GREEN STREET**

WHEREAS, Chicago Title Land Trust (“Owner”) and Gabriel Nieto - GTO Automotive (“Applicant”), filed an application seeking a conditional use permit to allow Gabriel Nieto - GTO Automotive to conduct Motor Vehicle Repair (Major and Minor) in the I-4 General Industrial District pursuant to Section 10-9D-3, of *The Village of Bensenville Zoning Ordinance* (“Zoning Ordinance”) at property commonly known as 1148 E. Green, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “Subject Property”), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, Motor Vehicle Repair (Major and Minor) is allowed as a conditional use in the I-4 General Industrial District; and

WHEREAS, Notice of Public Hearing with respect to the conditional use permit sought by the Owner for the tenant was published in the Daily Herald on August 25, 2012 in the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the property and via personal mail, 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 on September 10, 2012 as required by the statutes of the State of Illinois and the ordinances of the Village, and after hearing the application, made the findings of facts as set forth in Exhibit “B,” attached hereto and incorporated herein by reference; and

WHEREAS, upon said findings of facts, the Community Development Commission voted 5 – 0 to approve the application for conditional use permit to allow Motor Vehicle Repair (Major and Minor) as requested at the Subject Property, subject to the conditions as recommended in the staff report; and

WHEREAS, the Community Development Commission forwarded its recommendation to approve the application to the Village Board’s Community and Economic Development Committee which concurred in the recommendation to approve the application; and

WHEREAS, the Community and Economic Development Committee then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees on September 25, 2012; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined, based on its consideration, that the permit should be granted with the conditions as set forth herein, allowing the relief requested, finding that it is consistent with the Zoning Ordinance and the orderly and harmonious development of the Village.

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 application for a conditional use permit to allow Gabriel Nieto – GTO Automotive to conduct Motor Vehicle Repair (Major and Minor) at the Subject Property, in conjunction with its use of the Subject Property, is hereby granted subject to the following conditions: (1) the conditional use permit shall only be applicable during the tenancy of Gabriel Nieto – GTO Automotive, (2) a copy of the conditional use permit must be kept on the premises of the establishment and be presented to any authorized Village official upon request, (3) the Subject Property shall be developed and utilized in substantial conformance to the plans submitted as part of this application. Site plans prepared for GTO Automotive, dated 8.22.12, (4) there shall be no work performed on vehicles out of doors, all work to be conducted within the fully enclosed building, (5) _____.

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

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 25th day of day of September, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

f:\pkb\bensenville\ordinances\zoning\conditionaluse\1148 e. green.doc

Ordinance # ____-2012
Exhibit "A"
Legal Description

The legal description is as follows:

THAT PART OF THE NORTHWEST FRACTIONAL QUARTER IN SECTION 19, TOWNSHIP 40 NORTH, RANGE 12, DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER LINE OF FRANKLIN AVENUE AND A POINT 882.90 FEET EAST OF AN PARALLEL WITH THE WEST LINE OF SAID SECTION (SAID 882.90 FEET BEING MEASURED AT RIGHT ANGLES TO SAID WEST LINE): RUNNING THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID SECTION, A DISTANCE OF 384.75 FEET: THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE A DISTANCE OF 120.0 FEET; THENCE NORTH PARALLEL TO THE WEST LINE OF SAID SECTION TO THE CENTER LINE OF FRANKLIN AVENUE: THENCE NORTHWESTERLY ALONG THE CENTER LINE OF SAID FRANKLIN AVENUE TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

The common address is 1148 E. Green Street.

Ordinance # ____-2012
Exhibit "B"

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

September 10, 2012

CALL TO ORDER: The meeting was called to order by Chairman Moruzzi at 6:30 p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Janowiak, Rowe, Pisano, Weldon
Absent: James, Ventura
A quorum was present.

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission of August 13, 2012 were presented.

Motion: Commissioner Pisano made a motion to approve the minutes as presented. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Village Attorney, Mary Dickson, reviewed the rules and process to the audience in attendance of the Public Hearings.

Village Attorney, Mary Dickson, swore in members of the audience under oath that planned to give testimony.

Commissioner James entered the meeting at 6:35 p.m.

Commissioner James left the meeting at 8:16 p.m.

Public Hearing: CDC Case Number 2012-20
Petitioner: GTO Automotive – Gabriel Nieto
Location: 1148 E. Green Street
Request: Conditional Use Permit to Allow Motor Vehicle Repair, Major & Minor

Motion: Commissioner Rowe made a motion to open the Public Hearing for CDC Case Number 2012-20. Commissioner Janowiak seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Janowiak, Rowe, Pisano, Weldon
Absent: James, Ventura
A quorum was present.

Chairman Moruzzi opened the Public Hearing for CDC Case Number 2012-20 at 8:17 p.m.

Director of Community & Economic Development, Scott Viger, stated a legal notice was published in the Daily Herald on August 25, 2012 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mr. Viger also stated that Village Staff posted a notice of the Public Hearing sign on the property on August 24, 2012. Mr. Viger stated on August 24, 2012 Village Staff mailed first class notice of the public hearing to taxpayers of record within 250 feet of the property in question.

Mr. Gabriel Nieto and Ms. Mariana Nieto, owners, were both present and previously sworn in by Village Attorney, Mary Dickson. Ms. Nieto reviewed the current operations of the company. Ms. Nieto stated all work on vehicles will be performed inside the building. There were no questions from the Commission.

Chairman Moruzzi asked if there was any member of the Public that would like to speak in regards to CDC Case Number 2012-20. There were none.

Director of Community & Economic Development, Scott Viger, presented the Village Staff Report. Mr. Viger stated staff recommends approval with the following conditions:

1. The Conditional Use Permits be granted solely to G.T.O. Automotive and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit, and

2. A copy of the Conditional Use Permit and associated variances must be kept on the premises of the establishment and be presented to any authorized Village official upon request, and
3. The property shall be developed and utilized in substantial conformance to the plans submitted as part of this application. Site Plans prepared for GTO Automotive, dated 08.22.12 with revisions requested by staff below, and
4. There shall be no work performed on vehicles out of doors, all work to be conducted within the fully enclosed building.

Mr. Viger also suggestion adding that the company be required to comply with 8-6-15 of Village Code, grease, oil and sand. There were no objections from the Commission.

Motion: Commissioner Pisano made a motion to close the Public Hearing for CDC Case Number 2012-31. Chairman Moruzzi seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case Number 2012-20 at 8:30 p.m.

Motion: Commissioner Weldon made a motion to approve the findings of facts for the conditional use permit request consisting of:

1. **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized. Traffic flow will not be negatively impacted by G.T.O. Automotive due to the work being done inside the subject property. The site had previously been used as a motor vehicle repair shop without negative impacts to the area.
2. **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district. There should not be environmental nuisances uncharacteristic of other I – 4 uses as all work will be completed within the property in question.

3. **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized. The property in question is zoned I – 4 Light Industrial. The proposed use should be in harmony with the businesses in the area.
4. **Use Of Public Services And Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area. No significant increase in the utilization of the public utility systems is anticipated as motor vehicle repair has been a previous use of the property.
5. **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community. Staff believes that there is sufficient market demand for the proposed service.
6. **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location. Other factors subject to Community Development Commission’s discretion.

Commissioner Pisano seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the conditional use permit request for CDC Case Number 2012-20 with Staff’s recommendation and the addition to meet the requirements of Village Code Section 8-6-15. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Mike Moruzzi, Chairman
Community Development Commission

TYPE: Ordinance SUBMITTED BY: S. Viger DATE: 09.11.12

DESCRIPTION: Pass the Ordinance Amending the 1980 Comprehensive Plan for the Village of Bensenville to update the land use designation found on the northwest corner of Grand Avenue and County Line Road (Legends site) from "Park/Open Space" to include Industrial and Commercial land uses.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>
<input type="checkbox"/>	<i>Quality Customer Oriented Services</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>

<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: Community & Economic Development
(unanimously approved)

DATE: 09.18.12

BACKGROUND: The current land use designation for the Legends site according to the Comprehensive Plan (1980) and Corridor Plan: General Development Plan Update (April 20, 2004) is "Park/Open Space." Subsequent to a series of consultant projects and evaluations, including the pending Comprehensive Economic Development Strategy, the concept for the land use has been developed to include Commercial space around the eastern and southern portion of the site, preservation of the Park/Open space along the creek running through the site and Industrial land use for the remaining space. The proposed land use is also consistent with development interest received on the property to date.

KEY ISSUES: The purpose of this request is not a rezoning of the subject property, but merely amending the projected land use for the site to match current thinking of the Village. The subject property is encompassed by TIF #4; as the Village is poised to extend TIF #4, the Comprehensive Plan's future land use designation needs to be consistent with the TIF Plan.

ALTERNATIVES:

1. Deny the amendment to the Comprehensive Plan
2. Amend the Comprehensive Plan request.
3. Remand the request back to the Community Development Commission.
4. Discretion of the Committee.

RECOMMENDATION:

Staff recommends approval of the proposed amendment. At the 09.10.12 Public Hearing the Community Development Commission voted (5 - 0) to recommend approval of the amendment to the Comprehensive Plan Amendment as presented by staff. There was no public comment at the Hearing. The CEDC unanimously recommended approval at their 09.18.12 meeting.

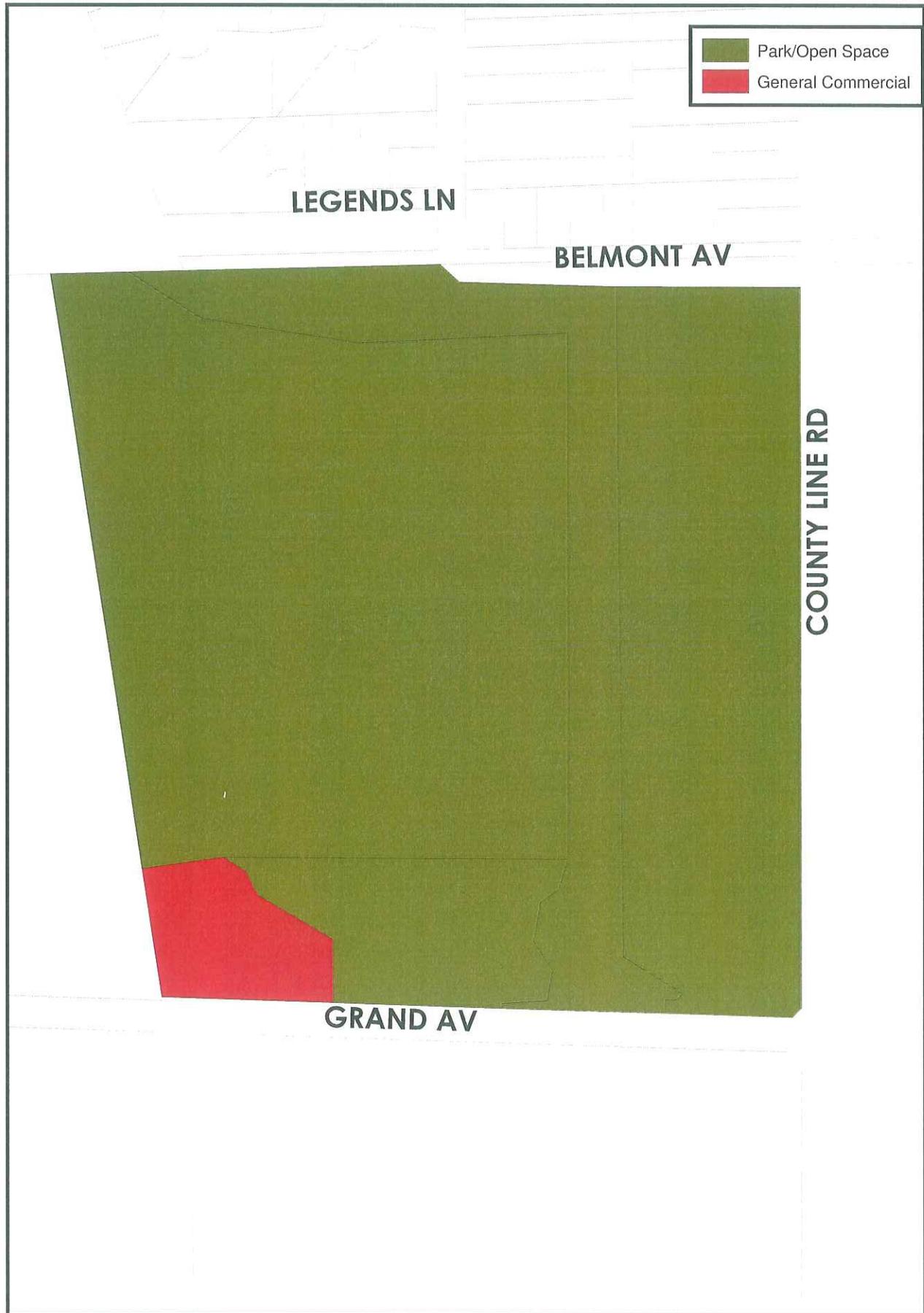
BUDGET IMPACT: N/A

ACTION REQUIRED: Pass the Ordinance



Village of Bensenville

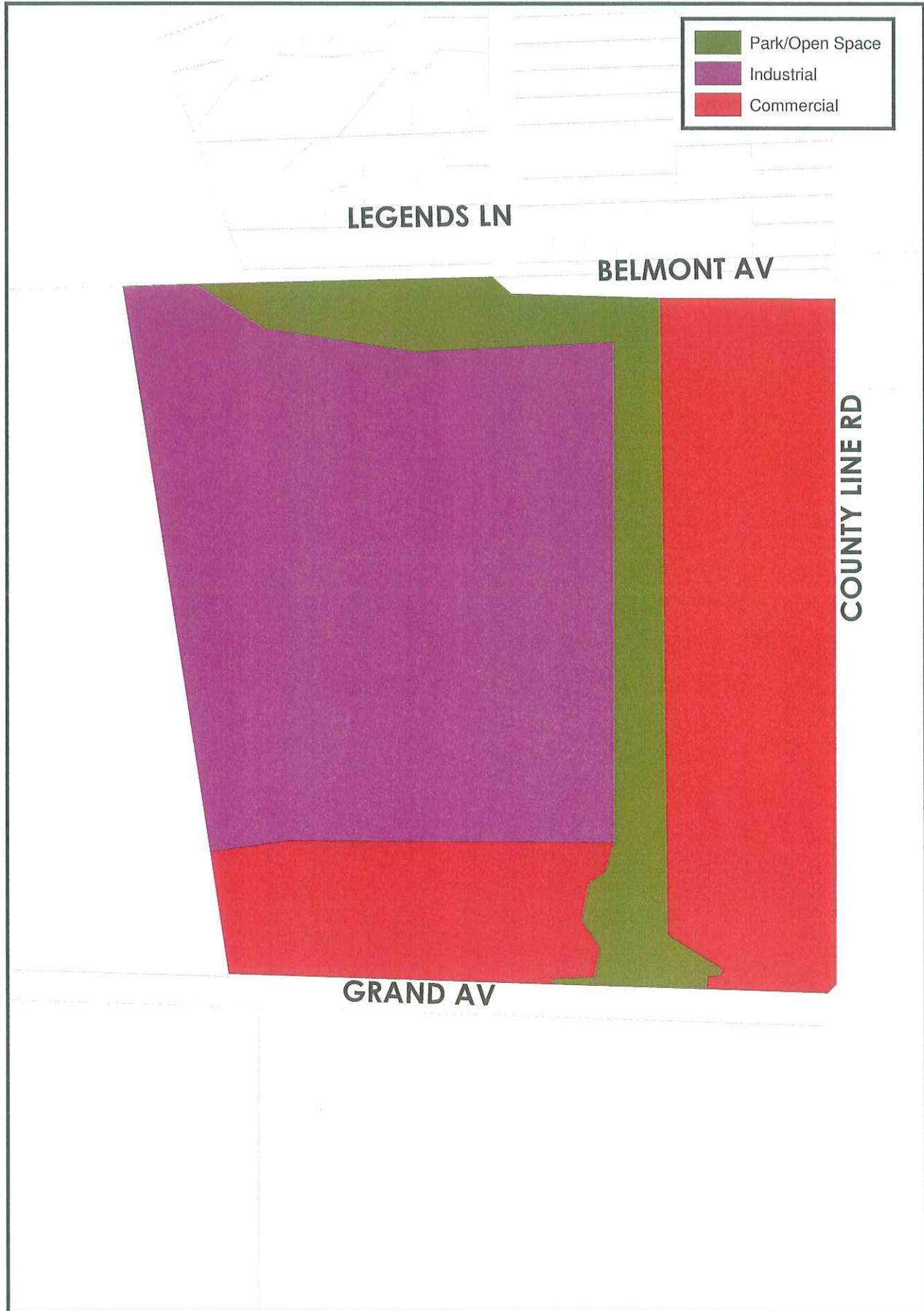
Existing Land Use





Village of Bensenville

Proposed Land Use



MEMORANDUM

TO: CHAIR AND
MEMBERS OF THE COMMUNITY DEVELOPMENT COMMISSION

FROM: SCOTT VIGER

SUBJECT: COMPREHENSIVE PLAN AMENDMENT FOR THE LEGENDS SITE

DATE: 9/20/2012

The current land use designation for the Legends site identified in the 1980 Comprehensive Plan amended by the Corridor Plan: General Development Plan Update, adopted April 20, 2004 is "Park/Open Space."

Current Village thinking is based on several consultant projects and evaluations. The future land use can be maximized with the incorporation of both industrial and commercial districts on the subject site. Along with the preservation of the Park/Open Space surrounding the creek running through the site, a commercial future land use shall be identified along the eastern and southern portion of the site and an industrial land use within the remaining north western area.

To facilitate the aforementioned development in the future, staff recommends the Comprehensive Plan be amended to include these future use patterns. Attached, both the current and proposed land use plans can be found to exemplify this amendment.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE 1980 COMPREHENSIVE PLAN
FOR THE VILLAGE OF BENSENVILLE**

WHEREAS, the Village of Bensenville (hereinafter the “Village”) is a duly organized and existing Illinois municipality pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the Village of Bensenville is authorized and empowered, under the Municipal Code and the Code of Ordinances of the Village of Bensenville, to regulate properties located within the municipal boundaries of the Village; and

WHEREAS, in furtherance of this authorization, the Village of Bensenville has adopted a Comprehensive Plan, to guide the present and future development or redevelopment of the Village; and

WHEREAS, upon review of the 1980 Comprehensive Plan, the Village has determined that the Comprehensive Plan should be amended to better reflect redevelopment of the northwest corner of Grand Avenue and County Line Road, changing the proposed use of the property from Park/Open Space to that which would allow commercial development of the property; and

WHEREAS, in conformance with the Illinois Municipal Code, 65 ILCS 5/11-12-5, Notice of Public Meeting with respect to the proposed Amendment was published in the Daily Herald Newspaper in the Village of Bensenville; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on September 10, 2012 as required by the statutes of the State of Illinois, and after hearing the application for amendment, voted unanimously to recommend approval of the proposed Amendment; and

WHEREAS, the Community Development Commission forwarded its recommendation to approve the Amendment to the Village Board's Community and Economic Development Committee which concurred in the recommendation to approve the Amendment; and

WHEREAS, the Community and Economic Development Committee then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees on September 25, 2012; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined that the requested Amendment to the 1980 Comprehensive Plan concerning the northwest corner of Grand Avenue and County Line Road be approved as recommended by Village Staff.

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 1980 Comprehensive Plan of the Village of Bensenville be amended as it pertains to the northwest corner of Grand Avenue and County Line Road, changing the designation of the property from Park/Open Space to Commercial and Industrial considerations for future land use and development and redevelopment of the property.

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

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 25th day of day of September, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

TYPE: Ordinance SUBMITTED BY: S. Viger DATE: 09.20.12

DESCRIPTION: Pass the Ordinance granting the request from VIP Transportation Tow amending a Conditional Use Permit and associated variances to allow a fence in the actual front yard on the property located at 155-157 Beeline Drive in an existing C - 4 Regional Destination PUD Commercial District.

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 -
APPROVED (vote 4-3)

DATE: 09.18.12

BACKGROUND: The applicant seeks an amendment to Conditional Use Permit #29 - 2012, granted May 22, 2012, to allow outdoor storage of trucks and trailers for VIP Transportation Tow, contingent on several conditions; one being the replacement of the current fence. The requested amendment and subsequent variance is to alter the approved site plan to expand the area to enclose the western half of the property. The proposed fence is a six foot in height, chain link fence to be installed with green privacy strips. Proposed wheel stops on the western edge of the pavement indicate that the intention of the fence expansion is not to increase the paved area.

KEY ISSUES: The staff believes that the request meets the Approval Criteria for Conditional Use Permits. The amended Conditional Use Permit will not increase traffic, will not have adverse environmental impacts, will not negatively affect the neighborhood character or increase the demand on public services.

Staff believes the requested Variance does satisfy the Approval Criteria due to the location of the principal building in the northeast corner of the subject property; establishing the majority of the property as the front yard. Additionally, these special circumstances are not due to the applicant action since the principle building construction was prior to ownership and the improvement of the property to provide reasonable use is evident.

ALTERNATIVES:

1. Committee discretion.
2. Deny the amendment of the Conditional Use Permit and variance requests.
3. Remand the request back to the Community Development Commission.

RECOMMENDATION: Staff recommended approval of the Conditional Use Permit with several conditions:

1. The Conditional Use Permit be granted solely to the applicant and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board;
2. All conditions existing in the Ordinance #29-2012 will be met (included as attachment);
3. Proposed fence be landscaped in accordance with the Zoning Ordinance;
4. Removal of debris, removal of the stacked "firewood."

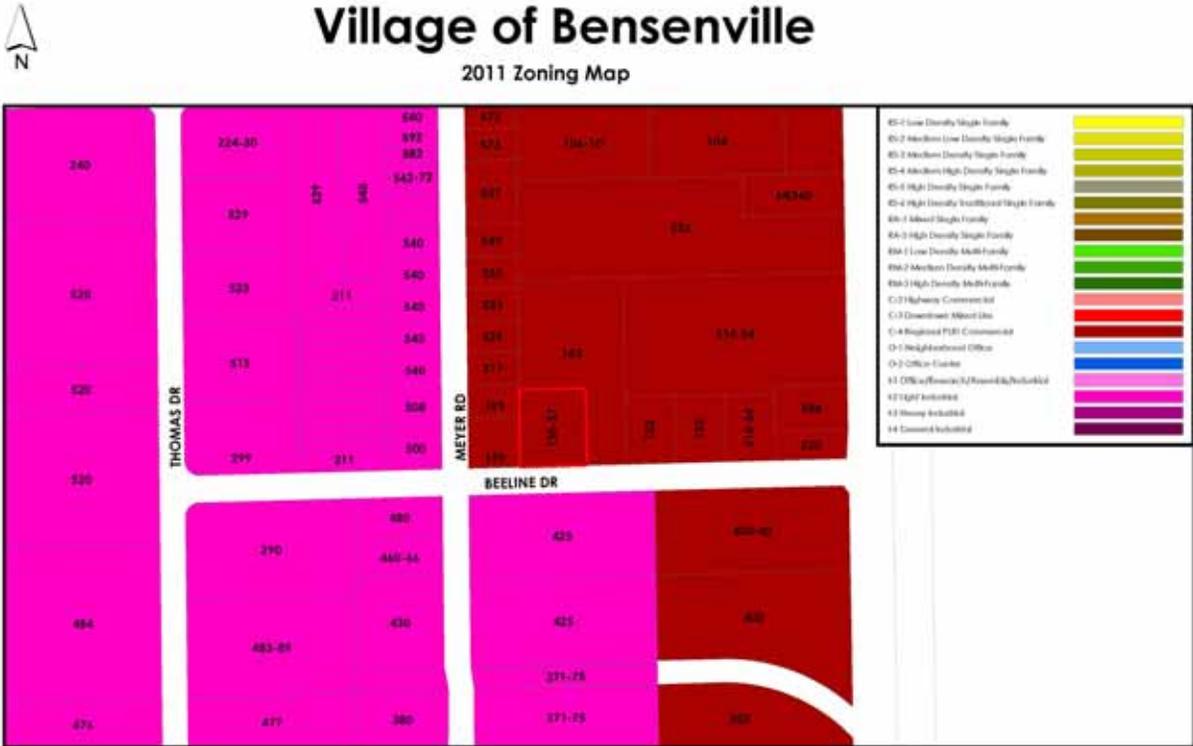
At the 09.10.12 Public Hearing the Community Development Commission voted (5 - 1) with one vote to deny by M. Moruzzi to recommend approval of the amendment to the Conditional Use Permit and Variance with the conditions recommended by staff. There was no public comment at the Hearing.

On 09.18.12 the CEDC voted to approve the Conditional Use Permit amendment and variance (vote 4-3) with the removal of condition #4 above to allow the firewood pile to remain. While the condition was removed and is not identified in the attached Ordinance, staff still plans to enforce the Village Code provisions prohibiting this outdoor storage of firewood and the structure currently used as a covering.

BUDGET IMPACT: N/A

ACTION REQUIRED: Pass the Ordinance.

CDC#2012 – 22 155-157 Beeline Drive
 John Morawa
 Amendment to Conditional Use Permit – Fence Variance





Residential
Commercial
ALTA

PLAT OF SURVEY

Studnicka and Associates, Ltd.

Topographical
Condominium
Site Plan

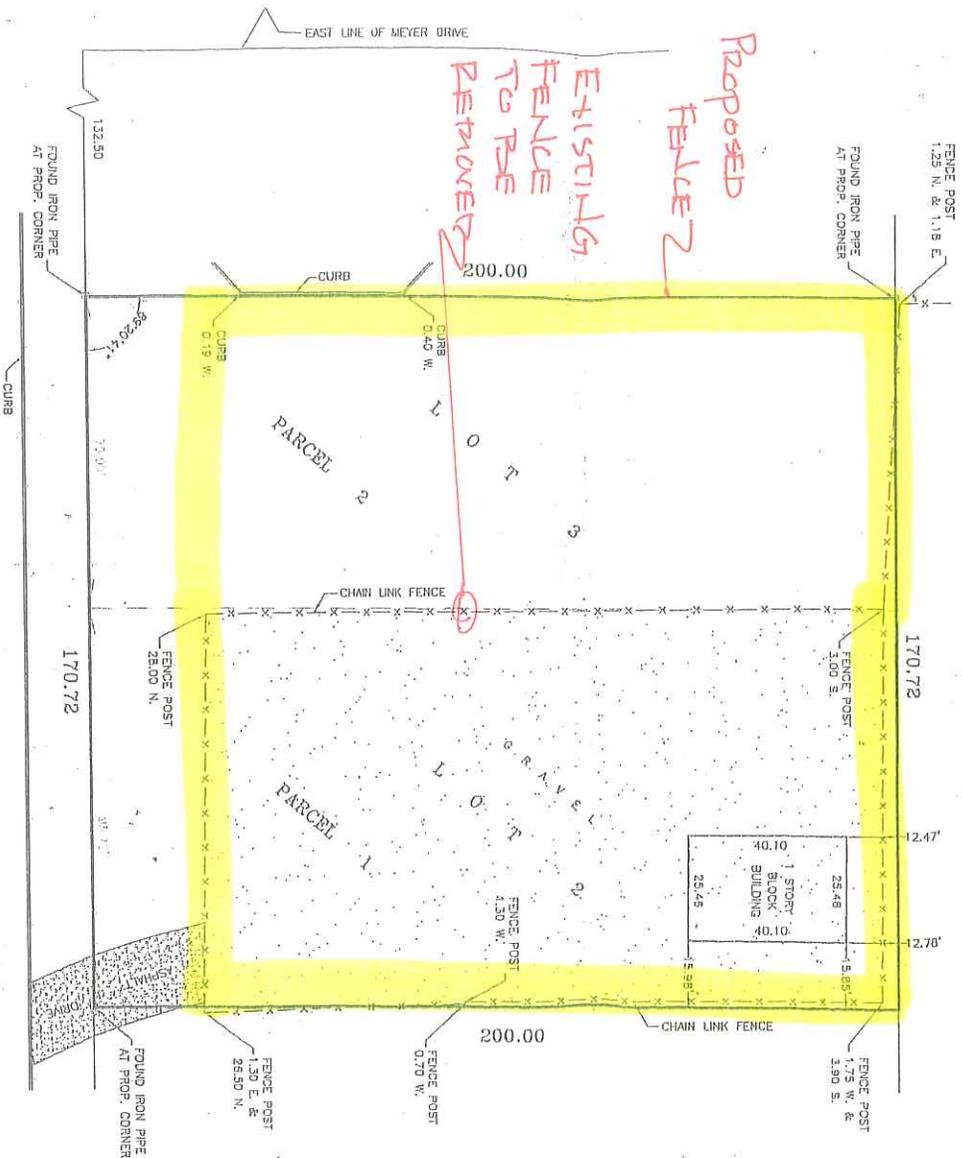
Tel. 815 485-0445
Fax 815 485-0528

2025 Jackson Branch Dr.
New Lenox, Illinois 60451

PARCEL 1:
LOTS 2 IN SCHROEDER'S SUBDIVISION OF LOTS 1 AND 2 IN R.D. BEAN'S ASSESSMENT PLAT OF PART OF LOT 3 IN MOHAWK ACRES, A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SCHROEDER'S SUBDIVISION RECORDED NOVEMBER 20, 1961 AS DOCUMENT NO. R61-30877, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:
LOT 3 IN R. D. DEAN'S ASSESSMENT PLAT (RECORDED ON SEPTEMBER 12, 1951 AS DOCUMENT NO. 833831, IN DUPAGE COUNTY) OF LOT 3 OF MOHAWK ACRES, A SUBDIVISION IN THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 17, 1934 AS DOCUMENT NO. 35081, IN DUPAGE COUNTY, ILLINOIS.

PIN NUMBER: 03-11-402-031



Scale: 1" = 30 feet

Distances are marked in feet and decimals.

Ordered by: John Morawa

Order No.: 05-3-95

Compare all points before building by same and at once report any difference.

For building lines, restrictions, or easements not shown hereon, refer to abstract, deed or ordinance.

Field work completed 3/22/05

Design Firm Registration # 184-002791

STATE OF ILLINOIS } ss
COUNTY OF WILL

Studnicka and Associates, Ltd., an Illinois Land Surveying Corporation do hereby certify that this professional service conforms to the current Illinois standards for a boundary survey.

New Lenox, IL, January 23, A.D. 2004

by *John Morawa*

License No. 3304 Expires 11/30/06

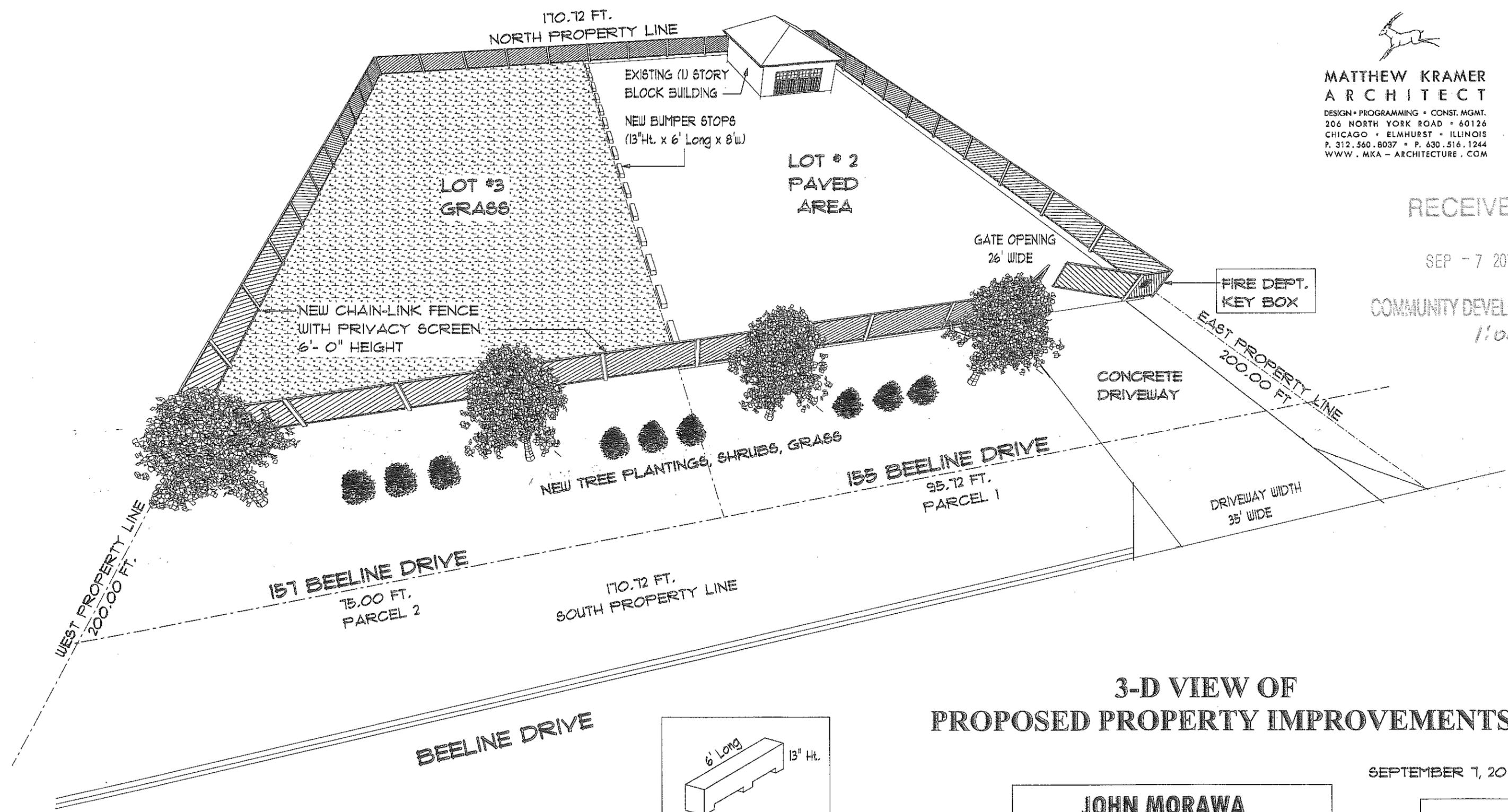


**MATTHEW KRAMER
ARCHITECT**
 DESIGN • PROGRAMMING • CONST. MGMT.
 206 NORTH YORK ROAD • 60126
 CHICAGO • ELMHURST • ILLINOIS
 P. 312.560.6037 • P. 630.516.1244
 WWW.MKA-ARCHITECTURE.COM

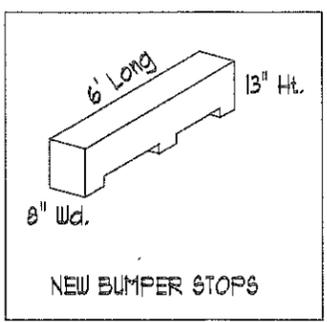
RECEIVED

SEP - 7 2012

COMMUNITY DEVELOPMENT
 1:00 pm



**3-D VIEW OF
PROPOSED PROPERTY IMPROVEMENTS**



**JOHN MORAWA
PROPERTY OWNER
CDC CASE NUMBER: 2012-22**

PD-1

SEPTEMBER 7, 2012

ORDINANCE NO. _____

**AN ORDINANCE APPROVING THE GRANT OF AN AMENDMENT TO A
CONDITIONAL USE PERMIT AND ASSOCIATED VARIANCES TO ALLOW A FENCE
IN THE ACTUAL FRONT YARD AT 155-157 BEELINE DRIVE,
BENSENVILLE, ILLINOIS**

WHEREAS, John Morawa (“Owner”), filed an application seeking an amendment to a conditional use permit to allow a change in the site plan set forth in the Conditional Use Permit approved by Ordinance No. 29-2012, and associated variances to allow construction of a fence in the actual front yard pursuant to Sections 10-14-11E and 10-14-13 of *The Village of Bensenville Zoning Ordinance* (“Zoning Ordinance”) at property commonly known as 155-157 Beeline Drive, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “Subject Property”), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, Notice of Public Hearing with respect to the amendment to the conditional use permit and variances sought by the Owner was published in the Daily Herald on June 23, 2012, in the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the property and via personal mail, 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 on July 9, 2012 and continuing to August 13, 2012 and September 10, 2012 as required by the statutes of the State of Illinois and the ordinances of the Village, and after hearing the application, made the findings of facts as set forth in Exhibit “B,” attached hereto and incorporated herein by reference; and

WHEREAS, upon said findings of facts, the Community Development Commission voted to approve the application for amendment to the conditional use permit and associated variances to allow construction of a fence in the actual front yard as requested at the Subject Property, subject to the conditions as recommended in the staff report; and

WHEREAS, the Community Development Commission forwarded its recommendation to approve the application to the Village Board’s Community and Economic Development Committee which concurred in the recommendation to approve the application with modifications to the recommended conditions as follows: (1) The Conditional Use Permit and subsequent amendment

approved herein shall be granted solely to John Morowa and the tenant identified in Ordinance 29-2012 and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or subsequent lease of the Subject Property, the proprietors shall appear before a public meeting of the CDC, which shall review the request for transfer and in its sole discretion shall either recommend that the Village Board approve of the transfer of the lease and/or ownership to the proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC and for a new Conditional use Permit, (2) all conditions set forth in Ordinance No. 29-2012 will be met except as varied herein to allow the fence as shown in the revised site plan, and (3) the fence shall be landscaped in accordance with the Zoning Ordinance.

WHEREAS, the Community and Economic Development Committee then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees on September 25, 2012; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined, based on its consideration, that the permit and variances should be granted with the conditions as set forth herein, allowing the relief requested, finding that it is consistent with the Zoning Ordinance and the orderly and harmonious development of the Village.

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 application for an amendment to the conditional use permit granted in Ordinance No. 29-2012 to allow a change in the site plan, and variances as required to allow the construction of a fence in the actual front yard at the Subject Property, in conjunction with its use of the Subject Property, is hereby granted, subject to the following conditions: (1) The Conditional Use Permit and subsequent amendment approved herein shall be granted solely to John Morowa and the tenant identified in Ordinance 29-2012 and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the

event of the sale or subsequent lease of the Subject Property, the proprietors shall appear before a public meeting of the CDC, which shall review the request for transfer and in its sole discretion shall either recommend that the Village Board approve of the transfer of the lease and/or ownership to the proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC and for a new Conditional use Permit, (2) all conditions set forth in Ordinance No. 29-2012 will be met except as varied herein to allow the fence as shown in the revised site plan, and (3) the fence shall be landscaped in accordance with the Zoning Ordinance.

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

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 25th day of September, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____-2012
Exhibit "A"
Legal Description

The Legal Description is as follows:

PARCEL 1:

LOT 2 IN SCHRODER'S SUBDIVISION OF LOTS 1 AND 2 IN R.D. DEAN'S ASSESSMENT PLAT OF PART OF LOT 3 IN MOHAWK ACRES, A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO A PLAT OF SAID SCHRODER'S SUBDIVISION RECORDED NOVEMBER 20, 1961 AS DOCUMENT NO. R61 - 30877, IN DUPAGE COUNTY, ILLINOIS

PARCEL 2:

LOT 3 IN R. D. DEAN'S ASSESSMENT PLAT (RECORDED ON SEPTEMBER 12, 1951 AS DOCUMENT NO. 833831, IN DUPAGE COUNTY) OF LOT 3 OF MOHAWK ACRES, A SUBDIVISION IN THE SOUTHEAST ¼ OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 17, 1934 AS DOCUMENT NO. 35081, IN DUPAGE COUNTY, ILLINOIS

Commonly known as 155 - 157 Beeline Drive, Bensenville, IL 60106

Ordinance # ____-2012
Exhibit "B"

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

September 10, 2012

CALL TO ORDER: The meeting was called to order by Chairman Moruzzi at 6:30 p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Janowiak, Rowe, Pisano, Weldon
Absent: James, Ventura
A quorum was present.

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission of August 13, 2012 were presented.

Motion: Commissioner Pisano made a motion to approve the minutes as presented. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Village Attorney, Mary Dickson, reviewed the rules and process to the audience in attendance of the Public Hearings.

Village Attorney, Mary Dickson, swore in members of the audience under oath that planned to give testimony.

Continued

Public Hearing: CDC Case Number 2012-22
Petitioner: John Morawa
Location: 155-157 Beeline Drive
Request: Amendment to a Conditional Use Permit and Variance to Allow a Fence in the Actual Front Yard

Motion: Commissioner Weldon made a motion to re-open CDC Case No. 2012-22. Commissioner Janowiak seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:

Moruzzi, Janowiak, Rowe, Pisano, Weldon
Absent: James, Ventura
A quorum was present.

Chairman Moruzzi re-opened the Public Hearing for CDC Case Number 2012-22 at 6:34 p.m.

Commissioner James entered the meeting at 6:35 p.m.

Pete Gallagher and Annette Mumford were both present on behalf of Mr. Morawa and had been previously sworn in by Village Attorney, Mary Dickson. Director of Community & Economic Development, Scott Viger, gave a brief summary of past events for CDC Case Number 2012-22. Mr. Gallagher stated there is not a second driveway, nor has there ever been a plan for a second driveway. Mr. Gallagher submitted photos to the Commission. The photos are attached to the minutes as "Exhibit A". Mr. Gallagher addressed the fire wood that is currently stored outdoor. There were no questions from the Commissioners.

Chairman Moruzzi asked if there was any member of the Public that would like to speak on behalf of CDC Case Number 2012-22. There was none.

Director of Community and Economic Development, Scott Viger, reviewed the Village Staff Report and recommended approval with the following conditions:

1. The Conditional Use Permit and subsequent amendment be granted solely to John Morawa and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit.
2. All conditions existing in the Ordinance #29 – 2012 will be met.
3. Proposed fence be landscaped in accordance with the Zoning Ordinance.

Chairman Moruzzi asked Staff if the fire wood can be stored outside. Mr. Viger stated it would be treated as outdoor storage and recommended the

fire wood be removed. Chairman Moruzzi asked if the structure the wood is stored in is considered a permanent structure. Mr. Viger stated he would consider it as a structure and that it should follow requirements set forth in the Village Code.

Mr. Gallagher asked the Commissioner for suggestions of where Mr. Morawa should store the wood.

Motion: Commissioner Pisano made a motion to close CDC Case Number 2012-22. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case Number 2012-22 at 6:50 p.m.

Commissioner Weldon asked what Staff's position is on the firewood that is stored outdoors. Mr. Viger stated Staff recommends removal of the firewood.

Motion: Commissioner Pisano made a motion to approve the Finding of Facts for CDC Case Number 2012-22 consisting of:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them. The variances requested are special circumstances in that the poor condition of the current fence requires the replacement. The removal of the existing fence and replacement in the front yard of the site is due to the special development of the subject property in locating the main building in the northeast corner making the majority of the property the front yard.
2. **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience. If the variances are not approved, the applicant would experience unnecessary and undue hardship

in the utilization of the subject property due to the necessity of policing the unfenced area for fly-dumping.

3. **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property. The variance requested is to accommodate a special circumstance in that the development of the site created a front yard occupying a large portion of the subject property.
4. **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act. The special circumstances and practical hardship are not a direct result of actions of the applicant. The existing building location in the northeast corner created a front yard occupying a large portion of the subject property.
5. **Preserve Rights Conferred By District:** A variance 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. Approval of the relief sought by the applicant would not confer any special privilege to this property that is ordinarily denied other properties in the C – 4 Regional Destination PUD Commercial District.
6. **Necessary For Use Of 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. The variance if granted will allow the applicant a reasonable use of the property otherwise left unused.
7. **Not Alter 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. Approval of the relief sought will not alter the essential character of the business and industrial neighborhood.
8. **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. Granting of the requested variance will be in harmony with the general purpose and intent of the Village of Bensenville's plans.

9. **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. The staff believes that the variances sought are the minimum required.

Commissioner Rowe seconded the motion.

Roll Call: Ayes: James, Janowiak, Rowe, Pisano

Nays: Moruzzi, Weldon

Motion carried.

Motion: Commissioner Pisano made a motion to approve the requested amendment to the conditional use permit with Staff's recommendations for CDC Case Number 2012-22. Commissioner Janowiak seconded the motion.

Roll Call: Ayes: James, Janowiak, Rowe, Pisano, Weldon

Nays: Moruzzi

Motion carried.

Motion: Commissioner Pisano made a motion to approve the variances requested for CDC Case Number 2012-22. Commissioner Janowiak seconded the motion.

Roll Call: Ayes: James, Janowiak, Rowe, Pisano, Weldon

Nays: Moruzzi

Motion carried.

Mike Moruzzi, Chairman
Community Development Commission

TYPE: Ordinances SUBMITTED BY: S. Viger DATE: 09.20.12

DESCRIPTION: Denial of the expansion of the Road Ranger gas station located at 1188 W. Foster Avenue:
A. Pass the Ordinance denying rezoning of three residential lots from RS-5 to C-2; and
B. Pass the Ordinance denying two Conditional Use Permits (Service Station and Electronic Message Center sign) with associated variances.

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

COMMITTEE ACTION: Community & Economic Development: Vote to
Rezone failed (0-7) and Conditional Use/Variances Vote failed (0-7) **DATE:** 09.18.12

BACKGROUND:

The existing Road Ranger facility is zoned C-2 Highway Commercial District and Road Ranger is proposing to expand their existing facility on to three RS-5 High Density Single Family Residential lots that they acquired in 2011. This action would require a Rezoning of the three residential lots and Conditional Use Permits for the Service Station and an Electronic Message Center (EMC) sign. In addition, the plan requires several variances allowing wall mounted signage, a free standing sign (location, height and area), fencing and reduction of required parking.

KEY ISSUES:

The staff does not believe that the requested rezoning of the three residential lots meets the required Approval Criteria. The rezoning is not in compliance with the Village's approved Comprehensive Plan that indicates the three lots should remain residential use. The petitioner does not make a compelling case to rezone the three residential lots, which amounts to an encroachment of an intensive commercial use into an established residential neighborhood.

Likewise, the staff does not believe that the requested "Service Station" Conditional Use Permit meets the required Approval Criteria because the expansion of the use would create an environmental nuisance and not fit harmoniously into the neighborhood character.

Conversely, the staff does believe that the Electronic Message Center (EMC) sign meets the Conditional Use Permit requirements. However, there are six variances requested that can be grouped as dealing with the Wall Signs, the Free standing sign, the fence and the number of parking spaces that staff does not support.

The staff does not believe that the requested variances meet the required Approval Criteria because the wall signs variances are not necessary for the "Use of the Property" and are not the "Minimum Variance Needed", the Free Standing Sign is not a "Special Circumstance" there is not a "Hardship" it is not "Necessary for the Use of the Property", it would "Alter the Local Character" and it is not the "Minimum Variance Needed". The Fence variance is not necessary for the "Use of the Property". The Parking variance is not necessary for the "Use of the Property".

ALTERNATIVES:

1. Board discretion.
2. Approve the Conditional Use Permit and variance requests.
3. Remand the request back to the Community Development Commission.

RECOMMENDATION:

The staff respectfully recommended denial of the request.
On 06.11.12 the Community Development Commission unanimously recommended denial of the request.
On 09.18.12 the CEDC voted unanimously to deny the requests for rezoning (0-7) and the conditional use permits and variances (0-7).

BUDGET IMPACT: N/A

ACTION REQUIRED:

Pass the Ordinances denying the requests.

CDC#2012 – 08

Road Ranger LLC – 1188 Foster Ave., 523 N. Route 83, 522 & 524 Marshall Rd.
Rezoning, Conditional Use Permits, and Variances for Gas Station Expansion



Village of Bensenville Road Ranger Parcels



Village of Bensenville 2011 Zoning Map



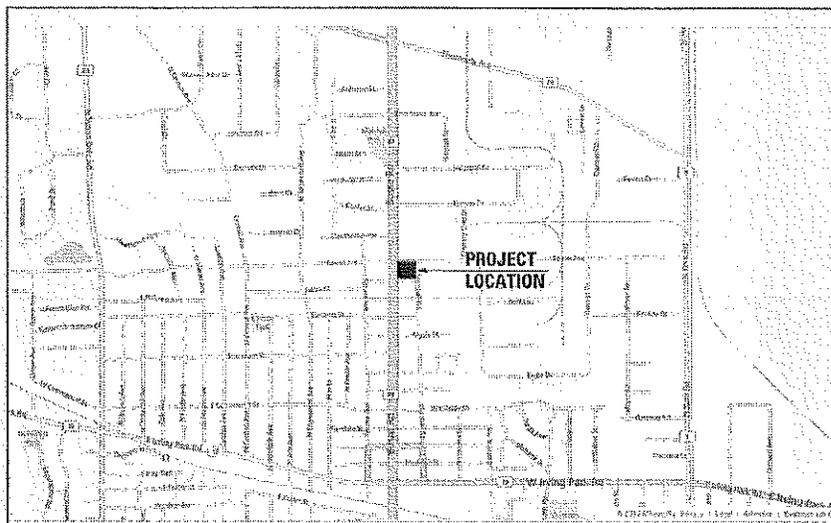
INDEX OF SHEETS

- 1 COVER SHEET
- 2 GENERAL NOTES
- 3 SURVEY PLAN (PROVIDED BY OTHERS) & DEMOLITION PLAN
- 4 PAVEMENT AND CURB PLAN
- 5 SITE AND GEOMETRICS PLAN
- 6 GRADING AND DRAINAGE PLAN
- 7 DETENTION PLAN
- 8 EROSION CONTROL PLAN
- 9 PAVEMENT DETAILS
- 10 DETENTION & DRAINAGE DETAILS

ROAD RANGER LLC SITE DEVELOPMENT PLANS BENSENVILLE, ILLINOIS



*** PROJECT LOCATION**



VICINITY MAP
NOT TO SCALE

OWNER / SUBDIVIDER

ROAD RANGER, LLC
4830 EAST STATE STREET
ROCKFORD, IL 61108

ENGINEER

QUIGG ENGINEERING, INC.
3600 S. 6TH STREET RD.
SPRINGFIELD, IL 62703
PHONE (217) 670-0963
KEVIN KLK, P.E.

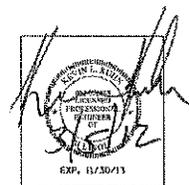
CONTACT PERSON

JOHN R. CARABELLI
VICE PRESIDENT OF CONSTRUCTION
PHONE (815) 387-1408
FAX (815) 387-1395

LAND SURVEYOR

TKO LAND SURVEYORS, INC.
P.O. BOX 1483
ARLINGTON HEIGHTS, IL 60006
PHONE (847) 702-1845

"UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS. THEREFORE, THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS NOT PRESENTLY KNOWN."



FILE NAME: \\S:\Projects\11-14\11-14-Road Ranger\11-14-Road Ranger.dwg
 PLOT DATE: 11/21/11
 PLOT SCALE: 1/8"=1'-0"
 PLOT SHEET: 1 OF 1



3900 SOUTH 6TH STREET RD
SPRINGFIELD, ILLINOIS 62703
217-670-0563 (PH) / 217-670-2294 (FX)
www.quiggengineering.com

USER NAME: kklk
FILE NAME: 11-14-Road Ranger.dwg
PLOT SCALE: 1/8"=1'-0"
PLOT DATE: 11/21/11

DESIGNED: KLK
DRAWN: MDS
CHECKED: KLK
DATE: 11/21/11

NO.	DATE	BY	DESCRIPTION



ROAD RANGER, LLC
SITE DEVELOPMENT PLANS
BENSENVILLE, ILLINOIS

COVER SHEET

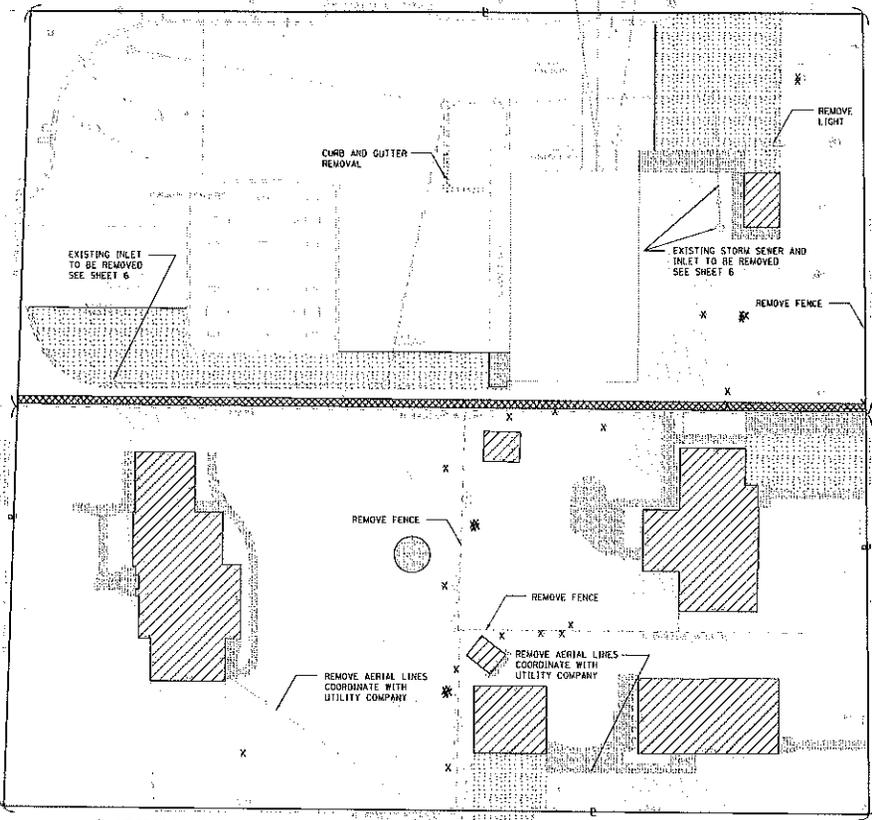
SCALE: 1"=50' SHEET NO. 1 OF SHEETS STA. TO STA.

PROJECT NO.
11-14
TOTAL SHEETS
10
SHEET NO.
1

FOSTER AVENUE

ILLINOIS STATE ROUTE 28

MARSHALL ROAD



NOTES:

ALL EXISTING PAVEMENT, DRAINAGE STRUCTURES, BUILDINGS AND APPURTENANCES TO BE REMOVED AS INDICATED.

ALL EXISTING UTILITIES SHALL BE RELOCATED AT OWNER EXPENSE. THIS WORK SHALL BE COORDINATED WITH EACH UTILITY COMPANY.

THE DEMOLITION PLAN IS FOR ILLUSTRATION OF THE GENERAL DEMOLITION ANTICIPATED FOR THIS PARTICULAR SITE. THE DEMOLITION PLAN DOES NOT REPRESENT ALL CONDITIONS WHICH MAY BE ENCOUNTERED DURING DEMOLITION/CONSTRUCTION. THE CONTRACTOR SHALL MAKE HIMSELF THOROUGHLY FAMILIAR WITH THE SITE AND THE DEMOLITION/CONSTRUCTION REQUIREMENTS PRIOR TO BIDDING. THE INTENT OF THE DEMOLITION IS TO PROVIDE A CLEAN, STABLE SITE, READY FOR CONSTRUCTION OF THE PROJECT IN CONFORMANCE WITH THE CONSTRUCTION PLANS. NO ADDITIONAL COMPENSATION WILL BE ALLOWED FOR CONDITIONS WHICH ARE IN KEEPING WITH THIS INTENT.

THE OWNER WILL PROCURE ALL CONSTRUCTION PERMITS. THE CONTRACTOR SHALL GIVE ALL NOTICES NECESSARY AND INCIDENTAL TO THE DUE AND LAWFUL PROSECUTION OF THE WORK.

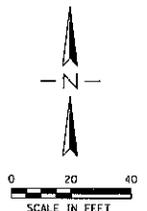
ALL DEMOLITION AND DISPOSAL SHALL BE IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL ENVIRONMENTAL CODES AND REGULATIONS.

SEE EROSION CONTROL SHEET FOR EROSION CONTROL MEASURES.

COORDINATE WITH LANDSCAPE PLANS FOR REMOVAL OF ANY LANDSCAPING.

DEMOLITION LEGEND

-  STRUCTURE REMOVAL
-  PAVEMENT REMOVAL (FULL DEPTH) (INCLUDES CURB AND GUTTER)
-  SIDEWALK REMOVAL
-  CONCRETE REMOVAL (RETAINING WALL)
-  TREE / SHRUB REMOVAL



BENCHMARK
FIRE HYDRANT ARROW BOLT
ELEVATION = 636.05

BENCHMARK
FIRE HYDRANT ARROW BOLT
ELEVATION = 609.19

FILE NAME: I:\Projects\3811_1880\18-14_Road Ranger - Bensenville, IL\1808-0000_SitePlan\18-14_SitePlan.dwg
USER: jmc
DATE: 11/17/2017 10:57:57 AM



3600 SOUTH 6TH STREET RD.
SPRINGFIELD, ILLINOIS 62703
217-670-8563 (P) / 217-479-2204 (F)
www.qiegengineering.com

USER NAME: jmc
FILE NAME: I:\18-14_SitePlan\18-14_SitePlan.dwg
PLOT SCALE: 48.0000 1/8" = 1'-0"
PLOT DATE: 11/17/2017

DESIGNED - RLK
DRAWN - RLK
CHECKED - RLK
DATE

NO.	DATE	BY	DESCRIPTION



ROAD RANGER, LLC
SITE DEVELOPMENT PLANS
BENSENVILLE, ILLINOIS

DEMOLITION PLAN				PROJECT NO.
SCALE: 1"=20'	SHEET NO.	OF	SHEETS	11-74
STA.	TO STA.	TOTAL SHEETS	NO.	10
				3



ILLINOIS STATE ROUTE 83

FOSTER AVENUE

CONTRACTOR SHALL INSTALL SIDEWALK ALONG FOSTER AVE.

TRUNCATED DOWNS PER DOT STANDARD 424001-06 (TYP FOR 4)

CONTRACTOR SHALL MATCH EXISTING AND PROPOSED SIDEWALK

TRUNCATED DOWNS PER DOT STANDARD 424001-06 (TYP)

6" BARRIER CURB (SEE DETAIL ON SHEET 9)

SIDEWALK WITH THICKENED EDGE (SEE DETAIL ON SHEET 9)

HEAVY DUTY CONCRETE CURB & CUTTER (SEE DETAIL ON SHEET 9)

CUTTER/OUTLET TYP FOR 2 (SEE DETAIL ON SHEET 9)

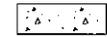
MARSHALL ROAD

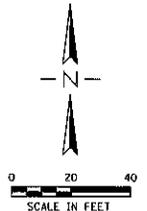
ITASCA STREET

NOTES

1. ALL UTILITIES TO BE COORDINATED BY CONTRACTOR.
2. FINAL LOCATION OF UTILITIES SHALL BE FIELD ADJUSTED.
3. SEE SHEET 9 FOR PAVEMENT SECTION DETAILS.
4. SIDEWALK SHALL HAVE MAX 2% CROSS SLOPE.

LEGEND

-  TRUCK PAVEMENT
-  AUTO PAVEMENT
-  TRASH ENCLOSURE CONCRETE PAD
-  ENTRANCE PAVEMENT
-  SIDEWALK WITH THICKENED EDGE
-  4" SIDEWALK ON 4" COMPACTED AGGREGATE BASE
-  GRASS
-  EXISTING AERIAL ELECTRIC LINE
-  EXISTING UNDERGROUND ELECTRIC LINE
-  EXISTING WATER LINE
-  EXISTING GAS LINE



"UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS. THEREFORE, THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS NOT PRESENTLY KNOWN."

FILE NAME: I:\WHEELING\PROJECTS\217-679-2204\217-679-2204.dwg
PLOT DATE: 5/25/2012



QEI
QUIGG ENGINEERING INC.

3600 SOUTH 6TH STREET RD.
SPRINGFIELD, ILLINOIS 62703
217-679-4563 (P) / 217-679-2204 (F)
www.quiggeengineering.com

USER NAME: jmorris
FILE NAME: 217-679-2204-Plan.dwg
PLOT SCALE: 1/8"=1'-0"
PLOT DATE: 5/25/2012

DESIGNED	DATE	BY	DESCRIPTION
MLK			
DRAWN	DATE	BY	DESCRIPTION
MLK			
CHECKED	DATE	BY	DESCRIPTION
MLK			
DATE	BY	DESCRIPTION	



ROAD RANGER, LLC
SITE DEVELOPMENT PLANS
BENSENVILLE, ILLINOIS

PROJECT NO.	SHEET NO.	OF	SHEETS	STA.	TO STA.
11-74					
TOTAL SHEETS	10				
NO.	4				

SCALE: 1"=20'

NOTES:

ALL DIMENSIONS ARE TO TOP BACK CURB UNLESS OTHERWISE NOTED.

CONTRACTOR TO VERIFY CANOPY DIMENSIONS WITH ARCHITECTURAL PLANS.

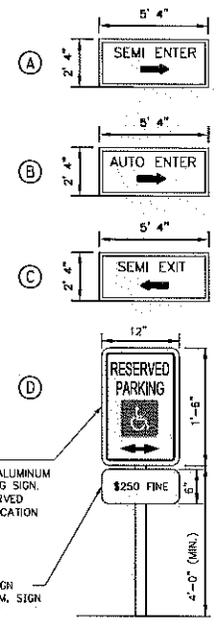
THIS SHEET SHALL SERVE AS STRIPING PLAN. ALL STRIPES SHALL BE 4" YELLOW.

CONTRACTOR SHALL VERIFY VEHICLE SIGN TYPE AND PLACEMENT WITH ROAD RANGER.

DUMPSTER ENCLOSURE SHALL BE COORDINATED WITH THE ARCHITECTURAL PLANS.

COORDINATE WITH LANDSCAPE PLANS FOR 6' SOLID WOOD FENCE.

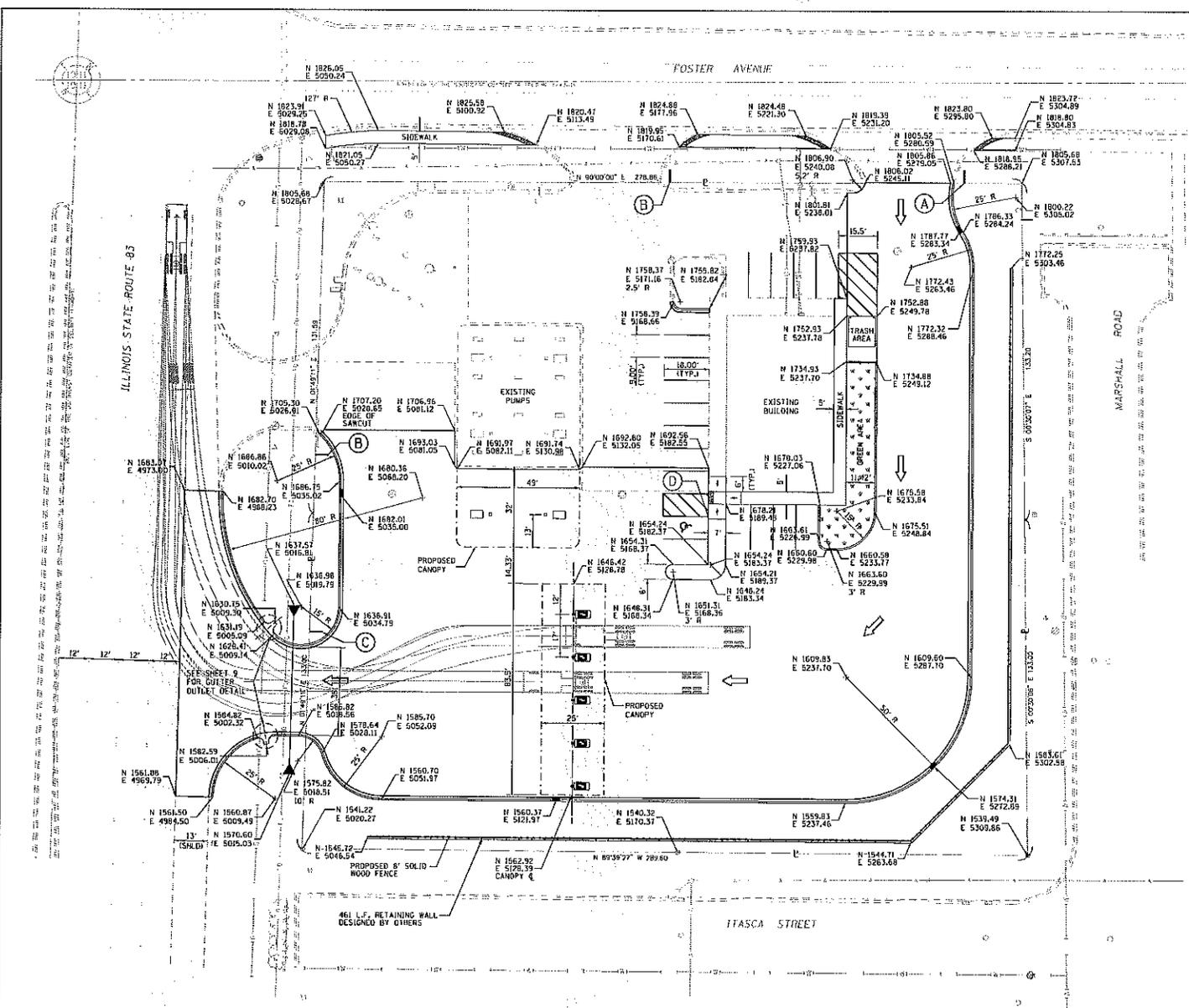
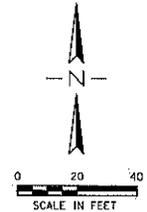
ENTRANCE AND EXIT SIGNS SHALL BE PROVIDED BY ROAD RANGER.



ILL. STD. R7-8 SIGN
1'0" x 1'-6" x 0.80 ALUMINUM
HANDICAPPED PARKING SIGN.
SIGN TO READ "RESERVED
PARKING" W/ IDENTIFICATION
SYMBOL.

ILL. STD. R7-1 101 SIGN
6" x 12" x 0.80 ALUM. SIGN
TO READ "\$250 FINE"

SIGN DETAIL
N.T.S.



3600 SOUTH 6TH STREET RD.
SPRINGFIELD, ILLINOIS 62703
217-479-0563 (P) / 217-479-2204 (F)
www.quiggengineering.com

USER NAME : cmm
FILE NAME : 30-74_ssd202401.usg
PLOT SCALE : 40.0000 / 1 in.
PLOT DATE : 3/5/2024

DESIGNED	RLR	DATE	BY	DESCRIPTION
DRAWN				
CHECKED	RLR			
DATE				

ROAD RANGER
ROAD RANGER, LLC
SITE DEVELOPMENT PLANS
BENSENVILLE, ILLINOIS

SITE AND GEOMETRICS PLAN
SCALE: 1"=20'
SHEET NO. 05 OF SHEETS STA. 10 STA.

PROJECT NO.	11-74
TOTAL SHEETS	10
SHEET NO.	5

FILE NAME : 30-74_SSD202401.usg
PLOT DATE : 3/5/2024



NOTES:

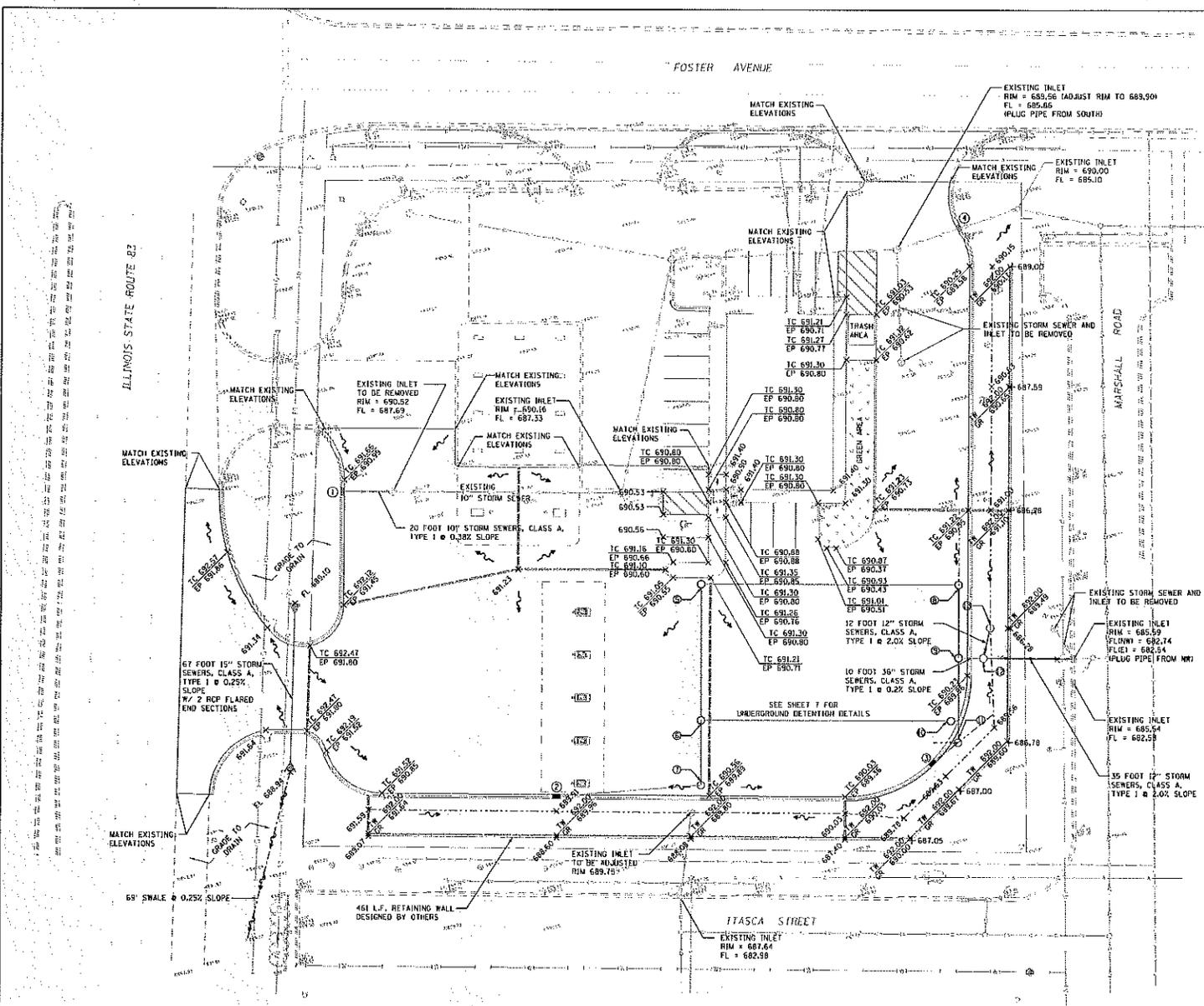
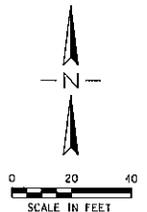
- ALL GRADE SHOTS ARE FINISHED GRADE UNLESS CALLED OUT OTHERWISE.
- ALL CURB AND GUTTER SHALL BE HEAVY DUTY CONCRETE CURB AND GUTTER. SEE SHEET 10 FOR DETAILS.
- USE A 10' TRANSITION WHERE PROPOSED CURB AND GUTTER MEETS EXISTING CURB AND GUTTER.
- HANDICAP PARKING STALLS SHALL HAVE NO MORE THAN 2% SLOPE IN ANY DIRECTION.
- ALL EXISTING DOWN SPOUTS SHALL BE ADJUSTED TO MAINTAIN DRAINAGE.
- CONTRACTOR SHALL STRAIGHT GRADE FROM RETAINING WALL TO EXISTING TOP OF CURB.

STORM SEWER & DETENTION SCHEDULE

- | | |
|--|--|
| <p>① N = 1682.01
E = 5039.00
INLET TYPE A W/ TYPE 3 FRAME AND GRATE
EP = 690.81
FL = 687.77</p> <p>③ N = 1574.31
E = 5272.69
CONCRETE - CDS 3030 PRECAST CONCRETE WATER QUALITY SYSTEM OR APPROVED EQUAL W/ TYPE 3 FRAME AND GRATE
EP = 686.98
FL = 683.76</p> <p>⑤ N = 1645.61
E = 5179.64
36" CMP RISER W/ CAP W/ 24" OPENING TYPE 1, FRAME AND GRATE CLOSED LID
RIM = 690.64</p> <p>⑦ N = 1565.90
E = 5179.64
MANHOLE TYPE A, 4' DIA. TYPE 1, FRAME AND GRATE CLOSED LID
RIM = 689.90</p> <p>⑨ N = 1616.96
E = 5292.64
36" CMP RISER W/ CAP W/ 24" OPENING TYPE 1, FRAME AND GRATE CLOSED LID
RIM = 689.64</p> <p>⑪ N = 1585.06
E = 5292.64
INLET TYPE A W/ TYPE 1 FRAME AND GRATE. CLOSED LID
RIM = 689.60</p> <p>⑬ N = 1620.49
E = 5292.64
INLET TYPE A W/ TYPE 3 FRAME AND GRATE
RIM = 689.49
FL (SW) = 683.54</p> | <p>② N = 1560.37
E = 5121.97
CONCRETE - CDS 3035 PRECAST CONCRETE WATER QUALITY SYSTEM OR APPROVED EQUAL W/ TYPE 3 FRAME AND GRATE
EP = 689.27
FL = 685.10</p> <p>④ N = 1786.33
E = 5284.24
INLET TYPE A W/ TYPE 3 FRAME AND GRATE
EP = 689.33
FL = 685.46</p> <p>⑥ N = 1591.61
E = 5121.97
36" CMP RISER W/ CAP W/ 24" OPENING TYPE 1, FRAME AND GRATE CLOSED LID
RIM = 690.13</p> <p>⑧ N = 1645.61
E = 5282.64
36" CMP RISER W/ CAP W/ 24" OPENING TYPE 1, FRAME AND GRATE CLOSED LID
RIM = 689.11</p> <p>⑩ N = 1591.61
E = 5292.64
MANHOLE TYPE A, 5' DIA. WITH DRIFICE/W/NER, TYPE 1, FRAME AND GRATE
RIM = 689.78
FL (NE) = 683.24
FL (E) = 683.24
FL (SW) = 683.24
SEE DETAIL SHEET 10</p> |
|--|--|

LEGEND

- EP = EDGE OF PAVEMENT
- TC = TOP OF CURB
- TR = TOP OF RETAINING WALL
- GR = GROUND
- ☉ = TRUNCATED DOMES PER DOT STANDARD 42401-05
- = GRADE BREAK



FILE NAME: S:\PROJECTS\11-74_Site-Development\11-74_Site-Development.dwg
 USER: J. W. HARRIS
 PLOT DATE: 3/15/2012

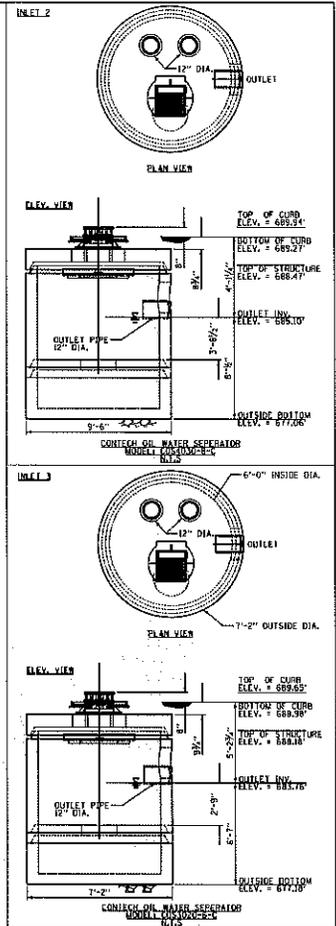
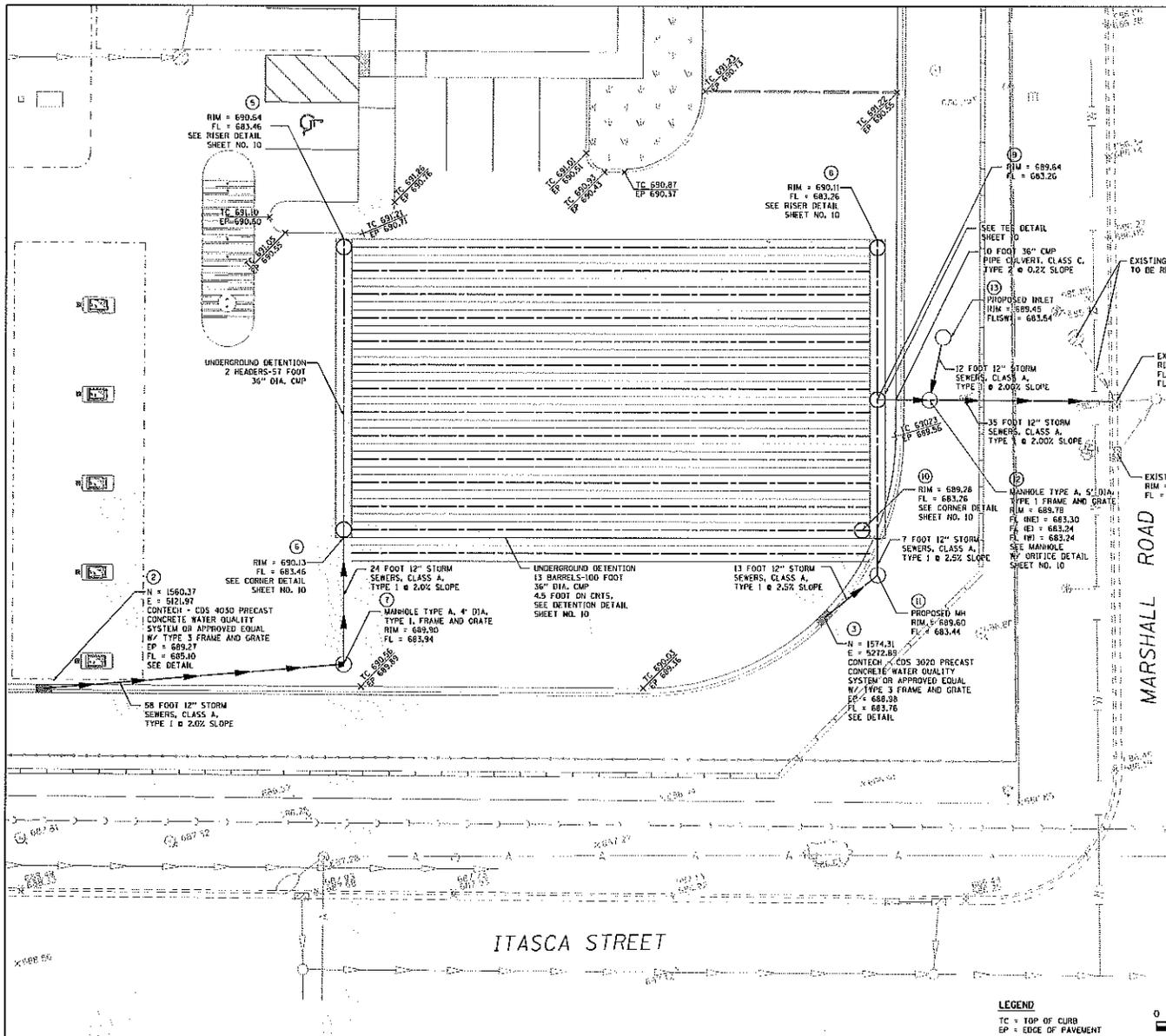
QEI
 QUIGG ENGINEERING INC.
 3600 SOUTH 6TH STREET RD.
 SPRINGFIELD, ILLINOIS 62703
 217-670-0563 (PH) / 217-679-2204 (FX)
 www.quiggeengineering.com

USER NAME: jwarris	DESIGNED: KLK
FILE NAME: 11-74_Site-Development.dwg	DRAWN:
PLOT SCALE: 1/8"=1'-0"	CHECKED: KLK
PLOT DATE: 3/15/2012	DATE:

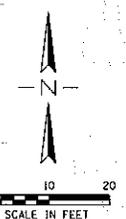
NO.	DATE	BY	DESCRIPTION

ROAD RANGER
 ROAD RANGER, LLC
 SITE DEVELOPMENT PLANS
 BENSENVILLE, ILLINOIS

SCALE: 1"=20'	SHEET NO. OF SHEETS	STA.	10 STA.	PROJECT NO. 11-74
				TOTAL SHEETS 10
				NO. 6



- NOTES**
- PIPE SHALL BE INSTALLED PER THE MANUFACTURER RECOMMENDATION.
 - 12" MIN. FROM BOTTOM OF PAVEMENT TO TOP OF PIPE.
 - SELECT GRANULAR FILL PER AASHTO M145 AL, A2, OR A3, APPROVED EQUAL. PLACED IN 6" LIFT & COMPACTED TO MIN. 90% STANDARD DENSITY PER AASHTO T99.
 - GRANULAR BEDDING SHALL BE ROUGHLY SHAPED TO FIT THE BOTTOM OF PIPE. 4" TO 6" IN DEPTH.
 - PRIOR TO PLACING THE BEDDING, THE FOUNDATION MUST BE CONSTRUCTED TO A UNIFORM AND STABLE GRADE. IN THE EVENT THAT UNDESIRABLE FOUNDATION MATERIALS ARE ENCOUNTERED DURING EXCAVATION, THEY SHALL BE REMOVED AND BROUGHT BACK TO THE GRADE WITH A FILL MATERIAL AS APPROVED BY THE ENGINEER. ONCE THE FOUNDATION PREPARATION IS COMPLETE, 4"-6" OF WELL-GRADED GRANULAR MATERIAL SHALL BE PLACED AS THE BEDDING.
 - THE BACKFILL SHALL BE AN A1, A2, OR A3 GRANULAR FILL PER AASHTO M145, OR A WELL-GRADED GRANULAR FILL AS APPROVED BY THE SITE ENGINEER. THE MATERIAL SHALL BE PLACED IN 6" LOOKS LIFTS AND COMPACTED TO 90% AASHTO T99 STANDARD PROCTOR DENSITY. BACKFILL SHALL BE PLACED SUCH THAT THERE IS NO MORE THAN A TWO (2) INCH DIFFERENTIAL BETWEEN ANY OF THE PIPES AT ANY TIME DURING THE BACKFILL PROCESS. THE BACKFILL SHALL BE ADVANCED ALONG THE LENGTH OF THE DETENTION SYSTEM AT THE SAME RATE TO AVOID DIFFERENTIAL LOADING ON THE PIPE.



FILE NAME: I:\PROJECTS\2018\2018-001\Drawings\2018-001.dwg
 PLOT DATE: 2/25/2022

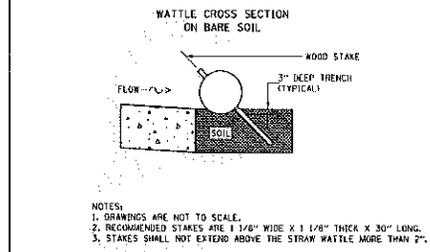
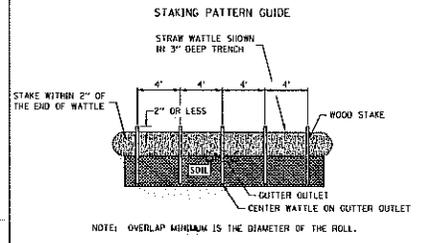
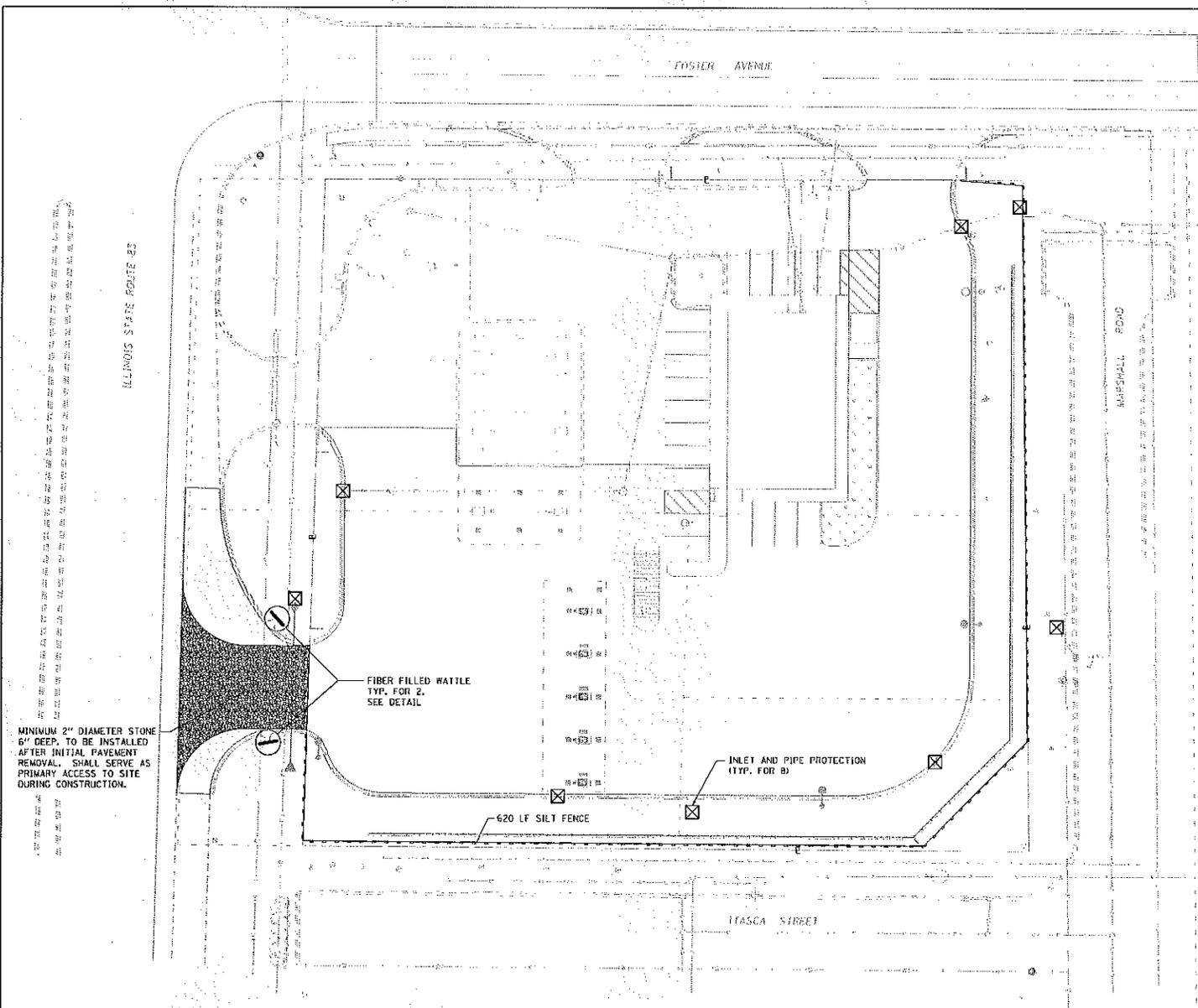
QEI
 QUIGG ENGINEERING INC.
 3600 SOUTH 6TH STREET RD.
 SPRINGFIELD, ILLINOIS 62703
 217-478-4563 (P) / 217-479-2204 (F)
 www.quiggeengineering.com

USER NAME: jmorris
 FILE NAME: I:\74\Site\Detention\Rev.dwg
 PLOT SCALE: 20.00000 / 1 in.
 PLOT DATE: 2/25/2022

DESIGNED	DATE	BY	DESCRIPTION
XLR			
DRAWN			
CHECKED			
XLR			
DATE			

ROAD RANGER
 ROAD RANGER, LLC
 SITE DEVELOPMENT PLANS
 BENSENVILLE, ILLINOIS

SCALE:	SHEET NO. OF SHEETS	STA.	TO STA.	PROJECT NO.
1"=10'				11-74
				TOTAL SHEET
				10
				7



FIBER FILLED WATTLE DETAIL

NOTES:

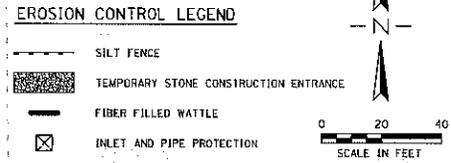
SILT FENCE SHALL REMAIN IN PLACE UNTIL GRASS OR SOD IS ESTABLISHED.

FIBER FILLED WATTLES SHALL BE INSTALLED AT ALL CURB CUTS.

INSPECTION AND MAINTENANCE OF EROSION CONTROL MEASURES SHALL BE PERFORMED ON A REGULAR BASIS AND AFTER EVERY RAIN EVENT PER THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP).

THE CONTRACTOR SHALL TAKE PRECAUTIONS TO NOT ALLOW OFFSITE SEDIMENT TRANSPORT OF ANY KIND FROM THE PROJECT AREA.

THE CONTRACTOR SHALL REMOVE TEMPORARY STONE CONSTRUCTION ENTRANCE AFTER CURB HAS BEEN INSTALLED.



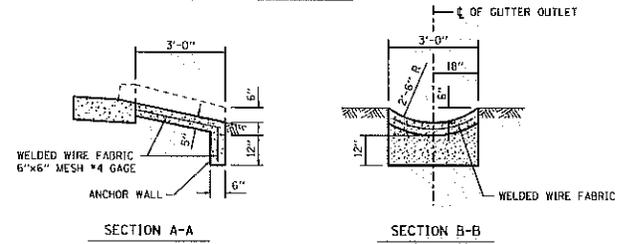
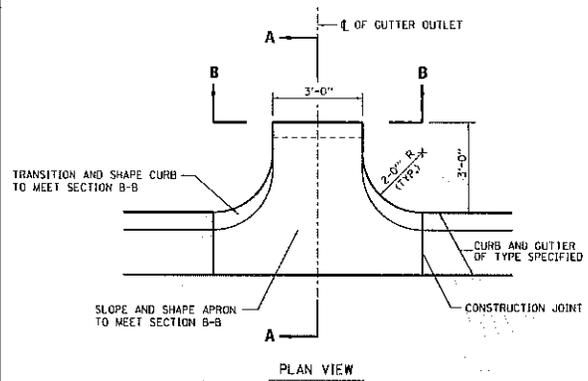
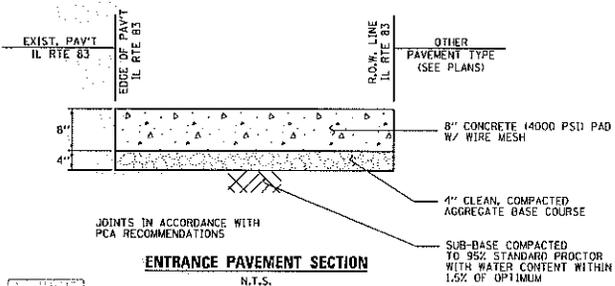
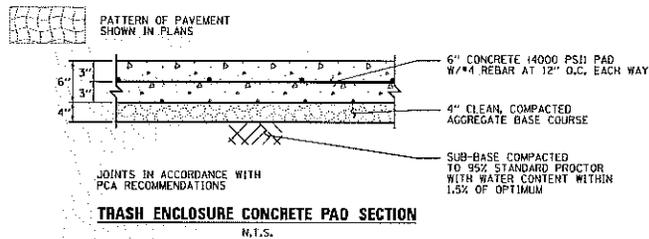
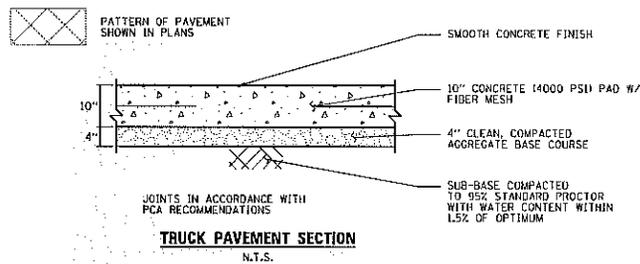
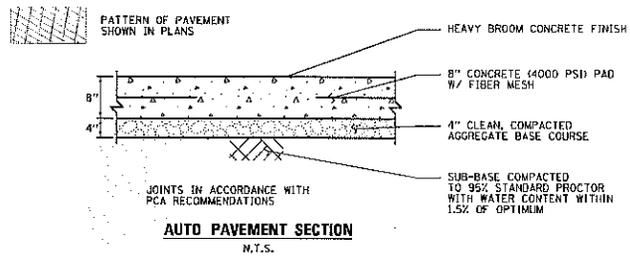
FILE NAME: I:\PROJECTS\18-035-1107\Drawings
 MODEL: 18-035-1107.dwg
 PLOT DEVICE: HP-GL/2
 PLOT DATE: 11/14/2018 10:58:10 AM

QEI
 QUIGG ENGINEERING INC.
 3600 SOUTH 4TH STREET RD.
 SPRINGFIELD, ILLINOIS 62703
 217-678-6563 (F) / 217-675-2204 (T)
 www.quiggeengineering.com

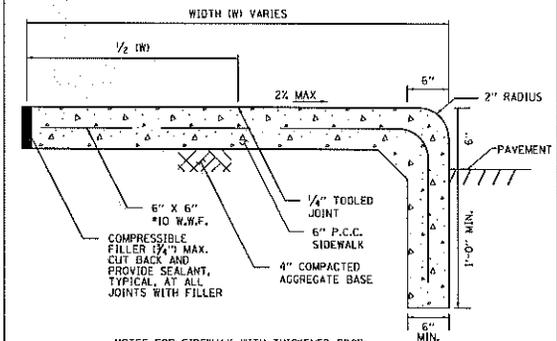
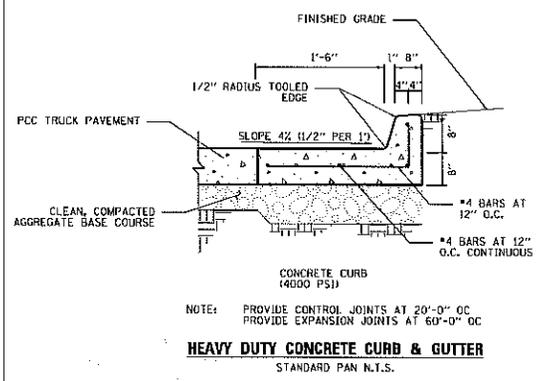
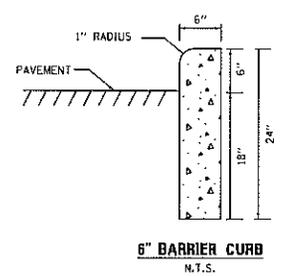
USER NAME	DESIGNED	DATE	BY	DESCRIPTION
KLK	KLK			
FILE NAME	DRAWN	DATE	BY	DESCRIPTION
I:\PROJECTS\18-035-1107\Drawings	KLK			
PLAN SCALE	CHECKED	DATE	BY	DESCRIPTION
AS SHOWN	KLK			
PLT DATE	DATE	DATE	BY	DESCRIPTION
11/14/2018				

ROAD RANGER
 ROAD RANGER, LLC
 SITE DEVELOPMENT PLANS
 BENSENVILLE, ILLINOIS

EROSION CONTROL PLAN				PROJECT NO.
SCALE: 1"=20'	SHEET NO.	OF	SHEETS	11-74
			STA.	TOTAL SHEET NO.
			10 STA.	10
				8



- NOTES FOR GUTTER OUTLET:**
- CLASS SI CONCRETE SHALL BE USED THROUGHOUT.
 - #4 CONTINUOUS BARS OR #4 TIE BARS 2'-6" LONG AT 12" O.C. SHALL BE PROVIDED AT ALL CONSTRUCTION JOINTS.
 - THE MATERIALS AND CONSTRUCTION OF THE GUTTER OUTLET SHALL CONFORM TO THE APPLICABLE PORTIONS OF THE STANDARD SPECIFICATIONS.



SIDEWALK WITH THICKENED EDGE
N.T.S.

FILE NAME: C:\p\p\p\1111_1081\11-24-Road Ranger - Bensenville, IL\000-000-000\11-24-Road Ranger.dwg
 USER: JWB
 DATE: 11/25/2012 10:59:59 AM

QEI
 QUIGG ENGINEERING, INC.
 3600 SOUTH 6TH STREET RD.
 SPRINGFIELD, ILLINOIS 62703
 217-678-8553 (F) / 217-679-2204 (T)
 www.quiggeengineering.com

USER NAME: jwb	DESIGNED: RLK	DATE: 11/25/2012
FILE NAME: 11-24-Road Ranger.dwg	DRAWN: RLK	DATE: 11/25/2012
PLT1 SCALE: 40/8000	CHECKED: RLK	
PLT1 DATE: 11/25/2012	DATE: 11/25/2012	

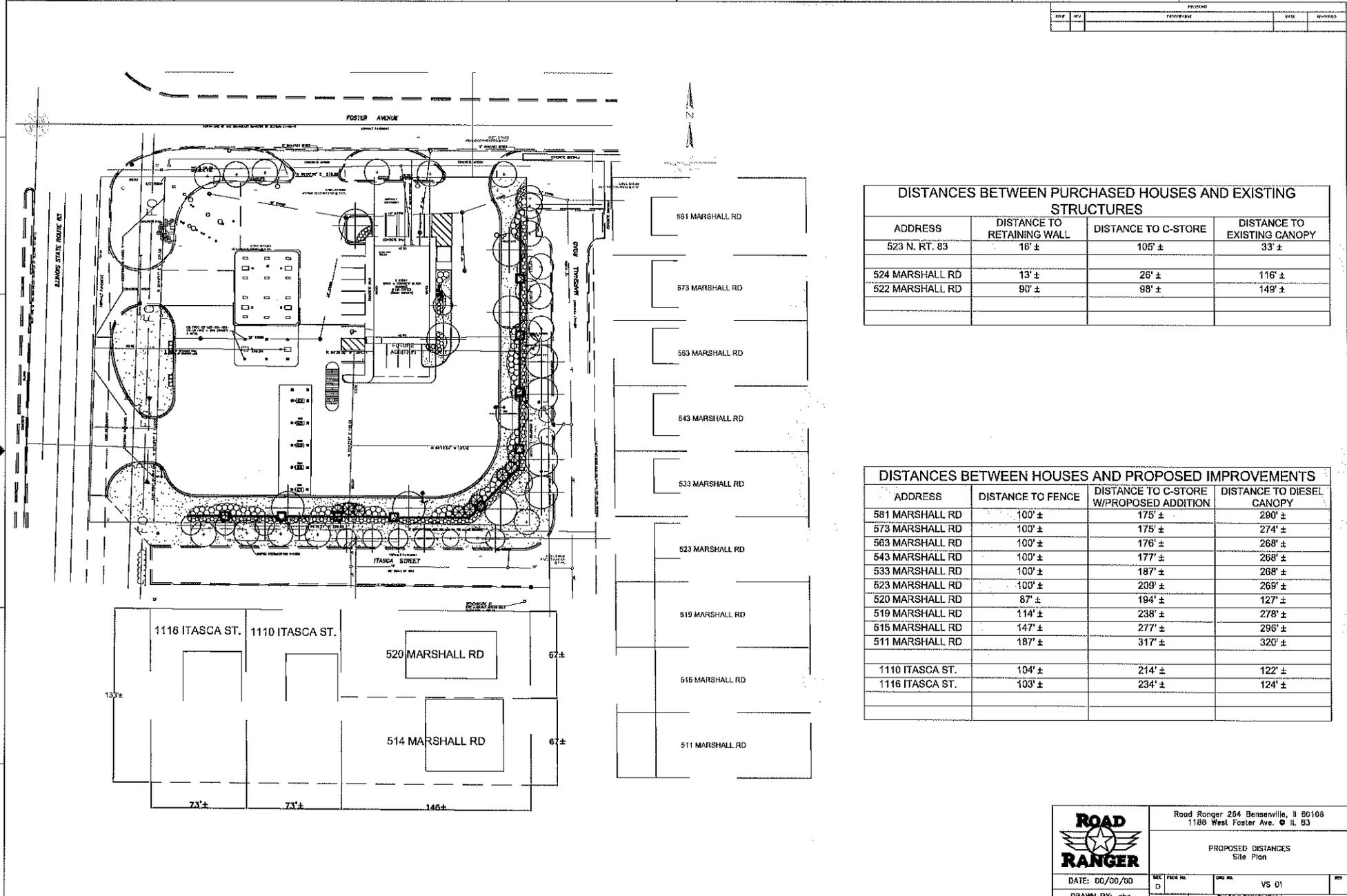
ROAD RANGER
 ROAD RANGER, LLC
 SITE DEVELOPMENT PLANS
 BENSENVILLE, ILLINOIS

PAVEMENT DETAILS		PROJECT NO. 11-74
SCALE: 1"=20'	SHEET NO. OF SHEETS: 5/14	TOTAL SHEET NO. 10
		SHEET NO. 9

REV		DESCRIPTION	DATE	APPROVED

F
E
D
C
B
A

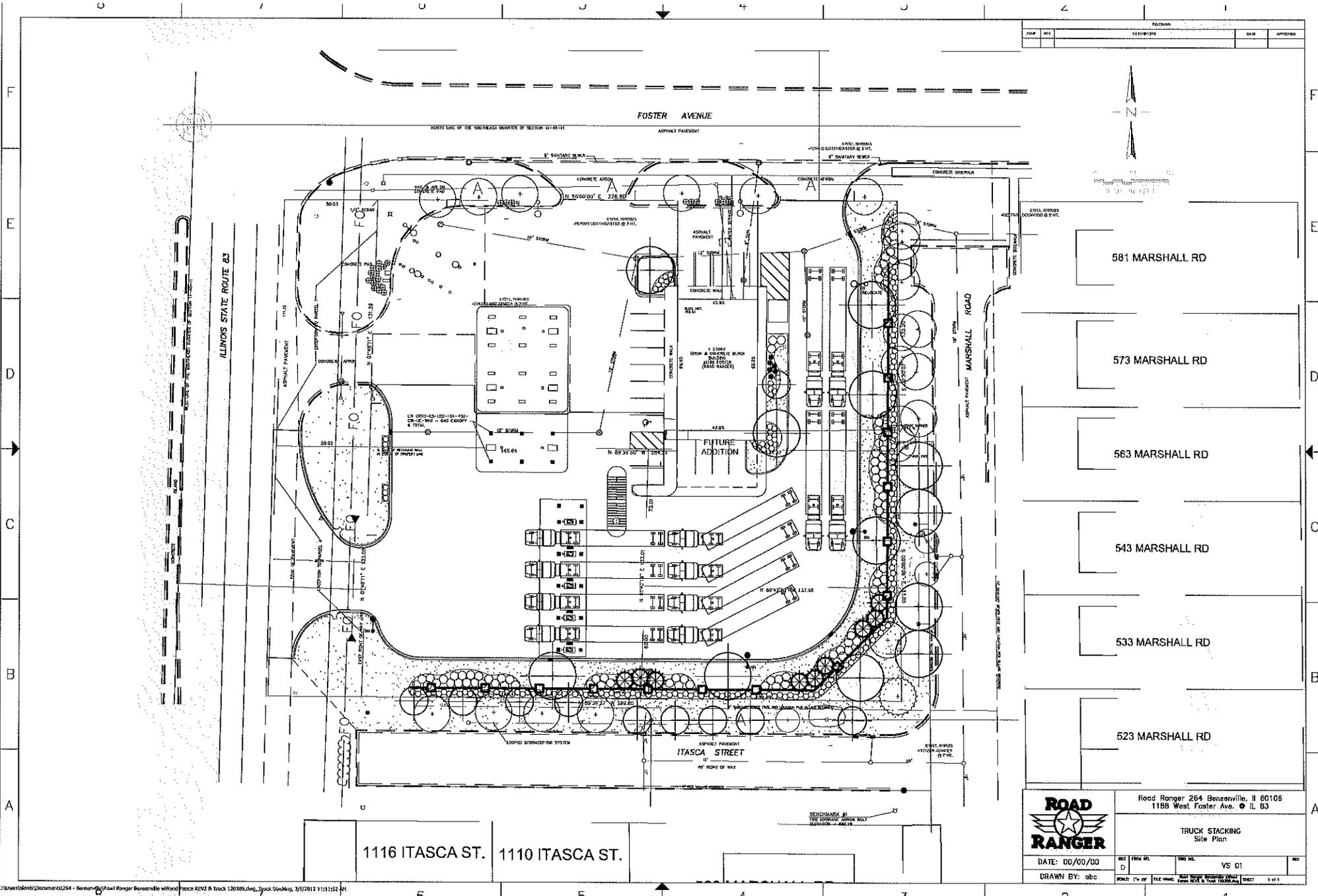
F
E
D
C
B
A



DISTANCES BETWEEN PURCHASED HOUSES AND EXISTING STRUCTURES			
ADDRESS	DISTANCE TO RETAINING WALL	DISTANCE TO C-STORE	DISTANCE TO EXISTING CANOPY
523 N. RT. 83	16' ±	105' ±	33' ±
524 MARSHALL RD	13' ±	26' ±	116' ±
522 MARSHALL RD	90' ±	98' ±	149' ±

DISTANCES BETWEEN HOUSES AND PROPOSED IMPROVEMENTS			
ADDRESS	DISTANCE TO FENCE	DISTANCE TO C-STORE W/PROPOSED ADDITION	DISTANCE TO DIESEL CANOPY
581 MARSHALL RD	100' ±	175' ±	290' ±
573 MARSHALL RD	100' ±	175' ±	274' ±
563 MARSHALL RD	100' ±	176' ±	268' ±
543 MARSHALL RD	100' ±	177' ±	268' ±
533 MARSHALL RD	100' ±	187' ±	268' ±
523 MARSHALL RD	100' ±	209' ±	269' ±
520 MARSHALL RD	87' ±	194' ±	127' ±
519 MARSHALL RD	114' ±	238' ±	278' ±
515 MARSHALL RD	147' ±	277' ±	296' ±
511 MARSHALL RD	187' ±	317' ±	320' ±
1110 ITASCA ST.	104' ±	214' ±	122' ±
1116 ITASCA ST.	103' ±	234' ±	124' ±

	Road Ranger 284 Bensenville, IL 60109 1188 West Foster Ave. • IL 83		
	PROPOSED DISTANCES Site Plan		
DATE: 00/00/00	SHEET NO. 01	DWG NO. VS 01	REV
DRAWN BY: abc	SCALE: 1"=50'	FILE NAME: Road Ranger Bensenville w/Fence REV2 A Truck 120305.dwg	SHEET 1 OF 1



DATE		APPROVED	
DD	MM		



581 MARSHALL RD

573 MARSHALL RD

563 MARSHALL RD

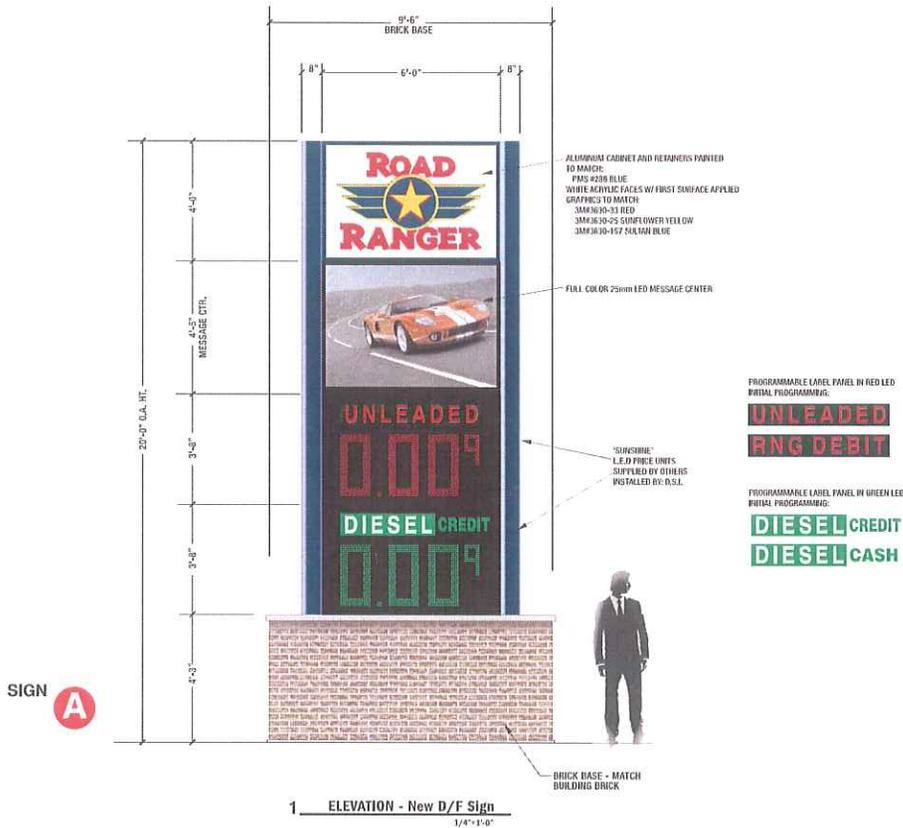
543 MARSHALL RD

533 MARSHALL RD

523 MARSHALL RD

1116 ITASCA ST. 1110 ITASCA ST.

	Road Ranger 264 Bensenville, IL 60105 1188 West Foster Ave. • IL 63		
	TRUCK STACKING Site Plan		
DATE: 00/00/00	REV: 0	DESIGN: VS 01	REV:
DRAWN BY: abc	SCALE: 1" = 40'	FILE NAME: ROAD RANGER 264 TRUCK STACKING	SHEET: 1 of 1



1 ELEVATION - New D/F Sign
1/4" = 1'-0"

DOYLE
GENERAL SIGN CONTRACTORS
232 INTERSTATE RD. P.O. BOX 1068
ADDISON, IL. 60101
630-543-9490
FAX 630-543-9493

DATE	REVISION
5.27.11	REV CHANNEL LTFRS - L.E.D. ON ARCHES
6.2.11	REV TO PROGRAM S/F; ADD L.E.D. STRIP TO FASCIA

CUSTOMER APPROVAL _____ **DATE** _____

This design is the original and unpublished work of DOYLE SIGNS, INC. and may not be reproduced, copied or exhibited in any fashion without the expressed written consent from an authorized officer of The Company. The rights to this design may be purchased.

CLIENT Road Ranger
ADDRESS 1188 West Foster Avenue
CITY Bensenville **STATE** IL **DESIGNER** JRS **SALESPERSON** RC
DRWG. NO. 12173 **SCALE:** Noted **DATE:** 05.19.2011 **SHEET NO.** 1 of 9

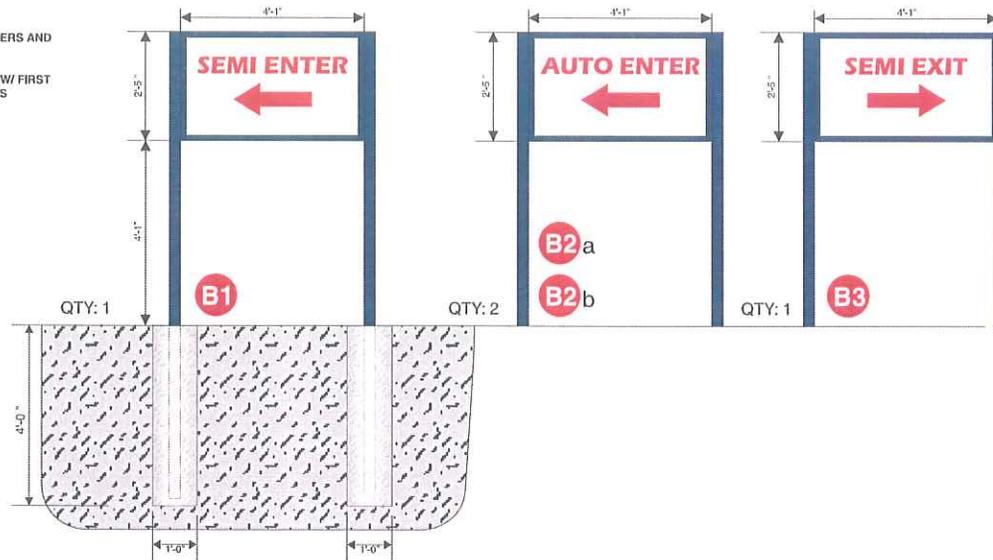
(4) D/F L.E.D. Int. Illuminated Directional Displays

3/8" = 1"

SIGN

B1 B2 B3

ALUMINUM CABINET, RETAINERS AND
POSTS FINISHED TO MATCH:
PMS #288 BLUE
FLAT WHITE ACRYLIC FACES W/ FIRST
SURFACE APPLIED GRAPHICS
TO MATCH:
3M#3630-33 RED



GENERAL SIGN CONTRACTORS
232 INTERSTATE RD. P.O. BOX 1068
ADDISON, IL. 60101

630-543-9480
FAX 630-543-9493

DATE	REVISION
5.27.11	REV CHANNEL LTRS - L.E.D. ON ARCHES
6.2.11	REV TO PROGRAM S/F; ADD L.E.D. STRIP TO FASCIA

CUSTOMER APPROVAL _____ DATE _____

This design is the original and unpublished work of DOYLE SIGNS, INC. and may not be reproduced, copied or exhibited in any fashion without the expressed written consent from an authorized officer of The Company. The rights to this design may be purchased.

CLIENT **Road Ranger**

ADDRESS 1188 West Foster Avenue

CITY Bensenville

STATE IL

DESIGNER JRS

SALESPERSON RC

DRWG. NO. 12173

SCALE: Noted

DATE: 05.19.2011

SHEET NO. 2 of 9

EXISTING S/F H.O. FLUORESCENT INT. ILLUMINATED BUILDING DISPLAY
1/4" = 1'



ALUMINUM CABINET, RETAINERS AND FINISHED BACK
PAINTED TO MATCH:
PMS #288 BLUE
EMBOSSD WHITE ACRYLIC FACES W/ FIRST
SURFACE APPLIED GRAPHICS TO MATCH:
3M#3630-33 RED
3M#3630-25 SUNFLOWER YELLOW
3M#3630-157 SULTAN BLUE

RED SLOAN
L.E.D. STRIP

RED SLOAN
L.E.D. STRIP



Front Elevation

DOYLE
GENERAL SIGN CONTRACTORS
232 INTERSTATE RD. P.O. BOX 1068 ADDISON, IL. 60101 630-543-9490 FAX 630-543-9493

DATE	REVISION
5.27.11	REV CHANNEL LTRS - L.E.D. ON ARCHES
6.2.11	REV TO PROGRAM S/F, ADD L.E.D. STRIP TO FASCIA

CUSTOMER APPROVAL _____ **DATE** _____

This design is the original and unpublished work of DOYLE SIGNS, INC. and may not be reproduced, copied or exhibited in any fashion without the expressed written consent from an authorized officer of The Company. The rights to this design may be purchased.

CLIENT Road Ranger

ADDRESS 1188 West Foster Avenue

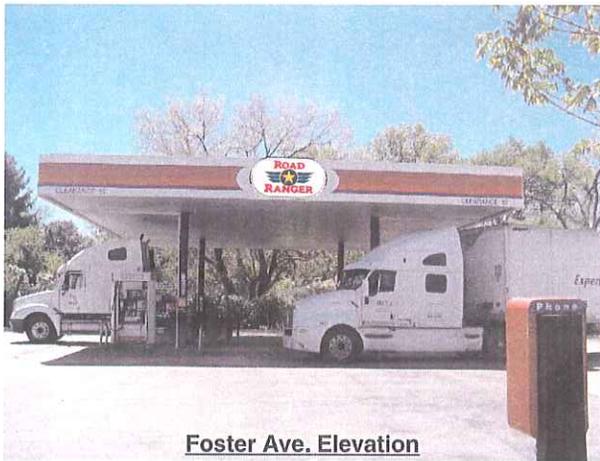
CITY Bensenville **STATE** IL **DESIGNER** JRS **SALESPERSON** RC

DRWG. NO. 12173 **SCALE:** Noted **DATE:** 05.19.2011 **SHEET NO.** 3 of 9



EXISTING S/F INT. H.O. FLO. ILLUMINATED CANOPY DISPLAY 3/4" = 1'-0"

PAN TYPE IMPLEX FACES W/ EMBOSSED GRAPHICS ON A WHITE BACKGROUND.
 COLORS: #33 RED, #25 SUNFLOWER & #157 SULTAN BLUE.
 ALUMINUM CABINET & RETAINERS, WHITE ENAMEL FINISH.



Foster Ave. Elevation



Side Elevation

DOYLE
 GENERAL SIGN CONTRACTORS
 232 INTERSTATE RD. P.O. BOX 1068 ADDISON, IL. 60101 630-543-9480 FAX 630-543-9493

DATE	REVISION

CUSTOMER APPROVAL _____ **DATE** _____

This design is the original and unpublished work of DOYLE SIGNS, INC. and may not be reproduced, copied or exhibited in any fashion without the expressed written consent from an authorized officer of The Company. The rights to this design may be purchased.

CLIENT Road Ranger

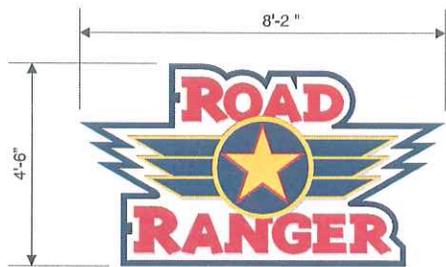
ADDRESS 1188 West Foster Avenue

CITY Bensenville **STATE** IL **DESIGNER** JRS **SALESPERSON** RC

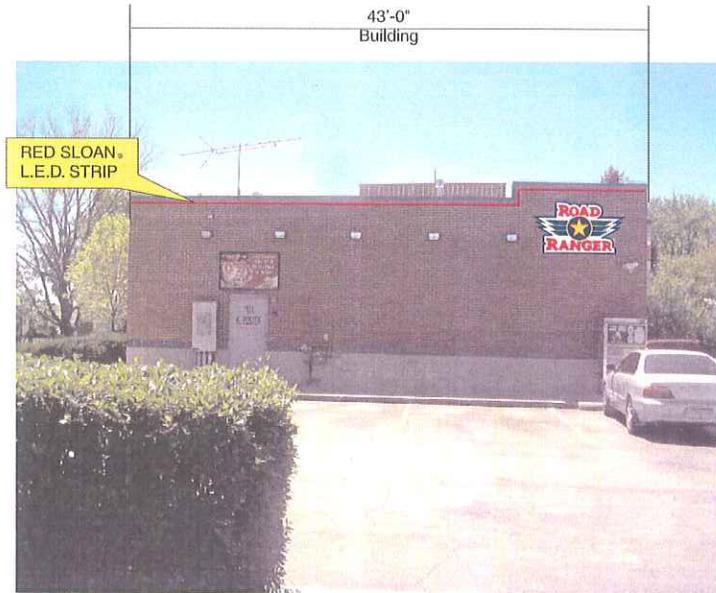
DRWG. NO. 12173 **SCALE:** Noted **DATE:** 05.19.2011 **SHEET NO.** 4 of 9

EXISTING S/F H.O. FLUORESCENT INT. ILLUMINATED BUILDING DISPLAY

3/8" = 1"



ALUMINUM CABINET, RETAINERS AND FINISHED BACK
 PAINTED TO MATCH:
 PMS #288 BLUE
 EMBOSSED WHITE ACRYLIC FACES W/ FIRST
 SURFACE APPLIED GRAPHICS TO MATCH:
 3M#3630-33 RED
 3M#3630-25 SUNFLOWER YELLOW
 3M#3630-157 SULTAN BLUE



Foster Ave.

DOYLE
 GENERAL SIGN CONTRACTORS
 232 INTERSTATE RD, P.O. BOX 1068 ADDISON, IL. 60101
 630-543-9490
 FAX 630-543-9493

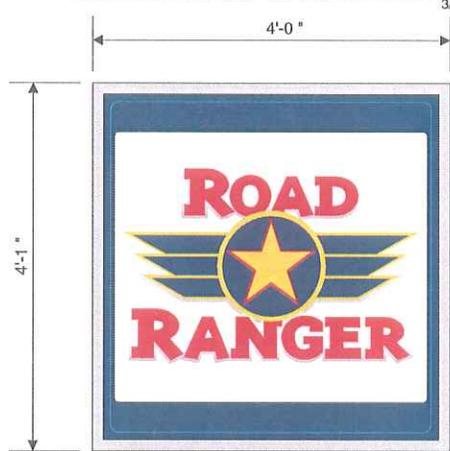
DATE	REVISION
5.30.11	REV TO 8'-2" PROGRAM

CUSTOMER APPROVAL _____ **DATE** _____

This design is the original and unpublished work of DOYLE SIGNS, INC. and may not be reproduced, copied or exhibited in any fashion without the expressed written consent from an authorized officer of The Company. The rights to this design may be purchased.

CLIENT Road Ranger
ADDRESS 1188 West Foster Avenue
CITY Bensenville **STATE** IL **DESIGNER** JRS **SALESPERSON** RC
DRWG. NO. 12173 **SCALE:** Noted **DATE:** 05.19.2011 **SHEET NO.** 5 of 9

EXISTING PAN-FORMED LEXAN REPLACEMENT FACES

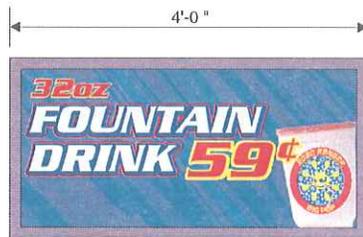


1 1/2" EXISTING RETAINER

WHITE PAN-FORMED LEXAN FACES W/FIRST SURFACE APPLIED GRAPHICS TO MATCH:
3M#3630-33 RED
3M#3630-25 SUNFLOWER YELLOW
3M#3630-157 SULTAN BLUE



(1) ACRYLIC FACE W/ APPLIED GRAPHICS TO MATCH:
3M#3630-157 SULTAN BLUE
3M#3630-25 SUNFLOWER YELLOW
3M#3630-22 BLACK
DIGITALLY PRINTED LOGO
INSTALLED INTO EXISTING CABINET ON OPPOSING SIDE OF "FOUNTAIN DRINK" FACE.



(1) ACRYLIC FACE W/ APPLIED DIGITALLY PRINTED GRAPHICS
INSTALLED INTO EXISTING CABINET ON OPPOSING SIDE OF "RANGER FUELS" FACE.



DOYLE
GENERAL SIGN CONTRACTORS
232 INTERSTATE RD. P.O. BOX 1068 ADDISON, IL. 60101
630-543-9490
FAX 630-543-9493

DATE	REVISION
5.27.11	ADD BORDER TO PYLON MAIN ID GRAPHICS
6.2.11	ADD OPPOSING SIDE VIEW

CUSTOMER APPROVAL _____ DATE _____

This design is the original and unpublished work of DOYLE SIGNS, INC. and may not be reproduced, copied or exhibited in any fashion without the expressed written consent from an authorized officer of The Company. The rights to this design may be purchased.

CLIENT **Road Ranger**

ADDRESS 1188 West Foster Avenue

CITY Bensenville STATE IL DESIGNER JRS SALESPERSON RC

DRWG. NO. 12173 SCALE: Noted DATE: 05.19.2011 SHEET NO. 6 of 9



C1 C2 C3

NEW S/F INT. H.O. FLO. ILLUMINATED CANOPY DISPLAY 3/4" = 1'-0"

PAN TYPE IMPLEX FACES W/ EMBOSSED GRAPHICS ON A WHITE BACKGROUND.
 COLORS; #33 RED, #25 SUNFLOWER & #157 SULTAN BLUE.
 ALUMINUM CABINET & RETAINERS, WHITE ENAMEL FINISH.



3 REQUIRED- 1 CENTERED ON EACH ELEVATION (SOUTH, WEST, NORTH) OF NEW DIESEL CANOPY

NOTE: CANOPY DECORATION FOR ILLUSTRATION ONLY.



DOYLE
 GENERAL SIGN CONTRACTORS
 232 INTERSTATE RD. P.O. BOX 1068 ADDISON, IL. 60101 630-543-9480 FAX 630-543-9493

DATE	REVISION
2.28.12	ADD SITE PLANS

CUSTOMER APPROVAL _____ **DATE** _____

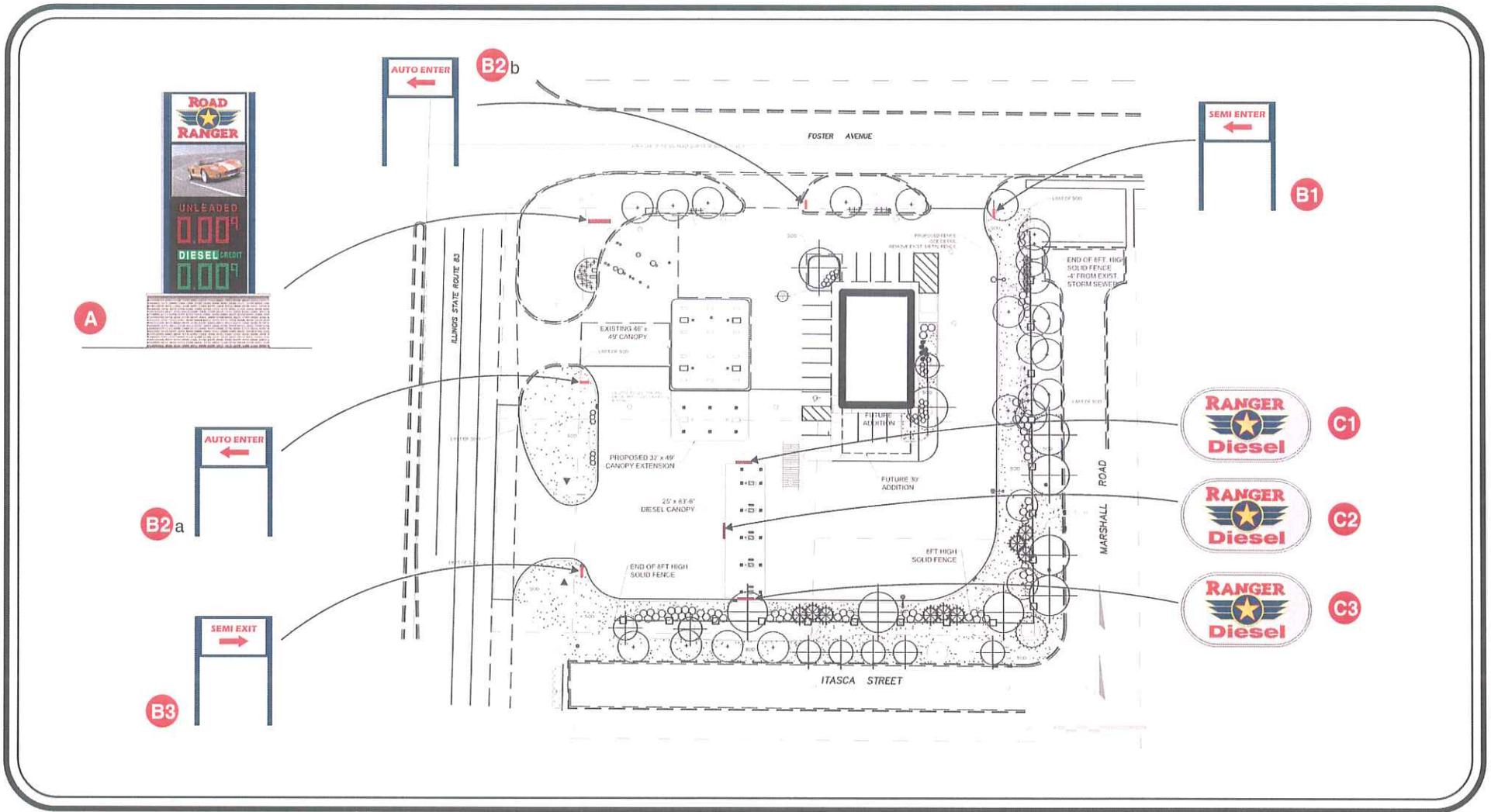
This design is the original and unpublished work of DOYLE SIGNS, INC. and may not be reproduced, copied or exhibited in any fashion without the expressed written consent from an authorized officer of The Company. The rights to this design may be purchased.

CLIENT Road Ranger

ADDRESS 1188 West Foster Avenue

CITY Bensenville	STATE IL	DESIGNER DMM	SALESPERSON RC
-------------------------	-----------------	---------------------	-----------------------

DRWG. NO. 12173 **SCALE:** Noted **DATE:** 03.05.2012 **SHEET NO.** 7 of 9



DOYLE
 GENERAL SIGN CONTRACTORS
 232 INTERSTATE RD, P.O. BOX 1068 ADDISON, IL. 60101 630-543-9480 FAX 630-543-9493

DATE	REVISION
2.29.12	ADD SITE PLANS

CUSTOMER APPROVAL _____ **DATE** _____

This design is the original and unpublished work of DOYLE SIGNS, INC. and may not be reproduced, copied or exhibited in any fashion without the expressed written consent from an authorized officer of The Company. The rights to this design may be purchased.

CLIENT Road Ranger			
ADDRESS 1188 West Foster Avenue			
CITY Bensenville	STATE IL	DESIGNER JRS	SALESPERSON RC
DRWG. NO. 12173	SCALE: Noted	DATE: 05.19.2011	SHEET NO. 8 of 9

**COMMUNITY AND ECONOMIC DEVELOPMENT COMMISSION APPLICATION
(AMENDED)**

Effective Date: May 18, 2012

CDC# 2012-08

Development Name: ROAD RANGER

1. Location: 1188 W. Foster Avenue (Route 83 and Foster Avenue)(hereinafter referred to as the "Existing Service Station Property"); and 523 N. Route 83; 522 N. Marshall Road and 524 N. Marshall Road (hereinafter collectively referred to as the "Vacant Properties"). The Existing Service Station Property and the Vacant Properties are hereinafter collectively referred to as the "Subject Property").
2. Property Index Numbers (PINs): 03-11-300-001-0000 (Existing Service Station Property); 03-11-300-002-0000, 03-11-300-003-0000, and 03-11-300-004-0000 (Vacant Properties)

A. OWNER:

Road Ranger, L.L.C., an Illinois limited liability company

Name 4930 East State Street	Corporation (if applicable)
--------------------------------	-----------------------------

Rockford IL 61108

City	State	Zip Code
------	-------	----------

Steve Brooks, General Counsel	(815) 387-1427, sbrooks@roadrangerusa.com	
-------------------------------	---	--

Contact Person	Telephone Number & email address
----------------	----------------------------------

N/A

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

B. APPLICANT:

Owner

Name	Corporation (if applicable)
------	-----------------------------

Street

City	State	Zip Code
------	-------	----------

Contact Person	Telephone Number & email address
----------------	----------------------------------

C. ACTION REQUESTED (Check applicable):

- Annexation
- Variance
- Site Plan
- Master Sign Plan
- Preliminary Planned Unit Development*
- Final Planned Unit Development*
- Preliminary Plat of Subdivision
- Final Plat of Subdivision
- Conditional Use Permit
- Rezoning (Map Amendment)

*See staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:

- Affidavit of Ownership (original, signed)
- Application (10 initial copies)
- Approval Criteria (10 initial copies)
- Review Fee
- Escrow agreement and deposit
- Legal Description
- Plat of Survey (10 initial copies)
- Site Plan (10 initial copies)
- Building Plans & Elevations (10 initial copies)
- Landscape Plan (10 initial copies)
- Digital Submission of all application materials (CD)

Brief Description of Request(s): Owner seeks (1) to rezone the Vacant Properties from the RS-5 High Density Single-Family Residential District to the C-2 Highway Commercial District, (2) to obtain approval of conditional use permits for a service station and an electronic message center, and (3) to obtain approval of variances to: (a) increase the number of permitted wall signs on the subject property; (b) reduce the required setback for a monument sign; (c) allow for the erection of monument sign that is 20 feet in height; (d) allow for a sign face that is 94.5 square feet in size; (5) allow for the construction of a fence that is 8 feet in height or more in the front and corner side yards; and (d) reduced the number of required parking spaces. Owner also seeks to eliminate hours of operation restriction provided for in Settlement Agreement described below.

D. PROJECT TEAM:

ARCHITECT:

Name Roger Perry, David L. Jenkins & Associates, P.C.
Telephone: (815) 965-3611
Email: roger@dljenkinsarchitects.com

ENGINEER:

Name Kevin Kuhn,
Quigg Engineering, Inc.
Telephone: 217-670-0563
Email: kuhn@quiggengineering.com

ATTORNEY

Name: Harold W. Francke, DLA Piper
Telephone: (312) 368-4047
Email: harold.francke@dlapiper.com

LANDSCAPE ARCHITECT

Name: Joe Davito, Countryside Industries, Inc.
Telephone: (847) 526-1909
Email: jdavito@countrysideindustries.com

SIGN CONTRACTOR

Name: Rick Campbell, Doyle General Sign Contractors
Telephone: (630)543-9490
Email: rcampbell@doylesigns.com

NOISE CONSULTANT

Name: Tim Kelly, Huff & Huff, Inc.
Telephone: (630) 684-4423
Email: tkelly@huffnhuff.com

E. PROJECT DATA:

1. General description of the site: The Existing Service Station Property is situated at the southeast corner of Route 83 and Foster Avenue. It is improved with a gas service station that was approved by an Agreed Judgment Order dated November 27, 2001 and a Settlement Agreement dated November 6, 2001. The Vacant Properties abut the Existing Service Station Property on its southern boundary and are vacant. Service stations also exist on the northwest and southwest corners of the Route 83/Foster Avenue intersection. The property to the north of the Subject Property is presently improved with a church but Applicant understands that an application for a conditional use to construct a service station on this property has recently been filed with the Village.
2. Acreage of the site: 1.732 acres
3. Is this property within the Village limits? (Check applicable below)
 Yes
 No, requesting annexation
 No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.

4. List any controlling agreements (annexation agreements, Village Ordinances, site plans) The Settlement Agreement described above.

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	C-2 and RS-5	Service Station and vacant	Village of Bensenville
North:	C-2 and I-2	Church and industrial park	Village of Bensenville
East:	RS-5 and I-2	Single family residential and industrial park	Village of Bensenville
South:	RS-5	Single family residential	Village of Bensenville
West:	C-2 and RS-5	Service Station and single family residential	Village of Bensenville

F. APPROVAL CRITERIA:

1. Select the "Approval Criteria" list(s) pertaining to the applicant's request(s).
2. The applicant must compose a letter describing the specific request(s) and how the request(s) specifically meets the individual criteria from the list. The CDC will be unable to approve a request without a comprehensive response for the "Approval Criteria."

10-3-3.B Approval Criteria for Variances

1. **Special Circumstances**
Special circumstances, fully described in the written findings, exist that are peculiar to the property for which the Variance is sought and that do not apply generally to other properties in the same zoning district. And these circumstances are not of so general or recurrent a nature as to make it reasonably practical to provide a general amendment to this Ordinance to cover them.
2. **Hardship or practical Difficulties**
For reasons set forth in the findings, the literal application of the provisions of this Ordinance would result in unnecessary and undue hardship or practical difficulties for the applicant, as distinguished from mere inconvenience.
3. **Circumstances Relate to Property**
The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography, or soil conditions. They do not concern any business or activity the present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business, or financial circumstances of any party with interest in the property.
4. **Not Resulting from Applicant Action**
The special circumstances and practical difficulties or hardship that are the basis for the Variance have not resulted from any act, undertaken subsequent to the adoption of this Ordinance or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any Variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.

- 5. Preserves Rights Conferred by District**
A Variance 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.
- 6. Necessary for Use of Property**
The granting 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.
- 7. Not Alter 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.
- 8. Consistent with Ordinance and Plan**
The granting of a Variance will be in harmony with the general purpose and intent of this Ordinance and of the General Development Plan and other applicable adopted plans of the Village of Bensenville, 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.
- 9. 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.

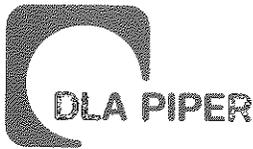
10-3-4:C Approval Criteria for Conditional Uses

- 1. Traffic**
Any adverse impact of types or volumes of traffic flow not otherwise typical of Allowed Uses in the zoning district has been minimized.
- 2. Environmental Nuisance**
Any effects of noise, glare, odor, dust, waste disposal, blockage of light or air, or other adverse environmental effects of a type or degree not characteristic of Allowed Uses in the district, have been minimized.
- 3. Neighborhood Character**
The proposed use will fit harmoniously with the existing character of existing Allowed Uses in its environs. Any adverse effects on environmental quality, property values, or neighborhood character beyond those normally associated with Allowed Uses in the district have been minimized.
- 4. Use of Public Services and Facilities**
The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of Allowed Uses in the district, nor generate disproportionate demand for new services or facilities, in such a way as to place undue burdens upon existing development in the area..

- 5. Public Necessity**
The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community.
- 6. Other Factors**
The use is in harmony with any other elements of compatibility pertinent in the judgment of the Board to the Conditional Use in its proposed location.

Section 10-3-5: Approval Criteria for Zoning Map Amendments

- 1. Support for Classification:**
 - a. Compatible with Use or Zoning**
The uses permitted under the proposed district are compatible with existing uses or existing Zoning of property in the environs, or
 - b. Supported by Trend of Development**
The trend of development in the general area since the original zoning was established supports the proposed classification, or
 - c. Consistent with Village Plans**
The proposed classification is in harmony with objectives of the General Development Plan and other applicable Village plans as reviewed in light of any changed conditions since their adoption.
- 2. Furthers Public Interest**
The proposed zoning classification promotes the public interest. It does not solely further the interest of the applicant.
- 3. Public Services Available**
Adequate public services---such as water supply, sewage disposal, fire protection, and street capacity---are anticipated to be available to support the proposed classification by the anticipated date of issuance of a Certificate of Occupancy.



RECEIVED

JUN - 5 2012

COMMUNITY DEVELOPMENT

DLA Piper LLP (US)
203 North LaSalle Street, Suite 1900
Chicago, Illinois 60601-1293
www.dlapiper.com

Harold W. Francke
harold.francke@dlapiper.com
T 312.368.4047
F 312.630.5380

June 1, 2012

Community and Economic Development Commission
Village of Bensenville
12 South Center Street
Bensenville, IL 60106

**Re: Road Ranger / Approval Criteria for Requests for Zoning Map Amendment,
Conditional Use Approvals and Variances
1188 West Foster Avenue / CDC Application # 2012-08 (Amended)**

Dear Members of the Community and Economic Development Commission:

As stated in our letter to you dated April 23, 2012, our firm represents Road Ranger L.L.C. ("Applicant"), the owner of the property situated at 1188 West Foster Avenue (the "Existing Service Station Property") and the properties located at 523 N. Route 83, 522 N. Marshall Road and 524 N. Marshall Road (the "Vacant Properties"). The Existing Service Station Property and the Vacant Properties are hereinafter collectively referred to as the "Subject Property."

We submit this letter to you in support of Applicant's amended application to the Village which seeks: (1) the rezoning of the Vacant Properties from the RS-5 High Density Single-Family Residential District (the "RS-5 District") to the C-2 Highway Commercial District (the "C-2 District"); (2) the approval of conditional use permits for a service station and electronic message center; and (3) the approval of variances to: (a) increase the number of permitted wall signs on the Subject Property; (b) reduce the required setback for a monument sign; (c) allow for the construction of a monument sign that is 20 feet in height; (d) allow for a sign face that is 94.5 square feet in size; (5) allow for the construction of a fence in the front and corner side yards that is 8 or more feet in height; and (d) reduce the number of required parking spaces provided on the Subject Property. As you know, Road Ranger currently operates a service station on the Existing Service Station Property.

In support of its amended application, Applicant hereby states as follows:

1. **Section 10-3-5: Approval Criteria for Zoning Map Amendments**

1.1 Support for Classification

- (a) Compatible with Use or Zoning. *The uses permitted under the proposed district are compatible with existing uses or existing zoning of property in the environs.*

Response: Applicant's proposal is compatible with both the existing uses and zoning of property in the environs. There are multiple properties in the vicinity of the Subject Property



Community & Economic Development Commission/CDC Application No. 2012-08 (Amended)
June 1, 2012
Page Two

which are zoned in the C-2 District and the I-2 Light Industrial District (the “I-2 District”). The Existing Service Station Property, situated on the southeast corner of Route 83 and West Foster Avenue, is itself classified in the C-2 District. The properties situated on the northwest and southwest corners of the intersection are similarly zoned in the C-2 District. The property to the north of the Subject Property is zoned in the C-2 District and the I-2 District.

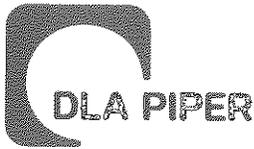
The properties situated on the northwest and southwest corners of the Route 83/Foster Avenue intersection are similarly improved with a service station. The property on the northeast corner of the intersection is improved with a church. We understand, however, that an application for a conditional use permit to construct a service station on this property has recently been filed with the Village.

The Bensenville Airport Compatibility Study (“Airport Compatibility Study”), recently prepared by the Village’s consultant AECOM, further supports the notion that Applicant’s proposal is compatible with the existing uses and zoning of property in the environs. The Airport Compatibility Study highlights that Foster Avenue is a key east-west industrial road with large industrial buildings on either side until the block just east of Route 83, where a church is situated to the north and a gas station and residential uses are situated to the south. The Airport Compatibility Study also describes Route 83 as one of the main north-south arterials in the Village and explains that Route 83’s roadway design does not change as it transitions from industrial to residential areas. According to the Airport Compatibility Study, Route 83 maintains an industrial character throughout, and the residential areas are designed with their “backs” to the arterial.

Although there are residentially-zoned properties and single-family homes in the vicinity of the Subject Property, most of the land in the vicinity of the Subject Property is situated in non-residential zoning districts and most of it is devoted to non-residential uses. Thus, Applicant’s proposal is compatible with the existing uses and existing zoning of properties in the environs.

(b) *Supported by Trend of Development: The trend of development in the general area since the original zoning was established supports the proposed classification.*

Response: The trend of development in the area supports Applicant’s request for rezoning. Construction of a service station on the Existing Service Station Property was approved by an Agreed Judgment Order in 2001. Since then the trend of development has been commercial and industrial in nature which is reflective of the area’s proximity to O’Hare airport and major arterial roadways. As noted above, the property north of the Subject Property is improved with a church but an application for a conditional use to construct a service station on this property has recently been filed with the Village. The Airport Compatibility Study also



Community & Economic Development Commission/CDC Application No. 2012-08 (Amended)
June 1, 2012
Page Three

supports the notion that Applicant's rezoning request is consistent with the trend of development in the area surrounding the Subject Property.

- (c) *Consistent with Village Plans: The proposed classification is in harmony with objectives of the General Development Plan and other applicable Village plans as reviewed in light of any changed conditions since their adoption.*

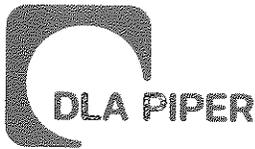
Response: Applicant's proposal to rezone the Vacant Properties is in harmony with the objectives of the Village's General Development Plan Update, adopted in April 2004. Bensenville offers a desirable location for residents and businesses alike because the Village is 30 minutes from downtown Chicago and one mile from O'Hare airport. As such, the Village attracts and promotes businesses of varying sizes, which in turn seek a variety of commercial and industrial uses to meet and support the demands of the Village's residents, employees, and visitors. The Subject Property is situated at the highly visible and heavily trafficked intersection of Route 83 and West Foster Avenue, an arterial roadway that maintains an industrial character, as noted in the Airport Compatibility Study.

Applicant's proposal supports the Village's General Development Plan by enhancing the Village's economic stability, attracting additional commerce to the Village, providing a valuable service to Village businesses, and generating new and additional tax revenues. Applicant's construction of an oversized fence on a two-foot high masonry wall and of a significant landscaped buffer, together with the fact that vehicular access to Marshall Road and Itasca Street from the Subject Property will be precluded, will minimize the impact of the Road Ranger service station on adjacent residential properties, which properties were originally designed with their "backs" to Route 83. Lastly, Applicant's proposal furthers Bensenville's General Development Plan by providing an integrated design that will enhance the Village's image, attracting new investment to the community and improving the circulation of traffic both on the Subject Property and on the surrounding roadway network.

1.2 Furthers Public Interest

- (a) *The proposed zoning classification promotes the public interest. It does not solely further the interest of the applicant.*

Response: The proposed zoning classification promotes the public interest in many respects. First, rezoning the Vacant Properties will lead to Applicant's improvement of parcels which have remained vacant since November 2011. Second, rezoning the Vacant Properties will make it possible for Applicant to generate additional commerce and tax revenue for the Village. Third, as explained in greater detail in the Traffic Impact Evaluation prepared by Quigg Engineering Inc. on February 14, 2012 ("Traffic Impact Evaluation"), if the Village approves the



Community & Economic Development Commission/CDC Application No. 2012-08 (Amended)
June 1, 2012
Page Four

request for rezoning Applicant will construct a separate canopy for semi-trucks, which will: (i) improve the internal circulation at the Existing Service Station Property; (ii) reduce conflicts between automobile and truck traffic; and (iii) facilitate the installation of new high efficiency fueling pumps which will decrease the amount of time each truck spends on the Existing Service Station Property. Fourth, if the requested rezoning is approved Applicant will construct a retaining wall two feet in height on the southern and eastern boundaries of the property, on top of which a solid fence which is eight feet in height will rest. This 10-foot high screen, together with the significant landscaping improvements Applicant will be constructing along the south and east portions of the Subject Property (which landscaping will include a wide variety of trees and shrubs, including Colorado Spruces, Japanese Lilacs, Red Twig Dogwoods, and Green Sargent Junipers), will restore the privacy and neighborhood characteristic of the area for residents living along Marshall Road and Itasca Street.

1.3 Public Services Available

- (a) *Adequate public services---such as water supply, sewage disposal, fire protection, and street capacity---are anticipated to be available to support the proposed classification by the anticipated date of issuance of a Certificate of Occupancy.*

Response: Adequate public services are presently available to the Subject Property and will remain available to support the proposed zoning classification.

2. 10-3-4:B Approval Criteria for Variances

- 2.1 *Special Circumstances: Special circumstances, fully described in the written findings, exist that are peculiar to the property for which the Variance is sought and that do not apply generally to other properties in the same zoning district. And these circumstances are not of so general or recurrent a nature as to make it reasonably practical to provide a general amendment to this Ordinance to cover them.*

Response: The Existing Service Station Property is already improved with an operating service station on Route 83, a regional arterial highway carrying thousands of vehicles per day at a high rate of speed. That parcel, however, is much smaller than the C-2 properties situated on the northeast and northwest corners of the Route 83/Foster Avenue intersection, which properties are also improved, or in the case of the northeast corner proposed to be improved, with a service station. Extensive fencing and landscaping to screen nearby residents from the existing service station use and from Route 83 traffic do not presently exist on the Subject Property. To the east and south of the Subject Property are residential properties which will benefit from both the



Community & Economic Development Commission/CDC Application No. 2012-08 (Amended)
June 1, 2012
Page Five

extensive screening and landscaping Applicant is proposing and the improved traffic circulation patterns that will result from the improvement of the Subject Property. All of the foregoing circumstances are unique to the Subject Property and not of a general or recurrent nature within the Village.

- 2.2 *Hardship or Practical Difficulties: For reasons set forth in the findings, the literal application of the provisions of this Ordinance would result in unnecessary and undue hardship or practical difficulties for the applicant, as distinguished from mere inconvenience.*

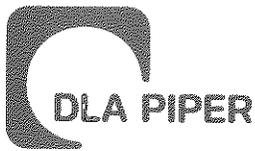
Response: The conditions described above create hardships for Applicant. The Village, neighbors and Applicant will all be detrimentally affected if the variances are not approved--the Village because it will realize reduced tax revenues, the neighbors because they will not be afforded the significant screening and buffering Applicant is proposing, and Applicant because it will not be able to achieve its site planning goals (most notably, improving on-site traffic circulation and improving site visibility and site access).

- 2.3 *Circumstances Relate to Property: The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography, or soil conditions. They do not concern any business or activity the present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business, or financial circumstances of an party with interest in the property.*

Response: The size and location of the Existing Service Station Property and the neighboring residential properties and the other circumstances described above are what are driving the request for the requested variances.

- 2.4 *Not Resulting from Applicant Action: The special circumstances and practical difficulties or hardship that are the basis for the Variance have not resulted from any act, undertaken subsequent to the adoption of this Ordinance or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any Variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.*

Response: Applicant only acquired the Existing Service Station Property in June, 2011. It acquired the Vacant Properties later that same year. All of the circumstances described above already existed. None has resulted from any act undertaken by Applicant.



Community & Economic Development Commission/CDC Application No. 2012-08 (Amended)
June 1, 2012
Page Six

3. **10-3-4:C Approval Criteria for Conditional Uses**

3.1 *Traffic: Any adverse impact of types or volumes of traffic flow not otherwise typical of Allowed Uses in the zoning district has been minimized.*

Response: For the reasons stated above and as noted in the Traffic Impact Evaluation, neither the service station nor the electronic message center will adversely impact the types or volumes of traffic flow in the area.

3.2 *Environmental Nuisance: Any effects of noise, glare, odor, dust, waste disposal, blockage of light or air, or other adverse environmental effects of a type or degree not characteristic of Allowed Uses in the district, have been minimized.*

Response: For the reasons stated above, and as noted in the Noise Study Applicant submitted to the Village, neither the service station nor the electronic message center will create an environmental nuisance for the surrounding area.

3.3 *Neighborhood Character: The proposed use will fit harmoniously with the existing character of existing Allowed Uses in its environs. Any adverse effects on environmental quality, property values, or neighborhood character beyond those normally associated with Allowed Uses in the district have been minimized.*

Response: For the reasons stated above, and as noted in the Traffic Impact Evaluation and Noise Study Applicant submitted to the Village, both the service station and the electronic message center will fit harmoniously with the existing character of existing allowed uses in the area and any adverse effects on environmental quality, property values, or neighborhood character beyond those normally associated with residential uses have been minimized.

3.4 *Use of Public Services and Facilities: The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of Allowed Uses in the district, nor generate disproportionate demand for new services or facilities, in such a way as to place undue burdens upon existing development in the area.*

Response: The proposed expanded service station and convenience store uses and the electronic message center will not require existing community facilities or services to a degree disproportionate to that normally expected of residential uses, nor generate disproportionate demand for new services or facilities, in such a way as to place undue burdens upon existing development in the area.



Community & Economic Development Commission/CDC Application No. 2012-08 (Amended)
June 1, 2012
Page Seven

3.5 *Public Necessity: The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community.*

Response: Improving the Vacant Properties, expanding and improving the existing service station, and erecting a sign with an electronic message center on the Subject Property are appropriate given the location of the Subject Property on Route 83 and its close proximity to large industrial parks and O'Hare airport. The fact that another party has recently submitted to the Village an application to construct an additional service station on the parcel situated at the northeast corner of the intersection of Route 83 and Foster Avenue is evidence of the continued demand and need for these uses in this location. Applicant's proposal will provide a valuable service to Bensenville businesses, generate additional tax revenues for the Village and local school districts, result in new economic development in the Village, and otherwise advance the general welfare of the community.

For the foregoing reasons we respectfully ask that you recommend approval of Road Ranger's requests for relief at the June 11th continuation of the Road Ranger public hearing. We look forward to attending that hearing and to answering any additional questions you might have.

Very truly yours,

DLA Piper LLP (US)

A handwritten signature in cursive script, appearing to read 'H. Francke'.

Harold W. Francke

cc: Scott Viger, Village of Bensenville
Mark Rysavy, Village of Bensenville
Mary Dickson, Bond Dickson & Associates, PC
Steve Brooks, Road Ranger
John Carabelli, Road Ranger



COMMUNITY DEVELOPMENT COMMISSION

AMENDED STAFF REPORT

06.08.12

HEARING DATE: May 14, 2012
June 11, 2012

CASE #: 2012 - 08

PROPERTY: 1188 W. Foster Avenue,
523 N. Route 83,
522 and 524 N. Marshall Road

**PROPERTY OWNER &
APPLICANT:** Road Ranger, LLC

ACREAGE: 1.732 Acres (75,445.92 SQFT)

PIN NUMBERS: 03 - 11 - 300 - 001, 03 - 11 - 300 - 002,
03 - 11 - 300 - 003 and 03 - 11 - 300 - 004

REQUESTS:

1. Rezone Parcels 523 N. Route 83, 522 N. Marshall Road and 524 N. Marshall Road from RS-5 High Density Residential District to C-2 Highway Commercial District
2. Planned Unit Development (PUD) Withdrawn
3. Approval of Conditional Use Permits (CUP) for Service Station and Electronic Message Center
4. Variances to increase the number of wall and canopy signs, to reduce the monument sign setback, to increase the monument sign height and area, to allow a fence/wall in the front and corner side yard, to reduce the vision clearance triangle and to reduce the number of required parking spaces.

SURROUNDING LAND USE:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	C – 2 & RS-5	Commercial & Vacant	Commercial & Residential	Village of Bensenville
North	C – 2	Commercial	Quasi-Public	Village of Bensenville
South	RS-5	Residential	Residential	Village of Bensenville
East	RS-5	Residential	Residential	Village of Bensenville
West	C – 2 & RS-5	Commercial & Residential	Residential	Village of Bensenville

SUMMARY:

The property in question is generally situated on the southeastern corner of Foster Avenue and Route 83. Of the four (4) parcels, 1188 W. Foster (hereinafter referred to as the "Existing Service Station Property") is zoned C – 2 Highway Commercial and the remaining three (3) parcels (hereinafter collectively referred to as the "Vacant Properties") are zoned RS-5 High Density Single-Family Residential. The Existing Service Station Property is improved with a one story convenience store and gas station building approved in November of 2001 and currently owned by Road Ranger. Of the Vacant Properties, only 523 N. Route 83 fronts on Route 83 and can access it directly.

The Applicant seeks approval to rezone these vacant parcels from RS-5 to C-2 in order to expand the business of the service station to function also as a diesel fueling location. Subsequent to an approval, the applicant further requests approval of a preliminary plat of planned unit development (PUD) /preliminary plat of subdivision for the Subject Property. Additionally, Conditional Use Permits (CUP) for a service station in a C-2 district and the use of an Electronic Message Center (EMC) are requested.

Road Ranger acquired the "vacant properties" in 2011 which at the time were improved with Single Family detached homes, comparable to other homes in the area. In November of 2011 Road Ranger applied for and was issued a demolition permit to raze the three homes, according to Village Code and practice. The three single family homes were then demolished, creating the so called "vacant parcels".

The Village asked Road Ranger to present their concept at a neighborhood meeting which was held at Village Hall on November 11, 2011. A second neighborhood meeting was held before the Village Board Infrastructure and Environment Committee on Tuesday March 20, 2012.

PUBLIC NOTICE:

1. A Legal Notice was published in the Daily Herald on Saturday April 28, 2012 and on Saturday May 26, 2012. Certified copies of the Legal Notice are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.
2. Village personnel posted a Notice of Public Hearing signs on the property, visible from the public way on Friday April 27, 2012 and on Thursday May 24, 2012.
3. On Friday April 27, 2012 and Thursday May 24, 2012 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. An Affidavit of Mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours. In addition to the required 250' mailing, staff in the same mailing included taxpayers of record up to 500' from the property in question.

DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

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

Finance: 1. No comments or concerns.

Police: The purpose of this memo is to provide considerations and recommendations that the police department has for the proposed expansion of the Road Ranger gas station and new Thornton Gas Station. There have been 57 calls for service, at the Road Ranger gas station from 1/1/2009 until the present. The most serious crimes have been the thefts, 7, that were reported during that time period.

1. If approved, there should be the following requirements should be incorporated into the conditional permits:
 - A. There should be no window displays or advertising banner in the area of the cashier that will restrict the cashier's view or the view of passing police patrols.
 - B. Any exterior restrooms should be locked and under the control of the cashier.
 - C. The lighting devices shall be protected with weather and vandal resistant covers.
 - D. The exterior architectural features to the building shall not be designed in a manner which allows access to the roof areas.
 - E. Pallets and other objects should not be allowed to be left outside to allow roof access.
 - F. The site shall be conspicuously sign posted per Village Code 4-3-18(b) 2, Criminal Trespass, to discourage loitering.
 - G. The operator shall ensure that the property is kept clean of litter associated with the store.
 - H. Any ATMs should be located within the primary retail building.
 - I. The Village has the right to add or modify conditions should problems develop which are not readily apparent at this time or if the applicant fails to adequately manage public safety or security issues.
 - J. A copy of the conditions of approval for the Conditional Use Permit must be kept on the premises of the establishment and be presented to any police officer or any authorized Village official upon request.

2. Another public safety consideration is the projects impact on traffic in the area. The traffic at the intersection of IL83 and Foster Avenue is often very heavy and has contributed too many more crashes at or near that intersection as compared to IL83 and Hillside. From 1/1/2009 until 3/29/12, there have been 62 crashes at or near IL83 and Foster and only 1 at IL83 and Hillside. The summary of the type of crashes is as follows:
 - o 21 rear end crashes on IL83
 - o 2 rear end crashes on Foster
 - o 1 rear end crash in a gas station
 - o 12 left turn crashes on IL83 turning to Foster
 - o 6 Improper lane usage on IL83
 - o 5 left turn crashes on Foster turning to IL83 (1 was a 1 vehicle crash with it flipping over)
 - o 1 right turn crash on Foster turning to IL83 (1 vehicle crash with it flipping over)
 - o 2 failure to yield exiting gas station onto IL83

- 4 failure to yield exiting gas station onto Foster
 - 1 improper driving on shoulder entering gas station from 83
 - 2 improper backing in gas station
 - 2 improper lane usage entering gas station from Foster
 - 1 failure to yield at red light Foster and IL83
 - 2 improper backing of Foster (1 making room for other semi to turn and 1 deciding to turn in other direction on IL 83)
3. If the projects are approved, the roadway improvements such as described in the Thornton Traffic Analysis, striping a two way left turn lane on Foster, creating a right turn lane on northbound IL 83, and posting do not block the Thornton entrances on Foster, would be minimally necessary to mediate the further traffic congestion that occurs in the area. The adjustment of the traffic lights that would allow more time for Foster may create more of the prevalent rear end crashes on IL83.

Engineering:

1. Sanitary Sewer on proposed property shall be new to the Village Main.
2. Appropriate Fats, Oil, and Grease Trap Systems must be installed and approved by the Village.
3. All storm sewer inlets shall abide by Illinois Fire Marshal Standards as they relate to distance from dispensing apparatus.
4. Project shall abide by all DuPage County Storm Water Ordinance requirements.
5. Proposed underground storm water detention shall be designed to accommodate full requirement based on DuPage County Storm Water Ordinance.
6. Sidewalk shall be installed along all public frontage of the development.
7. Trees shall be planted along public frontage according to the Comprehensive Tree Management Ordinance.
8. The Village requests any overhead utility lines be buried on the development.
9. The Village requests the installation of new LED street lights along the public right of way.

Public Works:

See Engineering comments above.

Community & Economic Development:

Economic Development

1. The subject property is located at the intersection of two major corridors making it a prime location to shape the economic development of the Village. Foster Avenue is the sole public street that provides direct access through the Northern Business District from Illinois Route 83 on the west to York Road on the east, with traffic signals at each of the two end point intersections.
2. The applicant is seeking an Electronic Message Center (EMC) sign which is available through the recent Municipal Code Text Amendment allowing EMCs as Conditional Use Permits.
3. The proposed plan suggests an increase in sales tax revenue for the Village as it will be capturing a portion of the diesel fuel market from the trucks in the Village's Northern Business Park as well as trucks traversing through the Village on Rte. 83.

Inspectional Services

4. Staff recommends the addition of a fire hydrant on the southwest corner of subject property. This hydrant should be tied into the twelve (12) inch main at Foster and Route 83 and connect to the six (6) inch main on Itasca Street.
5. Itasca Street and Marshall Road hydrants are not accessible from Route 83 or Foster. The proposed eight (8) foot fence also would support the addition of aforementioned fire hydrant.

Building

6. The fence and landscaping should extend north to the Foster Avenue's sidewalk and west to the Route 83 right of way.
7. Both canopy heights should be the same.
8. Building comments will follow upon the building permit submittal.

Community Development

Comprehensive Plan

The Village's 2004 Update to the Comprehensive Plan is in place to guide policy for rezoning. The following quotations are taken from aforementioned Plan.

9. The rezoning of the currently vacant parcels is significant in that the Comprehensive Plan states that the Village should "Continue to support single-family development that does not have direct access on Route 83" (pg. 26).

This statement applies in particular to the Marshall Road parcels.

10. "While there are gas stations located at the intersection of Route 83 and Foster, south of Foster to Irving Park Road are single-family residential dwellings that take access from side streets that are blocked off at Route 83. Generally, this land use pattern 'works' with the exception that in the future the Village may consider permitting commercial and larger-scale office uses, rather than additional industrial uses on the Route 83 frontage, especially at the intersection with Thorndale." (pg. 9)

The proposed rezoning of the "vacant parcels" does not meet this item.

11. "Require buffering between residential and nonresidential uses as sites are newly developed or redeveloped." (pg. 22)

The proposal adheres to this item along the property's east and south sides.

Site

12. The site is located on the southeast corner of Route 83 and Foster Avenue.
13. The vacant parcels were created when Road Ranger demolished the single family houses that previously existed.
14. Gas service stations currently operate on the northwest, southwest and southeast corners.
15. The area is considered an important corridor due to the high-volume of traffic, both industrial and otherwise.
16. Existing single family detached homes are adjacent to the property in question to the east across N. Marshall Road and to the south across Itasca Street.
17. If requests are approved, Staff recommends a Plat of Consolidation of the four lots into a single lot.

Site Plan

18. The "Existing Service Station Property" remains virtually unchanged except for the diesel truck access, east of the existing building and the addition of the screening fence/wall, landscaping and the new sign with an Electronic Message center

19. The "Existing Service Station" site has two curbcuts on Foster Avenue and one on Rte. 83.
20. The proposed plan includes a third curbcut on the existing 523 N. Rte. 83 "Vacant Parcel". This parcel has a small residential driveway/curbcut onto Rte. 83 that served the home that formerly occupied the parcel. Staff received a letter from IDOT denying the owner/applicant's request for the new curbcut. As of this writing the owner/applicant is working to resolve the issue with IDOT.
21. Staff finds this third curbcut to be mandatory for the progression to the proposed plan to execute the desired segregation of the diesel and gasoline traffic.
22. The curbcut in question is a "right out" only egress to northbound Rte. 83 and is identified for diesel pump traffic only.
23. There are some discrepancies between some of the engineering site plans and the landscape and signage site plans.
24. Diesel trucks access the property from Foster Avenue and precede south behind/east of the existing building parallel to Marshall Road and then east parallel to Itasca Street to the pump location. This alignment necessitates extensive screening (see Landscape Section below).
25. Traffic flow within the proposed site should be separated on the current 523 N. Rte. 83 between general traffic and truck traffic. A division should be made with a curb barrier in the area between the two fueling stations. Staff suggests the proposed curb barrier that originates at the western frontage strip and continues east to the sidewalk found on the southwestern portion of the main building. This construction will prevent commingling of cars and semi tractor-trailers. Additionally, creating an exit-only for trucks on the south western curb cut will maintain the correct traffic flow for the site. As submitted it appears that trucks once refueled could pass through the car portion of the property and access Foster Avenue.
26. The barrier should be landscaped to ensure motorists and truckers alike could not overrun the barrier. Landscaping would also provide an additional aesthetic accent in the center of an otherwise hardscaped interior portion of the site.
27. Stacking spaces as proposed meet the Village's Code requirements. However the stacking for the diesel trucks

would parallel the residential street Marshall Road and is unfavorable.

28. The proposed masonry wall on Marshall Road and Itasca Street should be extended both north and west to near the property / rights of way lines, but so not to impede vision and safety.
29. Landscaping meets appropriate screening standards along the east and south property lines.
30. The transition strips (landscaped areas along the public rights of way) on Foster Avenue and Rte. 83 should be landscaped in accordance with Village Code.
31. Sidewalks should be installed along all four public rights of way.
32. The base of the freestanding sign shall be landscaped.

Signage

33. The proposed monument sign height is twenty (20) feet which exceeds the current code maximum of eight (8) feet. The proposed sign is 94.5 square feet which exceeds the Code requirement of 50 square feet. The proposed sign is slightly taller but has a smaller area than the recently approved freestanding monument sign with EMC at 801 N. Rte. 83 Perk's Bar & Grill which is 17' – 3" tall and 119 square feet.
34. The two existing service stations on the northwest and southwest corners of Foster Avenue and Rte. 83 have monument signs that range between eight (8) and ten (10) feet. The proposed sign is over twice the height.
35. The proposed EMC meets the size requirements of the Village Ordinance, (50% or less of the sign area).
36. Wall signs are on the north, south and west façades of the existing convenience store.
37. Staff recommends the removal of the "Road Ranger Diesel" wall sign located on the south side of the diesel fueling station canopy. It appears to be unnecessary as the southern canopy sign fronts on a residential district.
38. Should the EMC sign be approved the changeable copy wall sign on the western façade should be eliminated, and under the Code all temporary signs will be prohibited.

Other Considerations

39. The Settlement Agreement requires that the service station close between the hours of 10:00 PM and 4:00 AM. The Owner/Applicant is requesting the elimination of this

constraint to allow operations 24 hours a day. Staff is opposed to granting an extension on the hours of operation.

40. The application indicates the owner/applicant's desire to sell beer and wine in the convenience shop to the extent such right exists or is granted to other Service Stations in the vicinity of the Subject property. The Zoning Ordinance in the C – 2 Highway Commercial District Section allows for Service Stations to sell ancillary convenience items including “non-alcoholic beverages”. As interpreted by the Zoning Administrator, the sales of “alcoholic beverages” would not be allowed.

Departures

41. Although the proposed fence creates an adequate light and sound buffer to the adjacent residential properties, it would exist in the front and corner side yards of the subject property. The proposed fence will require zoning relief.
42. The proposed plan would be a deviation from code requirements in reducing twenty-two (22) spaces to fifteen (15). Plans also indicate that two (2) more standard fuel pumps will increase the need for parking. At a later date, relief from Zoning Ordinance is required to meet parking standards after the proposed expansion of the existing service station building removes four (4) existing parking spaces.
43. The plan approved through the Settlement Agreement included landscaping along Marshall Road presently, the landscaping obligations have not been met, apparently due to lack of attention, maintenance and municipal enforcement.

SUPPORT FOR CLASSIFICATION (REZONING):

1. Compatible With Use Or Zoning: The uses permitted under the proposed district are compatible with existing uses or existing zoning of property in the environs.

Two service stations exist across Rte. 83 and single family homes are adjacent across Marshall Road and Itasca Street with a House of Worship (Zoned C – 2 Highway Commercial) adjacent across Foster Avenue from the property in question.. Staff has concerns with the compatibility of the rezoning of 522 and 524 N. Marshall Road. To

the best of our knowledge, the only other location in the Village in which a single-family dwelling fronts a C-2 site across a residential street is on the 1300 block of Medinah Street.

2. Supported By Trend Of Development: The trend of development in the general area since the original zoning was established supports the proposed classification.

There have been no recently rezoned parcels in the immediate vicinity. The current trend of development is the status quo.

3. Consistent with Village Plans: The proposed classification is in harmony with objectives of the general development plan and other applicable Village plans as viewed in light of any changed conditions since their adoption.

The Village's Comprehensive Plan indicates that Residential use for all three of the "vacant properties", therefore the requested rezoning is not consistent with the Village's Land Use Planning. The Update to the Comprehensive Plan was prepared and approved in 2004; conditions have not changed significantly since its adoption.

4. Furthers Public Interest: The proposed zoning classification promotes the public interest. It does not solely further the interest of the applicant.

The owner/applicant asserts that the rezoning will further the Public Interest by means of developing the parcels that have "remained vacant since November 2010" staff believes this should read November 2011 when the owner/applicant created the vacant properties through their demolition of the three single family residences. Additionally, to improve on-site vehicular flow, the truck access and stacking area are parallel to Marshall Road does not promote public interest.

5. Public Services Available: Adequate public services, such as water supply, sewage disposal, fire protection and street capacity, are anticipated to be available to support the proposed classification by the anticipated date of issuance of a certificate of occupancy.

The Village has adequate public services to support the rezoning to Highway Commercial and the expanded service station.

APPROVAL PROCESS AND CRITERIA:

The Community Development Commission shall review the Planned Unit Development using the following criteria:

1. Superior Design: The PUD represents a more creative approach to the unified planning of development and incorporates a higher standard of integrated design and amenity than could be achieved under otherwise applicable regulations, and solely on this basis modifications to such regulations are warranted.

The proposed site plan does not exhibit superior design. The large tractor-trailer traffic and stacking adjacent to the single-family residences is problematic.

2. Meet PUD Requirements: The PUD meets the requirements for planned unit developments set forth in this Title, and no modifications to the use and design standards otherwise applicable are allowed other than those permitted herein.

Staff believes this to be accurate.

3. Consistent With Village Plan: The PUD is generally consistent with the objectives of the Village general development plan as viewed in light of any changed conditions since its adoption.

The proposal is not consistent with the Village's Comprehensive Plan and its objective in supporting single-family residences along the Route 83 corridor.

4. Public Welfare: The PUD will not be detrimental to the public health, safety or general welfare.

The increase in exhaust fumes from idling engines could be detrimental to the public health.

5. Compatible With Environs: Neither the PUD nor any portion thereof will be injurious to the use and enjoyment of other properties in its vicinity, seriously impair property values or environmental quality in the neighborhood, nor impede the orderly development of surrounding property.

Diesel fuel distribution adjacent to a single-family neighborhood will be a nuisance to residents and to the enjoyment of their properties.

6. Natural Features: The design of the PUD is as consistent as practical with preservation of any natural features such as flood plains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character.

There are no natural drainage ways or sensitive environmental areas on the subject property.

7. Circulation: Streets, sidewalks, pedestrianways, bicycle paths and off-street parking and loading are provided as appropriate to planned land uses. They are adequate in location, size, capacity and design to ensure safe and efficient circulation of automobiles, trucks, bicycles, pedestrians, fire trucks, garbage trucks and snow plows, as appropriate, without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic within the PUD or unduly interfering with the safety or capacity of adjacent streets.

The proposed plan does not depict sidewalks at the subject property's perimeter. The diesel truck drivers will be unable to navigate site safely and efficiently without the proposed third curbcut located on Route 83.

8. Open Spaces And Landscaping: The quality and quantity of common open spaces or landscaping provided are consistent with the higher standards of design and amenity required of a PUD.

There is sufficient landscaping along the east and south property lines. Providing the landscaped barrier between the two fueling areas will improve the site aesthetically as well as functionally.

9. Covenants: Adequate provision has been made in the form of deed restrictions, homeowners or condominium associations or the like for:

- a. The presentation and regular maintenance of any open spaces, thoroughfares, utilities, water retention or detention areas and other common elements not to be dedicated to the Village or to another public body.

- b. Such control of the use and exterior design of individual structures, if any, as is necessary for continuing conformance to the PUD plan, such provision to be binding on all future ownerships.

No covenants are necessary.

10. Public Services: The land uses, intensities and phasing of the PUD are consistent with the anticipated ability of the Village, the school system and other public bodies to provide and economically support police and fire protection, water supply, sewage disposal, schools and other public facilities and services without placing undue burden on existing residents and businesses.

There are adequate public services to adequately service the property. The approval of the PUD will not increase the demand or stress the Village's public services.

11. Phasing: Each development phase of the PUD can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed.

There is no phasing proposed.

APPROVAL CRITERIA FOR CONDITIONAL USES:

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:

1. Traffic: The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized.

Service Station - Only if the proposed third curbcut and curb barrier are constructed according to Staff recommendation, will the traffic flow function properly. The traffic study indicated no significant adverse effects associated with traffic flow.

EMC – If the EMC meets the Village's Ordinance requirements it should not have a negative effect on traffic in the area.

2. Environmental Nuisance: The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district.

Service Station - The Staff harbors continued concerns in regards to the associated engine noises as well as exhaust odor from idling trucks.

EMC - If the EMC meets the Village's Ordinance requirements it should not have a negative effect on traffic in the area.

3. Neighborhood Character: The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized.

Service Station - The proposed use violates the Comprehensive Plan for the Village in converting single-family residential parcels into commercial districts. The Plan specifically supports the protection of subject residential properties on the Route 83 corridor.

EMC – If approved this would be the second EMC along Rte. 83 (the first has been approved at 801 N. Rte. 83 for Perk's Bar & Grill but has yet to be erected).

4. Use Of Public Services And Facilities: The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Service Station - The expansion of the existing service station as proposed will not require existing community facilities or services to a degree disproportionate to that normally expected of uses permitted in the District. The use as proposed will not generate disproportionate demand for new Village services.

EMC – The proposed EMC will not impact the Village's Public services and facilities.

5. Public Necessity: The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community.

Staff believes that there is sufficient market demand for the proposed service.

6. Other Factors: The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location.

Any other factors are under the discretion of the Community Development Commission.

RECOMMENDATIONS:

Staff recommends the approval of the above Findings of Fact.

Staff respectfully recommends that the Community Development Commission recommend denial of the rezoning, Planned Unit Development and Conditional Use Permit(s).

Any recommendation to approve the Rezoning, Planned Unit Development and Conditional Use Permit(s) should be subject to the following conditions:

1. The property shall be developed and utilized in substantial conformance to the plans submitted as part of this application prepared by Quigg Engineering, Inc., dated 04.05.12. with revisions requested by staff below.
2. IDOT approval of curbcut on Rte. 83.
3. Extension of a landscaped island to segregate the diesel and gasoline pump traffic.
4. A revised landscape plan shall be submitted and approved by the Village staff as part of the sign/building permit, including the sign base landscape and landscape materials in the transition strips along both Foster Avenue and Rte. 83.
5. Sidewalks shall be provided along all street frontages.
6. A Plat of Consolidation for the four lots into one.
7. Burial of overhead utility lines.
8. Installation of LED streetlights.
9. The addition of a fire hydrant on the southwest corner of subject property. This hydrant should be tied into the twelve (12) inch main at Foster and Route 83 and connect to the six (6) inch main on Itasca Street.
10. Screening along Marshall Road and Itasca Street be installed prior to issuance of the building permit to construct the diesel fueling facility.

11. Extension of the current restricted hours of operation (4 AM to 10 PM) over the whole of the property.
12. There should be no window displays or advertising banner in the area of the cashier that will restrict the cashier's view or the view of passing police patrols.
13. Any exterior restrooms should be locked and under the control of the cashier.
14. The lighting devices shall be protected with weather and vandal resistant covers.
15. The exterior architectural features to the building shall not be designed in a manner which allows access to the roof areas.
16. Pallets and other objects should not be allowed to be left outside to allow roof access.
17. The site shall be conspicuously sign posted per Village Code 4-3-18(b) 2, Criminal Trespass, to discourage loitering.
18. The operator shall ensure that the property is kept clean of litter associated with the store.
19. Any ATMs should be located within the primary retail building.
20. The Village has the right to add or modify conditions should problems develop which are not readily apparent at this time or if the applicant fails to adequately manage public safety or security issues.
21. A copy of the conditions of approval for the Conditional Use Permit must be kept on the premises of the establishment and be presented to any police officer or any authorized Village official upon request.

Respectfully Submitted,

Department of Community
& Economic Development

AMENDMENT TO REQUEST

The aforementioned requests have been amended on May 23, 2012 to remove the request for a Planned Unit Development (PUD) and subsequently to include requests for the following Variances:

1. A variance to increase the number of permitted wall signs from 1 to 2 (Municipal Code Section 10 – 18 – 11A – 2B - 2), and
2. A variance to increase the number of permitted canopy signs from 2 to 5 (Municipal Code Section 10 – 18 – 11A – 2B - 3), and
3. A variance to reduce the required sign setback from 5 feet to 1.5 feet (Municipal Code Section 10 – 18 – 11A), and
4. A variance to allow for the erection of a monument sign that is 20 feet in height (Municipal Code Section 10 – 18 – 14 and Section 10 - 18 -11 -2D), and
5. A variance to allow for a sign face of 94.5 square feet (Municipal Code Section 10 – 18 – 14 and Section 10 – 18 – 11 – 2C), and
6. A variance to allow the construction of a fence that is eight (8) feet in height or greater in the front and corner side yards (Municipal Code Section 10 – 14 – 11E - 2), and
7. A variance to reduce the vision clearance triangle in the front and corner side yard from a distance of 10' to 0' (Municipal Code Section 10 – 14 – 10 – 4A), and
8. A variance to reduce the required number of parking spaces from 34 to 14 (Municipal Code Section 10 – 11 – 11).

AMENDED/SUPPLEMENTAL DEPARTMENT COMMENTS:

Staff met with the applicant on Friday 05.18.12 and Public Works Director Caracci and Village Engineer Patel performed subsequent site visit/review on 06.01.12 resulting in the following amended comments.

Engineering:

Sidewalk / Tree Removal Issue

- A. Sidewalks should be considered along Foster, Marshall, Itasca, and Rte. 83

- B. I would allow a waiver to allow no sidewalks going in on Marshall, Itasca, and Rte. 83 as long as a fee-in-lieu is established. The fee-in-lieu would allow the Village to install sidewalks at a later date in the vicinity of the project if necessary.
- C. If no sidewalks go in along Itasca and Marshall, there would be need to modify some of the crosswalks to allow pedestrian access in the area (i.e. southwest and southeast corners of Itasca and Marshall)
- D. Fee-in-lieu would be established at \$20 per linear foot of sidewalk.

Water Main Looping

- E. Water main does not exist along Rte. 83 frontage. The system is looped along Itasca, Marshall, and Foster to our existing system
- F. No requirement to loop along Rte. 83
- G. VOB would be open to looping if it helps the development.

Utility Undergrounding Issue

- H. Utility undergrounding in this area is not feasible.
- I. No requirement to bury recommended

Other Items

- J. Two LED street lights meeting the Village standards should be installed along Foster. (VOB to provide standard details)
- K. Have the water and sanitary sewer services been permanently disconnected for the teardowns along Itasca? Village requirement to permanently disconnect at the mains must be done.
- L. The mast arm traffic signal over Foster is not long enough to relocate.

Community & Economic Development

- M. The additional variances are due to the withdrawal of the Planned Unit Development (PUD) request. Under a PUD specific variances are not required to be enumerated. The PUD was withdrawn therefore the staff republished Legal Notices that included the "new" variances. It is important to point to that these variances were present in the applicant's original plans.

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:

- 1. Special Circumstances: Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it

reasonable and practical to provide a general amendment to this Title to cover them.

Wall Signs – Staff interprets the signs on the canopies as wall signs, meaning that there would be seven wall signs. Signs on the canopy at service stations are common in Bensenville. The main building setback from Rte. 83 provides a special circumstance.

Free Standing Sign – The text amendment CD #2012 -21 allows for the applicant to seek a larger sign without a PUD. Traffic speed on Rte. 83 is cited by the applicant as a reason for the larger sign. As two existing service stations at the intersection have signs significantly smaller than the proposed sign, staff does not believe that there are special circumstances warranting the variances for height and area.

Fence & Vision Clearance – This request is to allow the screening wall/fence to mitigate any possible negative effects from the proposed use to the adjacent single family residents. The site design of the property in question and the location of the homes create a special circumstance. Also as the Marshall Road pavement terminates the extended wall/fence would not create a vehicular traffic hazard.

Parking – The site design and the overall size of the property limit the space available to provide the necessary parking.

2. Hardship Or Practical Difficulties: For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.

Wall Signs - Signs on the canopy at service stations are common in Bensenville. The main building setback from Rte. 83 provides a special circumstance.

Free Standing Sign – Traffic speed on Rte. 83 is cited by the applicant as a reason for the larger sign. As two existing service stations at the intersection have signs significantly smaller than the proposed sign, staff does not believe that there are special circumstances warranting the variances for height and area.

Fence & Vision Clearance – The wall/fence are proposed to provide additional screening above the minimum Code requirements for the benefit of the neighborhood and nearby families.

Parking – The size of the site and the setbacks from streets on four sides create a practical difficulty.

3. Circumstances Relate To Property: The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property.

The circumstances relate to the property in that it exists on the corner lot of two major corridors in the Village, street rights –of-way on all four sides as well as the proximity of single family homes.

4. Not Resulting From Applicant Action: The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.

The special circumstances have not occurred because of applicant action, rather the applicant is responding to the existing site and environs.. With the setbacks on all four sides, the site is small for the number of parking spaces required by Code. There has been concern expressed with the parking of vehicles on site.

5. Preserve Rights Conferred By District: A variance 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.

The right to construct a service and diesel fueling station on a C-2 commercial highway district with the variances requested does not confer special privilege in that three other gas stations already exist on the same intersection as the proposed.

6. Necessary For Use Of 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.

Staff believes that the applicant can enjoy a reasonable use of the property without the variances.

7. Not Alter 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.

The variances would not alter the local character as the signs and parking variances relate to the Rte. 83 and the fence variance relates to the Itasca Avenue and Marshall Road property lines. The local character will not be altered in that three other gas-service stations exist on the same intersection as the proposed. Foster Avenue is also an industrial corridor typically accommodating diesel fuel traffic.

Wall Signs – Similar signs are present at the two existing service stations as well as the proposed service station on the northeast corner of the intersection of Foster Avenue and Rte. 83.

Free Standing Sign – The two existing service stations as well as the service station proposed on the northeast corner of Foster Avenue and Rte. 83 have signs smaller than the one proposed.

Fence & Vision Clearance – The proposed wall/fence seeks to help maintain the character of the single family area along Marshall Road and Itasca Street.

Parking – The reduction in parking would not alter the local character.

8. 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.

The variances requested will be in harmony with the general purpose of the gas and diesel service station. The variances improve the on-site maneuverability and overall function.

9. 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.

The minimum variance is not requested as the variance for number and area of signs can be reduced without negative impact.

ADDITIONAL/SUPPLEMENTAL RECOMMENDATIONS:

Staff recommends the approval of the above Findings of Fact.

Staff respectfully recommends that the Community Development Commission recommend denial of the rezoning, Conditional Use Permit(s) and variances.

Any recommendation to approve the Rezoning, Conditional Use Permit(s) and Variances should be subject to the following conditions:

1. The property shall be developed and utilized in substantial conformance to the plans submitted as part of this application prepared by Quigg Engineering, Inc., dated 04.05.12. with revisions requested by staff below.
2. IDOT approval of curbcut on Rte. 83.
3. Extension of a landscaped island to segregate the diesel and gasoline pump traffic.
4. A revised landscape plan shall be submitted and approved by the Village staff as part of the sign/building permit, including the sign base landscape and landscape materials in the transition strips along both Foster Avenue and Rte. 83.
5. Sidewalks shall be provided along all street frontages or a fee in lieu payment shall be made at the discretion of the Director of Public Works.
6. A Plat of Consolidation for the four lots into one.
7. Installation of two LED streetlights on Foster Avenue.
8. The addition of a fire hydrant on the southwest corner of subject property. This hydrant should be tied into the twelve (12) inch main at Foster and Route 83 and connect to the six (6) inch main on Itasca Street.
9. Screening along Marshall Road and Itasca Street be installed prior to issuance of the building permit to construct the diesel fueling facility.
10. Extension of the current restricted hours of operation (4 AM to 10 PM) over the whole of the property.

11. There should be no window displays or advertising banner in the area of the cashier that will restrict the cashier's view or the view of passing police patrols.
12. The lighting devices shall be protected with weather and vandal resistant covers.
13. The exterior architectural features to the building shall not be designed in a manner which allows access to the roof areas.
14. Pallets and other objects should not be allowed to be left outside to allow roof access.
15. The site shall be conspicuously sign posted per Village Code 4-3-18(b) 2, Criminal Trespass, to discourage loitering.
16. The operator shall ensure that the property is kept clean of litter associated with the store.
17. Any ATMs should be located within the primary retail building.
18. The Village has the right to add or modify conditions should problems develop which are not readily apparent at this time or if the applicant fails to adequately manage public safety or security issues.
19. A copy of the conditions of approval for the Conditional Use Permit must be kept on the premises of the establishment and be presented to any police officer or any authorized Village official upon request.

Respectfully Submitted,

Department of Community
& Economic Development

June 1, 2012

Dear Honorable Members of the Community Development Commission for the Village of Bensenville:

As concerned residents, citizens and good neighbors in the Village of Bensenville, we are writing this letter to officially voice our opposition to the proposed expansion of the Road Ranger gas station located on the south east corner of Foster Ave. and Illinois State Route 83.

As the evidence has shown, the scope of the project is not proportional to the land involved. Road Ranger on May 14, 2012 presented their case in which they showed that there will be adverse effects to the neighborhood should the project proceed. The sound consultant testified that there were no sound level tests conducted above ten feet from grade, which we feel is the entire point of a sound test, since our bedrooms and upper floor windows are in that range.

In addition, under questioning from a Commission Member, Road Ranger's traffic consultant under oath admitted to the serious safety concerns and liability that would arise when a 53 foot long truck finishes fueling and gradually proceeds west on the property to exit onto Route 83 which would completely obstruct the view of any other vehicle exiting simultaneously from the driveway to the north. With a speed limit of forty five miles per hour on Route 83, the potential for a serious accident and conflagration are as the traffic consultant stated " very logical ".

Although the development meets the stacking requirements currently in place, the trucks would be idling parallel to our homes, which we feel breaks the spirit of the ordinance and would be ruinous to our quality of life. The twenty four hours of operation request is also opposite of the order the eighteenth judicial court signed to the benefit of the Village of Bensenville on November 27, 2001. Judicial orders should never be taken lightly and we feel should never be overridden by the Defendant, in this instance the Village of Bensenville, at a later date.

Road Ranger has consistently claimed that the purpose of this expansion is to create a safe environment on their parking lot. This claim can be readily refuted

RECEIVED

JUN - 6 2012

COMMUNITY DEVELOPMENT

by researching with the Villages' police department the number of actual tickets or citation issued on the property for safety violations. We believe that this is a red herring created to tug on our concern for safety.

Finally, the Villages' staff who are highly trained professionals and are instructed to review and recommend to approve or not approve this project have recommended not to approve. Again, the project does not meet the conditions as set forth by the Village of Bensenville for approval.

Road Ranger took a risk purchasing the property and the homes to their south with the intent of expanding. They should not be rewarded if they did not complete their due diligence. The Village is on the correct path with a comprehensive plan to develop areas to complement the O'Hare expansion. This project, however, does not call for commercial zoning on the comprehensive plan and we feel the Village has an obligation to protect its voting citizens' property rights and interest.

We respectfully therefore request you not approve the proposed plan.

Cordially,

Jeanne C. Jablonski
Deborah Jablonski
Lisa Kirk
Paul M. Kirk
Jerry Whase
Beri Whase
Judy L. O'Connell
John Ford
John Ford
John Swanson
William O'Connell
Diana Burda

Raylene Aguilera
Kenneth P. Lestina
Susanne Lestina
Jack Bush
Christine Frayne
Eddie Dale

RECEIVED

JUN - 6 2012

COMMUNITY DEVELOPMENT

1188 W. Foster Avenue

Settlement Agreement

11.27.2001

IN THE EIGHTEENTH JUDICIAL CIRCUIT
DUPAGE COUNTY, ILLINOIS

WESTERN SPRINGS NATIONAL BANK as Trustee
under Trust #3251,

Plaintiff,

-Vs-

VILLAGE OF BENSENVILLE, an Illinois Municipal
Corporation,

Defendant.

FILED
01/10/11 11:12:57
DUPAGE COUNTY CLERK
J. M. [Signature]

No. 00 MR 745

AGREED JUDGMENT ORDER

This cause coming on to be heard on the Complaint of the Plaintiff, the Answer of the Defendant, Village of Bensenville, a Municipal Corporation and the Court being advised that the parties have reached an agreement and have advised the Court of the terms thereof; now therefore,

THE COURT DOETH FIND:

- A. The Court has jurisdiction of the parties and the subject matter of this action.
- B. An actual controversy exists between the parties and the parties are entitled to a declaration of their rights with respect to the controversy pursuant to the provisions of 735 ILCS 5/2-701 et. seq.
- C. Western Springs National Bank and Trust, as Trustee under Trust Agreement dated July 31, 1990 and known as Trust #3251 (hereinafter "Western Springs Bank") owns .92 acres of land located at the Southeast corner of Illinois State Highway Route 83 and Foster Avenue in the Village of Bensenville, Illinois. The subject property is zoned C-2 and is currently improved with a building that houses a restaurant facility. The C-2 zoning permits the operation of a convenience market with limited food preparation on the premises.

1290
1160

D. One June 10, 1999, Western Springs National Bank filed an application with the Village for a conditional use permit seeking to operate a retail gas station.

E. Thereafter, on July 26, 1999 the community development commission of the Village of Bensenville reviewed the application, thereafter on April 10, 2000, the community development commission voted to recommend approval of the application of conditional use permit. Thereafter on July 11, 2000, the Village Board of Trustees of Bensenville voted to deny the application for conditional use permit. On July 18, 2000, Western Springs National Bank through its attorneys requested that the Village reconsider its motion, but said request was refused. The Plaintiff has therefore exhausted all administrative remedies in connection with this attempt to obtain a conditional use permit. This litigation followed:

F. The parties of this litigation have entered into an agreement resolving their issues and said agreement is attached as an Exhibit hereto and is incorporated and merged into this Agreed Final Judgment and each and every provision therein is binding on the parties.

Now therefore,

IT IS HEREBY ORDERED ADJUDGED AND DECREED

1. The Court further finds and declares that Western Springs Bank is entitled to a conditional use permit to operate, and the Village shall allow the operation of, a facility that sells automotive fuel at its site located at the south east corner of Foster Avenue and Route 83 in the Village of Bensenville, DuPage County, Illinois. All in accordance with the Settlement Agreement approved herein.

2. That upon the filing of proper applications and compliance by the Plaintiff with the Village's building code and all other codes pertaining to the construction of and maintenance of the building, the Village shall issue all necessary permits for the development and use of said property

allowing Plaintiff to carry out its purpose of vending automotive fuel as set forth in the parties Settlement Agreement which is incorporated herein and made a part hereof.

3. The parties shall bear their own costs incurred in this litigation.

4. The Court reserves jurisdiction of this cause for the purpose of the enforcing this judgment.

DATE: November 27, 2001

BY

JUDGE

SAUL HEISLER
DEPUTY CLERK

Peter G. Frezados, Esq.
Regas, Frezados & Harp
111 West Washington, Suite 1525
Chicago, Illinois 60602
(312) 236-4400
DuPage No. 69830

1 of 2 originals

IN THE EIGHTEENTH JUDICIAL CIRCUIT
DUPAGE COUNTY, ILLINOIS

WESTERN SPRINGS NATIONAL BANK as Trustee
under Trust #3251, and TRUST /

Plaintiff,

-vs-

No. 00 MR 745

VILLAGE OF BENSENVILLE, an Illinois Municipal
Corporation,

Defendant.

SETTLEMENT AGREEMENT

This Agreement is made and entered into this 6TH day of ~~October~~ ^{NOVEMBER}, 2001 by and
between Western Springs National Bank, ^{and Trust} as Trustee under Trust #3251 (hereinafter referred to
as "WSNB") and the Village of Bensenville, an Illinois Municipal Corporation (hereinafter referred to
as "Village").

WITNESSETH

WHEREAS, WSNB is the owner of .92 acres of land located at 1188 West Foster (southeast
corner of Illinois Route 83 and Foster Avenue) in the Village of Bensenville and legally described as
follows:

**Lot 1 in Block 22 (except the west 50 feet thereof), in the First Addition to Percy
Wilson's Irving Manor, being a subdivision in Section 10, 11, 14, and 15,
Township 40 North, Range 11, East of the Third Principal Meridian, according
to the plat thereof recorded May 6, 1926 as document 213044, in DuPage
County, Illinois.**

WHEREAS, WSNB submitted an application for conditional use permit to the Village of
Bensenville seeking to remove the existing structure and erect a quick mart style retail food store and
gasoline station. While the C-2 zoning permits the operation of a convenience market with limited

food preparation on the premises, a conditional use permit is required for service stations.

WHEREAS, the Village has refused to issue a conditional use permit pursuant to the application submitted; and

WHEREAS, WSNB filed a Complaint for Declaratory Judgment and Injunctive Relief on August 28, 2000 in the Eighteenth Judicial Circuit of DuPage County, Illinois and said action remains pending and undetermined; and

WHEREAS, WSNB and the Village consider it in their best interest to settle this dispute.

NOW, THEREFORE, in consideration of the mutual and several promises and conditions hereinafter expressed, the receipt and sufficiency of which is hereby acknowledged, WSNB and the Village hereto agree by and between themselves to each and every term and provision set forth in this settlement agreement as follows:

1. RECITALS: The recitals set forth in the Preamble hereof are incorporated herein and made a part hereof by this reference.

2. MUTUAL RELEASE: Except for the provisions and obligations set forth in this agreement, the parties hereby mutually release each other from any and all claims.

3. VILLAGE UNDERTAKING: Western Springs National Bank ^{and Trust} is entitled to a conditional use permit to operate and the Village shall allow the operation of a facility that sells automotive fuel at the site identified herein, all in accordance with the provisions of this Settlement Agreement.

Further, that upon the filing of proper applications and compliance by Western Springs National Bank and Trust with the Village's building code and all other codes pertaining to the construction of and maintenance of the building. The Village shall issue all necessary permits for the development and use of said

property allowing Western Springs National Bank ^{/ and Trust} to construct and operate a Quik Mart style retail food store and automotive fuel facility at the site as identified hereinabove.

4. **WSNB UNDERTAKING:** WSNB shall erect the facility in accordance with plans heretofore submitted to the Village which set forth the lighting, fencing and landscape to be applied to the site. It is agreed that said hours of operation shall be from 4:00 a.m. to 10:00 p.m. A set of the relevant drawings are attached to copies of this agreement and made a part hereof, with the exception that copies of same are attached to a copy of the agreement that is made a part of the Court's Order.

5. **DISMISSAL OF DECLARATORY JUDGMENT ACTION:** The parties agree to submit this Settlement Agreement to the presiding Circuit Court Judge of DuPage County to whom this action is assigned, where the complaint shall be dismissed with prejudice and without costs, each party being responsible for its own costs and attorneys fees. Notwithstanding the language of this paragraph the parties acknowledge that the Court shall retain jurisdiction to enforce the terms of this Settlement Agreement.

6. **BINDING EFFECT:** This Settlement Agreement shall be binding upon and shall insure to the benefit of the parties, as well as their respective successors in interest including subsequent purchasers of the site and their heirs or assigns.

7. **FUTURE ENFORCEMENT:** Nothing in the Settlement Agreement precludes or restricts the Village from enacting or enforcing any laws, ordinances, or codes as currently exist or as hereinafter may be enacted by the Village or the County of DuPage or the State of Illinois, except that no such action may prohibit the lawful use or operation of the site as a Quik Mart style retail food store and/or automotive fuel business in accordance with the provisions of this Settlement

Agreement. In addition this Settlement Agreement in no way precludes WSNB from exercising its rights to apply for zoning variances or permits that it may deem appropriate from time to time in the use and enjoyment of the site.

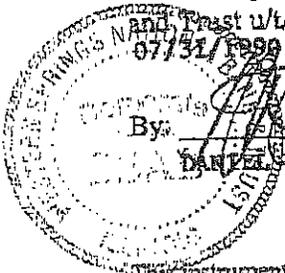
8. NO ASSIGNMENT OF CLAIM: The parties warrant that they have not transferred or assigned any claim or cause of action that they may have and that they are the owner and holder of any such claims.

9. HEADINGS: The headings set forth herein are for the convenience of referenced only and shall not be deemed to impair, enlarge, or otherwise affect the substantive meaning of any provisions to which such heading may relate.

IN WITNESS WHEREOF the parties have signed this Settlement Agreement on the date and year first written above.

Dated this 6TH ^{NOVEMBER} day of October, 2001.

Western Springs National Bank
and Trust u/a 3251 u/a dtd.
07/31/1990, and not personally,



By: [Signature]
DANIEL W. WLODEK - Trust Officer

Village of Bensenville

By: [Signature]
Its President

This instrument is executed by WESTERN SPRINGS NATIONAL BANK AND TRUST, not personally but solely as Trustee, as aforesaid. All the covenants and conditions to be performed hereunder by WESTERN SPRINGS NATIONAL BANK AND TRUST, are undertaken by it solely as Trustee, as aforesaid, and not individually and no personal liability shall be asserted or be enforceable against WESTERN SPRINGS NATIONAL BANK AND TRUST, by reason of any of the covenants, statements, representations or warranties contained in the instrument.

This statement is based solely upon information and belief, upon information furnished by the beneficiary or beneficiaries of the aforesaid Trust. The undersigned Trustee has no personal knowledge of the facts or statements herein contained.

Peter G. Frezados, Esq.
Regas, Frezados & Harp
111 West Washington, Suite 1525
Chicago, Illinois 60602
(312) 236-4400
DuPage No. 69830



PLACE
ASSOCIATES, INC.

PLANNERS • ARCHITECTS • CONSULTANTS

September 23, 2001

Village of Bensenville
700 W. Irving Park Road
Bensenville, IL 60106

Attn: Mr. Peter Ostling

Re: Preliminary Plan Clarifications
Demakis Citgo Facility
Bensenville, Illinois

Dear Mr. Ostling,

The following is a clarification of the building materials, which are included in the preliminary plans submitted on July 6, 2001, for the proposed Bensenville Citgo Facility located at Route 83 & Foster Ave.

Structure:

- The entire structure will include non-combustible materials consisting of steel roof trusses and solid masonry bearing walls.

Front Elevation (West):

- The masonry will be gray split face concrete block at the base, brown face brick above and separated by a blue glazed masonry accent course.
- All parapets will be finished with a blue preformed aluminum metal cap.
- The storefront and entrance doors will be white aluminum with insulated clear glazing throughout.
- The fascia above the storefront will consist of a white pre-finished aluminum frame with illuminated Citgo logo stripes within.

Side Elevations (North & South):

- The masonry will be gray split face concrete block at the base, brown face brick above and separated by a blue glazed masonry accent course.
- All parapets will be finished with a blue preformed aluminum metal cap.
- The North elevation includes decorative wall mounted lights, which illuminate the sidewalk below.

Rear Elevation (East):

- The masonry will consist of standard gray concrete block with a blue pre-finished top cap and gutter/downspout system.

I have also reviewed Mr. Paul Bourke's comments dated August 6, 2001 to the preliminary plans. All of his comments, 1 through 9, refer to the necessary compliance with Bensenville's Village Code requirements.

In response to these comments, the final construction documents will be based on the preliminary plans dated July 6, 2001 and prepared to meet or exceed all current Village and National Building Codes required by the Bensenville permitting process. We understand that a building permit will not be released until we have submitted the final construction documents along with a permit application required for the standard review and approval process.

Please feel free to call me at 708-485-1517 with any questions or if you require any further clarifications.

Sincerely,



John Kouchoukos, AIA

Cc: Dino Demakis, Peter Frezados, File

TRUCK FILLING STATION NOISE STUDY

for

ROAD RANGER, L.L.C.

DuPage County, Illinois

Prepared by:

Huff & Huff, Inc.

March 2012

TABLE OF CONTENTS

	Page
1. INTRODUCTION.....	1
2. NOISE BACKGROUND AND LOCAL ORDINANCE.....	3
2.1 Noise Background.....	3
2.2 Local Ordinance.....	3
3. NOISE SENSITIVE ADJACENT AREAS.....	5
4. FIELD NOISE MEASUREMENTS.....	7
4.1 Residential Area Noise Monitoring.....	7
4.2 Existing Truck Filling Station Noise Monitoring.....	8
5. NOISE ANALYSIS METHODOLOGY.....	11
5.1 Comparison of Projected Noise Levels to Existing Noise Levels - Obstructed.....	11
5.2 Comparison of Projected Noise Levels to Existing Noise Levels - Unobstructed.....	11
6. SUMMARY.....	13

LIST OF TABLES

1 NOISE PERCEPTIONS.....	3
2 SUMMARY OF NOISE SENSITIVE AREAS.....	5
3 NOISE MONITORING RESULTS FOR RESIDENTIAL AREAS.....	8
4 NOISE MONITORING RESULTS FOR EXISTING TRUCK FILLING STATION.....	10
5 PROJECTED DIFFERENCE IN NOISE LEVELS AT RESIDENTIAL LOCATIONS.....	11
6 PROJECTED DIFFERENCE IN NOISE LEVELS AT RESIDENTIAL LOCATIONS – WITH FENCE.....	12

LIST OF FIGURES

1 SITE LOCATION MAP.....	2
2 NOISE MONITORING AND RESIDENTIAL AREA LOCATION MAP.....	6
3 NOISE MONITORING LOCATION MAP – TRUCK FILLING STATION.....	9
4 AVERAGE TRUCK HEIGHT.....	12

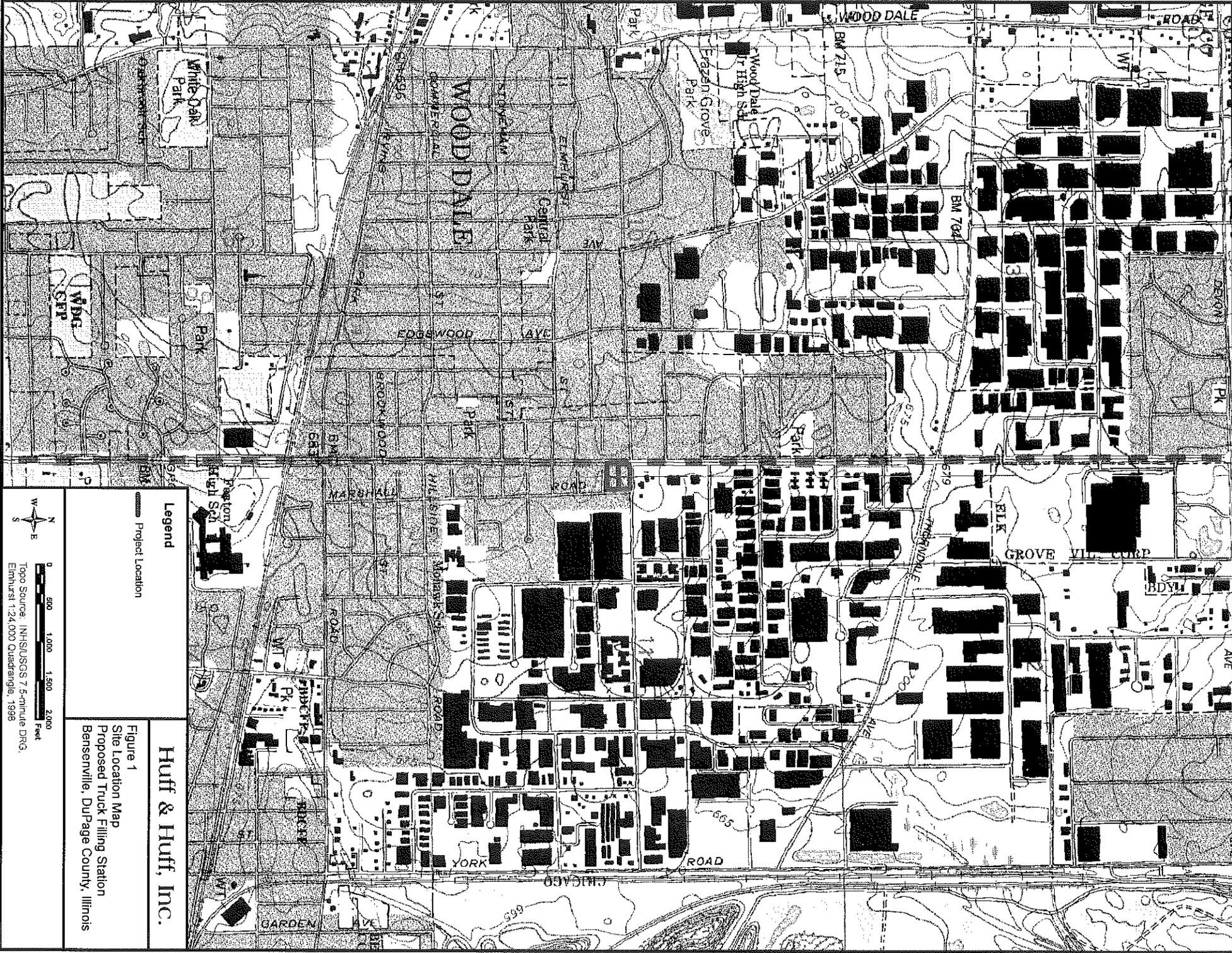
1. INTRODUCTION

Road Ranger, L.L.C. proposes an addition to their existing truck filling station at the southeast corner of the IL Route 83 and Foster Avenue intersection in Bensenville, DuPage County, Illinois. The existing facility and proposed addition are shown in Figure 1. The proposed expansion includes extending the property limits approximately 150 feet south and adding a truck filling station with a five truck capacity. The proposed truck filling station includes an 8-foot solid fence along the south and east sides of the property located on top of a 2-foot high retaining wall relative the facility curb. This configuration results in an effective 10-foot tall solid fence located between the proposed station and the adjacent residential areas.

This report summarizes the evaluation of future noise levels of the proposed expansion and the effects of noise reduction measures. This analysis is based upon the assessment of background noise levels and anticipated project noise levels in accordance with Title 10, Chapter 13, Section 5(10-13-5) of the village ordinance. The evaluation analyzed noise levels at outdoor locations at the residential property lines, as required by the village ordinance, which represents a worst-case noise level. The indoor noise levels at the residential locations would be lower than those calculated at the property line. Additionally, the residences adjacent to the proposed truck filling station are sound insulated¹ as part of The Midway and O'Hare Noise Compatibility Commission's Residential Sound Insulation Program². The sound insulation further minimizes the potential for interior noise impacts associated with the proposed truck filling station.

¹ Sound insulation measures may include noise-attenuating windows, improved doors, new heating and air conditioning, and wall insulation. Sound insulation provides a quieter interior thereby enhancing indoor activities and may also provide increased efficiency in home heating and cooling.

² City of Chicago Residential Sound Insulation Program Website:
<http://www.ohare.com/cnrc/ohare/oharesidential.htm>



Legend
 Project Location

Huff & Huff, Inc.

Figure 1
 Site Location Map
 Proposed Truck Filling Station
 Bensenville, DuPage County, Illinois

0 500 1000 1500 2000
 Feet
 Topo Source: INR/SUSGS 7.5-minute DRG,
 Eindhurst 1:24,000 Quadrangle, 1998

2. NOISE BACKGROUND AND LOCAL ORDINANCE

2.1 Noise Background

Sound is caused by the vibration of air molecules, and is measured on a logarithmic scale using units of decibels (dB). Sound is composed of a wide range of frequencies; however, the human ear is not uniformly sensitive to all frequencies. Therefore, the "A" weighted scale was devised to correspond with the ear's sensitivity. Noise levels reported using the A-weighted scale are identified using "dB(A)".

The equivalent sound level is the steady-state, A-weighted sound level, which contains the same amount of acoustic energy as the actual time-varying, A-weighted sound level over a specified period of time. The A-weighted unit is used because:

- 1) it is easily measured,
- 2) it approximates the human ear's sensitivity to sounds of different frequencies,
- 3) it matches attitudinal surveys of noise annoyance better than other noise measurements, and
- 4) has been adopted as the basic unit of environmental noise by many agencies around the world in dealing with community noise issues.

Noise Perceptions

The use of the logarithmic scale provides a convenient scale to evaluate noise. A change of one dB is the same relative change everywhere on the decibel scale. A change of three dB(A) is a barely perceptible change in noise, while an increase of 10 dB(A) is perceived as being twice as loud. Table 1 shows the perceived changes in noise levels relative to the decibel scale.

Table 1
NOISE PERCEPTIONS

Sound Level Change	Relative Loudness
+ / - 3 dB(A)	Barely perceptible change
+ / - 5 dB(A)	Readily perceptible change
+ / - 10 dB(A)	Twice / Half as loud

2.2 Local Ordinance

The Village of Bensenville maintains a Village Ordinance covering noise controls. The noise control regulations are covered in Title 10, Chapter 13, Section 5 (10-13-5) of the Village Ordinance. The noise control allowable noise limit for a property is that the property shall not cause or create sound above the greater of:

1. The sound pressure levels in subsection 10-13-5D1³ of this Section at the locations specified; *or*

³ Subsection 10-13-5D1 lists maximum permitted sound pressure level in decibels for octave bands

2. 5 dB over the background noise and as measured on the subject property over a period of eight (8) minutes.

The general approach will be to demonstrate that Option 2 will be achieved at the nearest residential locations.

Noise data were collected from an existing Road Ranger truck filling station with similar truck capacity to determine the proposed truck filling station noise. Additionally, the noise monitoring conducted for determination of compliance with the Village Ordinance is based on an eight-minute monitoring period. This indicates that the noise code is enforced on a time-weighted average over a period not shorter than eight minutes and not on a maximum or peak noise level.

3. NOISE SENSITIVE ADJACENT AREAS

The immediately adjacent land use south and east of the proposed truck filling station is residential. The nearest residential property lines in proximity to the proposed truck filling station noise sources are between 90 feet and 100 feet away. All residential areas in direct proximity to the proposed truck filling station will be separated from the parcel by the proposed solid fence.

Table 2 lists the residential areas, the general location relative to the proposed truck filling station, and the approximate distance to the proposed truck filling station. Selected representative areas for this project are identified as Residential Areas 1 through 4. Two residences are south of the filling station and two residences are to the east. Figure 2 depicts these residential areas. The specific noise monitoring locations are also depicted. These locations represent the worse-case noise effects due to their proximity to the proposed facility expansion and are located at the residential property line, as specified in the local ordinance.

**TABLE 2
SUMMARY OF NOISE SENSITIVE AREAS**

Residential Area	Location Relative Proposed Truck Filling Station	Type	Distance from Residential Property Line to Proposed Truck Noise Source*, ft.
1	South	Residence	90
2	South	Residence	90
3	East	Residence	100
4	East	Residence	90

* Proposed truck noise source refers to the nearest path that the trucks would follow while approaching, utilizing, and departing the proposed filling station.

4. FIELD NOISE MEASUREMENTS

Field noise measurements were conducted for two purposes: first, to determine the existing background noise levels at the residential areas and second, to determine the typical noise levels of an existing truck filling station with similar capacity. The procedures utilized to conduct the monitoring were consistent with FHWA guidance regarding instrumentation, setup, and monitoring technique. A Brüel & Kjær Type 2236 sound level meter was used for monitoring the actual noise level. The L_{eq} was recorded for the "A" weighted scale. The instrument was set up approximately five feet from the ground and calibrated prior to use. The following summarizes the monitoring methodology and results for both monitoring sessions.

4.1 Residential Area Noise Monitoring

Existing background noise levels measured during monitoring events are representative of the conditions for the period of time measured. Noise monitoring was conducted at all four residential locations, 1 through 4. Measurements were conducted for 12 minutes, which is greater than the minimum 8 minutes specified in the ordinance. The greater time period was needed to reach a steady-state noise level for the periodic nature of the intersection roadway noise. The noise meter was placed in a location where human outdoor activity typically occurs or in a location representative of that location. No noise monitoring occurred inside buildings.

Noise Sources

Several noise sources were characteristic of the residential areas:

- 1) Vehicle free-flow (during green light cycle)
- 2) Vehicle deceleration (stopping at red lights)
- 3) Vehicle idling (when stopped at red lights)
- 4) Truck exhaust (generally when stopping at red lights/departing from red lights)
- 5) Vehicle acceleration (departing from red lights)
- 6) Aircraft flight (departing/arriving at O'Hare International Airport)

Time and Day for Measurements

Noise monitoring was conducted during the period representing the typical noise levels for the represented areas during the normal hours of operation of the truck filling station. Noise monitoring was conducted at all residential areas on Friday, January 27, 2012 between the hours of 2:00 pm and 4:00 pm.

Weather Conditions

Weather conditions can have some effect on the noise measurement readings. Noise measurements cannot be taken if the wind speed exceeds 12 m.p.h. A wind screen was used at all times during the monitoring to reduce wind noise. The conditions during the monitoring are summarized as follows:

WEATHER CONDITIONS DURING THE NOISE MONITORING

Condition	Required	Actual
Humidity	Less than 90%	66%
Temperature	14 to 112 degrees F.	40 degrees F.
Wind Speed	Less than 12 m.p.h.	9 m.p.h.

The weather conditions during the noise monitoring were within the recommended ranges for all parameters listed.

Field Noise Monitoring Results

Table 3 summarizes the noise monitoring results each of the four residential locations and their distance from the truck filling station. Noise monitored levels ranged from 59.2 dB(A) to 66.6 dB(A). The variation in noise levels is attributed to the proximity to Foster Avenue and Illinois Route 83.

**TABLE 3
NOISE MONITORING RESULTS FOR RESIDENTIAL AREAS**

Residential Area	Distance from Residential Property Line to Proposed Truck Noise Source, ft.	Noise Level Monitored, L_{eq}	Time Monitored, Minutes
1	90	66.6	12
2	90	60.8	12
3	100	59.2	12
4	90	61.5	12

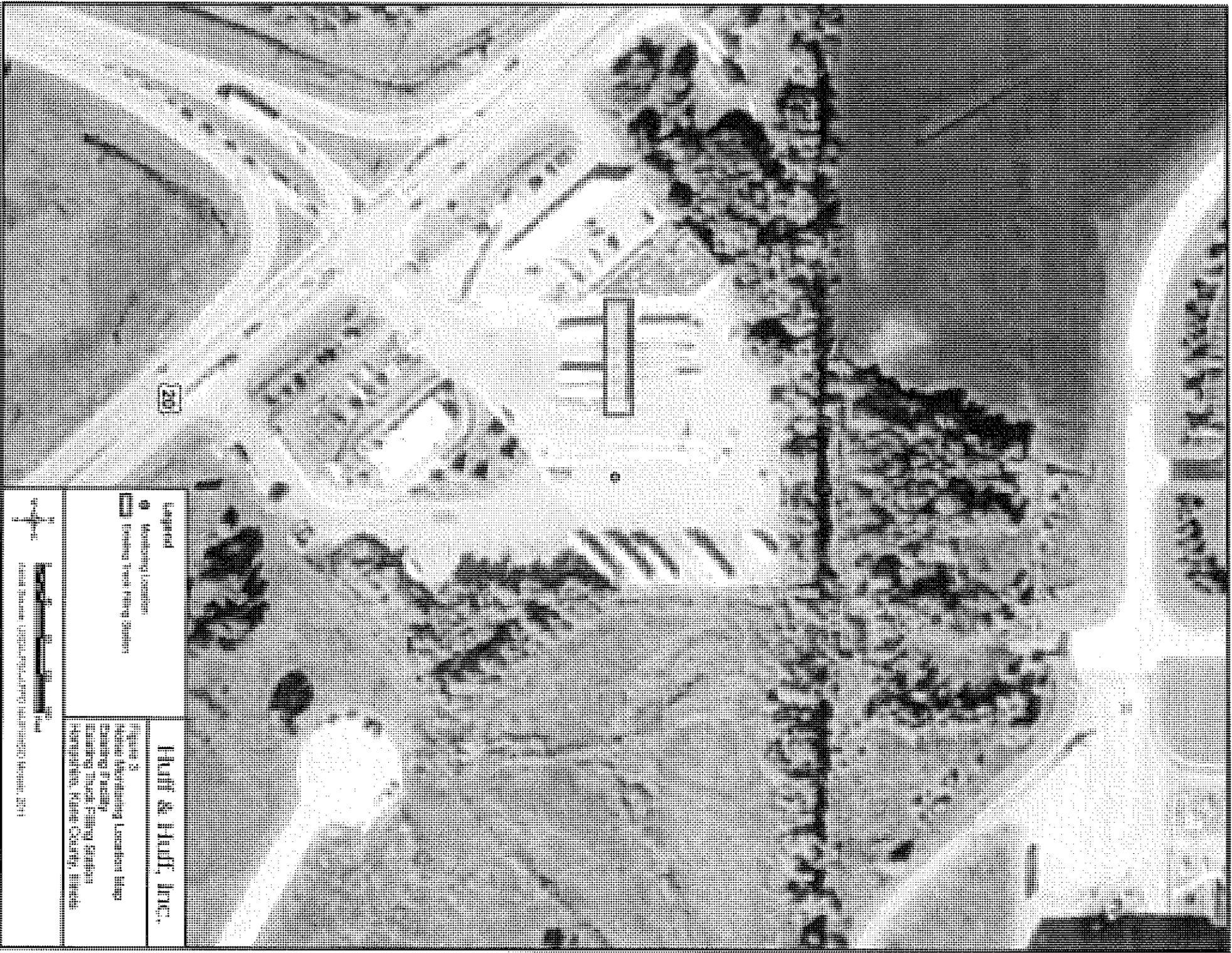
4.2 Existing Truck Filling Station Noise Monitoring

Noise level measurements taken at an existing truck filling station were used to estimate the future noise levels from the proposed truck filling station. The existing truck filling station has a seven truck capacity and is located in Hampshire, Illinois. Noise monitoring was conducted 70 feet from the nearest truck filling station, which is representative of the nearest residential locations from the proposed truck filling station. Figure 3 details the monitoring location at the existing truck filling station. The following methodology was used to collect noise level measurements.

Noise Sources

Noise monitoring of the existing facility was conducted for four 15-minute periods, at the point where a steady-state noise level was reached. Several noise sources were characteristic of the existing truck filling station:

- 1) Truck free-flow (approaching the pump)
- 2) Trucks deceleration (stopping the pump)
- 3) Truck idling (filling at the pump if truck was not turned off/truck waiting for open pump)
- 4) Truck exhaust (generally when stopping at pump)



201

Legend

-  Marking Location
-  Existing Tract Filing Section

Huff & Huff, Inc.

-  Existing Tract Filing Section
-  Existing Tract Filing Section
-  Existing Tract Filing Section
-  Existing Tract Filing Section



Scale: 1 inch = 100 feet
Aerial Source: USGS/FAIRPLAY/1993/141000020, August, 2011

- 5) Truck start-up (after filling at the pump if truck was turned off)
- 6) Truck acceleration (departing from the pump)

Each monitoring period included activities typical for the filling station. The characteristic noise sources from the existing truck filling station are similar to that at the residential areas adjacent to the proposed truck filling station, with the exception of truck start-up noise. Truck start-up noise was a relatively minor noise contributor for the existing filling station as the noise generated by a start-up lasts for a relatively short duration, occurred relatively infrequently, and the noise measurement is time-weighted.

Time and Day for Measurements

Noise monitoring was conducted on Friday, January 27, 2012 between the hours of 10:00 am and 1:00 pm.

Weather Conditions

Weather conditions during the existing truck filling station noise monitoring are summarized below. The weather conditions during the noise monitoring were within the recommended ranges for all parameters listed.

WEATHER CONDITIONS DURING THE NOISE MONITORING

Condition	Required	Actual
Humidity	Less than 90%	72%
Temperature	14 to 112 degrees F.	23degrees F.
Wind Speed	Less than 12 m.p.h.	9 m.p.h.

Field Noise Monitoring Results

Table 4 summarizes the noise monitoring results for the existing truck filling station. Monitored noise levels ranged from 65.6 dB(A) to 66.8 dB(A).

**TABLE 4
NOISE MONITORING RESULTS FOR EXISTING TRUCK FILLING STATION**

Distance to Closest Pump, ft.	Time Monitored, Minutes	Noise Level Monitored, Leq
70	15	65.6
70	15	66.2
70	15	66.8
70	15	66.1
Average	15	66.2

Based on the average of the four monitoring results, the noise level of the existing truck filling station is approximately 66.2 dB(A). The variation in the noise levels for the four monitoring periods is 1.2 dB(A). This low variability in the readings indicates a steady-state level was determined.

5. NOISE ANALYSIS RESULTS

The existing truck filling station monitoring data were used to predict the proposed truck filling station noise levels at the adjacent residential areas. These projected values were compared to the monitored values at the residential areas to determine if the proposed truck filling station would cause or create sound 5 dB over the background noise.

5.1 Comparison of Projected Noise Levels to Existing Noise Levels - Unobstructed

The projected truck filling station noise levels (shown in Table 4) were compared to the existing background noise levels at the corresponding residential areas. This calculation determines if the proposed truck filling station creates or causes sound 5 dB over the background noise level. Table 5 presents this comparison assuming the proposed truck filling station is unobstructed, without giving consideration to the sound-dampening or reflective effects of the proposed 10-foot effective height solid fence.

**TABLE 5
PROJECTED DIFFERENCE IN NOISE LEVELS AT RESIDENTIAL LOCATIONS**

Residential Area	Distance from Residential Property Line to Proposed Truck Noise Source, ft.	Existing Background Noise, dB(A)	Unobstructed Proposed Truck Filling Station Noise, dB(A)	Unobstructed Proposed Truck Filling Station Noise over Existing Background Noise, dB(A)
1	90	66.6	66.2	-0.4
2	90	60.8	66.2	5.4
3	100	59.2	66.2	7.0
4	90	61.5	66.2	4.7

Based on the unobstructed noise levels, residential areas 1 and 4 would comply with the local ordinance, as the proposed truck filling station noise would generate noise less than 5 dB above the existing background noise at these locations. Residential areas 2 and 3 are projected to be subject to noise greater than 5 dB above the existing background noise, and such noise levels would not comply with the local ordinance. This does not account for noise abatement as described in Section 5.2, and compliance is based upon implementation of noise abatement.

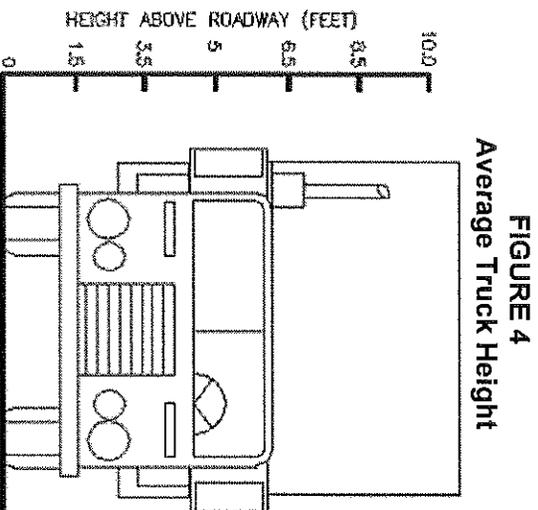
5.2 Comparison of Projected Noise Levels to Existing Noise Levels - Obstructed

The proposed 10-foot effective height solid fence⁴ along the south and east property limits would reduce noise levels from the proposed truck filling station. A 5 dB(A)⁵ reduction is generally achieved at the point where the line-of-sight between the receiver and the noise source is broken.⁶ The truck noise source that is most difficult to break the line-of-sight as the exhaust stack noise is the highest noise-generating point on a truck. The exhaust stack is generally between 8 feet and 10 feet above the roadway, as detailed in Figure 4.

⁴ The 10-foot effective height includes an 8-foot solid fence along the south and east sides of the property located on top of a 2-foot high retaining wall relative the facility curb

⁵ This assumes a solid fence density of at least four pounds per square foot to be able to effectively reduce sound transmission through the barrier.

⁶ The line-of-sight refers to the line of vision from a person (noise receiver) to the noise source. In this case, it would be the line of vision between a person standing in the yard of the residences to the top of the truck exhaust.



Source: Highway Traffic Noise Sources
U.S. Dept. of Transportation

Based on an assumed level geometry between the site and the adjacent residential locations, the 10-foot effective height solid fence would block the line-of-sight for the nearest pump station up to a height of 13 feet. This would fully block the line-of-sight of the nearest potential truck, and would successfully reduce the projected noise at least 5 dB(A) from 66.2 dB(A) to 61.2 dB(A). Table 6 presents the comparison of the projected noise and the existing background noise assuming the proposed truck filling station is obstructed, giving consideration to the effects of the proposed 10-foot effective height solid fence.

TABLE 6
PROJECTED DIFFERENCE IN NOISE LEVELS
AT RESIDENTIAL LOCATIONS – WITH FENCE

Residential Area	Distance from Residential Property Line to Proposed Truck Noise Source, ft.	Existing Background Noise, dB(A)	Proposed Truck Filling Station Noise with Fence, dB(A)	Proposed Truck Filling Station Noise with Fence over Existing Background Noise, dB(A)
1	90	66.6	61.2	-5.4
2	90	60.8	61.2	0.4
3	100	59.2	61.2	2.0
4	90	61.5	61.2	-0.3

Based on the noise levels associated with the proposed 10-foot effective height solid fence, the proposed truck filling station would comply with the local ordinance at any of the four residential locations. The proposed truck filling station would generate noise less than 5 dB above the existing background noise at these locations. Only two residential areas are exposed to greater noise levels than background. The proposed truck filling station noise levels are less than 3 dB(A) greater than the background noise at all residential locations, which is less than a barely perceptible change in noise levels.

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING THE REZONING OF
THREE LOTS LOCATED AT 523 N. ROUTE 83, 522 N. MARSHALL ROAD,
AND 524 N. MARSHALL ROAD FROM RS-5 HIGH DENSITY SINGLE FAMILY
RESIDENTIAL DISTRICT TO C-2 HIGHWAY COMMERCIAL DISTRICT**

WHEREAS, Road Ranger, LLC (“Owner”) filed an application for zoning relief under the *the Village of Bensenville Zoning Ordinance* (“Zoning Ordinance”) for property commonly known as 523 N. Route 83, 522 N. Marshall Road and 524 N. Marshall Road, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “Subject Property”), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, the zoning relief requested was to grant the rezoning of the Subject Property from RS-5 High Density Single Family Residential to C-2 Highway Commercial (Section 10-3-5A), in conjunction with an associated request for the grant of conditional use permits and variances to allow expansion of an existing Service Station on adjacent property; and

WHEREAS, two separate Notices of Public Hearing with respect to the rezoning and associated zoning relief sought by the Owner were published in the Daily Herald Newspaper in the Village of Bensenville, and notice of the hearings was provided , all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notices, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on May 14, 2012 and on June 11, 2012 as required by the statutes of the State of Illinois and the ordinances of the Village, and after full hearing on the application, adopted the findings of facts as to the requested rezoning as proposed by Village staff set forth in Exhibit “B,” attached hereto and incorporated herein by reference; and

WHEREAS, upon said findings of facts, the Community Development Commission voted 0-6, with 1 abstention, to approve the application for rezoning resulting a recommendation to deny the application for rezoning of the Subject Property; and

WHEREAS, the Community Development Commission forwarded its recommendation to deny the application for rezoning to the Village Board’s Community and Economic Development Committee which concurred in the recommendation to deny the application for rezoning of the Subject Property; and

WHEREAS, the Community and Economic Development Committee then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees on September 25, 2012; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined, based on its consideration, that the requested rezoning should be denied.

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 findings of fact concerning the rezoning of the Subject Property having been made and adopted by the Community Development Commission, they are now hereby adopted by the President and Board of Trustees for denial of the rezoning relief requested by the Applicant.

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

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 25th day of September, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # ____-2012
Exhibit "A"
Legal Description

THE WEST 200 FEET OF LOT 2 (EXCEPT THE WESTERLY 50 FEET THEREOF DEDICATED TO THE STATE OF ILLINOIS BY INSTRUMENT DATED APRIL 14, 1938 AND RECORDED MAY 26, 1938 AS DOCUMENT 389979) IN BLOCK 22 IN FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR, AS SUBDIVISION IN SECTIONS 10, 11, 14 AND 15, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO A PLAT THEREOF RECORDED MAY 7, 1926 AS DOCUMENT 213044, IN DUPAGE COUNTY, ILLINOIS

Commonly known as 523 North Route 83, Bensenville, IL 60106

AND

THE NORTH 73 FEET OF LOT 2 (EXCEPT THE WEST 200 FEET THEREOF) IN BLOCK 22 IN FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR, A SUBDIVISION IN SECTIONS 10, 11, 14 AND 15, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO A PLAT THEREOF RECORDED MAY 7, 1926 AS DOCUMENT 213044, IN DUPAGE COUNTY, ILLINOIS

Commonly known as 524 North Marshall Road, Bensenville, IL 60106

AND

LOT 2 (EXCEPT THE NORTH 73 FEET THEREOF AND EXCEPT THE WEST 200 FEET) IN BLOCK 22 IN THE FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR BEING A SUBDIVISION IN SECTIONS 10, 11, 14 AND 15, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO A PLAT THEREOF RECORDED MAY 7, 1926 AS DOCUMENT 213044, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 522 North Marshall Road, Bensenville, Illinois

Ordinance # ____-2012
Exhibit "B"

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

May 14, 2012

CALL TO ORDER: The meeting was called to order by Chairman Moruzzi at 6:35 p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, James, Janowiak, Pisano, Rowe, Weldon
Absent: Ventura
A quorum was present.

JOURNAL OF PROCEEDINGS:

The minutes of the Special Community Development Commission of April 23, 2012 were presented.

Commissioner Pisano addressed Staff with corrections to the drafted minutes.

Motion: Commissioner James made a motion to approve the minutes as amended. Commissioner Rowe seconded the motion.

All were in favor. Motion carried.

Village Attorney, Pat Bond, reviewed the rules and process to the audience in attendance of the Public Hearings.

Public Hearing: CDC Case Number 2012-08

Petitioner: Road Ranger, LLC

Location: 1188 W. Foster Avenue
523 N. Rte. 83
522 N. Marshall Road
524 N. Marshall Road

Request: Rezoning 523 N. Rte. 83, 522 & 524 N. Marshall Road from RS-5 High Density Single Family Residential District to C-2 Highway Commercial District, Planned Unit Development and Conditional Use Permits to Allow a Gasoline and Diesel Fuel Service Station and an Electronic Message Center Sign.

Motion: Commissioner Weldon made a motion to open the Public Hearing for CDC Case Number 2012-08. Commissioner Pisano seconded the motion.

ROLL CALL :

Upon roll call the following Commissioners were present:

Moruzzi, James, Janowiak, Pisano, Rowe, Weldon

Absent: Ventura

A quorum was present.

Chairman Moruzzi opened the Public Hearing for CDC Case Number 2012-08 at 6:42 p.m.

Director of Community & Economic Development, Scott Viger, stated a legal notice was published in the Daily Herald on April 28, 2012 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mr. Viger also stated that Village Staff posed a notice of the Public Hearing sign on the property on April 27, 2012. Mr. Viger stated on April 27, 2012 Village Staff mailed first class noticed of the public hearing to taxpayers of record within 250 feet of the property in question.

Steve Brooks, General Counsel for Road Ranger, John Carabelli, Vice President of Construction for Road Ranger, Hal Francke of DLA Piper, outside counsel for Road Ranger, Timothy M. Kelly, Project Engineer from Huff & Huff, Inc., Michael, C. Vail, Civil Engineer from Quigg Engineering, Inc., Steve Lewis of Road Ranger, Mike MaRous of MaRous and Company, Nina Keehn of 1110 Nordic Street, Ronald Fabian of 563 Marshall Street, Diane Burda of 581 Marshall Street, Dale L. Burda of Marshall Street, Dave Chodorowski of 543 Marshall Street and Charles Swore of 514 Marshall Street were all present and sworn under oath by Chairman Moruzzi.

Mr. Francke, Mr. Brooks, Mr. Carabelli, Mr. Kelly, Mr. Vail, Mr. Lewis and Mr. Morse all made a power point presentation to the Commission. The power point has been attached to the minutes as "Exhibit A".

Hal Francke of DLA Piper, representing Road Ranger, LLC introduced the members of Road Ranger and gave a brief overview of their presentation. Mr. Francke stated Road Ranger purchased the property in January 2011. Mr. Francke stated Road Ranger bought the homes in question in June 2011 and demolished them soon after.

Steve Brooks, General Counsel for Road Ranger stated that Road Ranger currently has eighty locations that are a chain operator with convenience stores, fuel stops and travel centers and is currently operating in seven Midwest states. Mr. Brooks reviewed the current operation at the Bensenville location. Mr. Brooks stated the reason for the proposed expansion is because the current site has a high demand for diesel fuel. Mr. Brooks stated the offering of both gas and diesel under the same canopy creates conflict between semi-tractors and four wheel vehicles.

Mr. Brooks stated the proposed expansion will allow Road Ranger to construct a separate diesel canopy with four diesel lanes, utilize the existing access point off Foster Avenue for truck entrance only to eliminate conflict at the current points of access, provide access to the diesel pumps for semi-tractors from behind the site that will eliminate congestion on the site with four wheel vehicles and expand the current convenience store by thirty feet to the south.

Mr. Brooks stated the expansion will also allow Road Ranger to construct a two foot high retaining wall with an eight foot high sound wall, construct multiple lanes for diesel fueling so the time semis spend on the site will decrease, install high speed diesel pumps to reduce fueling time, there will be no parking spaced provided for trucks to be idle and construct improvements to improve efficiency and safety of the on-site circulation.

Mr. Francke reviewed the application filed with the Village of Bensenville and stated Road Ranger has withdrawn their request for a preliminary PUD. Mr. Francke also stated Road Ranger is not seeking a liquor license from the Village either. Mr. Francke stated Road Ranger is seeking the rezoning of vacant properties to C-2 Highway Commercial District, Conditional Uses for a service station and an electronic message center sign, approval of a sign and fence variations, expansion of the convenience store by thirty feet and lifting of the current hour restrictions to allow the site to operate twenty four hours.

John Carabelli, Vice President of Construction for Road Ranger reviewed the proposed site plan and proposed landscape plane with the Commission. Mr. Carabelli stated Road Ranger held two Neighborhood Meetings with the Residents in the area and addressed their concerns. Mr. Carabelli stated and island will be placed between the two fueling canopies that would not allow semi-tractors to cut across the site to exit onto Forster Avenue. Mr. Carabelli stated there will be onsite drainage per the County's Ordinance. Mr. Carabelli stated the new diesel fueling pumps will be double sided allowing truck to fill both tanks at the same time. Mr. Carabelli reviewed Road Ranger's landscaping plans with the Commission and shared drawing of the proposed views from Route 83, the intersection of Route 83 and Foster Avenue, and from the residential homes behind the location.

Steve Lewis of Road Ranger reviewed Road Ranger's request for an electronic message center sign. Mr. Lewis stated the sign will have Road Ranger's logo at the top with the electronic message center below and the prices of gas and diesel at the bottom. Mr. Lewis stated the sign will be twenty feet tall. Mr. Lewis reviewed the process that Road Ranger calculated to determine the size of the sign.

Michael Vail of Quigg Engineering, Inc. conducted a traffic study of the area for Road Ranger. Mr. Vail stated if the proposed expansion were to go through, he is estimating a 25% increase in per day semi-tractor volume. Mr. Vail stated he believes there will be no impact to the traffic volume south of the site on Route 83 or east of the site in Foster Avenue. Mr. Vail stated there will be no traffic impact to the adjacent residential streets. Mr. Vail stated access to Itasca and Marshall Road from Route 83 and Foster will remain prohibited. Mr. Vail stated the proposed site improvements will offset the anticipated increase in daily semi-tractor volume due to faster pumps and internal storage provided for waiting trucks.

Timothy Kelly, Project Engineer from Huff & Huff, Inc. conducted a noise study for Road Ranger. Mr. Kelly reviewed with the Commission the noise basics and how noise volumes are measured. Mr. Kelly reviewed common outdoor and indoor sound levels and shared examples. Mr. Kelly reviewed the current Village Ordinance pertaining to sound. Mr. Kelly stated background noise at the homes along Itasca Street and Marshall Street are between 59.2 DB(A) and 66.6 DB(A). Mr. Kelly stated the existing gas station noise is 66.2 DB(A) (unabated). Mr. Kelly stated the proposed sound barrier will have a 5 DB(A) reduction at the point where the line-of-sight between receiver and noise sound is broken.

Mike MaRous of MaRous and Company stated he was hired by Road Ranger to conduct a property value study of the area. Mr. MaRous reviewed a matched pair analysis of 1114 Nordic Street and 192 S. Barron Street with the Commission. Mr. MaRous reviewed a second match analysis of 508 Marshall Road and 249 Poppy Lane with the Commission. Mr. MaRous stated he does not anticipate the property values to decrease in the area due to the proposed expansion of the site.

Mr. Brooks reviewed the potential tax benefits to the Community with the Commission. Mr. Brooks stated the inside sales are projected to increase by 40%. Mr. Brooks stated the projected sales of gas are projected to increase by 300%. Mr. Brooks stated the project will be paid for by Road Ranger and that Road Ranger is not seeking help from the Village by asking for any incentives.

Commissioner Pisano asked when Road Ranger purchased the properties did they plan to expand the site and lift the hours of operations restriction. Mr. Brooks stated yes, Road Rangers intentions have always been to expand the site and allow the operations to be twenty four hours.

Commissioner Pisano asked if a truck driver was to use the convenient store, how Road Ranger plans to eliminate congestion on site. Mr. Brooks

stated once drives have fueled their trucks, they can pull up and allow another truck to use the pump as they go in for items.

Commissioner Pisano asked if IDOT has approved the plans proposed by Road Ranger. Mr. Carabelli stated Road Ranger is still awaiting an answer from IDOT. Mr. Carabelli also stated Road Ranger has begun new drawings incase IDOT does not approve the proposed plans.

Commissioner Rowe asked what will prevent trucks from entering Road Ranger off Route 83 traveling north. Mr. Carabelli stated the way they have designed the exit will make it difficult for a truck to enter off Route 83. Mr. Carabelli also stated signs will be posted for all entrances and exits.

Commissioner Weldon asked for clarification from the noise study. Mr. Kelly provided the clarification to the Commission.

Chairman Moruzzi asked if Road Ranger has considered installing a pitchfork in the gas entrance that would allow cars to enter and exit a certain way. Mr. Carabelli stated Road Ranger was not opposed to the idea but would need approval from IDOT.

Chairman Moruzzi asked if security camera will be installed along with signage behind the proposed wall. Mr. Brooks stated Road Ranger is open to the idea of installing security cameras in the residential area. Mr. Carabelli stated the type of wall being proposed allows for easier removal of graffiti.

Commissioners Janowiak and James had no questions for the petitioners.

Public Comment:

Nina Keehn – 1110 Nordic Street

Ms. Keehn expressed her objection to the proposed expansion. Ms. Keehn stated she felt disrespected by Road Ranger of how the situation was handled. Ms. Keehn expressed her concerns with the current flooding in her area and the possibility of increased flooding due to the expansion.

Ronald Fabian – 563 Marshall Street

Mr. Fabian expressed his objection to the proposed expansion. Mr. Fabian stated the previous administration was opposed to the current gas station and had the situation handled by the State. Mr. Fabian stated he disagreed with the noise study and stated the noise study of the current site was inaccurate without a study of the expansion. Mr. Fabian stated everyone is making a profit except the homeowners in the area. Mr. Fabian stated the Board needs to represent the Resident of Bensenville and allow this matter to go to the State for a decision.

Diane Burda – 581 Marshall Street

Ms. Burda stated she did not believe the acquiring of the properties by Road Ranger was done fair. Ms. Burda stated she is opposed to the proposed expansion. Ms. Burda stated the Board needs to do what is right for the Residents.

Dale K. Burda – 581 Marshall Street

Mr. Burda stated there is currently garbage piling up along the fence and asked what Road Ranger will do to prevent littering in the area. Mr. Burda also stated his concerns with flooding in the area. Mr. Burda asked if Road Ranger has met with the Bensenville Fire Department in regards to the expected congestion in the intersection.

Dave Chodorowski – 543 Marshall Street

Mr. Chodorowski stated he disagreed with the noise study due to the fact that the proposed noise is not currently there. Mr. Chodorowski also stated he did not agree with the property value assessment.

Charles Swore – 514 Marshall Street

Mr. Swore stated he has placed his house for sale because he does not want to deal with the issue anymore. Mr. Swore stated he had four people interested in his house but had backed off due to the potential expansion. Mr. Swore stated his property value has dropped \$80,000 in the last three years.

Chairman Moruzzi asked if there was any other member of the Public that would like to give testimony. There were none.

Director of Community & Economic Development, Scott Viger presented to the Commission the Village Staff report. Mr. Viger stated there were no comments or concerns from the Finance Department. Mr. Viger stated the Police Department has submitted the following requirements if the proposed project is approved:

- A. There should be no window displays or advertising banner in the area of the cashier that will restrict the cashier's view or the view of passing police patrols.
- B. Any exterior restrooms should be locked and under the control of the cashier.
- C. The lighting devices shall be protected with weather and vandal resistant covers.

- D. The exterior architectural features to the building shall not be designed in a manner which allows access to the roof areas.
- E. Pallets and other objects should not be allowed to be left outside to allow roof access.
- F. The site shall be conspicuously sign posted per Village Code 4-318(b) 2, Criminal Trespass, to discourage loitering.
- G. The operator shall ensure that the property is kept clean of litter associated with the store.
- H. Any ATMs should be located within the primary retail building.
- I. The Village has the right to add or modify conditions should problems develop which are not readily apparent at this time or if the applicant fails to adequately manage public safety or security issues.
- J. A copy of the conditions of approval for the Conditional Use Permit must be kept on the premises of the establishment and be presented to any police officer or any authorized Village official upon request.

Mr. Viger also stated the Police Department has concerns with the proposed project impact on traffic in the area. The traffic at the intersection of IL83 and Foster Avenue is often very heavy and has contributed too many more crashes at or near that intersection as compared to IL83 and Hillside. From 1/1/2009 until 3/29/12, there have been 62 crashes at or near IL83 and Foster and only 1 at IL83 and Hillside.

Mr. Viger stated the following requests were submitted by Public Works and the Village's Engineering Department:

- A. Sanitary Sewer on proposed property shall be new to the Village Main.
- B. Appropriate Fats, Oil, and Grease Trap Systems must be installed and approved by the Village.
- C. All storm sewer inlets shall abide by Illinois Fire Marshal Standards as they relate to distance from dispensing apparatus.
- D. Project shall abide by all DuPage County Storm Water Ordinance requirements.

- E. Proposed underground storm water detention shall be designed to accommodate full requirement based on DuPage County Storm Water Ordinance.
- F. Sidewalk shall be installed along all public frontage of the development.
- G. Trees shall be planted along public frontage according to the Comprehensive Tree Management Ordinance.
- H. The Village requests any overhead utility lines be buried on the development.
- I. The Village requests the installation of new LED street lights along the public right of way.

Mr. Viger Stated the following has been submitted by the Community & Economic Department:

1. The subject property is located at the intersection of two major corridors making it a prime location to shape the economic development of the Village. Foster Avenue is the sole public street that provides direct access through the Northern Business District from Illinois Route 83 on the west to York Road on the east, with traffic signals at each of the two end point intersections.
2. The applicant is seeking an Electronic Message Center (EMC) sign which is available through the recent Municipal Code Text Amendment allowing EMCs as Conditional Use Permits.
3. The proposed plan suggests an increase in sales tax revenue for the Village as it will be capturing a portion of the diesel fuel market from the trucks in the Village's Northern Business Park as well as trucks traversing through the Village on Rte. 83.
4. Staff recommends the addition of a fire hydrant on the southwest corner of subject property. This hydrant should be tied into the twelve (12) inch main at Foster and Route 83 and connect to the six (6) inch main on Itasca Street.
5. Itasca Street and Marshall Road hydrants are not accessible from Route 83 or Foster. The proposed eight (8) foot fence also would support the addition of aforementioned fire hydrant.
6. The fence and landscaping should extend north to the Foster Avenue's sidewalk and west to the Route 83 right of way.
7. Both canopy heights should be the same.
8. Building comments will follow upon the building permit submittal.
9. The rezoning of the currently vacant parcels is significant in that the Comprehensive Plan states that the Village should "Continue to support single-family development that does not have direct access on Route 83"
10. The site is located on the southeast corner of Route 83 and Foster Avenue.

11. The vacant parcels were created when Road Ranger demolished the single family houses that previously existed.
12. Gas service stations currently operate on the northwest, southwest and southeast corners.
13. The area is considered an important corridor due to the high-volume of traffic, both industrial and otherwise.

14. Existing single family detached homes are adjacent to the property in question to the east across N. Marshall Road and to the south across Itasca Street.
15. If requests are approved, Staff recommends a Plat of Consolidation of the four lots into a single lot.
16. The "Existing Service Station Property" remains virtually unchanged except for the diesel truck access, east of the existing building and the addition of the screening fence/wall, landscaping and the new sign with an Electronic Message center.
17. The "Existing Service Station" site has two curbcuts on Foster Avenue and one on Rte. 83.
18. The proposed plan includes a third curbcut on the existing 523 N. Rte. 83 "Vacant Parcel". This parcel has a small residential driveway/curbcut onto Rte. 83 that served the home that formerly occupied the parcel. Staff received a letter from IDOT denying the owner/applicant's request for the new curbcut. As of this writing the owner/applicant is working to resolve the issue with IDOT.
19. Staff finds this third curbcut to be mandatory for the progression to the proposed plan to execute the desired segregation of the diesel and gasoline traffic.
20. The curbcut in question is a "right out only egress to northbound Rte. 83 and is identified for diesel pump traffic only.
21. There are some discrepancies between some of the engineering site plans and the landscape and signage site plans.
22. Diesel trucks access the property from Foster Avenue and precede south behind/east of the existing building parallel to Marshall Road and then east parallel to Itasca Street to the pump location. This alignment necessitates extensive screening.

23. Traffic flow within the proposed site should be separated on the current 523 N. Rte. 83 between general traffic and truck traffic. A division should be made with a curb barrier in the area between the two fueling stations. Staff suggests the proposed curb barrier that originates at the western frontage strip and continues east to the sidewalk found on the southwestern portion of the main building. This construction will prevent commingling of cars and semi tractor-trailers. Additionally, creating an exit-only for trucks on the south western curb cut will maintain the correct traffic flow for the site. As

- submitted it appears that trucks once refueled could pass through the car portion of the property and access Foster Avenue.
24. The barrier should be landscaped to ensure motorists and truckers alike could not overrun the barrier. Landscaping would also provide an additional aesthetic accent in the center of an otherwise hardscaped interior portion of the site.
 25. Stacking spaces as proposed meet the Village's Code requirements. However the stacking for the diesel trucks would parallel the residential street Marshall Road and is unfavorable.
 26. The proposed masonry wall on Marshall Road and Itasca Street should be extended both north and west to near the property / rights of way lines, but so not to impede vision and safety.
 27. Landscaping meets appropriate screening standards along the east and south property lines.
 28. The transition strips (landscaped areas along the public rights of way) on Foster Avenue and Rte. 83 should be landscaped in accordance with Village Code.
 29. Sidewalks should be installed along all four public rights of way.
 30. The base of the freestanding sign shall be landscaped.
 31. The proposed monument sign height is twenty (20) feet which exceeds the current code maximum of eight (8) feet. The proposed sign is 94.5 square feet which exceeds the Code requirement of 50 square feet. The proposed sign is slightly taller but has a smaller area than the recently approved freestanding monument sign with EMC at 801 N. Rte. 83 Perk's Bar & Grill which is 17' - 3" tall and 119 square feet.
 32. The two existing service stations on the northwest and southwest corners of Foster Avenue and Rte. 83 have monument signs that range between eight (8) and ten (10) feet. The proposed sign is over twice the height.
 33. The proposed EMC meets the size requirements of the Village Ordinance, (50% or less of the sign area).
 34. Wall signs are on the north, south and west facades of the existing convenience store.
 35. Staff recommends the removal of the "Road Ranger Diesel" wall sign located on the south side of the diesel fueling station canopy. It appears to be unnecessary as the southern canopy sign fronts on a residential district.
 36. Should the EMC sign be approved the changeable copy wall sign on the western facade should be eliminated, and under the Code all temporary signs will be prohibited.
 37. The Settlement Agreement requires that the service station close between the hours of 10:00 PM and 4:00 AM. The Owner/Applicant is requesting the elimination of this constraint to allow operations 24

hours a day. Staff is opposed to granting an extension on the hours of operation.

38. The application indicates the owner/applicant's desire to sell beer and wine in the convenience shop to the extent such right exists or is granted to other Service Stations in the vicinity of the Subject property. The Zoning Ordinance in the C - 2 Highway Commercial District Section allows for Service Stations to sell ancillary convenience items including "non-alcoholic beverages". As interpreted by the Zoning Administrator, the sales of "alcoholic beverages" would not be allowed.
39. Although the proposed fence creates an adequate light and sound buffer to the adjacent residential properties, it would exist in the front and corner side yards of the subject property. The proposed fence will require zoning relief.
40. The proposed plan would be a deviation from code requirements in reducing twenty-two (22) spaces to fifteen (15). Plans also indicate that two (2) more standard fuel pumps will increase the need for parking. At a later date, relief from Zoning Ordinance is required to meet parking standards after the proposed expansion of the existing service station building removes four (4) existing parking spaces.
41. The plan approved through the Settlement Agreement included landscaping along Marshall Road presently, the landscaping obligations have not been met, apparently due to lack of attention, maintenance and municipal enforcement.

Mr. Viger reviewed the following for support for classification (rezoning):

1. **Compatible With Use Or Zoning:** The uses permitted under the proposed district are compatible with existing uses or existing zoning of property in the environs.
Two service stations exist across Rte. 83 and single family homes are adjacent across Marshall Road and Itasca Street with a House of Worship (Zoned C — 2 Highway Commercial) adjacent across Foster Avenue from the property in question.. Staff has concerns with the compatibility of the rezoning of 522 and 524 N. Marshall Road. To the best of our knowledge, the only other location in the Village in which a single-family dwelling fronts a C-2 site across a residential street is on the 1300 block of Medinah Street.
2. **Supported By Trend Of Development:** The trend of development in the general area since the original zoning was established supports the proposed classification.
There have been no recently rezoned parcels in the immediate vicinity. The current trend of development is the status quo.

3. **Consistent with Village Plans:** The proposed classification is in harmony with objectives of the general development plan and other applicable Village plans as viewed in light of any changed conditions since their adoption. The Village's Comprehensive Plan indicates that Residential use for all three of the "vacant properties", therefore the requested rezoning is not consistent with the Village's Land Use Planning. The Update to the Comprehensive Plan was prepared and approved in 2004; conditions have not changed significantly since its adoption.
4. **Furthers Public Interest:** The proposed zoning classification promotes the public interest. It does not solely further the interest of the applicant. The owner/applicant asserts that the rezoning will further the Public Interest by means of developing the parcels that have "remained vacant since November 2010" staff believes this should read November 2011 when the owner/applicant created the vacant properties through their demolition of the three single family residences. Additionally, to improve on-site vehicular flow, the truck access and stacking area are parallel to Marshall Road does not promote public interest.
5. **Public Services Available:** Adequate public services, such as water supply, sewage disposal, fire protection and street capacity, are anticipated to be available to support the proposed classification by the anticipated date of issuance of a certificate of occupancy. The Village has adequate public services to support the rezoning to Highway Commercial and the expanded service station.

Mr. Viger reviewed the approval process and criteria with the Commission:

1. **Superior Design:** The PUD represents a more creative approach to the unified planning of development and incorporates a higher standard of integrated design and amenity than could be achieved under otherwise applicable regulations, and solely on this basis modifications to such regulations are warranted.
The proposed site plan does not exhibit superior design. The large tractor-trailer traffic and stacking adjacent to the single-family residences is problematic.
2. **Meet PUD Requirements:** The PUD meets the requirements for planned unit developments set forth in this Title, and no modifications to the use and design standards otherwise applicable are allowed other than those permitted herein.
Staff believes this to be accurate.

3. **Consistent With Village Plan:** The PUD is generally consistent with the objectives of the Village general development plan as viewed in light of any changed conditions since its adoption.
The proposal is not consistent with the Village's Comprehensive Plan and its objective in supporting single-family residences along the Route 83 corridor.
4. **Public Welfare:** The PUD will not be detrimental to the public health, safety or general welfare.
The increase in exhaust fumes from idling engines could be detrimental to the public health.
5. **Compatible With Environs:** Neither the PUD nor any portion thereof will be injurious to the use and enjoyment of other properties in its vicinity, seriously impair property values or environmental quality in the neighborhood, nor impede the orderly development of surrounding property.
Diesel fuel distribution adjacent to a single-family neighborhood will be a nuisance to residents and to the enjoyment of their properties.
6. **Natural Features:** The design of the PUD is as consistent as practical with preservation of any natural features such as flood plains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character.
There are no natural drainage ways or sensitive environmental areas on the subject property.
7. **Circulation:** Streets, sidewalks, pedestrianways, bicycle paths and off-street parking and loading are provided as appropriate to planned land uses. They are adequate in location, size, capacity and design to ensure safe and efficient circulation of automobiles, trucks, bicycles, pedestrians, fire trucks, garbage trucks and snow plows, as appropriate, without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic within the PUD or unduly interfering with the safety or capacity of adjacent streets.
The proposed plan does not depict sidewalks at the subject property's perimeter. The diesel truck drivers will be unable to navigate site safely and efficiently without the proposed third curbcut located on Route 83.
8. **Open Spaces And Landscaping:** The quality and quantity of common open spaces or landscaping provided are consistent with the higher standards of design and amenity required of a PUD.
There is sufficient landscaping along the east and south property lines. Providing the landscaped barrier between the two fueling areas will improve the site aesthetically as well as functionally.

9. **Covenants:** Adequate provision has been made in the form of deed restrictions, homeowners or condominium associations or the like for: The presentation and regular maintenance of any open spaces, thoroughfares, utilities, water retention or detention areas and other common elements not to be dedicated to the Village or to another public body. Such control of the use and exterior design of individual structures, if any, as is necessary for continuing conformance to the PUD plan, such provision to be binding on all future ownerships. No covenants are necessary.

10. **Public Services:** The land uses, intensities and phasing of the PUD are consistent with the anticipated ability of the Village, the school system and other public bodies to provide and economically support police and fire protection, water supply, sewage disposal, schools and other public facilities and services without placing undue burden on existing residents and businesses.
There are adequate public services to adequately service the property. The approval of the PUD will not increase the demand or stress the Village's public services.

11. **Phasing:** Each development phase of the PUD can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed.
There is no phasing proposed.

Mr. Viger reviewed the approval criteria for the Conditional Use with the Commission:

1. **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized.
Service Station - Only if the proposed third curbcut and curb barrier are constructed according to Staff recommendation, will the traffic flow function properly. The traffic study indicated no significant adverse effects associated with traffic flow.
EMC - If the EMC meets the Village's Ordinance requirements it should not have a negative effect on traffic in the area.

2. **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district.
Service Station - The Staff harbors continued concerns in regards to the associated engine noises as well as exhaust odor from idling trucks.

EMC - If the EMC meets the Village's Ordinance requirements it should not have a negative effect on traffic in the area.

3. **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized.

Service Station - The proposed use violates the Comprehensive Plan for the Village in converting single-family residential parcels into commercial districts. The Plan specifically supports the protection of subject residential properties on the Route 83 corridor.

EMC if approved this would be the second EMC along Rte. 83 (the first has been approved at 801 N. Rte. 83 for Perk's bar & Grill but has yet to be erected).

4. **Use Of Public Services And Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Service Station - The expansion of the existing service station as proposed will not require existing community facilities or services to a degree disproportionate to that normally expected of uses permitted in the District. The use as proposed will not generate disproportionate demand for new Village services.

EMC - The proposed EMC will not impact the Village's Public services and facilities.

5. **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community.

Staff believes that there is sufficient market demand for the proposed service.

6. **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location.

Any other factors are under the discretion of the Community Development Commission.

Mr. Viger stated Staff recommends the approval of the above Findings of Fact, However Staff respectfully recommends that the Community Development Commission recommend denial of the rezoning, Planned Unit Development and Conditional Use Permit(s). Mr. Viger stated if the

Community Development Commission were to approve the Rezoning, Planned Unit Development and Conditional Use Permit(s) should be subject to a list of recommendations from Staff.

Chairman Moruzzi asked Staff if the proposed EMC design met Village regulations. Mr. Viger stated the proposed sign did not meet Village regulations and would work with the petitioners if the EMC sign is approved.

Chairman Moruzzi asked for an explanation to the concerns raised from the Public in regards to the noise study. Mr. Kelly stated the noise study was conducted at an active location in Hampshire, Illinois and that the numbers are accurate.

Chairman Moruzzi asked Staff for clarification of the drainage to Itasca Street. Mr. Viger stated if Road Ranger is approved for their requests, they will have to meet DuPage County regulations for drainage.

Commissioner Weldon asked if cars would be able to see oncoming traffic from the North while exiting onto Route 83 at the same time as a truck. Mr. Viger did not have an explanation for Commissioner Weldon and agreed to his concerns. Mr. Vail stated Commissioner Weldon's concerns were ligament and did not offer an alternative.

Motion: Chairman Moruzzi made a motion to recess the Public Hearing for CDC Case Number 2012-08 until June 11, 2012. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi recessed the Public Hearing for CDC Case Number 2012-08 at 8:47 p.m.

Mike Moruzzi, Chairman
Community Development Commission

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

June 11, 2012

CALL TO ORDER: The meeting was called to order by Chairman Moruzzi at 6:34 p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, James, Janowiak, Pisano, Rowe, Ventura, Weldon
Absent: None.
A quorum was present.

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission of May 14, 2012 were presented.

Motion: Commissioner Pisano made a motion to approve the minutes as presented. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Pisano, Rowe, Weldon

Nays: None

Abstained: Ventura

Motion carried.

Village Attorney, Mary Dickson, reviewed the rules and process to the audience in attendance of the Public Hearings.

Village Attorney, Mary Dickson, swore in members of the audience under oath that planned to give testimony.

Public Hearing: CDC Case Number 2012-08
Petitioner: Road Ranger, LLC
Location: 1188 W. Foster Avenue
523 N. Rte. 83
522 N. Marshall Road

Request: 524 N. Marshall Road
Rezoning 523 N. Rte. 83, 522 & 524 N. Marshall Road from RS-5 High Density Single Family Residential District to C-2 Highway Commercial District, Planned Unit Development and Conditional Use Permits to Allow a Gasoline and Diesel Fuel Service Station and an Electronic Message Center Sign.

Motion: Chairman Moruzzi made a motion to re-open the Public Hearing for CDC Case Number 2012-08. Commissioner Janowiak seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, James, Janowiak, Pisano, Rowe, Ventura, Weldon
Absent: None
A quorum was present.

Chairman Moruzzi opened the Public Hearing for CDC Case Number 2012-21 at 6:47 p.m.

Director of Community & Economic Development, Scott Viger, stated a legal notice was published in the Daily Herald on May 26, 2012 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mr. Viger also stated that Village Staff posted a notice of the Public Hearing sign on the property on May 25, 2012. Mr. Viger stated on May 25, 2012 Village Staff mailed first class notice of the public hearing to taxpayers of record within 250 feet of the property in question.

Steve Brooks, General Counsel for Road Ranger, John Carabelli, Vice President of Construction for Road Ranger, Hal Francke of DLA Piper, outside counsel for Road Ranger, Timothy M. Kelly, Project Engineer from Huff & Huff, Inc., Michael, C. Vail, Civil Engineer from Quigg Engineering, Inc., Steve Lewis of Road Ranger, Mike MaRous of MaRous and Company were all present and sworn in by Village Attorney, Mary Dickson. Mr. Francke reviewed concerns raised by the Community Development Commission at the May 14, 2012 meeting along with concerns raised by Residents in the area. Mr. Francke submitted a letter from Road Ranger with the amended application. The letter submitted has been attached to the minutes as "Exhibit A". Mr. Brooks presented to the Community Development Commission a presentation reviewing matters from the May 14, 2012 Community Development Commission and recent amendment to Road Rangers requests. The presentation has been attached to the minutes as "Exhibit B". Mr. Brooks stated he had misspoke at the May 14, 2012 meeting and that his presentation of the proposed tax benefits to the Village of Bensenville should have been for two percent rather than one.

Mr. Carabelli addressed concerns raised by Commissioner Weldon at the May 14, 2012 meeting regarding visibility on the site.

Mr. Carabelli stated there was nothing Road Ranger could do to prevent the visibility of the onsite vehicles pulling in and out. Mr. Carabelli stated he would rely on the operators of the vehicles to make their own decisions. Tim Kelly from Huff & Huff Incorporated passed out a memorandum to the Community Development Commission regarding a facility interior noise analysis for the Road Ranger property. The letter submitted by Mr. Kelly has been attached to the minutes as "Exhibit C".

Michael MaRous of MaRous & Company submitted to the Community Development Commission a memorandum regarding a financial feasibility of new residential construction in Bensenville. The memorandum has been attached to the minutes as "Exhibit D". Steve Lewis from Road Ranger reviewed the sign request and regulations for the proposed site.

Commissioner Pisano asked how many employees will be working on site at one time. Mr. Brooks stated the proposal will allow there to be three to four employees working at one time. Mr. Brooks stated that would leave ten parking spots for customers and one handicap spot.

Commissioner Ventura asked if Road Ranger has received a decision from IDOT in regards to their proposed curbcuts. Mr. Brooks stated they are still waiting for an answer from IDOT.

Commissioner Weldon stated he is still concerned with the proposed entrance and exiting for vehicles on the site. Commissioner Weldon also stated he believes Road Ranger is responsible for the property values in the area.

Commissioner James asked for clarification of the requested curbcuts.

Public Comment:

Ronald Fabian – 563 Marshall Street

Mr. Fabian stated he believes the congestion will build up and there is not enough room to operate as the plans are predicting. Mr. Fabian suggested Road Ranger purchases the homes along Marshall and build the expansion the proper way.

Chris Anaya – 573 Marshall Road

Ms. Anaya stated it's not the Village's responsibility or the Residents if Road Ranger is denied. Ms. Anaya suggested building a park on the vacant property if Road Ranger is denied. Ms. Anaya stated she is

currently unhappy with the current operations of Road Ranger and is opposed to the proposed expansion.

Dale K. Burda – 581 Marshall Street

Mr. Burda stated he does not approve of the sound study in the area because the locations Road Ranger had a comparison done to are not located within a residential area.

Margaret Fabian – 563 Marshall Street

Ms. Fabian stated BP across Route 83 has loud music playing at night and would like for Road Ranger not be allowed to play music. Ms. Fabian reviewed the sales of the property Road Ranger had purchased in the area.

Nina Keehn – 1110 Nordic Street

Ms. Keehn expressed her frustration with the process Road Ranger had taken to obtaining the properties in the area and expressed her objection to the proposed expansion.

Jerry Wrasse – 519 Marshall

Mr. Wrasse stated Road Ranger has been inconsistent with their requests and are constantly changing their minds. Mr. Wrasse stated Road Ranger has lied to the Residents in the area.

Director of Community Development, Scot Viger, reviewed the Village Staff report. Mr. Viger stated if the proposed conditional uses and variances are to be approved, Staff has nineteen conditions upon approval. Mr. Viger stated Staff recommends denial of the requests.

Commissioner Ventura asked if Staff had met with IDOT regarding the proposed curbcuts. Mr. Viger stated Staff has not met with IDOT regarding the curbcuts.

Motion: Commissioner Pisano made a motion to close the Public Hearing for CDC Case Number 2012-08. Commissioner Weldon seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case Number 2012-08 at 8:19 p.m.

Motion:

Commissioner Ventura made a motion to approve the finding of facts for the conditional use permits for CDC Case Number 2012-08 consisting of:

1. Traffic: The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized.

Service Station - Only if the proposed third curbcut and curb barrier are constructed according to Staff recommendation, will the traffic flow function properly. The traffic study indicated no significant adverse effects associated with traffic flow.

EMC - If the EMC meets the Village's Ordinance requirements it should not have a negative effect on traffic in the area.

2. Environmental Nuisance: The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district.

Service Station - The Staff harbors continued concerns in regards to the associated engine noises as well as exhaust odor from idling trucks.

EMC - If the EMC meets the Village's Ordinance requirements it should not have a negative effect on traffic in the area.

3. Neighborhood Character: The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized.

Service Station - The proposed use violates the Comprehensive Plan for the Village in converting single-family residential parcels into commercial districts. The Plan specifically supports the protection of subject residential properties on the Route 83 corridor.

EMC - If approved this would be the second EMC along Rte. 83 (the first has been approved at 801 N. Rte. 83 for Perk's Bar & Grill but has yet to be erected).

4. Use Of Public Services And Facilities: The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Service Station - The expansion of the existing service station as proposed will not require existing community facilities or services to a degree disproportionate to that normally expected of uses permitted in the District. The use as proposed will not generate disproportionate demand for new Village services.

EMC - The proposed EMC will not impact the Village's Public services and facilities.

5. Public Necessity: The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community.

Staff believes that there is sufficient market demand for the proposed service.

6. Other Factors: The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location.

Any other factors are under the discretion of the Community Development Commission.

Commissioner Pisano seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

ABSTAINED: James

Motion carried.

Motion: Chairman Moruzzi made a motion to approve the Rezoning of 523 N. Rte. 83, 522 & 524 N. Marshall Road from RS-5 High Density Single Family Residential District to C-2 Highway Commercial District, Planned Unit

Development - CDC Case Number 2012-08. Commissioner Weldon seconded the motion.

Roll Call: Ayes: None

Nays: Moruzzi, James, Janowiak, Pisano, Rowe, Weldon

ABSTAINED: Ventura

Motion failed.

Motion: Chairman Moruzzi made a motion to approve the conditional use permit for a service station - CDC Case Number 2012-08. Commissioner Rowe seconded the motion.

Roll Call: Ayes: None

Nays: Moruzzi, James, Janowiak, Pisano, Rowe, Weldon

ABSTAINED: Ventura

Motion failed.

Motion: Chairman Moruzzi made a motion to approve the conditional use permit for an EMC sign for - CDC Case Number 2012-08. Commissioner Rowe seconded the motion.

Roll Call: Ayes: None

Nays: Moruzzi, James, Janowiak, Pisano, Rowe, Weldon

ABSTAINED: Ventura

Motion failed.

Motion: Commissioner Weldon made a motion to approve the finding of facts for the eight variance requests for CDC Case Number 2012-08 set forth by Staff consisting of:

1. Superior Design: The PUD represents a more creative approach to the unified planning of development and incorporates a higher standard of integrated design and amenity than could be achieved under otherwise applicable regulations, and solely on this basis modifications to such regulations are warranted.

The proposed site plan does not exhibit superior design. The large tractor-trailer traffic and stacking adjacent to the single-family residences is problematic.

2. **Meet PUD Requirements:** The PUD meets the requirements for planned unit developments set forth in this Title, and no modifications to the use and design standards otherwise applicable are allowed other than those permitted herein. Staff believes this to be accurate.
3. **Consistent With Village Plan:** The PUD is generally consistent with the objectives of the Village general development plan as viewed in light of any changed conditions since its adoption. The proposal is not consistent with the Village's Comprehensive Plan and its objective in supporting single-family residences along the Route 83 corridor.
4. **Public Welfare:** The PUD will not be detrimental to the public health, safety or general welfare. The increase in exhaust fumes from idling engines could be detrimental to the public health.
5. **Compatible With Environs:** Neither the PUD nor any portion thereof will be injurious to the use and enjoyment of other properties in its vicinity, seriously impair property values or environmental quality in the neighborhood, nor impede the orderly development of surrounding property. Diesel fuel distribution adjacent to a single-family neighborhood will be a nuisance to residents and to the enjoyment of their properties.
6. **Natural Features:** The design of the PUD is as consistent as practical with preservation of any natural features such as flood plains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character. There are no natural drainage ways or sensitive environmental areas on the subject property.
7. **Circulation:** Streets, sidewalks, pedestrianways, bicycle paths and off-street parking and loading are provided as appropriate to planned land uses. They are adequate in location, size, capacity and design to ensure safe and efficient circulation of automobiles, trucks, bicycles, pedestrians, fire trucks, garbage trucks and snow plows, as appropriate, without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic within the PUD or unduly interfering with the safety or capacity of adjacent streets.

The proposed plan does not depict sidewalks at the subject property's perimeter. The diesel truck drivers will be unable to navigate site safely and efficiently without the proposed third curbcut located on Route 83.

8. Open Spaces And Landscaping: The quality and quantity of common open spaces or landscaping provided are consistent with the higher standards of design and amenity required of a PUD.

There is sufficient landscaping along the east and south property lines. Providing the landscaped barrier between the two fueling areas will improve the site aesthetically as well as functionally.

9. Covenants: Adequate provision has been made in the form of deed restrictions, homeowners or condominium associations or the like for:

The presentation and regular maintenance of any open spaces, thoroughfares, utilities, water retention or detention areas and other common elements not to be dedicated to the Village or to another public body.

Such control of the use and exterior design of individual structures, if any, as is necessary for continuing conformance to the PUD plan, such provision to be binding on all future ownerships.

No covenants are necessary.

10. Public Services: The land uses, intensifies and phasing of the PUD are consistent with the anticipated ability of the Village, the school system and other public bodies to provide and economically support police and fire protection, water supply, sewage disposal, schools and other public facilities and services without placing undue burden on existing residents and businesses.

There are adequate public services to adequately service the property. The approval of the PUD will not increase the demand or stress the Village's public services.

11. Phasing: Each development phase of the PUD can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed.

There is no phasing proposed.

Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the eight variances for CDC Case Number 2012-08. Commissioner Rowe seconded the motion.

Roll Call: Ayes: None

Nays: Moruzzi, James, Janowiak, Pisano, Rowe, Ventura, Weldon

Motion failed.

Mike Moruzzi, Chairman
Community Development Commission

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING AN APPLICATION FOR
TWO CONDITIONAL USE PERMITS FOR EXPANSION OF AN
EXISTING SERVICE STATION AND ELECTRONIC MESSAGE CENTER SIGN
WITH ASSOCIATED VARIANCES AT 1188 W. FOSTER AVENUE,
523 N. ROUTE 83, AND 522 AND 524 N. MARSHALL ROAD, BENSENVILLE, ILLINOIS**

WHEREAS, Road Ranger, LLC (“Owner”) filed an application for zoning relief under the *the Village of Bensenville Zoning Ordinance* (“Zoning Ordinance”) for property commonly known as 1188 W. Foster Avenue, 523 N. Route 83, 522 N. Marshall Road and 524 N. Marshall Road, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the “Subject Property”), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, the zoning relief requested is to grant, in association with the rezoning of the property located at 523 N. Route 83, 522 N. Marshall Road and 524 N. Marshall Road, which is the subject of an Ordinance under consideration on this same date, to provide a conditional use permit to allow gasoline and diesel fuel Service Station at the Subject Property (Section 10-3-4); to provide a conditional use permit for an Electronic Message Center Sign at the Subject Property (Sections 10-3-4, 10-18-4); and for the following variances: (1) to increase the number of permitted wall signs from one to two (Section 10-18-11A-2B-2), (2) to increase the number of permitted canopy signs from two to five (Section 10-18-11A-2B-3), (3) to reduce the required sign setback from five feet to one and one-half feet (Section 10-18-11A), (4) to allow for the erection of a monument sign twenty feet in height (Sections 10-18-14 and 10-18-11-2D), (5) to allow for a sign face of ninety-four and one-half square feet (Sections 10-18-14 and 10-18-11-2C), to allow construction of a fence eight feet in height or greater in the front and corner side yards (Section 10-14-10--4A) and to reduce the required number of parking spaces from thirty four to fourteen (Section 10-11-11); and

WHEREAS, two separate Notices of Public Hearing with respect to the rezoning and conditional use permits as well as variances sought by the Owner were published in the Daily Herald Newspaper in the Village of Bensenville, and notice of the hearings was provided, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notices, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on May 14, 2012 and on June 11, 2012 as required by the statutes of the State of Illinois and the ordinances of the Village, and after full

hearing on the application, adopted the findings of facts as to the requested rezoning, conditional use permits and variances as proposed by Village staff set forth in Exhibit “B,” attached hereto and incorporated herein by reference; and

WHEREAS, upon said findings of facts, the Community Development Commission voted 0-6, with 1 abstention, to approve the application for conditional use permits, and 0-7 to approve the requested variances, resulting in a recommendation to deny the application for zoning relief; and

WHEREAS, the Community Development Commission forwarded its recommendation to deny the application to the Village Board’s Community and Economic Development Committee which concurred in the recommendation to deny the application as recommended; and

WHEREAS, the Community and Economic Development Committee then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees on September 25, 2012; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined, based on its consideration, that the requested conditional use permits and associated variances should be denied.

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 zoning relief requested by the Owner is hereby denied.

SECTION THREE: That the findings of fact for denial of the conditional use permits and associated variances having been made and adopted by the Community Development Commission, they are now hereby adopted by the President and Board of Trustees for denial of the conditional use permits and variances referenced herein.

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

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 25th day of September, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

f:\pkb\bensenville\ordinances\zoning\conditionaluse\roadranger.doc

Ordinance # ____-2012
Exhibit "A"
Legal Description

The Legal Descriptions of the properties are as follows:

LOT 1 (EXCEPT THE WEST 50.0 FEET THEREOF) IN BLOCK 22, IN THE FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR, BEING A SUBDIVISION IN SECTIONS 10, 11, 14 AND 15, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO A PLAT THEREOF RECORDED MAY 7, 1926, AS DOCUMENT 213044, IN DUPAGE COUNTY, ILLINOIS

Commonly known as 1188 W. Foster Avenue, Bensenville, IL 60106

AND

THE WEST 200 FEET OF LOT 2 (EXCEPT THE WESTERLY 50 FEET THEREOF DEDICATED TO THE STATE OF ILLINOIS BY INSTRUMENT DATED APRIL 14, 1938 AND RECORDED MAY 26, 1938 AS DOCUMENT 389979) IN BLOCK 22 IN FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR, AS SUBDIVISION IN SECTIONS 10, 11, 14 AND 15, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO A PLAT THEREOF RECORDED MAY 7, 1926 AS DOCUMENT 213044, IN DUPAGE COUNTY, ILLINOIS

Commonly known as 523 North Route 83, Bensenville, IL 60106

AND

THE NORTH 73 FEET OF LOT 2 (EXCEPT THE WEST 200 FEET THEREOF) IN BLOCK 22 IN FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR, A SUBDIVISION IN SECTIONS 10, 11, 14 AND 15, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO A PLAT THEREOF RECORDED MAY 7, 1926 AS DOCUMENT 213044, IN DUPAGE COUNTY, ILLINOIS

Commonly known as 524 North Marshall Road, Bensenville, IL 60106

AND

LOT 2 (EXCEPT THE NORTH 73 FEET THEREOF AND EXCEPT THE WEST 200 FEET) IN BLOCK 22 IN THE FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR BEING A SUBDIVISION IN SECTIONS 10, 11, 14 AND 15, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO A PLAT THEREOF RECORDED MAY 7, 1926 AS DOCUMENT 213044, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 522 North Marshall Road, Bensenville, Illinois

Ordinance # ____-2012
Exhibit "B"

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

May 14, 2012

CALL TO ORDER: The meeting was called to order by Chairman Moruzzi at 6:35 p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, James, Janowiak, Pisano, Rowe, Weldon
Absent: Ventura
A quorum was present.

JOURNAL OF PROCEEDINGS:

The minutes of the Special Community Development Commission of April 23, 2012 were presented.

Commissioner Pisano addressed Staff with corrections to the drafted minutes.

Motion: Commissioner James made a motion to approve the minutes as amended. Commissioner Rowe seconded the motion.

All were in favor. Motion carried.

Village Attorney, Pat Bond, reviewed the rules and process to the audience in attendance of the Public Hearings.

Public Hearing: CDC Case Number 2012-08

Petitioner: Road Ranger, LLC

Location: 1188 W. Foster Avenue
523 N. Rte. 83
522 N. Marshall Road
524 N. Marshall Road

Request: Rezoning 523 N. Rte. 83, 522 & 524 N. Marshall Road from RS-5 High Density Single Family Residential District to C-2 Highway Commercial District, Planned Unit Development and Conditional Use Permits to Allow a Gasoline and Diesel Fuel Service Station and an Electronic Message Center Sign.

Motion: Commissioner Weldon made a motion to open the Public Hearing for CDC Case Number 2012-08. Commissioner Pisano seconded the motion.

ROLL CALL :

Upon roll call the following Commissioners were present:
Moruzzi, James, Janowiak, Pisano, Rowe, Weldon
Absent: Ventura
A quorum was present.

Chairman Moruzzi opened the Public Hearing for CDC Case Number 2012-08 at 6:42 p.m.

Director of Community & Economic Development, Scott Viger, stated a legal notice was published in the Daily Herald on April 28, 2012 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mr. Viger also stated that Village Staff posed a notice of the Public Hearing sign on the property on April 27, 2012. Mr. Viger stated on April 27, 2012 Village Staff mailed first class noticed of the public hearing to taxpayers of record within 250 feet of the property in question.

Steve Brooks, General Counsel for Road Ranger, John Carabelli, Vice President of Construction for Road Ranger, Hal Francke of DLA Piper, outside counsel for Road Ranger, Timothy M. Kelly, Project Engineer from Huff & Huff, Inc., Michael, C. Vail, Civil Engineer from Quigg Engineering, Inc., Steve Lewis of Road Ranger, Mike MaRous of MaRous and Company, Nina Keehn of 1110 Nordic Street, Ronald Fabian of 563 Marshall Street, Diane Burda of 581 Marshall Street, Dale L. Burda of Marshall Street, Dave Chodorowski of 543 Marshall Street and Charles Swore of 514 Marshall Street were all present and sworn under oath by Chairman Moruzzi.

Mr. Francke, Mr. Brooks, Mr. Carabelli, Mr. Kelly, Mr. Vail, Mr. Lewis and Mr. Morse all made a power point presentation to the Commission. The power point has been attached to the minutes as "Exhibit A".

Hal Francke of DLA Piper, representing Road Ranger, LLC introduced the members of Road Ranger and gave a brief overview of their presentation. Mr. Francke stated Road Ranger purchased the property in January 2011. Mr. Francke stated Road Ranger bought the homes in question in June 2011 and demolished them soon after.

Steve Brooks, General Counsel for Road Ranger stated that Road Ranger currently has eighty locations that are a chain operator with convenience stores, fuel stops and travel centers and is currently operating in seven Midwest states. Mr. Brooks reviewed the current operation at the Bensenville location. Mr. Brooks stated the reason for the proposed expansion is because the current site has a high demand for diesel fuel. Mr. Brooks stated the offering of both gas and diesel under the same canopy creates conflict between semi-tractors and four wheel vehicles.

Mr. Brooks stated the proposed expansion will allow Road Ranger to construct a separate diesel canopy with four diesel lanes, utilize the existing access point off Foster Avenue for truck entrance only to eliminate conflict at the current points of access, provide access to the diesel pumps for semi-tractors from behind the site that will eliminate congestion on the site with four wheel vehicles and expand the current convenience store by thirty feet to the south.

Mr. Brooks stated the expansion will also allow Road Ranger to construct a two foot high retaining wall with an eight foot high sound wall, construct multiple lanes for diesel fueling so the time semis spend on the site will decrease, install high speed diesel pumps to reduce fueling time, there will be no parking spaced provided for trucks to be idle and construct improvements to improve efficiency and safety of the on-site circulation.

Mr. Francke reviewed the application filed with the Village of Bensenville and stated Road Ranger has withdrawn their request for a preliminary PUD. Mr. Francke also stated Road Ranger is not seeking a liquor license from the Village either. Mr. Francke stated Road Ranger is seeking the rezoning of vacant properties to C-2 Highway Commercial District, Conditional Uses for a service station and an electronic message center sign, approval of a sign and fence variations, expansion of the convenience store by thirty feet and lifting of the current hour restrictions to allow the site to operate twenty four hours.

John Carabelli, Vice President of Construction for Road Ranger reviewed the proposed site plan and proposed landscape plane with the Commission. Mr. Carabelli stated Road Ranger held two Neighborhood Meetings with the Residents in the area and addressed their concerns. Mr. Carabelli stated and island will be placed between the two fueling canopies that would not allow semi-tractors to cut across the site to exit onto Forster Avenue. Mr. Carabelli stated there will be onsite drainage per the County's Ordinance. Mr. Carabelli stated the new diesel fueling pumps will be double sided allowing truck to fill both tanks at the same time. Mr. Carabelli reviewed Road Ranger's landscaping plans with the Commission and shared drawing of the proposed views from Route 83, the intersection of Route 83 and Foster Avenue, and from the residential homes behind the location.

Steve Lewis of Road Ranger reviewed Road Ranger's request for an electronic message center sign. Mr. Lewis stated the sign will have Road Ranger's logo at the top with the electronic message center below and the prices of gas and diesel at the bottom. Mr. Lewis stated the sign will be twenty feet tall. Mr. Lewis reviewed the process that Road Ranger calculated to determine the size of the sign.

Michael Vail of Quigg Engineering, Inc. conducted a traffic study of the area for Road Ranger. Mr. Vail stated if the proposed expansion were to go through, he is estimating a 25% increase in per day semi-tractor volume. Mr. Vail stated he believes there will be no impact to the traffic volume south of the site on Route 83 or east of the site in Foster Avenue. Mr. Vail stated there will be no traffic impact to the adjacent residential streets. Mr. Vail stated access to Itasca and Marshall Road from Route 83 and Foster will remain prohibited. Mr. Vail stated the proposed site improvements will offset the anticipated increase in daily semi-tractor volume due to faster pumps and internal storage provided for waiting trucks.

Timothy Kelly, Project Engineer from Huff & Huff, Inc. conducted a noise study for Road Ranger. Mr. Kelly reviewed with the Commission the noise basics and how noise volumes are measured. Mr. Kelly reviewed common outdoor and indoor sound levels and shared examples. Mr. Kelly reviewed the current Village Ordinance pertaining to sound. Mr. Kelly stated background noise at the homes along Itasca Street and Marshall Street are between 59.2 DB(A) and 66.6 DB(A). Mr. Kelly stated the existing gas station noise is 66.2 DB(A) (unabated). Mr. Kelly stated the proposed sound barrier will have a 5 DB(A) reduction at the point where the line-of-sight between receiver and noise sound is broken.

Mike MaRous of MaRous and Company stated he was hired by Road Ranger to conduct a property value study of the area. Mr. MaRous reviewed a matched pair analysis of 1114 Nordic Street and 192 S. Barron Street with the Commission. Mr. MaRous reviewed a second match analysis of 508 Marshall Road and 249 Poppy Lane with the Commission. Mr. MaRous stated he does not anticipate the property values to decrease in the area due to the proposed expansion of the site.

Mr. Brooks reviewed the potential tax benefits to the Community with the Commission. Mr. Brooks stated the inside sales are projected to increase by 40%. Mr. Brooks stated the projected sales of gas are projected to increase by 300%. Mr. Brooks stated the project will be paid for by Road Ranger and that Road Ranger is not seeking help from the Village by asking for any incentives.

Commissioner Pisano asked when Road Ranger purchased the properties did they plan to expand the site and lift the hours of operations restriction. Mr. Brooks stated yes, Road Rangers intentions have always been to expand the site and allow the operations to be twenty four hours.

Commissioner Pisano asked if a truck driver was to use the convenient store, how Road Ranger plans to eliminate congestion on site. Mr. Brooks

stated once drives have fueled their trucks, they can pull up and allow another truck to use the pump as they go in for items.

Commissioner Pisano asked if IDOT has approved the plans proposed by Road Ranger. Mr. Carabelli stated Road Ranger is still awaiting an answer from IDOT. Mr. Carabelli also stated Road Ranger has begun new drawings incase IDOT does not approve the proposed plans.

Commissioner Rowe asked what will prevent trucks from entering Road Ranger off Route 83 traveling north. Mr. Carabelli stated the way they have designed the exit will make it difficult for a truck to enter off Route 83. Mr. Carabelli also stated signs will be posted for all entrances and exits.

Commissioner Weldon asked for clarification from the noise study. Mr. Kelly provided the clarification to the Commission.

Chairman Moruzzi asked if Road Ranger has considered installing a pitchfork in the gas entrance that would allow cars to enter and exit a certain way. Mr. Carabelli stated Road Ranger was not opposed to the idea but would need approval from IDOT.

Chairman Moruzzi asked if security camera will be installed along with signage behind the proposed wall. Mr. Brooks stated Road Ranger is open to the idea of installing security cameras in the residential area. Mr. Carabelli stated the type of wall being proposed allows for easier removal of graffiti.

Commissioners Janowiak and James had no questions for the petitioners.

Public Comment:

Nina Keehn – 1110 Nordic Street

Ms. Keehn expressed her objection to the proposed expansion. Ms. Keehn stated she felt disrespected by Road Ranger of how the situation was handled. Ms. Keehn expressed her concerns with the current flooding in her area and the possibility of increased flooding due to the expansion.

Ronald Fabian – 563 Marshall Street

Mr. Fabian expressed his objection to the proposed expansion. Mr. Fabian stated the previous administration was opposed to the current gas station and had the situation handled by the State. Mr. Fabian stated he disagreed with the noise study and stated the noise study of the current site was inaccurate without a study of the expansion. Mr. Fabian stated everyone is making a profit except the homeowners in the area. Mr. Fabian stated the Board needs to represent the Resident of Bensenville and allow this matter to go to the State for a decision.

Diane Burda – 581 Marshall Street

Ms. Burda stated she did not believe the acquiring of the properties by Road Ranger was done fair. Ms. Burda stated she is opposed to the proposed expansion. Ms. Burda stated the Board needs to do what is right for the Residents.

Dale K. Burda – 581 Marshall Street

Mr. Burda stated there is currently garbage piling up along the fence and asked what Road Ranger will do to prevent littering in the area. Mr. Burda also stated his concerns with flooding in the area. Mr. Burda asked if Road Ranger has met with the Bensenville Fire Department in regards to the expected congestion in the intersection.

Dave Chodorowski – 543 Marshall Street

Mr. Chodorowski stated he disagreed with the noise study due to the fact that the proposed noise is not currently there. Mr. Chodorowski also stated he did not agree with the property value assessment.

Charles Swore – 514 Marshall Street

Mr. Swore stated he has placed his house for sale because he does not want to deal with the issue anymore. Mr. Swore stated he had four people interested in his house but had backed off due to the potential expansion. Mr. Swore stated his property value has dropped \$80,000 in the last three years.

Chairman Moruzzi asked if there was any other member of the Public that would like to give testimony. There were none.

Director of Community & Economic Development, Scott Viger presented to the Commission the Village Staff report. Mr. Viger stated there were no comments or concerns from the Finance Department. Mr. Viger stated the Police Department has submitted the following requirements if the proposed project is approved:

- A. There should be no window displays or advertising banner in the area of the cashier that will restrict the cashier's view or the view of passing police patrols.
- B. Any exterior restrooms should be locked and under the control of the cashier.
- C. The lighting devices shall be protected with weather and vandal resistant covers.

- D. The exterior architectural features to the building shall not be designed in a manner which allows access to the roof areas.
- E. Pallets and other objects should not be allowed to be left outside to allow roof access.
- F. The site shall be conspicuously sign posted per Village Code 4-318(b) 2, Criminal Trespass, to discourage loitering.
- G. The operator shall ensure that the property is kept clean of litter associated with the store.
- H. Any ATMs should be located within the primary retail building.
- I. The Village has the right to add or modify conditions should problems develop which are not readily apparent at this time or if the applicant fails to adequately manage public safety or security issues.
- J. A copy of the conditions of approval for the Conditional Use Permit must be kept on the premises of the establishment and be presented to any police officer or any authorized Village official upon request.

Mr. Viger also stated the Police Department has concerns with the proposed project impact on traffic in the area. The traffic at the intersection of IL83 and Foster Avenue is often very heavy and has contributed too many more crashes at or near that intersection as compared to IL83 and Hillside. From 1/1/2009 until 3/29/12, there have been 62 crashes at or near IL83 and Foster and only 1 at IL83 and Hillside.

Mr. Viger stated the following requests were submitted by Public Works and the Village's Engineering Department:

- A. Sanitary Sewer on proposed property shall be new to the Village Main.
- B. Appropriate Fats, Oil, and Grease Trap Systems must be installed and approved by the Village.
- C. All storm sewer inlets shall abide by Illinois Fire Marshal Standards as they relate to distance from dispensing apparatus.
- D. Project shall abide by all DuPage County Storm Water Ordinance requirements.

- E. Proposed underground storm water detention shall be designed to accommodate full requirement based on DuPage County Storm Water Ordinance.
- F. Sidewalk shall be installed along all public frontage of the development.
- G. Trees shall be planted along public frontage according to the Comprehensive Tree Management Ordinance.
- H. The Village requests any overhead utility lines be buried on the development.
- I. The Village requests the installation of new LED street lights along the public right of way.

Mr. Viger Stated the following has been submitted by the Community & Economic Department:

1. The subject property is located at the intersection of two major corridors making it a prime location to shape the economic development of the Village. Foster Avenue is the sole public street that provides direct access through the Northern Business District from Illinois Route 83 on the west to York Road on the east, with traffic signals at each of the two end point intersections.
2. The applicant is seeking an Electronic Message Center (EMC) sign which is available through the recent Municipal Code Text Amendment allowing EMCs as Conditional Use Permits.
3. The proposed plan suggests an increase in sales tax revenue for the Village as it will be capturing a portion of the diesel fuel market from the trucks in the Village's Northern Business Park as well as trucks traversing through the Village on Rte. 83.
4. Staff recommends the addition of a fire hydrant on the southwest corner of subject property. This hydrant should be tied into the twelve (12) inch main at Foster and Route 83 and connect to the six (6) inch main on Itasca Street.
5. Itasca Street and Marshall Road hydrants are not accessible from Route 83 or Foster. The proposed eight (8) foot fence also would support the addition of aforementioned fire hydrant.
6. The fence and landscaping should extend north to the Foster Avenue's sidewalk and west to the Route 83 right of way.
7. Both canopy heights should be the same.
8. Building comments will follow upon the building permit submittal.
9. The rezoning of the currently vacant parcels is significant in that the Comprehensive Plan states that the Village should "Continue to support single-family development that does not have direct access on Route 83"
10. The site is located on the southeast corner of Route 83 and Foster Avenue.

11. The vacant parcels were created when Road Ranger demolished the single family houses that previously existed.
12. Gas service stations currently operate on the northwest, southwest and southeast corners.
13. The area is considered an important corridor due to the high-volume of traffic, both industrial and otherwise.

14. Existing single family detached homes are adjacent to the property in question to the east across N. Marshall Road and to the south across Itasca Street.
15. If requests are approved, Staff recommends a Plat of Consolidation of the four lots into a single lot.
16. The "Existing Service Station Property" remains virtually unchanged except for the diesel truck access, east of the existing building and the addition of the screening fence/wall, landscaping and the new sign with an Electronic Message center.
17. The "Existing Service Station" site has two curbcuts on Foster Avenue and one on Rte. 83.
18. The proposed plan includes a third curbcut on the existing 523 N. Rte. 83 "Vacant Parcel". This parcel has a small residential driveway/curbcut onto Rte. 83 that served the home that formerly occupied the parcel. Staff received a letter from IDOT denying the owner/applicant's request for the new curbcut. As of this writing the owner/applicant is working to resolve the issue with IDOT.
19. Staff finds this third curbcut to be mandatory for the progression to the proposed plan to execute the desired segregation of the diesel and gasoline traffic.
20. The curbcut in question is a "right out only egress to northbound Rte. 83 and is identified for diesel pump traffic only.
21. There are some discrepancies between some of the engineering site plans and the landscape and signage site plans.
22. Diesel trucks access the property from Foster Avenue and precede south behind/east of the existing building parallel to Marshall Road and then east parallel to Itasca Street to the pump location. This alignment necessitates extensive screening.

23. Traffic flow within the proposed site should be separated on the current 523 N. Rte. 83 between general traffic and truck traffic. A division should be made with a curb barrier in the area between the two fueling stations. Staff suggests the proposed curb barrier that originates at the western frontage strip and continues east to the sidewalk found on the southwestern portion of the main building. This construction will prevent commingling of cars and semi tractor-trailers. Additionally, creating an exit-only for trucks on the south western curb cut will maintain the correct traffic flow for the site. As

- submitted it appears that trucks once refueled could pass through the car portion of the property and access Foster Avenue.
24. The barrier should be landscaped to ensure motorists and truckers alike could not overrun the barrier. Landscaping would also provide an additional aesthetic accent in the center of an otherwise hardscaped interior portion of the site.
 25. Stacking spaces as proposed meet the Village's Code requirements. However the stacking for the diesel trucks would parallel the residential street Marshall Road and is unfavorable.
 26. The proposed masonry wall on Marshall Road and Itasca Street should be extended both north and west to near the property / rights of way lines, but so not to impede vision and safety.
 27. Landscaping meets appropriate screening standards along the east and south property lines.
 28. The transition strips (landscaped areas along the public rights of way) on Foster Avenue and Rte. 83 should be landscaped in accordance with Village Code.
 29. Sidewalks should be installed along all four public rights of way.
 30. The base of the freestanding sign shall be landscaped.
 31. The proposed monument sign height is twenty (20) feet which exceeds the current code maximum of eight (8) feet. The proposed sign is 94.5 square feet which exceeds the Code requirement of 50 square feet. The proposed sign is slightly taller but has a smaller area than the recently approved freestanding monument sign with EMC at 801 N. Rte. 83 Perk's Bar & Grill which is 17' - 3" tall and 119 square feet.
 32. The two existing service stations on the northwest and southwest corners of Foster Avenue and Rte. 83 have monument signs that range between eight (8) and ten (10) feet. The proposed sign is over twice the height.
 33. The proposed EMC meets the size requirements of the Village Ordinance, (50% or less of the sign area).
 34. Wall signs are on the north, south and west facades of the existing convenience store.
 35. Staff recommends the removal of the "Road Ranger Diesel" wall sign located on the south side of the diesel fueling station canopy. It appears to be unnecessary as the southern canopy sign fronts on a residential district.
 36. Should the EMC sign be approved the changeable copy wall sign on the western facade should be eliminated, and under the Code all temporary signs will be prohibited.
 37. The Settlement Agreement requires that the service station close between the hours of 10:00 PM and 4:00 AM. The Owner/Applicant is requesting the elimination of this constraint to allow operations 24

hours a day. Staff is opposed to granting an extension on the hours of operation.

38. The application indicates the owner/applicant's desire to sell beer and wine in the convenience shop to the extent such right exists or is granted to other Service Stations in the vicinity of the Subject property. The Zoning Ordinance in the C - 2 Highway Commercial District Section allows for Service Stations to sell ancillary convenience items including "non-alcoholic beverages". As interpreted by the Zoning Administrator, the sales of "alcoholic beverages" would not be allowed.
39. Although the proposed fence creates an adequate light and sound buffer to the adjacent residential properties, it would exist in the front and corner side yards of the subject property. The proposed fence will require zoning relief.
40. The proposed plan would be a deviation from code requirements in reducing twenty-two (22) spaces to fifteen (15). Plans also indicate that two (2) more standard fuel pumps will increase the need for parking. At a later date, relief from Zoning Ordinance is required to meet parking standards after the proposed expansion of the existing service station building removes four (4) existing parking spaces.
41. The plan approved through the Settlement Agreement included landscaping along Marshall Road presently, the landscaping obligations have not been meet, apparently due to lack of attention, maintenance and municipal enforcement.

Mr. Viger reviewed the following for support for classification (rezoning):

1. **Compatible With Use Or Zoning:** The uses permitted under the proposed district are compatible with existing uses or existing zoning of property in the environs.
Two service stations exist across Rte. 83 and single family homes are adjacent across Marshall Road and Itasca Street with a House of Worship (Zoned C — 2 Highway Commercial) adjacent across Foster Avenue from the property in question.. Staff has concerns with the compatibility of the rezoning of 522 and 524 N. Marshall Road. To the best of our knowledge, the only other location in the Village in which a single-family dwelling fronts a C-2 site across a residential street is on the 1300 block of Medinah Street.
2. **Supported By Trend Of Development:** The trend of development in the general area since the original zoning was established supports the proposed classification.
There have been no recently rezoned parcels in the immediate vicinity. The current trend of development is the status quo.

3. **Consistent with Village Plans:** The proposed classification is in harmony with objectives of the general development plan and other applicable Village plans as viewed in light of any changed conditions since their adoption. The Village's Comprehensive Plan indicates that Residential use for all three of the "vacant properties", therefore the requested rezoning is not consistent with the Village's Land Use Planning. The Update to the Comprehensive Plan was prepared and approved in 2004; conditions have not changed significantly since its adoption.
4. **Furthers Public Interest:** The proposed zoning classification promotes the public interest. It does not solely further the interest of the applicant. The owner/applicant asserts that the rezoning will further the Public Interest by means of developing the parcels that have "remained vacant since November 2010" staff believes this should read November 2011 when the owner/applicant created the vacant properties through their demolition of the three single family residences. Additionally, to improve on-site vehicular flow, the truck access and stacking area are parallel to Marshall Road does not promote public interest.
5. **Public Services Available:** Adequate public services, such as water supply, sewage disposal, fire protection and street capacity, are anticipated to be available to support the proposed classification by the anticipated date of issuance of a certificate of occupancy. The Village has adequate public services to support the rezoning to Highway Commercial and the expanded service station.

Mr. Viger reviewed the approval process and criteria with the Commission:

1. **Superior Design:** The PUD represents a more creative approach to the unified planning of development and incorporates a higher standard of integrated design and amenity than could be achieved under otherwise applicable regulations, and solely on this basis modifications to such regulations are warranted.
The proposed site plan does not exhibit superior design. The large tractor-trailer traffic and stacking adjacent to the single-family residences is problematic.
2. **Meet PUD Requirements:** The PUD meets the requirements for planned unit developments set forth in this Title, and no modifications to the use and design standards otherwise applicable are allowed other than those permitted herein.
Staff believes this to be accurate.

3. **Consistent With Village Plan:** The PUD is generally consistent with the objectives of the Village general development plan as viewed in light of any changed conditions since its adoption.
The proposal is not consistent with the Village's Comprehensive Plan and its objective in supporting single-family residences along the Route 83 corridor.
4. **Public Welfare:** The PUD will not be detrimental to the public health, safety or general welfare.
The increase in exhaust fumes from idling engines could be detrimental to the public health.
5. **Compatible With Environs:** Neither the PUD nor any portion thereof will be injurious to the use and enjoyment of other properties in its vicinity, seriously impair property values or environmental quality in the neighborhood, nor impede the orderly development of surrounding property.
Diesel fuel distribution adjacent to a single-family neighborhood will be a nuisance to residents and to the enjoyment of their properties.
6. **Natural Features:** The design of the PUD is as consistent as practical with preservation of any natural features such as flood plains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character.
There are no natural drainage ways or sensitive environmental areas on the subject property.
7. **Circulation:** Streets, sidewalks, pedestrianways, bicycle paths and off-street parking and loading are provided as appropriate to planned land uses. They are adequate in location, size, capacity and design to ensure safe and efficient circulation of automobiles, trucks, bicycles, pedestrians, fire trucks, garbage trucks and snow plows, as appropriate, without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic within the PUD or unduly interfering with the safety or capacity of adjacent streets.
The proposed plan does not depict sidewalks at the subject property's perimeter. The diesel truck drivers will be unable to navigate site safely and efficiently without the proposed third curbcut located on Route 83.
8. **Open Spaces And Landscaping:** The quality and quantity of common open spaces or landscaping provided are consistent with the higher standards of design and amenity required of a PUD.
There is sufficient landscaping along the east and south property lines. Providing the landscaped barrier between the two fueling areas will improve the site aesthetically as well as functionally.

9. **Covenants:** Adequate provision has been made in the form of deed restrictions, homeowners or condominium associations or the like for: The presentation and regular maintenance of any open spaces, thoroughfares, utilities, water retention or detention areas and other common elements not to be dedicated to the Village or to another public body. Such control of the use and exterior design of individual structures, if any, as is necessary for continuing conformance to the PUD plan, such provision to be binding on all future ownerships. No covenants are necessary.
10. **Public Services:** The land uses, intensities and phasing of the PUD are consistent with the anticipated ability of the Village, the school system and other public bodies to provide and economically support police and fire protection, water supply, sewage disposal, schools and other public facilities and services without placing undue burden on existing residents and businesses.
There are adequate public services to adequately service the property. The approval of the PUD will not increase the demand or stress the Village's public services.
11. **Phasing:** Each development phase of the PUD can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed.
There is no phasing proposed.

Mr. Viger reviewed the approval criteria for the Conditional Use with the Commission:

1. **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized.
Service Station - Only if the proposed third curbcut and curb barrier are constructed according to Staff recommendation, will the traffic flow function properly. The traffic study indicated no significant adverse effects associated with traffic flow.
EMC - If the EMC meets the Village's Ordinance requirements it should not have a negative effect on traffic in the area.
2. **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district.
Service Station - The Staff harbors continued concerns in regards to the associated engine noises as well as exhaust odor from idling trucks.

EMC - If the EMC meets the Village's Ordinance requirements it should not have a negative effect on traffic in the area.

3. **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized.

Service Station - The proposed use violates the Comprehensive Plan for the Village in converting single-family residential parcels into commercial districts. The Plan specifically supports the protection of subject residential properties on the Route 83 corridor.

EMC if approved this would be the second EMC along Rte. 83 (the first has been approved at 801 N. Rte. 83 for Perk's bar & Grill but has yet to be erected).

4. **Use Of Public Services And Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Service Station - The expansion of the existing service station as proposed will not require existing community facilities or services to a degree disproportionate to that normally expected of uses permitted in the District. The use as proposed will not generate disproportionate demand for new Village services.

EMC - The proposed EMC will not impact the Village's Public services and facilities.

5. **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community.

Staff believes that there is sufficient market demand for the proposed service.

6. **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location.

Any other factors are under the discretion of the Community Development Commission.

Mr. Viger stated Staff recommends the approval of the above Findings of Fact, However Staff respectfully recommends that the Community Development Commission recommend denial of the rezoning, Planned Unit Development and Conditional Use Permit(s). Mr. Viger stated if the

Community Development Commission were to approve the Rezoning, Planned Unit Development and Conditional Use Permit(s) should be subject to a list of recommendations from Staff.

Chairman Moruzzi asked Staff if the proposed EMC design met Village regulations. Mr. Viger stated the proposed sign did not meet Village regulations and would work with the petitioners if the EMC sign is approved.

Chairman Moruzzi asked for an explanation to the concerns raised from the Public in regards to the noise study. Mr. Kelly stated the noise study was conducted at an active location in Hampshire, Illinois and that the numbers are accurate.

Chairman Moruzzi asked Staff for clarification of the drainage to Itasca Street. Mr. Viger stated if Road Ranger is approved for their requests, they will have to meet DuPage County regulations for drainage.

Commissioner Weldon asked if cars would be able to see oncoming traffic from the North while exiting onto Route 83 at the same time as a truck. Mr. Viger did not have an explanation for Commissioner Weldon and agreed to his concerns. Mr. Vail stated Commissioner Weldon's concerns were ligament and did not offer an alternative.

Motion: Chairman Moruzzi made a motion to recess the Public Hearing for CDC Case Number 2012-08 until June 11, 2012. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi recessed the Public Hearing for CDC Case Number 2012-08 at 8:47 p.m.

Mike Moruzzi, Chairman
Community Development Commission

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

June 11, 2012

CALL TO ORDER: The meeting was called to order by Chairman Moruzzi at 6:34 p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, James, Janowiak, Pisano, Rowe, Ventura, Weldon
Absent: None.
A quorum was present.

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission of May 14, 2012 were presented.

Motion: Commissioner Pisano made a motion to approve the minutes as presented. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Pisano, Rowe, Weldon

Nays: None

Abstained: Ventura

Motion carried.

Village Attorney, Mary Dickson, reviewed the rules and process to the audience in attendance of the Public Hearings.

Village Attorney, Mary Dickson, swore in members of the audience under oath that planned to give testimony.

Public Hearing: CDC Case Number 2012-08
Petitioner: Road Ranger, LLC
Location: 1188 W. Foster Avenue
523 N. Rte. 83
522 N. Marshall Road

Request: 524 N. Marshall Road
Rezoning 523 N. Rte. 83, 522 & 524 N. Marshall Road from RS-5 High Density Single Family Residential District to C-2 Highway Commercial District, Planned Unit Development and Conditional Use Permits to Allow a Gasoline and Diesel Fuel Service Station and an Electronic Message Center Sign.

Motion: Chairman Moruzzi made a motion to re-open the Public Hearing for CDC Case Number 2012-08. Commissioner Janowiak seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, James, Janowiak, Pisano, Rowe, Ventura, Weldon
Absent: None
A quorum was present.

Chairman Moruzzi opened the Public Hearing for CDC Case Number 2012-21 at 6:47 p.m.

Director of Community & Economic Development, Scott Viger, stated a legal notice was published in the Daily Herald on May 26, 2012 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mr. Viger also stated that Village Staff posted a notice of the Public Hearing sign on the property on May 25, 2012. Mr. Viger stated on May 25, 2012 Village Staff mailed first class notice of the public hearing to taxpayers of record within 250 feet of the property in question.

Steve Brooks, General Counsel for Road Ranger, John Carabelli, Vice President of Construction for Road Ranger, Hal Francke of DLA Piper, outside counsel for Road Ranger, Timothy M. Kelly, Project Engineer from Huff & Huff, Inc., Michael, C. Vail, Civil Engineer from Quigg Engineering, Inc., Steve Lewis of Road Ranger, Mike MaRous of MaRous and Company were all present and sworn in by Village Attorney, Mary Dickson. Mr. Francke reviewed concerns raised by the Community Development Commission at the May 14, 2012 meeting along with concerns raised by Residents in the area. Mr. Francke submitted a letter from Road Ranger with the amended application. The letter submitted has been attached to the minutes as "Exhibit A". Mr. Brooks presented to the Community Development Commission a presentation reviewing matters from the May 14, 2012 Community Development Commission and recent amendment to Road Rangers requests. The presentation has been attached to the minutes as "Exhibit B". Mr. Brooks stated he had misspoke at the May 14, 2012 meeting and that his presentation of the proposed tax benefits to the Village of Bensenville should have been for two percent rather than one.

Mr. Carabelli addressed concerns raised by Commissioner Weldon at the May 14, 2012 meeting regarding visibility on the site.

Mr. Carabelli stated there was nothing Road Ranger could do to prevent the visibility of the onsite vehicles pulling in and out. Mr. Carabelli stated he would rely on the operators of the vehicles to make their own decisions. Tim Kelly from Huff & Huff Incorporated passed out a memorandum to the Community Development Commission regarding a facility interior noise analysis for the Road Ranger property. The letter submitted by Mr. Kelly has been attached to the minutes as "Exhibit C".

Michael MaRous of MaRous & Company submitted to the Community Development Commission a memorandum regarding a financial feasibility of new residential construction in Bensenville. The memorandum has been attached to the minutes as "Exhibit D". Steve Lewis from Road Ranger reviewed the sign request and regulations for the proposed site.

Commissioner Pisano asked how many employees will be working on site at one time. Mr. Brooks stated the proposal will allow there to be three to four employees working at one time. Mr. Brooks stated that would leave ten parking spots for customers and one handicap spot.

Commissioner Ventura asked if Road Ranger has received a decision from IDOT in regards to their proposed curbcuts. Mr. Brooks stated they are still waiting for an answer from IDOT.

Commissioner Weldon stated he is still concerned with the proposed entrance and exiting for vehicles on the site. Commissioner Weldon also stated he believes Road Ranger is responsible for the property values in the area.

Commissioner James asked for clarification of the requested curbcuts.

Public Comment:

Ronald Fabian – 563 Marshall Street

Mr. Fabian stated he believes the congestion will build up and there is not enough room to operate as the plans are predicting. Mr. Fabian suggested Road Ranger purchase the homes along Marshall and build the expansion the proper way.

Chris Anaya – 573 Marshall Road

Ms. Anaya stated it's not the Village's responsibility or the Residents if Road Ranger is denied. Ms. Anaya suggested building a park on the vacant property if Road Ranger is denied. Ms. Anaya stated she is

currently unhappy with the current operations of Road Ranger and is opposed to the proposed expansion.

Dale K. Burda – 581 Marshall Street

Mr. Burda stated he does not approve of the sound study in the area because the locations Road Ranger had a comparison done to are not located within a residential area.

Margaret Fabian – 563 Marshall Street

Ms. Fabian stated BP across Route 83 has loud music playing at night and would like for Road Ranger not be allowed to play music. Ms. Fabian reviewed the sales of the property Road Ranger had purchased in the area.

Nina Keehn – 1110 Nordic Street

Ms. Keehn expressed her frustration with the process Road Ranger had taken to obtaining the properties in the area and expressed her objection to the proposed expansion.

Jerry Wrasse – 519 Marshall

Mr. Wrasse stated Road Ranger has been inconsistent with their requests and are constantly changing their minds. Mr. Wrasse stated Road Ranger has lied to the Residents in the area.

Director of Community Development, Scot Viger, reviewed the Village Staff report. Mr. Viger stated if the proposed conditional uses and variances are to be approved, Staff has nineteen conditions upon approval. Mr. Viger stated Staff recommends denial of the requests.

Commissioner Ventura asked if Staff had met with IDOT regarding the proposed curbcuts. Mr. Viger stated Staff has not met with IDOT regarding the curbcuts.

Motion: Commissioner Pisano made a motion to close the Public Hearing for CDC Case Number 2012-08. Commissioner Weldon seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case Number 2012-08 at 8:19 p.m.

Motion:

Commissioner Ventura made a motion to approve the finding of facts for the conditional use permits for CDC Case Number 2012-08 consisting of:

1. Traffic: The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized.

Service Station - Only if the proposed third curbcut and curb barrier are constructed according to Staff recommendation, will the traffic flow function properly. The traffic study indicated no significant adverse effects associated with traffic flow.

EMC - If the EMC meets the Village's Ordinance requirements it should not have a negative effect on traffic in the area.

2. Environmental Nuisance: The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district.

Service Station - The Staff harbors continued concerns in regards to the associated engine noises as well as exhaust odor from idling trucks.

EMC - If the EMC meets the Village's Ordinance requirements it should not have a negative effect on traffic in the area.

3. Neighborhood Character: The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized.

Service Station - The proposed use violates the Comprehensive Plan for the Village in converting single-family residential parcels into commercial districts. The Plan specifically supports the protection of subject residential properties on the Route 83 corridor.

EMC - If approved this would be the second EMC along Rte. 83 (the first has been approved at 801 N. Rte. 83 for Perk's Bar & Grill but has yet to be erected).

4. Use Of Public Services And Facilities: The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

Service Station - The expansion of the existing service station as proposed will not require existing community facilities or services to a degree disproportionate to that normally expected of uses permitted in the District. The use as proposed will not generate disproportionate demand for new Village services.

EMC - The proposed EMC will not impact the Village's Public services and facilities.

5. Public Necessity: The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community.

Staff believes that there is sufficient market demand for the proposed service.

6. Other Factors: The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location.

Any other factors are under the discretion of the Community Development Commission.

Commissioner Pisano seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

ABSTAINED: James

Motion carried.

Motion: Chairman Moruzzi made a motion to approve the Rezoning of 523 N. Rte. 83, 522 & 524 N. Marshall Road from RS-5 High Density Single Family Residential District to C-2 Highway Commercial District, Planned Unit

Development - CDC Case Number 2012-08. Commissioner Weldon seconded the motion.

Roll Call: Ayes: None

Nays: Moruzzi, James, Janowiak, Pisano, Rowe, Weldon

ABSTAINED: Ventura

Motion failed.

Motion: Chairman Moruzzi made a motion to approve the conditional use permit for a service station - CDC Case Number 2012-08. Commissioner Rowe seconded the motion.

Roll Call: Ayes: None

Nays: Moruzzi, James, Janowiak, Pisano, Rowe, Weldon

ABSTAINED: Ventura

Motion failed.

Motion: Chairman Moruzzi made a motion to approve the conditional use permit for an EMC sign for - CDC Case Number 2012-08. Commissioner Rowe seconded the motion.

Roll Call: Ayes: None

Nays: Moruzzi, James, Janowiak, Pisano, Rowe, Weldon

ABSTAINED: Ventura

Motion failed.

Motion: Commissioner Weldon made a motion to approve the finding of facts for the eight variance requests for CDC Case Number 2012-08 set forth by Staff consisting of:

1. Superior Design: The PUD represents a more creative approach to the unified planning of development and incorporates a higher standard of integrated design and amenity than could be achieved under otherwise applicable regulations, and solely on this basis modifications to such regulations are warranted.

The proposed site plan does not exhibit superior design. The large tractor-trailer traffic and stacking adjacent to the single-family residences is problematic.

2. **Meet PUD Requirements:** The PUD meets the requirements for planned unit developments set forth in this Title, and no modifications to the use and design standards otherwise applicable are allowed other than those permitted herein. Staff believes this to be accurate.
3. **Consistent With Village Plan:** The PUD is generally consistent with the objectives of the Village general development plan as viewed in light of any changed conditions since its adoption. The proposal is not consistent with the Village's Comprehensive Plan and its objective in supporting single-family residences along the Route 83 corridor.
4. **Public Welfare:** The PUD will not be detrimental to the public health, safety or general welfare. The increase in exhaust fumes from idling engines could be detrimental to the public health.
5. **Compatible With Environs:** Neither the PUD nor any portion thereof will be injurious to the use and enjoyment of other properties in its vicinity, seriously impair property values or environmental quality in the neighborhood, nor impede the orderly development of surrounding property. Diesel fuel distribution adjacent to a single-family neighborhood will be a nuisance to residents and to the enjoyment of their properties.
6. **Natural Features:** The design of the PUD is as consistent as practical with preservation of any natural features such as flood plains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character. There are no natural drainage ways or sensitive environmental areas on the subject property.
7. **Circulation:** Streets, sidewalks, pedestrianways, bicycle paths and off-street parking and loading are provided as appropriate to planned land uses. They are adequate in location, size, capacity and design to ensure safe and efficient circulation of automobiles, trucks, bicycles, pedestrians, fire trucks, garbage trucks and snow plows, as appropriate, without blocking traffic, creating unnecessary pedestrian-vehicular conflict, creating unnecessary through traffic within the PUD or unduly interfering with the safety or capacity of adjacent streets.

The proposed plan does not depict sidewalks at the subject property's perimeter. The diesel truck drivers will be unable to navigate site safely and efficiently without the proposed third curbcut located on Route 83.

8. Open Spaces And Landscaping: The quality and quantity of common open spaces or landscaping provided are consistent with the higher standards of design and amenity required of a PUD.

There is sufficient landscaping along the east and south property lines. Providing the landscaped barrier between the two fueling areas will improve the site aesthetically as well as functionally.

9. Covenants: Adequate provision has been made in the form of deed restrictions, homeowners or condominium associations or the like for:

The presentation and regular maintenance of any open spaces, thoroughfares, utilities, water retention or detention areas and other common elements not to be dedicated to the Village or to another public body.

Such control of the use and exterior design of individual structures, if any, as is necessary for continuing conformance to the PUD plan, such provision to be binding on all future ownerships.

No covenants are necessary.

10. Public Services: The land uses, intensifies and phasing of the PUD are consistent with the anticipated ability of the Village, the school system and other public bodies to provide and economically support police and fire protection, water supply, sewage disposal, schools and other public facilities and services without placing undue burden on existing residents and businesses.

There are adequate public services to adequately service the property. The approval of the PUD will not increase the demand or stress the Village's public services.

11. Phasing: Each development phase of the PUD can, together with any phases that preceded it, exist as an independent unit that meets all of the foregoing criteria and all other applicable regulations herein even if no subsequent phase should ever be completed.

There is no phasing proposed.

Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, James, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the eight variances for CDC Case Number 2012-08. Commissioner Rowe seconded the motion.

Roll Call: Ayes: None

Nays: Moruzzi, James, Janowiak, Pisano, Rowe, Ventura, Weldon

Motion failed.

Mike Moruzzi, Chairman
Community Development Commission

VILLAGE OF BENSENVILLE

TYPE: Presentation **SUBMITTED BY:** Diana Paluch **DATE:** 09/20/12

DESCRIPTION: Meeting and presentation by Kristi Lafleur , Executive Director of the Illinois Tollway Authority to discuss and answer questions regarding the construction of the Elgin-O' Hare West Bypass.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

- | | |
|---|--|
| <input type="checkbox"/> <i>Financially Sound Village</i> | <input checked="" 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 checked="" type="checkbox"/> <i>Vibrant Major Corridors</i> |

COMMITTEE ACTION: *N/A*

DATE: *N/A*

Kristi Lafleur, Executive Director of the Tollway, will be in the CDC Room at 5:30 pm for an informal meeting followed by a presentation during the Board meeting at 6:30PM.

The construction of the Elgin-O'Hare West Bypass and a Western entrance into the airport has great economic development significance for our Village. We aim to have continuing dialogue with the Tollway Authority, as well as all others involved in the construction and funding of this project, in order to make sure Bensenville reaps full benefits from these roadway improvements.

The timing and phasing of the project, as well potential funding sources for a \$300 million gap are very important issues for our community. The Tollway has also recently developed a new policy on interchange and roadway cost sharing (attached) in which we hope to have continued input.

Interchange and Roadway
Cost Sharing Policy

Illinois Tollway

August 2012

TABLE OF CONTENTS

I. Introduction.....	3
II. Memorandum of Understanding Requirement	4
III. Application Requirements	4
A. Project Need.....	4
1. Traffic Benefits	4
2. Economic Development Benefit.....	4
3. Alternatives Analysis	5
4. Local Support.....	5
B. Traffic Analysis Report.....	5
1. Requirements for New or Expanded Interchanges	5
a) Future Traffic Forecasts	5
b) Type of Interchange	5
c) Level of Service	6
d) Capacity Analysis	6
e) Access Control.....	6
f) Interchange Spacing.....	7
g) Strategic Regional Arterials.....	7
h) Ramp Toll Plazas	7
i) Access Justification Report.....	8
j) Environmental Analysis.....	8
k) Noise Analysis	8
l) Right-of-Way Identification.....	8
m) Other	8
2. Requirements for New or Expanded Roadways	9
a) Future Traffic Forecasts.....	9
b) Interchange Analysis.....	9
C. Financial Plan.....	9
1. Requirements for New or Expanded Interchanges	9
a) Applicant Share.....	9
b) Tollway Share	10
2. Requirements for New or Expanded Roadways	11
a) Applicant Share.....	11
IV. Tollway Method for Selection	11
A. Traffic Analysis	11
B. Project Cost Estimate.....	12
C. Selection.....	12
V. Intergovernmental Agreement	12
VI. Appendix.....	13
A. Table 1	13
B. Table 2	13

I. INTRODUCTION

In 2007, the Illinois State Toll Highway Authority (the “Tollway”) issued an update to its ten-year capital plan, *Open Roads for a Faster Future*. The update was designed to address traffic congestion and infrastructure needs. The plan prioritized major system improvements, including the reconstruction and widening of large portions of the system. As part of this system-wide program, the Tollway has made significant investments in its bridges, plazas and interchanges. In 2011, the Tollway adopted the *Move Illinois* Program to further invest in the existing system, as well as to expand the system to provide additional congestion relief and enhance economic development in northern Illinois.

In addition to these improvements, the Tollway receives numerous requests for interchange and roadway projects. Since these requested projects are not specifically identified in the current capital plan, they are generally considered lower priority projects for the Tollway. However, the *Move Illinois* Program allocates funding for interchange access expansion. In an effort to respond to these requests in a clear and consistent manner, the Tollway developed and updated this cost sharing policy (the “Policy”). The purpose of the Policy is as follows:

- (1) *Memorandum of Understanding*. The Policy explains the Memorandum of Understanding (MOU) requirement. The Tollway will not initiate consideration of any project proposal without being provided with a signed MOU. It is understood that the MOU is meant to serve as an outline of the parties’ understanding of the proposed interchange/roadway improvements and is not a binding commitment on the part of the Tollway to construct the improvements. The parties’ final understanding concerning construction of the interchange/roadway improvements will be reduced to writing in the form of an Intergovernmental Agreement (IGA) which is subject to the approval of the Board of Directors of the Tollway.
- (2) *Application Requirements*. The Policy outlines application requirements for local requests of new or improved interchanges/roadways. Local requests may come from municipalities, townships, counties, the Illinois Department of Transportation (“IDOT”), or other governmental agencies. The application requirements include an explanation of purpose and need, a traffic analysis, and a financial plan. The applicant is responsible for all costs associated with producing the requirements as detailed in section III below.
- (3) *Evaluation and Prioritization*. The Policy explains how the Tollway will evaluate and prioritize requests. In evaluating the requests, the Tollway will consider issues such as traffic impacts, economic development, revenues, investment recovery, roadway operations, existing access, safety, and funding availability.

The Tollway is open to working with government agencies to foster regional economic development. However, the financial resources of the Tollway are limited. It is in this context of limited resources that the Tollway seeks to develop a fair, consistent and streamlined approach that: (a) is responsive to local governments and the region, (b) results in the efficient allocation of Tollway resources, and (c) maintains the current limited access system that allows for safe, high speed travel.

This Interchange and Roadway Cost Sharing Policy replaces and updates the Policy that was adopted in November 2007.

II. MEMORANDUM OF UNDERSTANDING REQUIREMENT

The analysis of interchange/roadway requests can require considerable staff time and resources on the part of the Tollway. Given these costs, the Tollway needs to determine the applicant's level of commitment prior to embarking on any analysis. To this end, the Tollway requires a Memorandum of Understanding (MOU). The MOU lays out applicant and Tollway commitments to the proposal. The applicant must agree to perform the analysis as detailed in the Policy below and must have a preliminary funding plan for financing the local share of the project costs. This plan must explicitly state the revenue sources to be used (e.g., property tax revenue, bond funds, sales tax revenue, tax increment finance revenue, development impact fees, etc.). Exact project cost estimates, projected maintenance costs, and actual local contributions will be determined in subsequent steps of the process. MOUs that fail to present a preliminary cost estimate and fail to identify corresponding funding sources will not be given consideration. The plan must also address ongoing maintenance expenses in terms of local and Tollway responsibilities. The MOU must be signed by both the applicant and the Tollway prior to the Tollway performing any work on the proposal.

III. APPLICATION REQUIREMENTS

Once the MOU has been signed by both the applicant and the Tollway, the applicant may begin work on the written request. The applicant is responsible for all costs detailed in this written request, which must include:

- (A) a detailed description of project need;
- (B) a traffic impact analysis; and
- (C) a financing plan for both the construction and maintenance of the project.

A. *Project Need*

The statement of need for the project should cover the following elements:

1. **Traffic Benefits**

This section should explain how the proposal will improve traffic flow both off and on the Tollway system. Improvements in safety and operations should be noted. This section is intended to provide a general overview of traffic issues and should not exceed three paragraphs. A more detailed traffic analysis is required in subsequent sections.

2. **Economic Development Benefit**

If the project is proposed for economic development reasons, the applicant should explain the economic benefits. This improvement should be consistent with all local, county and regional economic development plans. Land use and zoning issues, as well as existing, committed and proposed development should be discussed. As part of this plan, the applicant should estimate the new jobs and new businesses created or supported as a result of this proposal.

The applicant must demonstrate that the proposal is consistent with local agency comprehensive plans, as well as county-wide and regional land use plans, such as

the Chicago Metropolitan Agency for Planning's (CMAP) Go To 2040 Plan or the Rockford Metropolitan Agency for Planning's (RMAP) Long Range Transportation Plan.

3. Alternatives Analysis

The applicant should explain why its proposed improvement is preferred over other alternatives such as transit, a non Tollway route, or a different land use.

4. Local Support

To be given consideration, the applicant must submit letters of written support or resolutions from the municipalities, townships, and counties that would be impacted by the proposal. After consultation with the applicant, the Tollway shall establish the boundaries of the impacted area. In addition, the application must include letters of support from all local, state and federal elected officials who represent the impacted area. Any known opposition from governments, elected officials or community groups to the proposal must be disclosed. Potential opponents should also be identified.

B. Traffic Analysis Report

One of the primary goals of the Tollway is to improve system performance by reducing traffic congestion, reducing queue lengths, minimizing conflicts, and generally fostering the free flow of traffic both on the system and at system interchanges. Applicants need to provide a Traffic Analysis Report ("Report"), which addresses these issues. The following sections detail the Report requirements.

1. Requirements for New or Expanded Interchanges

A) FUTURE TRAFFIC FORECASTS

In terms of traffic volumes, the applicant should provide Design Hour Volumes (DHVs) and Average Daily Traffic (ADTs) for the opening year, the design year and an interim planning year as specified by the Tollway. The DHVs and ADTs should cover both the Tollway roads and any affected local roads. The applicant may also elect to provide data on travel times, delay and accidents, if relevant.

In addition, the applicant will provide a "no-build" scenario for opening year, the design year and an interim planning year. The applicant will then compare the traffic forecasts as identified above to the "no-build" scenario.

B) TYPE OF INTERCHANGE

The applicant must submit conceptual horizontal and vertical geometrics for the proposed interchange showing the location and the type of interchange. Full engineering analysis is not required, but the applicant must demonstrate that the interchange is physically feasible at the designated location.

C) LEVEL OF SERVICE

The applicant will perform a Level of Service (LOS) capacity analysis on: 1) the Tollway mainline, 2) the entrance ramp junction, 3) the exit ramp junction, and 4) the ramp intersection with the cross street. The LOS estimates should be provided for the opening year, the design year and an interim planning year. To be considered, the proposed interchange should perform at a minimum Level of Service = D. In certain instances, the Tollway may consider proposals that do not meet the minimum LOS = D, if the proposal improves system performance. The applicant should make a best effort at maintaining lane balance and should address operational concerns.

In addition, the applicant will provide a “no-build” scenario for opening year, the design year and an interim planning year. The applicant will then compare the Level of Service estimates as identified above to the “no-build” scenario.

D) CAPACITY ANALYSIS

The applicant must illustrate that adequate capacity is provided at the first access point on the cross street upstream and downstream of the proposed interchange. The required storage length for through and turning traffic should be calculated and compared to the required minimum distances. The longer distance will be used to locate the first access point to provide space for the Tollway exiting traffic onto the cross street and to protect the service interchange from traffic congestion. The required storage shall be calculated using the information provided in Table 1 of the Appendix.

E) ACCESS CONTROL

The applicant must submit an access control plan as part of the Report. The plan should address access control issues for both Tollway and local road systems.¹ If any local road improvements are needed for traffic operations, these improvements must be explained under the plan and funding sources for these improvements must be identified. This plan should cover a one mile distance on each side of the interchange. The plan needs to include local roadway connections that consolidate access between adjacent developments. Proposed interchanges must minimize traffic conflicts between the interchange ramp and the first cross street.

The limit of access control must be defined to provide adequate distance for turning traffic onto the first access point from the ramp intersection along the cross street. The access control limits should be measured from the end of the radius return at the ramp intersection or from the taper point of a free flow ramp to the start of the radius of return of the first access point. The access control limits will be measured from the furthest ramp from the Tollway along the cross street. The recommended minimum access control distance is shown in Table 2 of the Appendix.

¹ Access control is the condition where a public authority regulates the rights of abutting owners to have access to and from a highway.

In certain instances, the Tollway may approve interchanges that do not meet the minimum distances, if operational improvements can be demonstrated.

F) INTERCHANGE SPACING

The applicant must address interchange spacing in the Report. Since, the distance between successive ramps affects the capacity and operations of the Tollway mainline, the proposed interchange spacing must protect the capacity, safety, and efficiency of the Tollway through-traffic on the system. The interchange spacing must allow for an adequate distance between interchanges to provide for the safe merging and diverging of traffic with a minimal interruption of the through-traffic flow. The interchange spacing must also facilitate safe weaving maneuvers between the entering and exiting traffic and allow roadway signs to operate effectively.

The spacing between interchanges should be maintained as follows: at least one mile in urban areas, two miles in suburban areas, and three miles in rural areas.² However, existing and future conditions along the Tollway system should be factored into interchange spacing decisions. The Tollway may consider interchange proposals that are spaced more closely, if the proposal improves traffic flow and Tollway operations. No interchanges will be allowed within the influence (upstream or downstream) of any mainline plaza.

The design process for new interchanges and access points must follow typical Tollway design procedures and processes. The applicant should use the latest versions of the traffic analysis software as approved by the Tollway.

Ramp queue detection and signal interconnection within one mile will be a requirement of all new/modified interchanges.

G) STRATEGIC REGIONAL ARTERIALS

The applicant will identify if the interchange is located on a strategic regional arterial (SRAs).³ Proposed interchanges that are located on SRAs may be given preference, since SRAs facilitate regional travel.

H) DESIGNATED TRUCK ROUTE

The applicant will identify if the interchange provides access to a designated truck route. The applicant should also identify Truck Route Classification and weight restrictions on surrounding or adjacent roads. Interchanges that provide access to designated truck routes or a network of roads that support and are designed to accommodate freight may be given preference, since these roads

² These desirable spacings are suggested in the Policy on Geometric Design of Highways and Streets by the American Association of State Highway and Transportation Officials (AASHTO) and the Bureau of Design and Environmental Manual of the Illinois Department of Transportation (IDOT).

³ The Strategic Regional Arterial (SRA) system is a network of approximately 1,500 miles of existing roads in northeastern Illinois. The SRA system, which was first designated as part of the 2010 Transportation System Development Plan, was adopted by regional planning agencies and continues as a component of the 2020 Regional Transportation Plan. SRAs are intended to supplement the existing and proposed expressway facilities by accommodating a significant portion of long-distance, high volume automobile and commercial vehicle traffic in the region.

support the efficient movement of freight and facilitate economic development.

I) RAMP TOLL PLAZAS

The Tollway will define the location and design of any required ramp plaza. The applicant should use its best judgment in determining whether a ramp plaza should be assumed in all of the analysis. The Tollway reserves the right to ask the applicant to resubmit its proposal with new ramp tolling conditions.

J) ACCESS JUSTIFICATION REPORT

The applicant should note if the proposed interchange requires an Access Justification Report (AJR) as required by the Illinois Department of Transportation (IDOT) and the Federal Highway Administration (FHWA).

K) ENVIRONMENTAL ANALYSIS

The applicant should analyze the environmental and drainage conditions to identify any remediation or permitting issues necessitated by the project. The applicant should also provide a landscaping plan for the final project and include the costs of this plan in the overall project budget.

L) NOISE ANALYSIS

The applicant should estimate the noise impact on the surrounding communities and identify any sound walls or other abatement needed as a result the project. The Tollway's Traffic Noise Study and Abatement Policy shall be used for the analysis.

M) RIGHT-OF-WAY IDENTIFICATION

The applicant should identify any Right-of-Way (ROW) needed for the proposal and include an estimate for acquisition. As part of the final IGA terms, the Tollway may require that the applicant acquire and or preserve ROW needed for future interchange improvements. For example, if the Tollway agrees to support a partial interchange, as part of that agreement it may require that the applicant preserve the ROW needed for the eventual construction of the full interchange. If the applicant owns or has rights to necessary ROW, the project may receive preference.

N) OTHER

The Tollway may ask the applicant to address additional operational issues identified in its review of the report, such as: lane balance, route continuity, ease of operations, and driver expectancy. If required, the applicant will submit the additional analysis under a separate letter to be appended to the original Report.

If appropriate, the applicant may provide additional "no-build" scenarios for issues noted in this section.

2. Requirements for New or Expanded Roadways

A) FUTURE TRAFFIC FORECASTS

In terms of traffic volumes, the applicant should provide Design Hour Volumes (DHVs) and Average Daily Traffic (ADTs) for the opening year, the design year and an interim planning year as specified by the Tollway. The DHVs and ADTs should cover both the Tollway roads and any affected local roads. The applicant may also elect to provide data on travel times, delay and accidents, if relevant.

B) INTERCHANGE ANALYSIS

The applicant should provide all the information listed above in the Requirements for New or Expanded Interchange section.

C. Financial Plan

The applicant must provide a financial plan for funding the project. The plan will have two sections: 1) project costs (uses), and 2) project funding (sources). The first section will provide a preliminary estimate of the project costs. This estimate, or budget, should include all project costs, including construction, Right-of-Way (ROW) acquisition, environmental mitigation/remediation, drainage costs, noise abatement, landscaping costs, any capitalized interest, and all soft costs. The applicant must also provide an annual estimate of any maintenance/operation costs resulting from the proposed project.

The second section should provide a table, which identifies the source of funds used to pay for the project, as well as projected duration for project financing and proposed reimbursement schedule. If multiple funding sources will be used they must be identified. Projects using federal funding may require identification of a lead implementation agency other than the Tollway and may also require project development in accordance with the most current federal funding criteria. As noted in earlier sections, the Tollway has limited resources to contribute to new interchange projects. Therefore, the applicant must agree to share a portion of the cost. The Tollway's cost sharing requirements are as follows:

1. Requirements for New or Expanded Interchanges

A) APPLICANT SHARE

The applicant must provide not less than 50% of the project cost.⁴ The applicant shall make its financial contribution to the project according to the

⁴ The applicant may provide its share in cash or through a combination of cash and "in-kind" contribution. In-kind contribution may include, but not be limited to: design costs, signal interconnects, intersection improvements, utility connections, noise walls, pedestrian access, ROW, design services, environmental remediation services, landscaping enhancements, drainage improvements or other elements approved by the Tollway. The in-kind contribution will be valued at its actual cost(s) or at the unit prices provided for in the construction contract. The in-kind contribution must be located within one mile of the Tollway and must meet Tollway design specifications. The in-kind contribution is subject to negotiation, but may not include improvements to local roads that are outside the project limits.

schedule defined in the final Intergovernmental Agreement (IGA). The following standard schedule will be included in all IGAs:

- 50% at "Notice to Proceed"
- 25% at 50% completion
- 25% at 100% completion

Because of the substantial costs that the Tollway will incur in evaluating the applicant's request and in constructing the interchange/roadway improvements, the applicant agrees that if the applicant fails to meet the terms of the contribution schedule as defined in the IGA, the applicant will have breached the terms of the IGA. Further, the applicant agrees that if it is found by a court of competent jurisdiction that the applicant has breached the IGA, then, in addition to the unpaid balance, the applicant shall pay the Tollway pre-judgment interest on the remaining unpaid balance at a rate of 5%. The Tollway reserves the right to take appropriate legal action and may opt to delay or cancel the project. The Tollway may evaluate and establish toll rates that are higher than adjacent interchanges to recover project costs. The Tollway may also consider a corridor approach and adjust toll rates at adjacent interchanges if supported by the surrounding communities. The corridor approach will require public hearings in accordance with the Toll Highway Act.

B) TOLLWAY SHARE

The Tollway will contribute the remaining share of the cost, but will proceed with the project only if it can recover these costs over a 10-year period through toll revenue. The cost recovery will be based on an estimate of net new toll revenue produced by the new interchange. Net new toll revenue factors in diversions off the system or reductions at surrounding interchanges that could result from the project.

In all instances, the Tollway reserves the right to negotiate the local share percentage. If the proposal provides significant operational, environmental, safety or economical improvements to the system, the Tollway may elect to fund a relatively higher proportion of the project costs.

Additionally, projects may be considered for a greater level of Tollway contribution should any of the following apply:

1. Revenue projection exceed 50% of the project costs over the initial 10-year period
2. Proposed access completes an existing partial interchange, provides new access to an SRA or designated truck route
3. Project is located in a rural area and recovers the Tollway investment through net new revenues over a 15-year period
4. Applicant owns or has rights to a majority of the necessary ROW for the project

5. Applicant agrees to finance the project with Tollway reimbursement
6. Access serves multiple regional purposes such as, transit access, crash investigation site, commercial parking access, etc.

The Tollway's Traffic Engineer shall monitor the Tollway's receipt of actual revenues on an annual basis. Should the actual toll revenues fail to meet the estimates over the time period specified in the Intergovernmental Agreement, the applicant will fund the shortfall within a two-year time period per the IGA. If the applicant fails to fund the shortfall within the two year period, the Tollway reserves the right to take appropriate legal action.

2. Requirements for New or Expanded Roadways

A) APPLICANT SHARE

If the Tollway elects to build a new roadway or to expand an existing roadway, the local share will be the cost of the associated interchanges or a portion of the cost necessary to ensure the project is financially viable.⁵

IV. TOLLWAY METHOD FOR SELECTION

A. Traffic Analysis

While the Tollway is interested in providing new services and attracting new patrons, the Tollway is also concerned about being able to continue providing a high level of service to the existing patrons. To ensure that there will be no negative impacts on system performance, the Tollway will have its Traffic Engineer review the applicant's Traffic Analysis Report. The Traffic Engineer will evaluate the Report in terms of Level of Service, Traffic Forecasts, Capacity, Access Control and other elements as defined in prior sections of this Policy.

In addition, the Traffic Engineer will perform an independent analysis of the proposed improvement to verify the results of the applicant's analysis. The Traffic Engineer will use the Chicago Metropolitan Agency for Planning (CMAP) model and the Rockford Metropolitan Agency for Planning (RMAP) model as the basis for forecasting development trends and traffic travel patterns for the opening year, the design year and an interim planning year as specified by the Tollway.

Finally, the Traffic Engineer will simulate three alternative toll rate scenarios to assess the potential revenue impact of the proposed improvement. Tollway staff will determine the toll rate scenarios in conjunction with the Traffic Engineer based on rate per mile, projected revenue, and operational considerations. The Traffic Engineer will calculate the new revenues, as well as the potential reduction in revenues that could occur at nearby interchanges or system-wide as some users divert to the local roads.

⁵ The applicant may provide its share in cash or through a combination of cash and "in-kind" contribution. In-kind contribution may include, but not be limited to: design costs, signal interconnects, intersection improvements, utility connections, noise walls, pedestrian access, ROW, design services, environmental remediation services, landscaping enhancements, drainage improvements or other elements approved by the Tollway. The in-kind contribution will be valued at its actual cost(s) or at the unit prices provided for in the construction contract. The in-kind contribution must be located within one mile of the Tollway and must meet Tollway design specifications. The in-kind contribution is subject to negotiation, but may not include improvements to local roads that are outside the project limits.

B. Project Cost Estimate

The applicant will prepare a preliminary cost estimate for the Tollway's General Consulting Engineer to review. This estimate will include engineering, ROW acquisition, drainage and environmental costs necessitated by the project. In addition to the construction cost estimates, the applicant shall provide an annual estimate of any maintenance/operations costs resulting from the proposed project.

C. Selection

The Tollway will evaluate each application in terms of the following categories:

- Economic development benefit
- Regional priority
- Existing access
- Operational effectiveness
- Level of service
- Access control/interchange spacing
- Access to a SRA route or designated truck route
- Urban or rural location
- Environmental impacts
- Project costs
- Future maintenance costs
- Revenue generation

The Tollway will consider each application and provide a written decision within one hundred and eighty calendar days (180) of receipt of the application.

A project's acceptance for further consideration will be authorized by the Tollway's Chief Engineer. The Chief Engineer may: a) accept; b) accept conditionally requiring further study; or c) deny the application. The Chief Engineer reserves the right to reject any proposed project, to stipulate conditions on which further study of a proposed project will be approved, and/or to require that any information submitted be supplemented, completed or clarified before consideration. Authorization of a study of a proposed project does not in any way assure that the proposed interchange/roadway improvements or related access road will be constructed. The ultimate acceptance is contingent upon Tollway Board approval.

V. INTERGOVERNMENTAL AGREEMENT

Once the Tollway approves the application, the Tollway will draft an Intergovernmental Agreement (IGA) to formalize the agreement concerning the roadway/interchange improvements. The IGA will specify the applicant's financial, technical, and maintenance commitments to the project. It will also outline the Tollway's recourse, should the applicant fail to meet its commitments. The IGA must be approved by the Tollway's Board of Directors.

The signed IGA must be completed and be fully executed by the parties prior to the Tollway expending any design or construction dollars on the project.

VI. APPENDIX

A. *Table 1*

Required Storage Length for Through and Turning Traffic

$L = X/Y$ (in feet)
$X = 50 * (1+\%T) * DHV$
$Y = NC * NL$
Where:
%T = percent of trucks in lane group
DHV = vehicles per hour in lane group
NC = number of cycles per hour based on HCS analysis
NL = number of lanes in lane group

B. *Table 2*

Minimum Required Access Control Distance⁶

Cross Street Design Speed (mph)	Access Control Distance (feet)
30	450
40	625
45	750
50	900
55	1050

⁶ The distance is based on the Design Speed of the cross street.

TYPE: Ordinance **SUBMITTED BY:** Village Manager **DATE:** September 20, 2012

DESCRIPTION: Pass the Ordinance amending Bensenville Village Code Section 3-3-5.E, Liquor Licenses: “Classes E-1 and E-2,” to remove the requirement to serve food and beverages on tables or booths decorated with linen.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

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

COMMITTEE ACTION: N/A

DATE: N/A

BACKGROUND:

Class E1 liquor licenses allow the restaurant facility to sell alcoholic liquors (beer, wine, liquor) for consumption on the restaurant premises. Class E2 liquor licenses allow the restaurant facility to sell only beer and wine for consumption on the restaurant premises. In either case, the Bensenville Village Code requires that class E1 and E2 liquor licensed restaurants serve food and beverages at tables or booths “decorated with linen, and not at a bar or counter.” Following is a list of class E1 and E2 licensed establishments in Bensenville:

Class E1 (beer, wine, liquor): Two Chefs, Cancun, Jade Dragon, Bella Vista

Class E2 (beer, wine): Mama Maria’s, Bacci Pizza

Staff has received recent feedback from some of the licensed establishments above requesting removal of the “linen” tablecloth requirement. This Ordinance would eliminate the requirement for E1 and E2 establishments to serve on linen tablecloths.

KEY ISSUES:

Staff supports elimination of the “linen” requirement. The requirement of serving food and beverages on linen restricts the type of restaurants that can locate in Bensenville (e.g. sports bars, major chain restaurants). This restriction is also burdensome on our existing restaurants that desire to have a portion of their current restaurant without tablecloths, such as a party room or bar area. In addition, this provision has not been consistently enforced across the board. Lastly, the cost of cleaning the linen tablecloths has proved onerous to some restaurant owners. To summarize, staff sees removal of this minor restriction as a way to appeal to more restaurants, which will in turn help existing business flourish while attracting new businesses to town.

It is important to note that the only change this ordinance presents is to remove the linen requirement. E1 and E2 licensed establishments will still be required to serve food as their primary business, with alcohol sales being a secondary offering.

ALTERNATIVES:

- Approve the Ordinance
- Deny the Ordinance
- Discretion of the Board

RECOMMENDATION:

Staff recommends approval of the Ordinance.

BUDGET IMPACT:

N/A

ACTION REQUIRED:

Pass the Ordinance.

Ordinance _____

**AN ORDINANCE AMENDING THE BENSENVILLE VILLAGE CODE
TITLE 3 – CHAPTER 3 – LIQUOR REGULATIONS**

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

SECTION ONE: That subsection “a” of Section 3-3-5.E.1 of the Bensenville Village Code, entitled “Class E-1 Licenses” is hereby amended as follows (the ~~stricken~~ language is removed):

- a. Such sales of alcoholic liquors shall be incidental and complementary to the ordering and service of food, served and eaten at tables or booths, ~~which tables or booths are decorated with linen, and not at a bar or counter.~~ A sale of alcoholic liquor is incidental and complementary to the ordering and service of food only if such sale is either: 1) made to a patron who orders food with the intent of consuming same on the restaurant premises, or 2) made to a patron waiting to be seated or to a seated patron prior to ordering, provided the person making such sale reasonably believes such patron intends to order and consume food, and further provided such sale is not made over a bar directly to a patron seated or standing at such bar.

SECTION TWO: That subsection “a” of Section 3-3-5.E.4 of the Bensenville Village Code, entitled “Class E-2 Licenses” is hereby amended as follows (the ~~stricken~~ language is removed):

- a. Such sales of beer and wine shall be incidental and complementary to the ordering and service of food, served and eaten at tables or booths, ~~which tables or booths are decorated with linen, not at a bar or counter.~~ A sale of beer and wine is incidental and complementary to the ordering and service of food only if such sale is either: 1) made to a patron who orders food with the intent of consuming same on the restaurant premises, or 2) made to a patron waiting to be seated or to a seated patron prior to ordering, provided the person making such sale reasonably believes such patron intends to order and consume food, and further provided such sale is not made over a bar directly to a patron seated or standing at such bar.

SECTION THREE: That subsection “a” of Section 3-3-5.E.7 of the Bensenville Village Code, entitled “Live Entertainment” is hereby amended as follows (the ~~stricken~~ language is removed):

- a. Such sales of alcoholic liquors shall be incidental and complementary to the ordering and service of complete meals, served and eaten at tables or booths, ~~which tables or booths are~~

~~decorated with linen, and not at a bar or counter.~~ A sale of alcoholic liquor is incidental and complementary to the ordering and service of complete meals only if such sale is made to a patron who orders food with the intent of consuming same on the banquet facility premises.

SECTION FOUR: All Resolutions and Ordinances in conflict herewith are replaced to the extent of said conflict.

SECTION FIVE: 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 at the Village of Bensenville, this 25th day September, 2012.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____