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VILLAGE BOARD

October 29, 2021

President
Frank DeSimone

Board of Trustees
Rosa Carmona
Ann Franz
Marie T. Frey
McLane Lomax
Nicholas Panicola Jr.
Armando Perez

Village Clerk
Nancy Quinn

Village Manager
Evan K. Summers

Mr. Paul De Michele
17W275 Rodeck Lane
Bensenville, Illinois 60106

Re: October 22, 2021 FOIA Request

Dear Mr. De Michele:

I am pleased to help you with your October 22, 2021 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on October 22, 2021. You requested copies of the items indicated below:

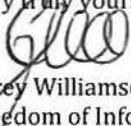
"Pursuant to the Freedom of Information Act, I request the following items on the Oct 19, 2021 Agenda:

- 1) *A listing and dollar amount of bonds abated in IVC 2*
- 2) *Copy of the Amended Water and Sewer Rates (IVC4)*
- 3) *Copy of the Term and Fee Amendment for IVC 5*
- 4) *Copy of the Established Surcharge for Water for IVC 6."*

Your FOIA is hereby granted in full.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,


Corey Williamsen
Freedom of Information Officer
Village of Bensenville

Attachment A
Village of Bensenville
2021 Abatement of Debt Service Levies

<u>Ordinance No.</u>	<u>Ordinance Date</u>	<u>Bond Description</u>	<u>Levy Amount</u>	<u>Abatement Amount</u>	<u>Final Levy Amount</u>
O-27-2012	5/22/2012	Series 2012C General Obligation Bonds (ARS)	\$ 405,600	\$ 405,600	\$ -
O-46-2012	9/25/2012	Series 2012E General Obligation Bonds (ARS)	\$ 891,300	\$ 891,300	\$ -
O-44-2013	6/25/2013	Series 2013A General Obligation Bonds (ARS)	\$ 309,295	\$ 309,295	\$ -
O-63-2013	9/10/2013	Series 2013E General Obligation Bonds (ARS)	\$ 619,063	\$ 619,063	\$ -
O-65-2014	11/18/2014	Series 2014B General Obligation Bonds (ARS)(QEBC)	\$ 882,231	\$ 882,231	\$ -
O-61-2014	11/18/2014	Series 2014E General Obligation Bonds (ARS)	\$ 291,650	\$ 291,650	\$ -
O-69-2020	11/17/2020	Series 2020A General Obligation Bonds (ARS)	\$ 766,028	\$ 766,028	\$ -
O-69-2020	11/17/2020	Series 2020B General Obligation Bonds (ARS)	\$ 515,900	\$ 515,900	\$ -
O-29-2021	8/10/2021	Series 2021A General Obligation Bonds (ARS)	\$ 373,200	\$ 373,200	\$ -

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ORDINANCE NO. _____

**AN ORDINANCE OF THE VILLAGE OF BENSENVILLE, DUPAGE AND
COOK COUNTIES, ILLINOIS AMENDING SECTION 8-7-7 OF CHAPTER
SEVEN OF TITLE EIGHT OF THE BENSENVILLE VILLAGE CODE WITH
REGARD TO WATER AND SEWER RATES**

WHEREAS, the Village of Bensenville, DuPage and Cook Counties, Illinois (the “Village”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, the Village of Bensenville (the “Village”) owns and operates sewerage and waterworks facilities (the “System”) within and outside the municipal boundaries of the Village; and

WHEREAS, the Illinois Municipal Code further authorizes the Village to charge for the maintenance, use and operation of the System and to establish rates for that purpose; and

WHEREAS, the Village has carefully considered the operation, condition and maintenance of the System and the revenues and expenses associated therewith.

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

SECTION 1: That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made part of hereof, as if fully set forth in their entirety.

SECTION 2: The Corporate Authorities find and determine that it is necessary and desirable to amend the Bensenville Village Code for the purpose set forth herein and that the adoption of this ordinance is in the best interests of the Village.

SECTION 3: Section 8-7-7 (“Rates”) of Chapter Seven (“Water and Sewer Service regulations”) of title 8 (“Public Ways and Property”) of the Bensenville Village Code, is hereby amended to revise rates within Section 8-7-7 as follows:

SECTION 8-7-7: RATES

A. Within the Corporate Limits: Effective November 1, 2021:

B. Outside Corporate Limits: Effective November 1, 2021, one hundred fifty percent (150%) of the incorporated rates:

Outside the Corporate Limit of the Village of Bensenville							
	Meter Size						
	5/8 Inch or 3/4 Inch	1 Inch	1.5 Inch	2 Inch	3 Inch	4 Inch	6 Inch
Water Charge							
First 10,000 gallons per month (per 1000 gallons)	\$15.91	\$15.91	\$15.91	\$15.91	\$15.91	\$15.91	\$15.91
Above 10,000 gallons per month (per 1000 gallons)	\$19.10	\$19.10	\$19.10	\$19.10	\$19.10	\$19.10	\$19.10
Sewer Charge							
First 10,000 gallons per month (per 1000 gallons)	\$13.50	\$13.50	\$13.50	\$13.50	\$13.50	\$13.50	\$13.50
Above 10,000 gallons per month (per 1000 gallons)	\$15.91	\$15.91	\$15.91	\$15.91	\$15.91	\$15.91	\$15.91
Non Metered Account - Fixed Sewer Fee	\$121.59	\$121.59	\$121.59	\$121.59	\$121.59	\$121.59	\$121.59
Fixed Service Charge	\$15.91	\$47.74	\$95.48	\$159.13	\$286.45	\$477.40	\$954.81
Industrial Pretreatment							
First 1,000 Gallons per month	\$13.24	\$13.24	\$13.24	\$13.24	\$13.24	\$13.24	\$13.24
Above 1,000 gallons per month	\$2.04	\$2.04	\$2.04	\$2.04	\$2.04	\$2.04	\$2.04

SECTION 4: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of the Ordinance.

SECTION 5: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6: This Ordinance shall be in full force and effect:

- i. Upon its passage, approval and publication as provided by law; and
- ii. Shall apply to all service charges on or after November 1, 2021.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, this 26 day of October, 2021, pursuant to a roll call as follows::

Approved,

Frank DeSimone, Village President

ATTEST :

Nancy Quinn
Village Clerk

AYES : _____

NAYS: _____

ABSENT: _____

ORDINANCE NO. _____

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 5, CHAPTER 4, OF
THE BENSENVILLE VILLAGE CODE FOR A CHANGE IN THE VEHICLE STICKER
ISSUANCE TERM AND FEE SCHEDULE**

WHEREAS, the Village of Bensenville ("Village") is a municipality duly organized and operating under the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, and is authorized to provide thereunder for the licensing of motor vehicles registered to residents of the Village; and

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

SECTION ONE: The foregoing recitals hereby incorporated by reference as if fully set forth.

SECTION TWO: Title 5, Chapter 4, Section 2., "Time of Payment," of the *Bensenville Village Code*, is hereby amended to read as follows: "The vehicle tax shall be paid annually, on or before December 31 of each year, and the vehicle license thereupon issued shall expire on the next December 31 date."

SECTION THREE: Title 5, Chapter 4, Section 5A., "LICENSE FEES, TERM;," of the *Bensenville Village Code*, is hereby amended to read as follows:

	Online Prices		Price to buy at the Village Hall		
	On Or Before December 31	After December 31	On Or Before December 31	After December 31	After June 30
Motor bicycle or motor tricycle	\$20.00	-	\$20.00	\$30.00	\$45.00
Motor passenger vehicle, except motor truck, motor driven commercial vehicle, motorbus and motor vehicle used for public hire	\$30.00	-	\$32.00	\$50.00	\$100.00
"Recreational vehicle" as defined in the Illinois motor vehicle act	\$30.00	-	\$32.00	\$50.00	\$100.00
Any individual, who has attained the age of 65 years at the time of payment, shall be entitled to pay the reduced license fee stated for each motor passenger vehicle (except motor truck, motor driven commercial vehicle, motorbus and motor vehicle used for public hire), up to 2 such vehicles, for which he or she is required to pay an annual license fee by this	\$1.00	-	\$1.00	\$10.00	\$15.00

chapter (The prices are for two years)

Any individual who, at the time of payment, is deployed on active military duty for the United States or is disabled veteran of the United States military service shall be entitled to pay the reduced license fee stated for each motor passenger vehicle (except motor truck, motor driven commercial vehicle, motorbus and motor vehicle used for public hire), up to 2 such vehicles, for which he or she is required to pay an annual license fee by this chapter	\$5.00	-	\$5.00	\$10.00	\$15.00
Any individual who, at the time of payment, is disabled and because of said disability has been accepted for enrollment in the Illinois department of aging's "circuit breaker" program shall be entitled to pay the reduced license fee stated for each motor passenger vehicle (except motor truck, motor driven commercial vehicle, motorbus and motor vehicle used for public hire), up to 2 such vehicles, for which he or she is required to pay an annual license fee by this chapter	\$5.00	-	\$5.00	\$10.00	\$15.00

"Motor truck", "motor coach", "motorbus", and other "motor vehicles" shall be as defined and classified according to state classification contained in the Illinois motor vehicle act:

Weight/Pounds	State/ Plate Classification	On Or Before December 31	After December 31	After June 30
8,000 or less	B	\$ 49.00	\$ 99.00	\$199.00
8,001 - 12,000	D	\$79.00	\$129.00	\$229.00
12,001 - 16,000	F	\$97.00	\$147.00	\$247.00

16,001 _ 26,000	H	\$118.00	\$168.00	\$268.00
26,001 _ 28,000	J	\$138.00	\$188.00	\$288.00
28,001 _ 32,000	K	\$157.00	\$207.00	\$307.00
32,001 _ 36,000	L	\$164.00	\$214.00	\$314.00
36,001 _ 40,000	N	\$172.00	\$222.00	\$322.00
40,001 _ 45,000	P	\$180.00	\$230.00	\$330.00
45,001 _ 50,000	Q	\$187.00	\$237.00	\$337.00
50,001 _ 54,999	R	\$194.00	\$244.00	\$344.00
55,000 _ 59,500	S	\$202.00	\$252.00	\$352.00
59,501 _ 64,000	T	\$210.00	\$260.00	\$360.00
64,001 _ 73,280	V	\$217.00	\$267.00	\$367.00
73,281 _ 77,000	X	\$226.00	\$276.00	\$376.00
77,001 _ 80,000	Z	\$233.00	\$283.00	\$383.00

SECTION FOUR: Title 5, Chapter 4, Section 5B., of the *Bensenville Village Code*, is hereby amended to read as follows: “Annual vehicle licenses shall expire on December 31 following the date of issue, provided that the annual vehicle licenses prior to December 31 for the following annual tax year shall not be subject to expiration until December 31 of the following annual tax year. For established residents and business, the full annual fee shall be paid notwithstanding the date of issuance. Any new Village resident or business shall apply for an annual vehicle license within thirty (30) days of residency. Where an annual vehicle license is issued after June 30 and before December 31 of any current year to a new Village resident or business, the fee to be paid shall be a sum equal to one-half (1/2) of the annual vehicle license fee for the vehicle as set forth in this section..”

SECTION FIVE: All other ordinances and resolutions, or parts thereof, in conflict will the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

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

PASSED AND APPROVED by the Chair Person and Board of Village Trustees of the Village of Bensenville this 26th day of October 2021.

APPROVED:

Frank DeSimone, Village President

Attest:

Nancy Quinn, Village Clerk

Ayes: _____

Nays: _____

Absent: _____

ORDINANCE NUMBER _____

AN ORDINANCE OF THE VILLAGE OF BENSENVILLE, DUPAGE AND COOK COUNTIES, ILLINOIS AMENDING SECTION 8-7-7 OF CHAPTER SEVEN OF TITLE EIGHT OF THE BENSENVILLE VILLAGE CODE TO ESTABLISH A SURCHARGE FOR WATER SERVICES IN THE WHITE PINES SUBDIVISION AREA

WHEREAS, the Village of Bensenville, DuPage and Cook Counties, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the Village owns and operates a combined waterworks and sewerage system within and outside of the corporate limits of the Village; and

WHEREAS, the water main installed in the 1940’s to serve the White Pines Subdivision Area was no longer capable of operating in a reliable and safe manner and needed immediate repairs to ensure the health, safety and welfare of the users of the system; and

WHEREAS, the Village introduced a water main replacement project on July 24, 2018 (the “*Project*”) and authorized a contract to construct a new water main on August 25, 2020; and

WHEREAS, the Village received IEPA loan funding approval for the Project on September 14, 2020, and construction on the Project began shortly thereafter; and

WHEREAS, debt payments on the IEPA loan are expected to be paid by the Village starting in 2022; and

WHEREAS, as owner and operator of a combined waterworks and sewerage system, the Village is authorized to improve and extend that system and to impose and collect charges or rates for the use of that system; and

WHEREAS, the President and Board of Trustees of the Village of Bensenville (the “*Corporate Authorities*”) are authorized to establish charges for water service in areas outside the corporate limits; and

WHEREAS, the Corporate Authorities have the power and authority to amend the Bensenville Village Code as deemed necessary and advisable to protect the health, safety, and welfare of the residents of the Village; and

WHEREAS, the users of the water service in the White Pines Subdivision Area specifically benefit from the construction of the Project; and

WHEREAS, the Corporate Authorities find that it is in the best interest of the health, safety, and welfare of the residents of the Village to establish a surcharge on users of the water service located in the area benefited by the Project to ensure the payment of the principal of and interest upon the IEPA loan approved for the Project; and

WHEREAS, the Corporate Authorities find that the surcharges herein imposed are reasonable and fair and related to the use and service of the system and repayment of the debt incurred by the Village to undertake the Project.

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

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. The Corporate Authorities find and determine that it is necessary and desirable to amend the Bensenville Village Code for the purpose set forth herein and that the adoption of this Ordinance is in the best interests of the Village.

Section 3. Section 8-7-7 ("Rates") of Chapter 7 ("Water and Sewer Service Regulations") of Title 8 ("Public Ways and Property") of the Bensenville Village Code is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

8-7-7: RATES:

...

C. White Pines Subdivision Area Surcharges: The surcharges described in this subsection shall be applicable to all users benefitting from the water service located in or abutting the White Pines Subdivision Area:

1. Within The Corporate Limits: A surcharge of \$50.00 per month shall be imposed on water service users located within the corporate limits for a period of five (5) years effective November 1, 2021. A water service user that annexes the user's property to the Village within said five (5) year period shall pay the surcharge commencing the month following annexation to the Village. Water service users that have applied for and been accepted for the Village's senior discount program shall be eligible for a fifty percent (50%) discount on said surcharge.

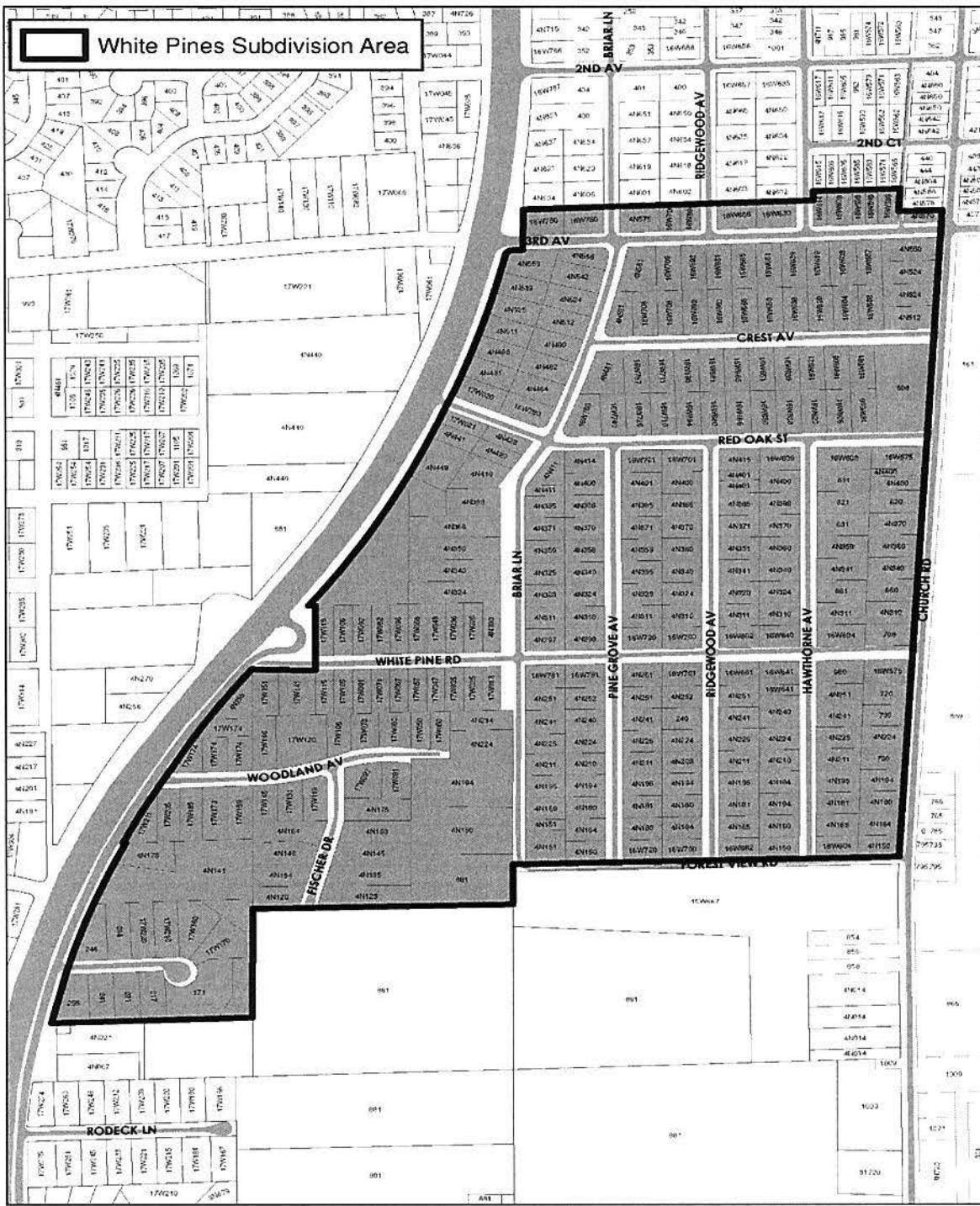
2. Outside The Corporate Limits: A surcharge of \$23.72 per 1,000 gallons per month shall be imposed on water service users located outside the corporate limits effective November 1, 2021.

3. For purposes of this subsection, the term White Pines Subdivision Area shall mean the parcels delineated and depicted on the below map:

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White Pines Subdivision Area



Date: 10/13/2021

D. Rate Application: The rates described in this section shall be applicable to each single-family or multiple-family residential user and for each commercial, industrial or institutional user of the water service. A "multiple use account" is defined as any additional number of residential or commercial units located on the same premises, or being served through a single water meter such as apartment buildings, trailer courts or commercial or residential units located within the same building.

E. Deposit: In addition to the foregoing charges, each applicant for the use of Village water, who is not the owner of the property to be serviced by the water from the Village waterworks system, shall deposit with the Village Collector fifty dollars (\$50.00) for residential property and one hundred dollars (\$100.00) for business property to guarantee the payment of any water charges, which deposit, when all water charges accruing to the Village from such consumer shall have been paid, at the end of the term of his tenancy shall be returned to such consumer. If approved charges remain unpaid, those charges shall be deducted from the deposit and the balance returned to the consumer. A user of both the water and wastewater system shall pay only one deposit fee.

Notwithstanding anything herein to the contrary, service shall not be reconnected to the premises following a second disconnection of service for nonpayment by the same account holder unless such account holder first pays in full any and all applicable back charges, late fees, reconnection fees and an increased deposit in the amount of one hundred fifty dollars (\$150.00) for residential property and three hundred dollars (\$300.00) for business property.

F. Special Permit: For purposes not hereinabove specified and for peculiar and extraordinary purposes, the rates and conditions for the use of water and sewerage shall be subject to special permit and contract with the Board of Trustees.

Section 4. The amendments set forth in Section 3 of this Ordinance shall be used to calculate water and sewer usage for the billing cycle, effective November 1, 2021, and thereafter, as shown by the water meter and to be billed and paid as required by the Bensenville Village Code.

Section 5. This Ordinance, and its parts, are declared to be severable and any section, paragraph, clause, provision, or portion of this Ordinance that is declared invalid shall not affect the validity of any other provision of this Ordinance, which shall remain in full force and effect.

Section 6. The findings and recitals herein are declared to be *prima facie* evidence of the law of the Village and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Section 7. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 8. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

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PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, this 26th day of October 2021, pursuant to a roll call vote, as follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____