

Village of Carol Stream

BOARD MEETING

AGENDA

FEBRUARY 6, 2012

All matters on the Agenda may be discussed, amended and acted upon

A. ROLL CALL AND PLEDGE OF ALLEGIANCE:

B. MINUTES:

1. Approval of the Minutes of the January 17, 2012 Board Meeting.
2. Approval of the Minutes of the January 17, 2012 Special Meeting of the Village Board.
3. Approve and Not Release the Executive Session Minutes of the January 17, 2012 Board Meeting.
4. Approval of the Minutes of the January 31, 2012 Special Meeting of the Village Board.

C. AUDIENCE PARTICIPATION & PUBLIC HEARINGS:

1. Resolution No. 2571, Honoring Linda Tisdell for her 25 years of service with the Village of Carol Stream.
2. Energy Saver Program Recognition – *Presentation by CUB detailing total energy savings by Carol Stream residents in 2011.*
3. Storm Ready Community Certification – *The Village has been certified as a Storm Ready Community. A representative from the National Weather Service will present the certification to the Village Board.*

D. SELECTION OF CONSENT AGENDA:

If you are here for an item which is added to the consent agenda and approved, the Village Board has acted favorably on your request.

E. BOARD AND COMMISSION REPORTS:

F. OLD BUSINESS:

G. STAFF REPORTS & RECOMMENDATIONS:

1. Police Pension Fund – Compliance Report FYE11.
Consistent with Public Act 95-950, the Police Pension Fund submits an annual Compliance Report for receipt by the Village Board.

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2. Motion to Approve a recommendation authorizing the expenditure of an additional \$30,000 for the removal of Ash trees by Ciosek Tree Service. *Staff has identified an additional 109 Ash trees that should be removed in the current fiscal year and is seeking approval to expend an additional \$30,000 from the EAB reserve.*
3. Award of Consultant Contract – Phase III Construction Services for Fair Oaks Road LAPP. *Engineering Services recommends award of contract for inspection and material testing to TransSystems Corporation in the amount of \$31,270.41.*
4. Award of Contract - Re-codification
This is a recommendation to award the contract for re-codification services to American Legal Publishing Corp. in the amount of \$20,500.

H. ORDINANCES:

1. Ordinance No. _____, Amending Chapter 8, Article 7 of the Carol Stream Code of Ordinances Providing for Vehicle Seizure and Impound. *The Police Department requests that the Village Board approve this ordinance for Vehicle Seizure and Impoundment, which has been amended to mirror state law.*
2. Ordinance No. _____, Amending Chapter 10 of the Carol Stream Village Code Pertaining to Amusements. *This ordinance amendment clarifies language regarding administrative processing fee and costs for background and fingerprint checks.*
3. Ordinance No. _____, Amending Chapter 11 Article 2 of the Carol Stream Code of Ordinances by Decreasing the Number of Class C Liquor Licenses from 20 to 19. *Mema Brothers, Inc. d/b/a MB Discount Wine & Liquor (600 E. North Avenue), has closed their store as of January 31, 2012, and voluntarily relinquished its liquor license.*
4. Ordinance No. _____, Amending Chapter 11, Article 2 of the Carol Stream Code of Ordinances by Decreasing the Number of Class G Liquor Licenses from 3 to 2 and Increasing the Number of Class C Licenses from 19 to 20. *Bond Company of Illinois, LLC, d/b/a/ Walgreens #03993 (540 N. Schmale Road) has submitted an application requesting to change its Class G Liquor License (beer and wine) to a Class C Liquor License (Full package liquor).*

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I. RESOLUTIONS:

1. Resolution No. _____, to Adopt Municipal Legislative Positions and Priorities for the 2012 Legislative Session. *This resolution supports the 2012 Legislative Action Program of the DuPage Mayors and Managers Conference.*

J. NEW BUSINESS:

1. Award of Contract for Carnival Amusement Services. *This is a request for award of contract for carnival amusement services to Alpine Amusement Company at the Ross Ferraro Town Center from June 21-24, 2012.*
2. Raffle License Application – Carol Stream Chamber of Commerce. *Request for approval and fee waiver for their St. Patrick's Day Reverse Raffle being held on Thursday, March 15, 2012.*
3. Raffle License Application – Winfield School District 34 PTO *Request for raffle license approval, waiver of fee and manager fidelity bond for its Split-the-Pot raffle fundraiser to held at the American Legion Hall in Carol Stream on Saturday, March 3, 2012.*

K. PAYMENT OF BILLS:

1. Regular Bills: February 6, 2012
2. Addendum Warrants: January 18, 2012 through February 6, 2012

L. REPORT OF OFFICERS:

1. Mayor:
2. Trustees:
3. Clerk:

M. EXECUTIVE SESSION:

1. Continued Employment of a Specific Employee.
2. Collective Negotiating Matters.

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3. Pending Litigation.

N. ADJOURNMENT:

LAST ORDINANCE: 2012-01-01

LAST RESOLUTION: 2570

NEXT ORDINANCE: 2012-01-02

NEXT RESOLUTION: 2571

REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES
Gregory J. Bielawski Municipal Center, Carol Stream, DuPage County, IL

January 17, 2012

Mayor Pro Tem Pam Fenner called the Regular Meeting of the Board of Trustees to order at 8:00 p.m. and directed Village Clerk Beth Melody to call the roll.

Present: Mayor Pro Tem Pam Fenner and Trustees Mary Frusolone, Tony Manzzullo, Don Weiss, Greg Schwarze & Matt McCarthy

Absent: Mayor Frank Saverino, Sr.

Also Present: Village Manager Joe Breinig, Assistant Village Manager Bob Mellor Village Attorney, Jim Rhodes and Village Clerk Beth Melody

Mayor Pro Tem Fenner requested Cub Scout Den 3, Pack 175 present the colors and lead those in attendance in the pledge of allegiance.

MINUTES:

Trustee McCarthy moved and Trustee Frusolone made the second to approve the Regular Board Meeting Minutes of December 19, 2011. The results of the roll call vote were as follows:

Ayes: 6 Trustees Frusolone, Manzzullo, Weiss, Schwarze, McCarthy & Fenner

Nays : 0

Trustee Manzzullo moved and Trustee McCarthy made the second to approve but not release the Executive Session Meeting Minutes of December 19, 2011. The results of the roll call vote were as follows:

Ayes: 6 Trustees Frusolone, Manzzullo, Weiss, Schwarze, McCarthy & Fenner

Nays : 0

AUDIENCE PARTICIPATION AND PUBLIC HEARINGS:

Resolution No. 2566, Honoring Frank Moore upon His Retirement from the Village of Carol Stream Police Department:

Resolution read by Mayor Pro-Tem Fenner. Trustee McCarthy moved and Trustee Schwarze made the second to approve Resolution No. 2566, honoring Frank Moore upon his retirement from the Village of Carol Stream Police Department. The results of the roll call vote were as follows:

Ayes: 6 Trustees Frusolone, Manzzullo, Weiss, Schwarze, McCarthy & Fenner

Nays : 0

AGENDA ITEM
B-1 2-6-12

Nays : 0

1. Award of Contract for Janitorial Services
2. Recommendation to Enter Into an Agreement for Engineering Design and Bid Assistance Services –LED Street Light Upgrade Project – Rempe-Sharpe & Associates
3. Recommendation to Enter Into an Agreement for Construction Oversight Services –Sodium Hypochlorite Delivery System – Baxter & Woodman
4. Ordinance No. 2012-01-01, Approving an Annexation Agreement and Plat of Easement (LaMantia Property)
5. Resolution No. 2568, Authorizing the Mayor to Execute an Agreement for the Purchase of Electric Utility Service
6. Resolution No. 2569, Accepting a Grant of Temporary Construction Easement (Southwest Water Main Project–Cohen/Voogd)
7. Resolution No. 2570, Declaring Surplus Property Owned by the Village of Carol Stream
8. Appointment of Michael Traficanti to the Board of Fire and Police Commission
9. Payment of Regular & Addendum Warrant of Bills
10. Treasurer's Report: Revenue/Expenditure Statement and Balance Sheet, Month Ending December 31, 2011

Trustee Weiss moved and Trustee McCarthy made the second to approve the Consent Agenda for this meeting by Omnibus Vote. The results of the roll call vote were as follows:

Ayes: 6 Trustees Frusolone, Manzzullo, Weiss, Schwarze, McCarthy & Fenner

Nays : 0

The following are brief descriptions of those items approved on the Consent Agenda for this meeting.

Award of Contract for Janitorial Services:

The Village Board approved the staff recommendation to award the contract for annual janitorial services cleaning to Alpha Building Maintenance Service, Inc.

Recommendation to Enter Into an Agreement for Engineering Design and Bid Assistance Services –LED Street Light Upgrade Project – Rempe-Sharpe & Associates:

The Village Board approved the staff is recommending that an engineering firm be hired to prepare plans, specifications and bid documents for the upcoming LED Street Light Upgrade Project in the amount of \$16,500.

Recommendation to Enter Into an Agreement for Construction Oversight Services –Sodium Hypochlorite Delivery System – Baxter & Woodman:

The Village Board approved the staff recommendation enter into an engineering services agreement with Baxter & Woodman Engineering for construction and oversight services at the WRC for the sodium hypo-chlorite replacement project scheduled to begin in February in an amount not to exceed \$25,900.

Ordinance No. 2012-01-01, Approving an Annexation Agreement and Plat of Easement (LaMantia Property):

The Village Board adopted Ordinance No. 2012-01-01, approving an annexation agreement and plat of easement (LaMantia Property) which includes the granting of easements required for the Southwest Water Main Extension Project.

Resolution No. 2568, Authorizing the Mayor to Execute an Agreement for the Purchase of Electric Utility Service:

The Village Board approved Resolution No. 2568, authorizing the Mayor to execute an agreement for the purchase of electric utility service and allowing the Mayor or his designee to enter into a 1 to 3 year agreement to purchase electricity with the lowest bidder effective June 2012.

Resolution No. 2569, Accepting a Grant of Temporary Construction Easement (Southwest Water Main Project- Cohen/Voogd):

The Village Board approved Resolution No. 2569, accepting a grant of temporary construction easement (Southwest Water Main Project- Cohen/Voogd).

Resolution No. 2570, Declaring Surplus Property Owned by the Village of Carol Stream:

The Village Board approved Resolution No. 2570, declaring electronic equipment that is no longer useful and three seized vehicles owned by the Village of Carol Stream as surplus property.

Appointment of Michael Traficanti to the Board of Fire and Police Commission:

The Village Board concurred with the Mayor's recommendation to appoint Michael Traficanti to the Board of Fire and Police Commission.

Regular Bills and Addendum Warrant of Bills:

The Village Board approved the payment of the Regular Bills dated January 3, 2012 in the amount of \$58,980.41 and dated January 17, 2012 in the amount of \$444,001.97.

The Village Board approved the payment of the Addendum Warrant of Bills from December 20, 2011 - January 3, 2012 in the amount of \$759,080.95 and the Addendum Warrant of Bills from January 4 - January 17, 2012 in the amount of \$1,175,035.70.

Treasurer's Report: Revenue/Expenditure Statement and Balance Sheet, Month Ending December 31, 2011:

The Village Board received the Treasurer's Report: Revenue/Expenditure Statement and Balance Sheet, Month Ending December 31, 2011.

Report of Officers:

Trustee Frusolone congratulated nominees for the 2011 Citizen of the Year award. She congratulated Officer Frank Moore on his retirement and Sergeant Harker on his 20 years of service to the Village. She encouraged residents to shovel sidewalks in front of their homes in consideration of the children. She also encouraged residents to sign up for the Adopt-A-Highway program as part of their work or charitable organizations to supplement Village efforts to keep Carol Stream clean.

AGENDA ITEM

Village of Carol Stream B-2 2-6-12

Special Meeting of the Village Board

Gregory J. Bielawski Municipal Center
500 N. Gary Avenue, Carol Stream, IL 60188

January 17, 2012

6:00 p.m. – 7:17 p.m.

Meeting Notes

ATTENDANCE: Mayor Pro Tem Pam Fenner	Joseph E. Breinig, Village Manager
Trustee Matt McCarthy	Robert Mellor, Asst. Village Manager
Trustee Tony Manzzullo	Chris Oakley, Asst. to the Village Manager
Trustee Don Weiss	Phil Modaff, Dir. of Public Works
Trustee Greg Schwarze	James Knudsen, Dir. Engineering Services
Trustee Mary Frusolone	Ed Sailer, Acting Police Chief
Clerk Beth Melody	Robert Glees, Dir. of Community Dev.
Mayor Frank Saverino Sr. (absent)	Jon Batek, Finance Director
	Caryl Rebholz, Employee Relations Dir.

The meeting was called to order by Mayor Pro Tem Fenner and the roll call read. The results of the roll call vote were as follows:

Present: Mayor Pro Tem Fenner, Trustees McCarthy, Schwarze, Weiss, Frusolone and Manzzullo
Absent: Mayor Saverino

The following is a summary of the items discussed at this meeting:

REPORT ON CURRENT FISCAL YEAR 2012 BUDGET AND YEAR END PROJECTION

Finance Director Batek reviewed a Power Point Presentation on the fiscal year 2012 budget and year end projections, fiscal year 2013 budget planning and fiscal year 2013 reserve policy. The following are highlights of the presentation and discussions:

- The Fiscal Year 2012 General Corporate Fund year end projection of net revenues and expenditures is estimated to be + \$1,295,614.
- The surplus is largely attributable to some sizable "one-time" revenues and limiting expenditure growth to approx. 1.7% over FY11 actual expenditures.
- Total expenditures are projected to be 1.7% below the FY 2012 Budget and revenues are projected to be .7% above the FY 2011 budget showing no real growth in revenues.
- The adopted FY 2012 Budget anticipated use of reserves of \$135,000.
- Revenues for the next 3 years are forecasted to grow less than 1% annually.
- Key revenue (constituting 80% of the FY 2012 budgeted General Fund revenues) changes for FY 2012 estimated versus FY 2011 actual are:
 - Sales Tax +1.2%
 - Income Tax -4.0%
 - Home Rule Sales +12.6% (first full year of collections)
 - Utility Tax – Electric -1.5%
 - Utility Tax – Telecom- 1.5%
 - Ordinance/Court Fines- 14.5%
 - Utility & Gas Tax +4.6%

- FY 2012 estimated revenues are \$1.1 million or 5.4% above budget. This is because:
 - We do not budget revenues we cannot reasonably expect to receive.
 - Booming year for significant commercial real estate transfer tax transactions (project \$450,000 over budget. 13 commercial sales YTD > \$1 million. (We generally consider these “one-time” occurrences).
 - First full year of increased home rule sales tax is higher than anticipated (by \$191,000). Anticipate this to roll forward into new FY13 budget.
 - Good revenue experience in FY 2012 is key contributor to projected 4/30/12 budget surplus.
- **FY 2012 Expenditure Projections**
 - FY 2012 estimated expenditures projected to be 1.7% ahead of FY 2011 actual expenditures and below FY 2012 budget by 1.7%.
 - Payroll savings continue compared to FY 2011 and against FY 2012 budget, even after voluntary separation program in 2010.
 - Reorganization of Administration Department.
 - Holding position vacancies where able.
 - Deployment of par time, non-benefit positions where able.
 - 1.7% increase in total expenditures over FY 2011 due to needed vehicle replacements completed in FY 2012.
- **FY 2012 Personnel Costs**
 - Personnel costs make up more than 75% of FY 2012 budgeted expenditures.
 - Payroll salaries for FY 2012 projected to end the year 3.9% below FY 2011 and 10.7% below FY 2010.
 - Health insurance continues to trend upward at 10.5% over FY 2011.
 - Police Pension contributions are up 14.1% over FY 2011.
 - Total salaries, including benefits are down 0.5% over FY 2011.
- **FY 2013 Budget – Planning Update**
 - **November** - 5 Year departmental planning forecasts have been prepared and reviewed.
 - **December** - Preparation and submission of departmental budget requests to budget team. First round of budget review meetings completed.
 - **January** - First round of revenue projections for FY 2013 completed.
 - FY13 projected revenues are 4.0% above FY 2012 budget.
 - Departmental budget expenditure requests exceed FY 2013 forecast of available revenues, necessitating cutbacks to requested programs to close gap and balance the budget.
 - We believe this gap will be manageable.
 - Follow-up meetings to be scheduled with operating departments to balance the budget.
- **FY13 Fiscal Policy Discussion**
 - Brief Review of Existing Policies
 - Proposed Changes to:
 - Enhance Clarity - Operating vs. Capital Reserves
 - Improve Transparency and Accountability
 - Increase Reporting
 - Budget Document
 - Quarterly Financial Updates
 - Monthly Treasurer’s Report
 - The following timeline will be used prior to adoption the FY 2013 Budget:
 - Updated recommended policy text (March)
 - Absorb Water/Sewer Replacement Fund into Water/Sewer Capital Reserves
 - Expanded presentation of Water/Sewer Capital Reserves
 - Closure of Water/Sewer Revolving Loan Program

Trustee McCarthy suggested possibly lowering operating reserve levels from 6 months to 5 months. Manager Breinig stated that we need to do a thorough review of all reserves and that the money is not liquid. Finance Director Batek stated the purpose of the review was to clarify the reserve policy.

- **Next Steps**

- Monday January 30, 2012 6:00 pm - Special Village Board Workshop:
 - **Capital Improvement Plan**
 - **Community Development Code Enforcement Initiatives**
- Monday, February 6, 2012 6:00 pm – Special Village Board Workshop
 - **FY13 Draft Budget Presentation – Part 1**
- Tuesday, February 21, 2012 6:00 pm - Special Village Board Workshop
 - **FY13 Draft Budget Presentation – Part 2**
- March
 - **Reserved for Document Preparation.**
 - **Distribution of Draft Budget to Village Board, for public inspection and web site by March 16, 2012.**
- Monday, April 2, 2012
 - **Budget Public Hearing**
- May 1, 2012
 - **FY13 Begins**

- **Other Business:**

Trustee Schwarze suggested the Board needs to discuss Shop Carol Stream. Since the program has been posted on the Village website and promoted to local businesses recruiting businesses “has hit a wall”. He suggested Trustees need to be more active and help knocking on doors to recruit businesses. He stated Assistant to the Village Manager Oakley has done a good job thus far and spends approximately 4 hours/month on the program. Trustee Schwarze stated he would start recruiting businesses with Chris to get the program started. Trustees McCarthy and Weiss stated they supported additional Village Board and staff involvement to promote the Shop Carol Stream program. Trustee Manzzullo suggested setting up a table at Chamber of Commerce functions to promote the program. Manager Breinig stated that the Chamber also promoted non-Carol Stream businesses and stated it makes a difference when the Village Board personally meets with businesses to promote a program or solicit donations for the concert series.

The Village Board concurred to allow Trustee Schwarze and Assistant to the Village Manager Oakley to promote the Shop Carol Stream coupon program to Village of Carol Stream businesses.

There being no further business, a motion was made by Trustee Schwarze and seconded by Trustee McCarthy to adjourn the Special Board meeting. The meeting was adjourned unanimously at 7:17 p.m.

AGENDA ITEM

Village of Carol Stream B-4 2-612

Special Meeting of the Village Board

Gregory J. Bielawski Municipal Center
500 N. Gary Avenue, Carol Stream, IL 60188

January 31, 2012

6:15 p.m. – 8:54 p.m.

Meeting Notes

ATTENDANCE: Mayor Pro Tem Pam Fenner	Joseph E. Breinig, Village Manager
Trustee Matt McCarthy	Robert Mellor, Asst. Village Manager
Trustee Tony Manzzullo	Chris Oakley, Asst. to the Village Manager
Trustee Don Weiss	Phil Modaff, Dir. of Public Works
Trustee Greg Schwarze	James Knudsen, Dir. Engineering Services
Trustee Mary Frusolone	Robert Glees, Dir. of Community Dev.
Clerk Beth Melody	Don Bastian, Asst. Dir. of Community Dev.
Mayor Frank Saverino Sr. (absent)	Jon Batek, Finance Director

The meeting was called to order by Mayor Pro Tem Fenner and the roll call read. The results of the roll call vote were as follows:

Present: Mayor Pro Tem Fenner, Trustees McCarthy, Schwarze, Weiss, Frusolone & Manzzullo
 Absent: Mayor Saverino

The following is a summary of the items discussed at this meeting:

COMMUNITY DEVELOPMENT – ENHANCED CODE ENFORCEMENT

Village Manager Breinig stated that staff has developed a proposal for code enforcement enhancements that, if approved, would take time to implement. Staff was looking for direction on whether to proceed with the enhancements or continue to use the current code enforcement practices. Community Development Director Bob Glees reviewed a Power Point Presentation on the Village’s past, present and proposed code enforcement program. The following are highlights of the presentation and discussions on this topic:

CODE ENFORCEMENT ACTIVITIES OVERVIEW

HISTORIC APPROACH

- Primarily complaint-based.
- Activity in past years consisted mostly of tall grass and routine property maintenance (i.e. fences, pools, etc.) of occupied properties.
- In recent years, emphasis has been to seek voluntary compliance. Results have been successful, with fewer property maintenance citations needing to be issued to achieve compliance.
- Citations Issued:

Year	2007	2008	2009	2010	2011
Number	67	28	21	10	3

OBSERVED TRENDS

- Increase in vacant single-family homes as a result of foreclosures.
- Carol Stream Foreclosures:

Year	2007	2008	2009	2010	2011
Number	134	231	289	310	234

- Higher unemployment rate & underemployment, and decreased equity in homes = tighter home improvement & maintenance budget.
- More properties are showing lack of maintenance

CODE ENFORCEMENT ACTIVITIES OVERVIEW

PROPERTY MAINTENANCE CODE ENFORCEMENT

- Majority of code enforcement cases involve residential property maintenance. In 2011, 327 of the total 392 code enforcement cases (83%) were for Property Maintenance Code violations.
- Starting to see some Property Maintenance Code violations at commercial properties.
- Dollars spent on contract grass and weed mowing is up in recent years:

Year	2007	2008	2009	2010	2011	2012
Amount	\$300	\$600	\$2,135	\$1,210	\$1,725	\$4,204*

(*Includes a commercial property)

- Factors affecting grass & weed mowing costs include:
 - Number of properties serviced
 - Weather (frequency of mowings)
 - Contract prices
 - Number of commercial properties
 - More proactive approach to case management
- Have needed to become more proactive in management of vacant properties.
- Working with banks more often, rather than owner occupants.
- Needed to use a contract board-up service to secure a single-family residential property in 2011; should plan for this expense moving forward.

REQUEST FOR DIRECTION

CODE ENFORCEMENT PROGRAM ENHANCEMENTS...

If the Village Board determines that the increase in vacant properties and today’s Property Maintenance Code enforcement challenges warrant enhancements to the Code Enforcement Program, then staff suggests the following program enhancement guidelines.

Guidelines:

- “Right-size” the allocation of resources and develop an approach that is tailored to the conditions present in Carol Stream.
- Increase resources, including staff and \$\$, if necessary, to achieve goals.
- Manage vacant properties and require proper maintenance.
- Should no longer be strictly complaint-based. Spend more time in the field to identify deteriorating properties. Use consistent judgment in applying codes to vacant properties and occupied properties.
- Continue to seek voluntary compliance.

Program Enhancements

Staff proposes the following program enhancements for the management of vacant properties:

- Property Management Tracking System
- Interdepartmental Coordination (as necessary)
- Recovery of Property Maintenance Costs – Adopt ordinance and procedures per Illinois law to file priority liens for authorized activities (cutting grass & weeds, removing garbage and graffiti, securing properties, enclosing buildings i.e. “board-ups”). Lien is recoverable at point of sale, before all other liens except taxes.

Budget Impacts of Program Enhancements

- Use of consultant to prepare the recommended lien ordinance and conduct training session to ensure that procedures are most efficient and in accordance with Illinois law.
- Hiring a seasonal contract employee (April through October) who would focus on maintenance of vacant properties.
- Increase the budget for grass & weed mowing and board-up services.

PROGRAM ENHANCEMENT COSTS

Current Budget Year

- \$3,000 for Consultant Services to conduct training session in February or March

FY12/13 Budget

- \$11,000 for part-time seasonal contract employee
- \$2,000 for auto expenses (use retired Police vehicle or confiscated vehicle)
- \$2,700 increase in grass & weed mowing budget (from \$2,300 to \$5,000)
- \$2,000 for board-up services
- Total program enhancement cost - \$20,700
- Cost is for one year; would need to evaluate continuation of program enhancement in subsequent years.

Trustee McCarthy stated he was concerned with the negative image boarded-up housing has on the community. The Village Board discussed reimbursement of fees associated with board-up services and weed liens. Manager Breinig stated the Village recoups its costs wherever it can.

Trustees Fenner and McCarthy stated they do not want the Village to cite property owners for code violations if the Village is also not compliant and standards need to be applied Village-wide. Manager Breinig stated the Village is willing to work with property owners to abate violations and only issues citations as a last resort.

Trustee McCarthy stated the Village Board would like to receive a summary of code enforcement activity listing such things as code violations, enforcement efforts and citations issued. Vacant and occupied properties with the same type of violation need to be treated the same.

Trustee Weiss stated the Village should enlist inter-agency cooperation with the Park District, school districts, businesses, etc. to help identify code violations and maintenance issues. Trustee Manzullo stated he feels more oversight needed on vacant properties and does not want this program to be over-bearing on home-owners. He stated he favors complaint-based enforcement. Trustee McCarthy stated he feels the Village needs to be more proactive and work with property owners to abate violations because the Village is starting to look “shabby”.

CAPITAL IMPROVEMENT PROGRAM

Director of Engineering Services Jim Knudsen presented the Capital Improvement Plan proposal to the Village Board and stated existing and projected fund balances for projects over the next 5 years were in good shape:

EXISTING FUND BALANCES

- Capital Projects Fund - \$17.8M
- Motor Fuel Tax Fund - \$2.6M
- Water & Sewer Fund- \$17.4M

PROPECTED FUND BALANCES

	FY13	FY14	FY15	FY16	FY17
Capital Projects Fund	\$13.6M	\$12.7M	\$8.8M	\$4.9M	\$0.7M
Motor Fuel Tax Fund	\$3.1M	\$0.2M	\$0.7M	\$1.2M	\$1.6M
Water & Sewer Fund	\$14.2M	\$12.5M	\$9.7M	\$6.7M	\$4.2M

Fund balances are projected to be positive throughout the entire five year plan which includes a return to normal, higher level pavement management program maintenance levels.

REVIEW OF THE MAJOR CHANGES MADE IN 2010

In 2010 The Village Board directed staff to implement significant reductions in the pavement management program as a result of a serious financial crisis facing the Village and the economy in general in the hopes that the Village would be able to weather the storm. Street resurfacings, structural overlays and pavement reconstruction levels were all cut by over 50% in order to buy the Village time. In addition the Village elected to not fully improve certain roads, but instead opted for rural cross section improvements.

Deferred Maintenance

- Street Resurfacings
- Structural Overlays
- Pavement Reconstructions
- Rural Pavement Sections

Costs and Ramifications of Modified Plan

- Creates a backlog of work and costs.
- Flexible Pavement Program cost is \$2.63M more expensive due to price increases alone.
- Greatly increases the risk of additional pavement failure costs that are projected to reach almost \$10M.

ROADWAY IMPACTS

- Overall avg. PCI declined from 82 in 2008 to 71 in 2011.
- Number of failed to fair streets rose from 22 to 105.
- Backlog rose from 59,000 SY to 355,000 SY.
- Resulting Financial Impact: \$6.9 M in additional backlog
- The declining condition of our pavements will accelerate if we continue at these maintenance levels.

Pavement Management Plan Recommendations

- Reinstitute original program.
- Begin reducing backlog.
- Increase pavement patching program.

Staff feels we can do this without having to find another revenue source for at least for five years unless other projects become programmed or unfunded mandates are enacted.

WATER AND SEWER ISSUES

- Water and sewer pipes also deteriorate like streets, but typically have longer life spans.
- Past maintenance and repair has been reactionary.
- Past replacements based on pipe material, break history, under pavement and age.
- Previously identified replacements are estimated at \$30M.
- Several unknowns:
 - Sanitary Sewer System I&I Reduction Projects
 - Water System Replacement & Improvement Projects
 - IEPA NPDES Permit - WRC Required Improvements

WATER AND SEWER PROGRAM

- Complete water and sanitary sewer system GIS utility atlases.
- Continue with studies and implementation.
- Sanitary Sewer System Evaluation Study (SSES)
- Water System Study
- GIS Utility System Update & Implementation
- WRC Improvements
- WRC Permit
- Develop water and sanitary sewer system programs.

STORM WATER ISSUES

- Storm sewer pipes also deteriorate like streets, but typically have longer life spans.
- Past maintenance and repair has been reactionary.
- More frequent and intense storms creating flooding conditions in original Carol Stream and southeast.
- Unfunded mandates continue to burden municipalities.
- Potential for very costly storm water management infrastructure projects due to environmental regulations and flooding.

Plan Recommendations

- Monitor and assist DuPage County with the planning, design and construction of the Armstrong Park Flood Control Project.
- Continue with studies and implementation.
- Klein Creek Flood Plain Structure Buyouts
- Southeast Stormwater Study
- Tubeway & Westgate Stormwater Study
- Pond Shoreline Maintenance Program
- Stream Maintenance Program
- Continue to implement our Storm Water Management Program given existing staffing levels and financial constraints.
- Continue to monitor and stay active in the development and implementation of storm water and environmental regulations.

Director of Engineering Services Knudsen reviewed the list of proposed CIP projects as well as those that could not be programmed at current staffing and funding levels.

The Village Board concurred with the following recommendations:

Pavement Management Program

- Reinstitute original program.
- Increase pavement patching program.

Water & Sewer Program

- Complete water and sanitary sewer system GIS utility atlases.
- Continue with studies and implementation as previously outlined.
- Develop water and sanitary sewer system programs.

Storm Water Management Program

- Monitor and assist DPC with the Armstrong Park Flood Control Project.
- Continue with studies and implementation as previously outlined.
- Implement Storm Water Management Program.
- Monitor storm water and environmental regulations.

Requested But Unfunded Projects

- Programming of unfunded projects will require:
- Reassessment of existing funded projects
- Possible staffing additions
- Additional funding sources
- Rescheduling of existing projects

There being no further business, a motion was made by Trustee McCarthy and seconded by Trustee Schwarze to adjourn the Special Board meeting. The meeting was adjourned unanimously at 8:54 p.m.

AGENDA ITEM

C-1 2-6-12

RESOLUTION NO. 2571

A RESOLUTION HONORING LINDA TISDELL FOR HER 25 YEARS OF SERVICE WITH THE VILLAGE OF CAROL STREAM

WHEREAS, Linda Tisdell joined the Village of Carol Stream Administration Department as a part time Interdepartmental Aide on January 19, 1987; and

WHEREAS, Linda was promoted to the position of full time Accounts Clerk in the Finance Department Cashier/Reception area on September 18, 1995; and

WHEREAS, in her duties, Linda is frequently the first point of contact for residents and visitors seeking information regarding services provided by the Village or the community at large, whether in person or by telephone; and

WHEREAS, Linda's warm and welcoming smile and calm and compassionate voice are hallmarks of the outstanding service she delivers to residents and visitors of the Village on a daily basis; and

WHEREAS, Linda's dedication to her position and knowledge of the community have made her an outstanding resource to her customers and coworkers; and

WHEREAS, on January 19, 2012, Linda celebrated her 25th anniversary of employment with the Village;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, on behalf of all the former and present elected and appointed officials and residents of Carol Stream, that:

1. Linda Tisdell's service and dedication to the Village of Carol Stream are hereby recognized and commended.
2. Linda Tisdell is wished the very best of happiness and health in her continued employment with the Village.

This Resolution shall be in full force and effect from and after its passage and as approved by law.

PASSED AND APPROVED ON THIS 6th DAY OF FEBRUARY 2012.

AYES:

NAYS:

ABSENT:

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

Village of Carol Stream
Interdepartmental Memo

DATE: January 30, 2012
TO: Mayor Frank Saverino Sr. & the Village Board of Trustees
FROM: Christopher M. Oakley, Asst. to the Village Manager *CMO*
RE: **CUB Energy Saver Program – Milestone Reached**

In Dec. 2010, the Village and the Citizen's Utility Board hosted a local press conference kicking off the Village's participation in the CUB Energy Saver Program. Since that press conference, the Village in cooperation with the Carol Stream Cool City group has promoted the energy saver program at several public events including a Jan. 2011 Utility Bill Clinic at the Public Library, an exhibit table at last year's Earth Day event in Armstrong Park, a CUB forum on Electric Deregulation at Heritage Presbyterian this past July. In addition, the Village recently taped a Public Service Announcement on the Energy Saver Program that it will soon broadcast on local cable access channel #6. The efforts by the Village Board, staff and the local Cool City group have been moderately successful in securing participation in this energy efficiency incentive program by Carol Stream residents.

On Jan. 30th, CUB disseminated a press release (attached) to local newspaper outlets chronicling the success of the Village's entry into this residential energy saving program that included the following details:

☛ Program Registrants –	100
☛ Aggregate Energy Reduced	26,591 kWh
☛ CO2 Emissions Reduced	5,456 lbs
☛ Resident Saving Most Energy	John Glass 1,390 kWh

A representative from CUB will be in attendance at the upcoming Feb. 6th Village Board meeting to present the Village Board with a supply of 500 cfl bulbs for its successful effort to support the program and to also publicly recognize and reward resident John Glass for his commitment to energy conservation in 2011.



Citizens Utility Board

309 W. Washington St., Suite 800, Chicago, IL 60606 **Phone** (312) 263-4282 **Toll Free** 800-669-5556 **Fax** (312) 263-4329

FOR IMMEDIATE RELEASE:
January 30, 2012

CONTACT: Patrick Deignan
(o) 312-263-4282, (c) 847-636-0677

CUB APPLAUDS VILLAGE OF CAROL STREAM, AWARDS COMMUNITY 500 CFLS AFTER SLASHING ENERGY WASTE BY 26,591 KWH AND \$2,968

CAROL STREAM RESIDENT GETS MONTH OF FREE ELECTRICITY FOR TOP SAVINGS

The Citizens Utility Board (CUB) announced Monday that it has awarded the Village of Carol Stream 500 Compact Fluorescent Light (CFL) bulbs after residents used CUBEnergySaver.com, a free online service, to cut energy waste by 26,591 kilowatt-hours and \$2,968.

A little over a year ago, CUB and Carol Stream Mayor Frank Saverino launched an energy-saving campaign. CUB promised to award the village five CFLs for every resident who signed up for CUB Energy Saver, www.CUBEnergySaver.com. The free online service, created in a partnership between CUB and New York City-based Efficiency 2.0, recommends hundreds of actions that have been helping families of all incomes slash their electric and natural gas bills by an average of \$130 a year.

What makes the service unique in the nation is that it allows ComEd customers to connect their electric bills to CUB Energy Saver so the tool can automatically track how much electricity they're saving and get rewarded with shopping and restaurant discounts for those reductions. Overall, CUB Energy Saver has helped Illinois consumers slash their power bills by \$1,920,823 a year and 4,014,918 kWh.

"We thank Carol Stream for showing Illinois how energy efficiency is good for our planet and great for our pocketbooks," CUB Executive Director David Kolata said. "The cheapest kilowatt-hour is the one you don't use."

"The genius of CUB Energy Saver is that it gives residential customers a simple, easy-to-use online tool to help them reduce their energy consumption, and then rewards them for doing so," Mayor Saverino said. "CUB Energy Saver is paying dividends for participating Carol Stream residents, and I urge all Carol Stream homeowners to consider joining this energy-saving program so they can realize those same financial savings most welcome in this economy."

The 26,591 kWh saved by nearly 100 Carol Stream residents means the community helped reduce carbon pollution by about 5,456 pounds, Kolata said. The CFL bulbs will be delivered to the Village of Carol Stream, which will determine how to distribute them to the public.

CUB also announced that Carol Stream resident John Glass had won 50 CFLs and a month of free power, about \$40, for saving the most electricity, 1,390 kWh, with CUBEnergySaver.com. Glass also saved \$155 over the year, and gained 2,780 points to redeem for rewards.

"CUB has helped identify areas of energy savings for my house," Glass said. "Following their suggestions has led to a significant monthly decrease in my utility bills. The CUB program is free, and being rewarded with a month of free power is a great gift. Thanks CUB."

AGENDA ITEM

C - 3 2-6-12

Village of Carol Stream

Interdepartmental Memo

TO: Joe Breinig, Village Manager

FROM: Kevin Orr, Chief of Police *KO*

DATE: January 27, 2012

RE: The Village has been certified as a Storm Ready Community. A representative from the National Weather Service will present the certification to the Village Board at the February 6 Board Meeting.

The Village has recently completed the requirements to become certified as a Storm Ready Community. This was a joint effort by the police department and Carol Stream Fire Protection District to enhance our emergency management program.


Jim Allsopp of the National Weather Service will present the certification to the Village Board at the February 6 Board Meeting.

AGENDA ITEM

G-1 2-6-12

Village of Carol Stream Interdepartmental Memo

TO: Joe Breinig, Village Manager

FROM: Jon Batek, Finance Director 

DATE: January 24, 2012

RE: **Police Pension Fund Municipal Compliance Report**

Attached is the annual compliance report which was approved by the Police Pension Board at their meeting on January 19th. This report and its contents are required annual disclosures to the Village Board as identified in Public Act 95-950 which became effective 8/29/08.

Much of the contents of this report were drawn from the Village's Comprehensive Annual Financial Report (CAFR) for the year ended April 30, 2011. The Village Board previously received the CAFR at their November 7, 2011 meeting. This item should be placed on an upcoming Village Board agenda for receipt.

Village of Carol Stream, Illinois
Police Pension Fund

House Bill 5088 – Municipal Compliance Report

For the Year Ended

April 30, 2011

Village of Carol Stream, Illinois
Police Pension Fund

House Bill 5088 (Public Act 95-950) Municipal Compliance Report
For the Year Ended April 30, 2011

The Pension Board certifies to the Board of Trustees of the Village of Carol Stream on the condition of the Pension Fund at the end of its most recently completed fiscal year the following information:

- 1) The total assets of the fund in its custody at the end of the fiscal year and the current market value of those assets:

	<u>Current</u> <u>Fiscal Year</u>	<u>Preceding</u> <u>Fiscal Year</u>
Total Assets	\$29,738,271	\$26,344,232
Market Value	\$29,738,271	\$26,344,232

- 2) The estimated receipts during the next succeeding fiscal year from deductions from the salaries of police officers and from other sources:

Estimated Receipts	
Employee Contributions	\$ 518,305

Estimated Receipts	
All Other Sources	
Investment Earnings	\$1,202,500
Municipal Contributions	\$1,434,572

- 3) The estimated amount required during the next succeeding fiscal year to (a) pay all pension and other obligations provided in Article 3 of the Illinois Pension Code, and (b) to meet the annual requirement of the fund as provided in Sections 3-125 and 3-127:

(a) Pay all Pensions and Other Obligations	\$1,762,130
(b) Annual Requirement of the Fund as Determined by:	
Illinois Division of Insurance - Actuarial Report	\$1,558,009
Private Actuary	\$1,434,572

- 4) The total net income received from investment of assets along with the assumed investment return and actual investment return received by the fund during its most recently completed fiscal year compared to the total net income, assumed investment return, and actual investment return received during the preceding fiscal year:

Village of Carol Stream, Illinois
Police Pension Fund

House Bill 5088 (Public Act 95-950) Municipal Compliance Report
For the Year Ended April 30, 2011

	<u>Current Fiscal Year</u>	<u>Preceding Fiscal Year</u>
Net Income Received from Investment of Assets	2,832,368	2,238,303
Assumed Investment Return		
Illinois Division of Insurance - Actuarial Report	7.0%	7.0%
Private Actuary	7.75%	7.75%
Actual Investment Return	9.5%	8.5%

5) The total number of active employees who are financially contributing to the fund:

Number of Active Members	62
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6) The total amount that was disbursed in benefits during the fiscal year, including the number of and total amount disbursed to (i) annuitants in receipt of a regular retirement pension, (ii) recipients being paid a disability pension, (iii) survivors and children in receipt of benefits, and (iv) portability transfer:

	<u>Number of</u>	<u>Total Amount Disbursed</u>
(i) Regular Retirement Pension	18	\$1,146,189
(ii) Disability Pension	1	\$ 11,580
(iii) Survivors and Child Benefits	1	\$ 73,899
(iv) Portability Transfer	1	\$ 77,918

7) The funded ratio of the fund:

	<u>Current Fiscal Year</u>	<u>Preceding Fiscal Year</u>
Illinois Division of Insurance - Actuarial Report	60.1%	56.8%
Private Actuary	68.1%	68.7%

Village of Carol Stream, Illinois
Police Pension Fund

House Bill 5088 (Public Act 95-950) Municipal Compliance Report
For the Year Ended April 30, 2011

- 8) The unfunded liability carried by the fund, along with an actuarial explanation of the unfunded liability:

Unfunded Liability:

Illinois Division of Insurance - Actuarial Report	\$17,043,665
Private Actuary	\$12,354,185

The accrued liability is the actuarial present value of the portion of the projected benefits that has been accrued as of the valuation dated based upon the actuarial valuation method and the actuarial assumptions employed in the valuation. The unfunded accrued liability is the excess of the accrued liability over the actuarial value of assets.

- 9) The investment policy of the Pension Board under the statutory investment restrictions imposed on the fund.

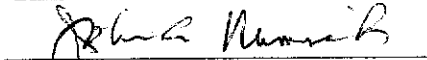
Investment Policy – See Attached

Please see Index of Assumptions attached

CERTIFICATION OF MUNICIPAL POLICE PENSION FUND
COMPLIANCE REPORT

The Board of Trustees of the Carol Stream Police Pension Fund, based upon information and belief, and to the best of our knowledge, hereby certify pursuant to §4-134 of the Illinois Pension Code 40 ILCS 5/4-134, that the preceding report is true and accurate.

Adopted this 19th day of Jan., 2012

President 

Date 04/19/2012

Secretary 

Date 01/19/12

Village of Carol Stream, Illinois
Police Pension Fund

House Bill 5088 (Public Act 95-950) Municipal Compliance Report
For the Year Ended April 30, 2011

INDEX OF ASSUMPTIONS

- 1) Total Assets – As Reported in the Audited Financial Statements for the Years Ended April 30, 2011 and 2010

Market Value – Same as above
- 2) Estimated Receipts – Employee Contributions as Reported in the 2011-2012 Annual Budget

Estimated Receipts - All Other Sources
Investment Earnings as Reported in the 2011-2012 Annual Budget

Municipal Contributions – Same as above
- 3) (a) Pay all Pension and Other Obligations – Total Expenses as Reported in the 2011-2012 Annual Budget.

(b) Annual Requirement of the Fund as Determined by:

Illinois Division of Insurance – Suggested Amount of Tax Levy as Reported in the April 30, 2010 Actuarial Valuation

Private Actuary – Tax Levy Requirement as Reported by Timothy W. Sharpe, Actuarial Valuation Report for April 30, 2011
- 4) Net Income Received from Investment of Assets – Investment Income(Loss) Net of Investment Expense, as Reported in the Audited Financial Statements for the Years Ended April 30, 2011 and 2010

Assumed Investment Return
Illinois Division of Insurance – Interest Rate Assumption as Reported in the April 30, 2010 and 2009 Actuarial Valuations

Private Actuary – Interest Rate Assumption as Reported by Timothy W. Sharpe, Actuarial Valuation Reports for April 30, 2011 and 2010.

Actual Investment Return – Net Income Received from Investments as Reported Above as a Percentage of Total Assets as Reported in the Audited Financial Statements for the Years Ended April 30, 2011 and 2010
- 5) Number of Active Members – Illinois Division of Insurance Annual Statement for April 30, 2011 – Schedule P
- 6) (i) Regular Retirement Pension – Illinois Division of Insurance Annual Statement for April 30, 2011 – Schedule P for Number of Participants and Expense page 1 for Total Amount Disbursed

(ii) Disability Pension – Same as above

Village of Carol Stream, Illinois
Police Pension Fund

House Bill 5088 (Public Act 95-950) Municipal Compliance Report
For the Year Ended April 30, 2011

(iii) Survivors and Child Benefits – Same as above

(iv) Portability Transfer – Same as above

7) The funded ratio of the fund:

Illinois Division of Insurance – Net Present Assets as a percentage of Total Assets as Reported in the April 30, 2010 and 2009 Actuarial Valuations

Private Actuary – Percent Funded as Reported by Timothy W. Sharpe, Actuarial Valuation Reports for April 30, 2011 and 2010

8) Unfunded Liability:

Illinois Division of Insurance – Deferred Asset (Unfunded Accrued Liability) as Reported in the April 30, 2010 Actuarial Valuation

Private Actuary – Unfunded Liability as Reported by Timothy W. Sharpe, Actuarial Valuation Report for April 30, 2011

Village of Carol Stream

POLICE PENSION FUND INVESTMENT POLICY

1.0 Policy:

The fundamental goal of the Carol Stream Police Pension Fund is to provide retirement and other benefits to fund participants. As such, the Pension Fund Board of Trustees (Board) will invest fund assets solely in the interests of fund participants and beneficiaries for the exclusive purpose of providing retirement and other benefits to fund participants and beneficiaries. This criterion applies to specific investments and to the entire investment policy established by the Fund.

2.0 Scope:

This investment policy applies to the assets of the Police Pension Fund of the Village of Carol Stream.

3.0 Prudence:

Investments shall be made with care, skill, prudence and diligence that a prudent person acting in like capacity and familiar with such matters would use in the conduct of an enterprise of like character with like aims. (Prudent Expert Rule)

3.1 The standard of prudence to be used shall be the "prudent investment expert" standard and shall be applied in the context of managing an overall portfolio. Pension Fund Trustees acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

4.0 Investment Philosophy:

The Board believes that fund assets should be managed in a fashion that reflects the fund's unique liabilities and funding resources, incorporating accepted investment theory and related, empirical evidence. Specifically, the Board has adopted the following principles:

- A. That Asset allocation is the key determinant of return and, therefore, commitments to asset allocation targets will be maintained through a disciplined rebalancing program.
- B. That diversification, both by and within asset classes, is the primary control element.
- C. That passive fund portfolios are suitable investment strategies, especially in highly efficient markets.
- D. That "market timing" (defined as bringing an asset class below policy minimums) is precluded as an acceptable investment strategy.

5.0 Goals and Objectives:

For total fund assets, the goals are as follows:

- A. To preserve the actuarial soundness of the fund in order to meet benefit obligations.
- B. Long-term (one to two market cycles) rate of return, net of fees, in excess of the policy benchmarks.
- C. The assets of the Fund shall be invested in a manner that is consistent with generally accepted standards of

fiduciary responsibility. The safeguards which would guide a prudent expert will be observed. All transactions undertaken on behalf of the Fund will be for the sole benefit of the participants and beneficiaries of the Fund.

- D. The investment portfolio shall remain sufficiently liquid to meet all cash flow requirements that may be reasonably anticipated.
- E. The investment program shall be operated in conformance with federal, state and other legal requirements.

6.0 Delegation of Authority:

Authority to manage the Village of Carol Stream Police Pension Fund's investment program is derived from the following:

The establishment of investment policies is the responsibility of the Police Pension Board (Board). Management and administrative responsibility for the investment program is the responsibility of the Board who has established written procedures for the operation of the investment program as defined in this policy. Included procedures are: safekeeping, delivery vs. payment, investment accounting, wire transfer agreements and collateral/depository agreements. Such procedures include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Board. The Board shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. The Board may from time to time amend the written procedures in a manner not inconsistent with this policy or with state statutes.

7.0 Ethics and Conflicts of Interest:

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Officers shall refrain from undertaking personal investment transaction with the same individual with whom business is conducted on behalf of their entity.

8.0 Authorized Financial Dealers and Institutions:

The Village Treasurer will maintain a list of financial institutions authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness. All authorized firms must be "primary" dealers or regional dealers that qualify under Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule). No public deposit shall be made except on a qualified public depository as established by state statutes.

Unless transacted by the Investment Manager, all financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the Treasurer with the following:

- audited financial statements
- Proof of FINRA certification
- proof of state registration
- completed broker/dealer questionnaire
- certification of having read the Pension Fund's investment policy
- depository contracts

A periodic review of the financial condition and registration of qualified bidders will be conducted by the Treasurer.

9.0 Authorized and Suitable Investments:

The Fund may invest in any type of security allowed for in Illinois Compiled Statutes (40 ILCS 5/1-113.1-113.4a), as it may be amended from time to time include:

- 1) Interest bearing direct obligations of the United States of America.
- 2) Interest bearing obligations to the extent that they are fully guaranteed or insured as to payment of principal and interest by the United States of America.
- 3) Interest bearing bonds, notes, debentures, or other similar obligations of agencies of the United States of America. For the purposes of this Section, "agencies of the United States of America" includes: (i) the Federal National Mortgage Association; (ii) federal land banks, federal intermediate credit banks, federal farm credit banks, and any other entity authorized to issue direct debt obligations of the United States of America under the Farm Credit Acts of 1971 or amendments to that Act; (iii) federal home loan banks and the Federal Home Loan Mortgage Corporation; and (iv) any agency created by Act of Congress that is authorized to issue direct debt obligations of the United States of America.
- 4) Interest bearing savings accounts or certificates of deposit, issued by federally chartered banks or savings and loan associations, to the extent that the deposits are insured by agencies or instrumentalities of the federal government.
- 5) Interest bearing savings accounts or certificates of deposit, issued by State of Illinois chartered banks or savings and loan associations, to the extent that the deposits are insured by agencies or instrumentalities of the federal government.
- 6) Investments in credit unions, to the extent that the investments are insured by agencies or instrumentalities of the federal government.
- 7) Interest bearing bonds of the State of Illinois.
- 8) Pooled interest bearing accounts managed by the Illinois Public Treasurer's Investment Pool (Illinois Funds) in accordance with the Deposit of State Moneys Act and interest bearing funds or pooled accounts managed, operated, and administered by banks, subsidiaries of banks, or subsidiaries of bank holding companies in accordance with the laws of the State of Illinois.
- 9) Interest bearing bonds or tax anticipation warrants of any county, township, or municipal corporation of the State of Illinois.
- 10) Direct obligations of the State of Israel, subject to the conditions and limitations of item (5.1) of Section 1-113.
- 11) 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 that the portfolio of the money market mutual fund is limited to the following: (i) bonds, notes certificates of indebtedness, treasury bills, or other securities that are guaranteed by the full faith and credit of the United States of America as to principal and interest; (ii) bonds, notes debentures, or other similar obligations of the United States of America or its agencies; and (iii) short term obligations of corporations organized in the United States with assets exceeding \$400,000,000, provided that (A) the obligations mature no later than 180 days from the date of purchase, (B) at the time of purchase, the obligations are

rated by at least 2 standard national rating services at one of their 3 highest classifications, and (C) the obligations held by the mutual fund do not exceed 10% of the corporation's outstanding obligations.

- 12) General accounts of life insurance companies authorized to transact business in Illinois.
- 13) Any combination of the following, not to exceed 45% of the pension fund's net assets: (1) separate accounts that are managed by life insurance companies authorized to transact business in Illinois and are comprised of diversified portfolios consisting of common or preferred stocks, bonds, or money market instruments; (2) separate accounts that are managed by insurance companies authorized to transact business in Illinois, and are comprised of real estate or loans upon real estate secured by first or second mortgages and (3) Mutual Funds that meet the following requirements: (i) the mutual fund is managed by an investment company and registered under the Federal Investment Company Act of 1940 and registered under the Illinois Securities Law of 1953; (ii) the mutual fund has been in operation for at least 5 years; (iii) the mutual fund has total net assets of \$250 million or more, and; (iv) the mutual fund is comprised of diversified portfolio of common or preferred stocks, bonds, or money market instruments. (4) through an investment adviser, invest a portion of the assets in common and preferred stocks authorized for investments of trust funds under the laws of the state of Illinois. The stocks must meet all of the following requirements: (a) The common stocks are listed on a national securities exchange or board of trade (as defined in the federal Securities Exchange Act of 1934 and set forth in Section 3.G of the Illinois Securities Law of 1953) or quoted in the national Association of Securities Dealers

Automated Quotation System National Market System (NASDAQN MS), (b) The securities are of a corporation created or existing under the laws of the United States or any state, district, or territory thereof and the corporation has been in existence at least 5 years, (c) The corporation has not been in arrears on payment of dividends on its preferred stock during the preceding 5 years, (d) the market value of stock in any one corporation does not exceed 5% of the cash and invested assets of the pension fund, and the investments in the stock of any one corporation do not exceed 5% of the total outstanding stock of that corporation, (e) the straight preferred stocks or convertible preferred stocks are issued or guaranteed by a corporation whose common stock qualifies for investment by the board, (f) the issuer of the stocks has been subject to the requirements of Section 12 of the federal Securities Exchange Act of 1934 and has been current with the filing requirements of Sections 13 and 14 of that Act during the preceding 3 years.

- 14) Corporate bonds managed through an investment advisor must meet all of the following requirements:

- (1) The bonds must be rated as investment grade by one of the 2 largest rating services at the time of purchase.

- (2) If subsequently downgraded below investment grade, the bonds must be liquidated from the portfolio by the managers within 90 days after being downgraded.

The fund's total investment in separate accounts and mutual funds shall not exceed 50% effective 7/11 and 55% effective 7/1/12 of the market value of the pension fund's net present assets stated in its most recent annual report on file with the Illinois Department of Insurance.

Except for pecuniary interests permitted under subsection (f) of Section 3-14-4 of the Illinois Municipal Code or under Section 3.2 of the Public Officer Prohibited Practices Act, no person acting as treasurer or financial officer or who is employed in any similar capacity by or for a public agency may do any of the following:

- have any interest, directly or indirectly, in any investments in which the agency is authorized to invest.
- have any interest, directly or indirectly, in the sellers, sponsors, or managers of those investments.
- receive, in any manner, compensation of any kind from any investments in which the agency is authorized to invest.

Any public agency may also invest any public funds in a Public Treasurers' Investment Pool (Illinois Funds) created under Section 17 of the State Treasurer Act. Any public agency may also invest any public funds in a fund managed, operated, and administered by a bank, subsidiary of a bank, or subsidiary of a bank holding company or use the services of such an entity to hold and invest or advise regarding the investment of any public funds.

To the extent a public agency has custody of funds not owned by it or another public agency and does not otherwise have authority to invest such funds, the public agency may invest such funds as if they were its own. Such funds must be released to the appropriate person at the earliest reasonable time, but in no case exceeding 31 days, after the private person becomes entitled to the receipt of them. All earnings accruing on any investments or deposits made pursuant to the provisions of this Act shall be credited to the public agency by or for which such investments or deposits were made, except as provided otherwise in Section 4.1 of the State Finance Act or the Local Governmental Tax Collection Act, and except where by specific statutory provisions such earnings are directed to be credited to and paid to particular fund.

10.0 Collateralization:

It is the policy of the Fund and in accordance with the GFOA's Recommended Practices on the Collateralization of Public Deposits (attachment 1), the Fund requires that funds on deposit in excess of FDIC limits be secured by some form of collateral. The Fund will accept any of the following assets as collateral:

- Government Securities
- Obligations of Federal Agencies
- Obligations of Federal Instrumentalities
- Obligations of the State of Illinois

(The Fund reserves the right to accept/reject any form of the above named securities.)

The Fund also requires that all depositories that hold the Fund's deposits in excess of the FDIC limit must provide and sign a Collateralization Agreement (attachment 2).

The amount of collateral provided will not be less than 110% of the fair market value of the net amount of public funds secured. The ratio of fair market value of collateral to the amount of funds secured will be reviewed monthly, and additional collateral will be required when the ratio declines below the level required and collateral will be released if the fair market value exceeds the required level. Pledged collateral will be held in safekeeping, by an independent third party depository, or the Federal Reserve Bank of Boston designated by the Fund and evidenced by a safekeeping agreement. Collateral agreements will preclude the release of the pledged assets without an authorized signature from the Fund.

11.0 Safekeeping and Custody:

All fixed income security transactions entered into by the Fund shall be conducted on a delivery-verses-payment (DVP) basis. Securities will be held by one third party custodian designated by

the Treasurer and evidenced by safekeeping receipts plus any tri-party arrangements utilized by mutual funds and/or repurchase agreements.

12.0 Diversification:

In order to reduce the risk of default, the investment portfolio of the Fund shall not exceed the following diversification limits unless specifically authorized by the Board:

- No financial institution shall hold more than 40% of the Fund's investment portfolio, exclusive of U.S. Treasury securities in safekeeping.
- Monies deposited at a financial institution shall not exceed 75% of the capital stock and surplus of that institution.
- Deposits in the Illinois Public Treasurer's Investment Pool (Illinois Funds) shall not exceed 50% of the Fund's investment portfolio.
- Brokered certificates of deposit shall not exceed 25% of the Fund's investment portfolio.

13.0 Equity Selection Criteria:

The following criteria will be used in selecting an Equity Fund or investment consideration. Criteria may be added to, deleted from, or modified as agreed by the Board provided at a minimum all statutory requirements are met.

Equity selection criteria include style, manager longevity, fund longevity, MorningStar rating, net asset size, performance over comparable index, consistency of style, positive risk adjusted return and competitive fees.

- **Style:** The style will be consistent with the asset allocation mix as previously identified.
- **Manager Longevity:** The lead manager must have a minimum of five years managing the fund. Consistency of

the underlying team should be documented.

- **Fund Longevity:** The fund must have been in existence for at least five years.
- **Morningstar Rating:** Four or Five star Morning-star rating.
- **Net Asset Size:** The net asset size of the individual equity fund must be at least \$500,000,000.
- **Consistency of Style:** The fund must demonstrate a five-year consistency of style. Minimal "style drifting" will be accepted.
- **Positive Risk Adjusted Return:** The fund will demonstrate a five-year positive risk adjusted return.
- **Competitive Fees:** Annual expenses, consulting fees, front load, transaction costs and all other fees associated with the purchase and maintenance of the investment will be competitive as compared to like investment. All fees will be fully disclosed.

14.0 Rebalancing Policy:

The primary purpose of rebalancing is to ensure that the Fund adheres to its strategic asset allocation, which is the Fund's explicit statement of its investment approach. Secondly, historical analysis of portfolio returns when rebalancing is used indicates that rebalancing reduces volatility and may add modest value, in comparison to a similar portfolio that is not rebalanced.

To rebalance its portfolio cost-effectively, the Fund will carry out rebalancing in a hierarchical fashion. First, employee and employer contributions and withdrawals of cash will be used to maintain target allocations. Second, when capital distributions are required, income from dividends and interest payments will be used to re-establish target allocations. Third, manager securities will be liquidated from the over-funded manager(s) until the target allocations are met.

The Fund will review the portfolio annually for rebalancing and no more frequently than quarterly. Rebalancing shall be within the ranges as outlined in Section 12: Diversification.

15.0 Internal Controls:

The Board is responsible for establishing and maintaining an internal control structure designed to insure that the assets of the Fund are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of the control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits require estimates and judgments by management.

Accordingly, the Board shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following points:

- Control of collusion
- Separation of transaction authority from accounting and record keeping
- Custodial safekeeping
- Avoidance of physical delivery securities
- Clear delegation of authority to subordinate staff members.
- Written confirmation of telephone transactions for investments and wire transfers
- Development of a procedure for making wire transfers

16.0 Performance Standards:

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. Portfolio

performance should be compared to appropriate benchmarks on a regular basis. Over the investment horizon established in this statement, it is the goal to meet or exceed: The return of 50% Barclays Government Credit Index and 50% Russell 3000.

16.1 Performance Benchmarks-Fixed:

The fixed income assets shall be invested in one of two distinct strategies. (1) actively managed utilizing a professional money manager and (2) internally, utilizing a passive strategy that is managed per the policies and procedures established by the Board. The goal of the Board, over a market cycle, shall be to meet or exceed the returns of the Barclays Government Index.

16.2 Performance Benchmarks - Equities:

The goal of each investment manager mutual fund/separate account, over the investment horizon, shall be to:

- 1) Meet or exceed the market index, or blended market index, selected and agreed upon by the Trustees that most closely correspond to the style of investment management.
- 2) Display an overall level of risk in the portfolio which is consistent with the risk associated with the benchmark specified above. Risk will be measured by the standard deviation of quarterly returns.

17.0 Investment Manager Performance Review and Evaluation:

Performance reports generated by the Investment Consultant shall be compiled at least quarterly and communicated to the Trustees for review. The investment performance of total portfolios as

well as asset class components will be measured against commonly accepted performance benchmarks. Consideration shall be given to the investment objectives, goals and guidelines as set forth in this statement. The Trustees intend to evaluate the portfolio(s) over at least a three year period, but reserve the right to terminate a manager for any reason including the following:

- Investment performance which is significantly less than anticipated given the discipline employed and the risk parameters established, or unacceptable justification of poor results.
- Failure to adhere to any aspect of this statement of investment policy, including communication and reporting requirements.
- Significant qualitative changes to the investment management organization.

Investment managers shall be reviewed regularly regarding performance, personnel, strategy, research capabilities, organizational and business matters, and other qualitative factors that may impact their ability to achieve the desired investment results.

18.0 Reporting:

An investment report should be regularly provided to the Police Pension Board. The report will include the following:

- A listing of individual securities held at the end of the reporting period.
- Listing of investments by maturity date.
- The percentage of the total portfolio which each type of investment represents.
- The percentage of the total portfolio which each institution is holding.
- The percentage of the total portfolio broken down by defined maturity periods.
- Principal and type of investment by fund.

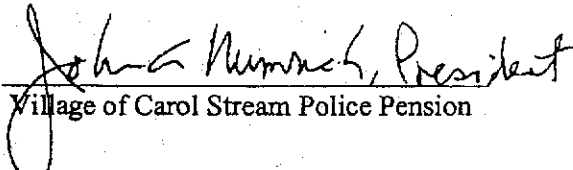
18.1 Marking to Market:

A statement of the market value of the portfolio shall be issued at least quarterly. This will ensure that the minimal amount of review has been performed on the investment portfolio in terms of value and subsequent price volatility. Review should be consistent with the GFOA Recommended Practice on Mark-to-Market Practices for State and Local Government Investment Portfolios and Investment Pools (attachment 3).

19.0 Investment Policy Adoption:

The Fund's investment policy shall be adopted by resolution of the Carol Stream Police Pension Fund. This policy shall be reviewed on an annual basis and any modifications made thereto must be approved by the Police Pension Board and re-filed with the Department of Insurance.

Approved 04-20-11


Village of Carol Stream Police Pension


Village of Carol Stream Police Pension

Village of Carol Stream

Interdepartmental Memo

TO: Joe Breinig, Village Manager

FROM: Matt York, Assistant Director of Public Works

CC: Philip J. Modaff, Director of Public Works

DATE: January 31, 2012

RE: Motion to Approve Increase to Purchase Order for Removal of EAB Trees

On August 15, 2011, the Village Board approved a contract with Ciosek Tree Service for the removal of parkway trees damaged by the Emerald Ash Borer. The bid process for this work requested unit prices for various tree sizes since it was not clear at that time how many trees would be removed. Contractors were asked to submit unit pricing with the understanding that the contract period would extend through the current fiscal year and unit pricing would be applied during the entire period. At the time of contract award staff requested that the Village Board authorize a purchase order in the amount of \$58,000, with the understanding that if additional funds were needed due to an increase in trees requiring removal that staff would return to the Village Board to seek approval to increase the purchase order amount.

Since August the Department has continued to assess the Ash Tree survey, during which time we were able to survey an additional four-hundred (400) Ash trees. From that survey we have identified an additional one-hundred and nine (109) Ash trees that are recommended for removal. Based upon contract pricing and the estimated quantity and sizes of trees, we estimate the cost for removal to be no more than \$30,000. (For reference I have attached the staff memo from the August 15 Board meeting agenda along with the bid pricing submitted by Ciosek).

We recommend that the Village Board authorize the expenditure of an additional \$30,000 for the removal of Ash trees by Ciosek Tree Service. Funding for this additional work will be provided via the EAB fund that was established by the Village Board in November 2007.

Removal and Stump Grinding of Parkway Trees

BID FORM

LADIES AND GENTLEMEN:

Completely in accordance with your *Notice to Bidders, Specifications and General Requirements*, we propose to remove tree, chip tree materials, grind stump, and bring location to grade:

	Tree Cost - 9/1/11 to 4/30/12	Tree Cost - 5/1/12 to 4/30/13	Tree Cost - 5/1/13 to 4/30/14
Less than 5" DBH	70.00	70.00	70.00
5.0" to 10" DBH	90.00	90.00	90.00
10.1" to 15" DBH	220.00	220.00	220.00
15.1" to 20" DBH	275.00	275.00	275.00
20.1" to 25" DBH	325.00	325.00	325.00
25.1" to 30" DBH	600.00	600.00	600.00
Over 30.1" DBH	600.00	600.00	600.00
Stump-Only (per inch)	4.50	4.50	4.50

Example - a 12" DBH tree costs \$200, while a 14" DBH is also \$200.

NAME OF BIDDER: Ciosek Tree Service, Inc.
 ADDRESS: 21W430 Park Avenue
 CITY/STATE/ZIP: Lombard, IL 60148
 AREA CODE AND TELEPHONE: 630-924-6301
 NAME OF CONTACT PERSON: Dave Ciosek
 AUTHORIZED SIGNATURE: [Signature]
 TITLE: Secretary / Owner
 E-MAIL ADDRESS: frgs750@aol.com
 WEBSITE: _____
 DATE OF BID: 8-9-11

BID MUST REMAIN VALID FOR 60 (SIXTY) DAYS

CORPORATE SEAL OF BIDDER:

Bid Results from the Village of Carol Stream Bid Opening - August 10th

		Ciosek Tree Service		JPC Tree Care		Winkler Tree	
Year 1	Qty	Cost	Total	Cost	Total	Cost	Total
Less than 5" DBH	6	\$ 70.00	\$ 420.00	\$ 60.00	\$ 360.00	\$ 100.00	\$ 600.00
5.0" to 10" DBH	22	\$ 90.00	\$ 1,980.00	\$ 90.00	\$ 1,980.00	\$ 100.00	\$ 2,200.00
10.1" to 15" DBH	40	\$ 220.00	\$ 8,800.00	\$ 180.00	\$ 7,200.00	\$ 191.00	\$ 7,640.00
15.1" to 20" DBH	54	\$ 275.00	\$ 14,850.00	\$ 260.00	\$ 14,040.00	\$ 342.00	\$ 18,468.00
20.1" to 25" DBH	54	\$ 325.00	\$ 17,550.00	\$ 325.00	\$ 17,550.00	\$ 490.00	\$ 26,460.00
25.1" to 30" DBH	14	\$ 600.00	\$ 8,400.00	\$ 550.00	\$ 7,700.00	\$ 874.00	\$ 12,236.00
Over 30.1" DBH	10	\$ 600.00	\$ 6,000.00	\$ 750.00	\$ 7,500.00	\$ 889.00	\$ 8,890.00
Stump Only (per inch)		\$ 4.50		\$ 3.00		No Bid	
			\$ 58,000.00		\$ 56,330.00		\$ 76,494.00

Year 2	Qty	Cost	Total	Cost	Total	Cost	Total
Less than 5" DBH	6	\$ 70.00	\$ 420.00	\$ 60.00	\$ 360.00	\$ 102.00	\$ 612.00
5.0" to 10" DBH	22	\$ 90.00	\$ 1,980.00	\$ 100.00	\$ 2,200.00	\$ 102.00	\$ 2,244.00
10.1" to 15" DBH	40	\$ 220.00	\$ 8,800.00	\$ 200.00	\$ 8,000.00	\$ 195.00	\$ 7,800.00
15.1" to 20" DBH	54	\$ 275.00	\$ 14,850.00	\$ 300.00	\$ 16,200.00	\$ 349.00	\$ 18,846.00
20.1" to 25" DBH	54	\$ 325.00	\$ 17,550.00	\$ 350.00	\$ 18,900.00	\$ 499.00	\$ 26,946.00
25.1" to 30" DBH	14	\$ 600.00	\$ 8,400.00	\$ 600.00	\$ 8,400.00	\$ 897.00	\$ 12,558.00
Over 30.1" DBH	10	\$ 600.00	\$ 6,000.00	\$ 800.00	\$ 8,000.00	\$ 1,008.00	\$ 10,080.00
Stump Only (per inch)		\$ 4.50		\$ 3.00		No Bid	
			\$ 58,000.00		\$ 62,060.00		\$ 79,086.00

Year 3	Qty	Cost	Total	Cost	Total	Cost	Total
Less than 5" DBH	6	\$ 70.00	\$ 420.00	\$ 60.00	\$ 360.00	\$ 105.00	\$ 630.00
5.0" to 10" DBH	22	\$ 90.00	\$ 1,980.00	\$ 100.00	\$ 2,200.00	\$ 105.00	\$ 2,310.00
10.1" to 15" DBH	40	\$ 220.00	\$ 8,800.00	\$ 200.00	\$ 8,000.00	\$ 198.00	\$ 7,920.00
15.1" to 20" DBH	54	\$ 275.00	\$ 14,850.00	\$ 300.00	\$ 16,200.00	\$ 357.00	\$ 19,278.00
20.1" to 25" DBH	54	\$ 325.00	\$ 17,550.00	\$ 350.00	\$ 18,900.00	\$ 506.00	\$ 27,324.00
25.1" to 30" DBH	14	\$ 600.00	\$ 8,400.00	\$ 600.00	\$ 8,400.00	\$ 909.00	\$ 12,726.00
Over 30.1" DBH	10	\$ 600.00	\$ 6,000.00	\$ 800.00	\$ 8,000.00	\$ 1,028.00	\$ 10,280.00
Stump Only (per inch)		\$ 4.50		\$ 3.00		No Bid	
			\$ 58,000.00		\$ 62,060.00		\$ 80,468.00

200 TREES PER YEAR

AGENDA ITEM
G-3 8-15-11

Village of Carol Stream
Interdepartmental Memo

TO: Joseph Breinig, Village Manager

FROM: Philip J. Modaff, Director of Public Works
Matthew R York, Assistant Public Works Director

DATE: August 11, 2011

RE: Tree Removal and Stump Grinding Contract

On July 22, 2011, the Public Works Department advertised for bids for Tree Removals and Stump Grindings within the Village. This Bid Request was brought about to supplement the contract for the current fiscal year due to the heavy increase in trees impacted by Emerald Ash Borer. The bid was designed to also solicit pricing for the next two fiscal years, with annual extensions at the Village's discretion. Three bids were opened and read aloud at the bid opening held on August 10, 2011.

Based upon a field survey conducted by Public Works Department certified arborists, it is estimated that 200 additional trees will have to be removed from the Village parkways during the balance of this fiscal year due to the rapid decline of Ash Trees. This work is in addition to the regular tree removal work that is executed each year. Significant damage to trees in the recent wind storm have added over fifty more tree removals to the list of work to be completed this fiscal year.

As in past years, the bid request asked for contractors to provide pricing for seven (7) different classifications of trees based upon size. Because the contract would cover removals throughout this fiscal year (and, at the Village's options, throughout the following two years) it is not known exactly how many trees of each size will be removed. Therefore, in order to gauge the value of each bid, the pricing submitted for each size classification was applied to estimated percentages for each from a total estimate of two-hundred (200) trees. These percentage estimates were based upon recent removal history and the observed decline of EAB trees. (Attached is the spreadsheet showing the full bid tabulation).

Ciosek Tree Service submitted the lowest total bid over the three-year period. *While they were not the low bidder for the first year (JPC was \$1,670 lower), Ciosek's bid maintained the same pricing for each of the two subsequent years, making both the two-year total and three-year total the lowest overall bid among the three submitted. Below is a summary of each of the three bids submitted and the estimated costs associated with each based upon the percentages applied:*

BID SUMMARY

	Ciosek Tree Service	JPC Tree Care	Winkler Tree Service
Year 1 (FY 12)	\$58,000	\$56,330	\$76,494
Year 2 (FY 13)	\$58,000	\$62,060	\$79,086
Year 3 (FY 14)	\$58,000	\$62,060	\$80,468
Totals	\$174,000*	\$180,450*	\$236,048*

***NOTE: These are estimated totals based upon the expected removal of up to 200 trees per year and the percentage estimates of each size category.**

RECOMMENDATION

Ciosek Tree Service has satisfactorily performed these same services for the Village since July 2008. Ciosek recently provided outstanding work during the recent cleanup of the major windstorm suffered on July 28.


Funding for this supplemental contract will come from the Emerald Ash Borer reserves that were set aside several years ago for the purpose of removing and replacing trees impacted by Emerald Ash Borer. Based upon the estimate of total number of trees and the various tree sizes to be removed, the estimated annual cost of the work is \$58,000. The number may vary depending on the rate of decline of Ash Trees in the coming years.

The Public Works Department is recommending that the Village Board award a contract to Ciosek Tree Service for Contract Tree Removal and Stump Grinding. This contract will include tree removals during the current fiscal year and includes a Village option for two, one-year extensions.

AGENDA ITEM

G-3 2-6-12

Village of Carol Stream Interdepartmental Memo

TO: Joseph Breinig, Village Manager
FROM: William N. Cleveland, Assistant Village Engineer 
DATE: February 1, 2012
RE: Award of Consultant Contract – Phase III
Construction Services for Fair Oaks Road LAPP

On January 20th IDOT opened bids for the referenced project and the low bid was Arrow Road Construction Company at \$773,094.92. IDOT will award the contract and pay for construction with federal Surface Transportation Program funding. Upon completion of the project, including all final paperwork, the State will invoice the Village our 30% share (approximately \$232,000) and we will split the bill with the Wayne Township Road District 47%/53% (\$109,000 WTRD and \$123,000 Village).

Engineering Services has received a proposal from TranSystems Corporation to provide Construction Management Services for the referenced project. The construction costs of the resurfacing project are being funded by Surface Transportation Program monies, therefore special procedures and documentation is required beyond the expertise of Village staff.

TranSystems has also preformed Phase III services on previous projects with the Village including:

<u>Project</u>	<u>Length</u>	<u>Contract Amount</u>	<u>Final Payment</u>
2006 Lies Rd LAPP	1 mile	\$17,582.07	\$12,367.13
2008 Fullerton Ave LAPP	1 mile	\$19,604.30	\$12,584.50
2010 Lies Road ARRA	1 mile	\$27,214.54	\$21,912.30


It should be noted that in 2010 IDOT discontinued performing plant material inspection and testing. This added about \$10,000.00 to the cost of construction management for additional testing firm sub contractor costs.

The proposal for Phase III Engineering is \$31,270.41, which compares favorably to previous projects considering this project is 50% larger at 1.5 miles. Again, the cost will be split 47%/53% between the WTRD and Village, or about \$14,697 and \$16,573 respectively. The budget for this work is \$53,000, so the proposal is \$21,729.59 (41%) under budget.

Engineering staff therefore recommends that the Phase III Construction Management Consultant contract be awarded to TranSystems Corporation in the amount of \$31,270.41. If you have any questions, please call me.

Cc: James T. Knudsen, Director of Engineering Services
Jon Batek, Finance Director
Phil Modaff, Director of Public Works
Ken Spitz, WTRD
Jim Ludman, Engineering Inspector

Attachment

Local Agency Village of Carol Stream	L O C A L A G E N C Y	 Illinois Department of Transportation	C O N S U L T A N T	Consultant TranSystems
County DuPage				Address 1475 East Woodfield Road, Suite 600
Section 11-00057-00-RS				City Schaumburg
Project No. M-9003(830)				State IL
Job No. C-91-573-11				Zip Code 60173
Contact Name/Phone/E-mail Address William Cleveland/(630)871-6220/ wcleveland@carolstream.org	Contact Name/Phone/E-mail Address Eric E. Rose/ 847-605-9600/ eeroose@transystems.com			

THIS AGREEMENT is made and entered into this _____ day of _____, 2011 between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the PROJECT described herein. Federal-aid funds allotted to the LA by the state of Illinois under the general supervision of the Illinois Department of Transportation (STATE) will be used entirely or in part to finance engineering services as described under AGREEMENT PROVISIONS.

WHEREVER IN THIS AGREEMENT the following terms are used, they shall be interpreted to mean:

Regional Engineer	Regional Engineer, Department of Transportation
Resident Engineer	LA Employee directly responsible for construction of the PROJECT
Contractor	Company or Companies to which the construction contract was awarded

Project Description

Name Fair Oaks Road Resurfacing Route FAU 2542 Length 1.5 mile Structure No. N/A

Termini IL RT 64 to Army Trail Road

Description: Construction Engineering Services for rehabilitation of Fair Oaks Road including, milling and resurfacing, patching, spot sidewalk and curb & gutter repairs, aggregate shoulder improvements, landscaping restoration and striping.

Agreement Provisions

I. THE ENGINEER AGREES,

1. To perform or be responsible for the performance of the engineering services for the LA, in connection with the PROJECT hereinbefore described and checked below:
 - a. Proportion concrete according to applicable STATE Bureau of Materials and Physical Research (BMPR) Quality Control/Quality Assurance (QC/QA) training documents or contract requirements and obtain samples and perform testing as noted below.
 - b. Proportion hot mix asphalt according to applicable STATE BMPR QC/QA training documents and obtain samples and perform testing as noted below.
 - c. For soils, to obtain samples and perform testing as noted below.
 - d. For aggregates, to obtain samples and perform testing as noted below.

NOTE: For 1a. through 1d. the ENGINEER is to obtain samples for testing according to the STATE BMPR "Project Procedures Guide", or as indicated in the specifications, or as attached herein by the LA; test according to the STATE BMPR "Manual of Test Procedures for Materials", submit STATE BMPR inspection reports; and verify compliance with contract specifications.

 - e. Inspection of all materials when inspection is not provided at the sources by the STATE BMPR, and submit inspection reports to the LA and the STATE in accordance with the STATE BMPR "Project Procedures Guide" and the policies of the STATE.
 - f. For Quality Assurance services, provide personnel who have completed the appropriate STATE BMPR QC/QA trained technician classes.
 - g. Inspect, document and inform the resident engineer of the adequacy of the establishment and maintenance of the traffic control.

- h. Geometric control including all construction staking and construction layouts.
 - i. Quality control of the construction work in progress and the enforcement of the contract provisions in accordance with the STATE Construction Manual.
 - j. Measurement and computation of pay items.
 - k. Maintain a daily record of the contractor's activities throughout construction including sufficient information to permit verification of the nature and cost of changes in plans and authorized extra work.
 - l. Preparation and submission to the LA by the required form and number of copies, all partial and final payment estimates, change orders, records, documentation and reports required by the LA and the STATE.
 - m. Revision of contract drawings to reflect as built conditions.
2. Engineering services shall include all equipment, instruments, supplies, transportation and personnel required to perform the duties of the ENGINEER in connection with the AGREEMENT.
 3. To furnish the services as required herein within twenty-four hours of notification by the resident engineer or authorized representative.
 4. To attend meetings and visit the site of the work at any reasonable time when requested to do so by representatives of the LA or STATE.
 5. That none of the services to be furnished by the ENGINEER shall be sublet, assigned or transferred to any other party or parties without the written consent of the LA. The consent to sublet, assign or otherwise transfer any portion of the services to be furnished by the ENGINEER shall not be construed to relieve the ENGINEER of any responsibility for the fulfillment of this AGREEMENT.
 6. The ENGINEER shall submit invoices, based on the ENGINEER's progress reports, to the resident engineer, no more than once a month for partial payment on account for the ENGINEER's work completed to date. Such invoices shall represent the value, to the LA of the partially completed work, based on the sum of the actual costs incurred, plus a percentage (equal to the percentage of the construction engineering completed) of the fixed fee for the fully completed work.
 7. That the ENGINEER is qualified technically and is entirely conversant with the design standards and policies applicable to improvement of the SECTION; and that the ENGINEER has sufficient properly trained, organized and experienced personnel to perform the services enumerated herein.
 8. That the ENGINEER shall be responsible for the accuracy of the ENGINEER's work and correction of any errors, omissions or ambiguities due to the ENGINEER'S negligence which may occur either during prosecution or after acceptance by the LA. Should any damage to persons or property result from the ENGINEER's error, omission or negligent act, the ENGINEER shall indemnify the LA, the STATE and their employees from all accrued claims or liability and assume all restitution and repair costs arising from such negligence. The ENGINEER shall give immediate attention to any remedial changes so there will be minimal delay to the contractor and prepare such data as necessary to effectuate corrections, in consultation with and without further compensation from the LA.
 9. That the ENGINEER will comply with applicable federal statutes, state of Illinois statutes, and local laws or ordinances of the LA.
 10. The undersigned certifies neither the ENGINEER nor I have:
 - a) employed or retained for commission, percentage, brokerage, contingent fee or other considerations, any firm or person (other than a bona fide employee working solely for me or the above ENGINEER) to solicit or secure this AGREEMENT;
 - b) agreed, as an express or implied condition for obtaining this AGREEMENT, to employ or retain the services of any firm or person in connection with carrying out the AGREEMENT or
 - c) paid, or agreed to pay any firm, organization or person (other than a bona fide employee working solely for me or the above ENGINEER) any fee, contribution, donation or consideration of any kind for, or in connection with, procuring or carrying out the AGREEMENT.
 - d) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
 - e) have not within a three-year period preceding the AGREEMENT been convicted of or had a civil judgment rendered against them for commission of fraud or criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
 - f) are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (e) of this certification; and
 - g) have not within a three-year period preceding this AGREEMENT had one or more public transactions (Federal, State or local) terminated for cause or default.

11. To pay its subconsultants for satisfactory performance no later than 30 days from receipt of each payment from the LA.
12. To submit all invoices to the LA within one year of the completion of the work called for in this AGREEMENT or any subsequent Amendment or Supplement.
13. To submit BLR 05613, Engineering Payment Report, to the STATE upon completion of the work called for in the AGREEMENT.

II. THE LA AGREES,

1. To furnish a resident engineer to be in responsible charge of general supervision of the construction.
2. To furnish the necessary plans and specifications.
3. To notify the ENGINEER at least 24 hours in advance of the need for personnel or services.
4. To pay the ENGINEER as compensation for all services rendered in accordance with this AGREEMENT, on the basis of the following compensation formulas:

Cost Plus Fixed Fee CPFF = 14.5%[DL + R(DL) + OH(DL) + IHDC], or
 CPFF = 14.5%[DL + R(DL) + 1.4(DL) + IHDC], or
 CPFF = 14.5%[(2.3 + R)DL + IHDC]

Where: DL = Direct Labor
 IHDC = In House Direct Costs
 OH = Consultant Firm's Actual Overhead Factor
 R = Complexity Factor

Specific Rate (Pay per element)

Lump Sum _____

5. To pay the ENGINEER using one of the following methods as required by 49 CFR part 26 and 605 ILCS 5/5-409:

With Retainage

- a) **For the first 50% of completed work**, and upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to 90% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- b) **After 50% of the work is completed**, and upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments covering work performed shall be due and payable to the ENGINEER, such payments to be equal to 95% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- c) **Final Payment** – Upon approval of the work by the LA but not later than 60 days after the work is completed and reports have been made and accepted by the LA and the STATE, a sum of money equal to the basic fee as determined in this AGREEMENT less the total of the amounts of partial payments previously paid to the ENGINEER shall be due and payable to the ENGINEER.

Without Retainage

- a) **For progressive payments** – Upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to the value of the partially completed work minus all previous partial payments made to the ENGINEER.
 - b) **Final Payment** – Upon approval of the work by the LA but not later than 60 days after the work is completed and reports have been made and accepted by the LA and STATE, a sum of money equal to the basic fee as determined in this AGREEMENT less the total of the amounts of partial payments previously paid to the ENGINEER shall be due and payable to the ENGINEER.
6. The recipient shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31U.S.C. 3801 et seq.).

III. It is Mutually Agreed,

1. That the ENGINEER and the ENGINEER's subcontractors will maintain all books, documents, papers, accounting records and other evidence pertaining to cost incurred and to make such materials available at their respective offices at all reasonable times during the AGREEMENT period and for three years from the date of final payment under this AGREEMENT, for inspection by the STATE, Federal Highway Administration or any authorized representatives of the federal government and copies thereof shall be furnished if requested.
2. That all services are to be furnished as required by construction progress and as determined by the RESIDENT ENGINEER. The ENGINEER shall complete all services specified herein within a time considered reasonable to the LA, after the CONTRACTOR has completed the construction contract.
3. That all field notes, test records and reports shall be turned over to and become the property of the LA and that during the performance of the engineering services herein provided for, the ENGINEER shall be responsible for any loss or damage to the documents herein enumerated while they are in the ENGINEER's possession and any such loss or damage shall be restored at the ENGINEER's expense.
4. That this AGREEMENT may be terminated by the LA upon written notice to the ENGINEER, at the ENGINEER's last known address, with the understanding that should the AGREEMENT be terminated by the LA, the ENGINEER shall be paid for any services completed and any services partially completed. The percentage of the total services which have been rendered by the ENGINEER shall be mutually agreed by the parties hereto. The fixed fee stipulated in numbered paragraph 4d of Section II shall be multiplied by this percentage and added to the ENGINEER's actual costs to obtain the earned value of work performed. All field notes, test records and reports completed or partially completed at the time of termination shall become the property of, and be delivered to, the LA.
5. That any differences between the ENGINEER and the LA concerning the interpretation of the provisions of this AGREEMENT shall be referred to a committee of disinterested parties consisting of one member appointed by the ENGINEER, one member appointed by the LA, and a third member appointed by the two other members for disposition and that the committee's decision shall be final.
6. That in the event the engineering and inspection services to be furnished and performed by the LA (including personnel furnished by the ENGINEER) shall, in the opinion of the STATE be incompetent or inadequate, the STATE shall have the right to supplement the engineering and inspection force or to replace the engineers or inspectors employed on such work at the expense of the LA.
7. That the ENGINEER has not been retained or compensated to provide design and construction review services relating to the contractor's safety precautions, except as provided in numbered paragraph 1f of Section I.
8. This certification is required by the Drug Free Workplace Act (30ILCS 580). The Drug Free Workplace Act requires that no grantee or contractor shall receive a grant or be considered for the purpose of being awarded a contract for the procurement of any property or service from the State unless that grantee or contractor will provide a drug free workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract or grant payments, termination of a contract or grant and debarment of contracting or grant opportunities with the State for at least one (1) year but no more than five (5) years.

For the purpose of this certification, "grantee" or "contractor" means a corporation, partnership or other entity with twenty-five (25) or more employees at the time of issuing the grant, or a department, division or other unit thereof, directly responsible for the specific performance under a contract or grant of \$5,000 or more from the State, as defined in the Act.

The contractor/grantee certifies and agrees that it will provide a drug free workplace by:

(a) Publishing a statement:

- (1) Notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including cannabis, is prohibited in the grantee's or contractor's workplace.
- (2) Specifying the actions that will be taken against employees for violations of such prohibition.
- (3) Notifying the employee that, as a condition of employment on such contract or grant, the employee will:
 - (A) abide by the terms of the statement; and
 - (B) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

(b) Establishing a drug free awareness program to inform employees about:

- (1) the dangers of drug abuse in the workplace;
- (2) the grantee's or contractor's policy of maintaining a drug free workplace;
- (3) any available drug counseling, rehabilitation and employee assistance program; and

- (4) the penalties that may be imposed upon an employee for drug violations.
- (c) Providing a copy of the statement required by subparagraph (a) to each employee engaged in the performance of the contract or grant and to post the statement in a prominent place in the workplace.
- (d) Notifying the contracting or granting agency within ten (10) days after receiving notice under part (B) of paragraph (3) of subsection (a) above from an employee or otherwise receiving actual notice of such conviction.
- (e) Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is convicted, as required by section S of the Drug Free Workplace Act.
- (f) Assisting employees in selecting a course of action in the event drug counseling, treatment and rehabilitation is required and indicating that a trained referral team is in place.
- (g) Making a good faith effort to continue to maintain a drug free workplace through implementation of the Drug Free Workplace Act.
9. The ENGINEER or subconsultant shall not discriminate on the basis of race, color, national origin or sex in the performance of this AGREEMENT. The ENGINEER shall carry out applicable requirements of 49 CFR part 26 in the administration of DOT-assisted contracts. Failure by the ENGINEER to carry out these requirements is a material breach of this AGREEMENT, which may result in the termination this AGREEMENT or such other remedy as the LA deems appropriate.

Agreement Summary

Prime Consultant:	TIN Number	Agreement Amount
TranSystems	43-0839725	\$23,979.67
Sub-Consultants:	TIN Number	Agreement Amount
Great Lakes Soil & Environmental Consultants, Inc.	36-4045796	\$7,290.74
	Sub-Consultant Total:	\$7,290.74
	Prime Consultant Total:	\$23,979.67
	Total for all Work:	\$31,270.41

Executed by the LA:

Village of Carol Stream
(Municipality/Township/County)

ATTEST:

By: _____

By: _____

Village Clerk

Title: Village President

(SEAL)

Executed by the ENGINEER:

TranSystems

ATTEST:

By: 

By: 

Title: Project Manager

Title: VP President

Exhibit A - Construction Engineering

Route: FAU 2542 (Fair Oaks Road)
 Local Agency: Village of Carol Stream
 (Municipality/Township/County)
 Section: 11-00057-00-RS
 Project: M-9003 (830)
 Job No.: C-91-573-11

*Firm's **approved rates** on file with IDOT'S Bureau of Accounting and Auditing:
 Overhead Rate (OH) 151.34 %
 Complexity Factor (R) 0.00
 Calendar Days _____

Method of Compensation:

- Cost Plus Fixed Fee 1 14.5%[DL + R(DL) + OH(DL) + IHDC]
- Cost Plus Fixed Fee 2 14.5%[DL + R(DL) + 1.4(DL) + IHDC]
- Cost Plus Fixed Fee 3 14.5%[(2.3 + R)DL + IHDC]
- Specific Rate
- Lump Sum

Cost Estimate of Consultant's Services in Dollars

Element of Work	Employee Classification	Man-Hours	Payroll Rate	Payroll Costs (DL)	Overhead*	Services by Others	In-House Direct Costs (IHDC)	Profit	Total
SEE ATTACHED EXHIBIT A									
Totals		0.00							

Scope of Services Exhibit A

TranSystems will provide Quality Assurance oversight of the project documentation and material placement on the project from the start of field operations to final completion. All work is to be performed according to the general industry engineering standards established by the Illinois Department of Transportation (IDOT).

TranSystems and Great Lakes Soil and Environmental Consultants, Inc. will provide Phase III engineering and construction inspection services in accordance with, but not limited to, the following general task areas:

- A. Provide Part-time (approximately 8 hours per week) project documentation assistance to the Village Staff in the Contract Documentation Process. The Village will maintain all records and TranSystems will provide oversight and instruction by overseeing the following items to be completed by the Village:
 1. Measurement and computation of pay items per Illinois Department of Transportation (IDOT) guidelines and the project specifications.
 2. Maintenance of daily and weekly records of the contractor's activities, including sufficient information to permit verification of the nature and cost of changes in plans and authorized extra work.
 3. Obtaining and submitting to IDOT the proper material inspection reports for all materials incorporated into the project.
 4. Documentation of the adequacy of the establishment and maintenance of the traffic control including pedestrian activity
- B. Provide documentation assistance to the Village for the following items.
 1. Preparation and submission to IDOT, in the required form and number of copies, all partial and final pay estimates, weekly reports, change orders, material inspection records, documentation and reports required by IDOT.
 2. Assist in preparation for and attend all progress documentation reviews required by IDOT personnel.
 3. Preparation of final paperwork, attend the final project documentation review by IDOT and ensure project close-out.
- C. Provide a Construction Manager to provide guidance to field personnel as to Contract requirements and daily documentation.
- D. Provide Quality Assurance HMA and PCC Quality materials. This work will be performed by Great Lakes Soil and Environmental Consultants, Inc., with TranSystems personnel acting as Quality Assurance Manager.



Payroll Escalation Table
Fixed Raises

FIRM NAME TranSystems
PRIME/SUPPLEMENT Prime

DATE 11/14/11
PTB NO. _____

CONTRACT TERM 5 MONTHS
START DATE 5/1/2012
RAISE DATE 12/1/2012

OVERHEAD RATE 151.34%
COMPLEXITY FACTOR 0
% OF RAISE 3.00%

ESCALATION PER YEAR

5/1/2012 - 9/30/2012

12/1/2012 - 10/12/2012

5
5

0
5

= 100.00%
= 1.0000

0.00%

0.00%

The total escalation for this project would be:



**Illinois Department
of Transportation**

Payroll R:

FIRM NAME
PRIME/SUPPLEMENT
PTB NO.

TranSystems
Prime

DATE

ESCALATION FACTOR

0.00%

CLASSIFICATION	CURRENT RATE	ESCALATED RATE
Principal in Charge	\$70.00	\$70.00
Senior Project Manager (Highway/Construction)	\$69.15	\$69.15
Construction Manager	\$57.74	\$57.74
Structural Engineer	\$46.00	\$46.00
Project Manager (Construction)	\$53.81	\$53.81
Senior Project Engineer (Highway)	\$59.59	\$59.59
Resident Engineer	\$54.24	\$54.24
Senior Resident Inspector	\$49.06	\$49.06
Assistant Resident Inspector	\$37.95	\$37.95
Design Engineer II (Highway)	\$35.64	\$35.64
Construction Inspector I	\$29.66	\$29.66
Land Surveyor	\$33.66	\$33.66
Survey Crew Chief	\$31.73	\$31.73
Rodman	\$20.40	\$20.40
CADD Technician III	\$29.91	\$29.91
Administrative Assistant	\$25.53	\$25.53



EXHIBIT A

Cost Estimate of
Consultant Services
(CPFF)

Firm TranSystems
Route FAU 2542 (Fair Oaks Road)
Section 11-00057-00-RS
County DuPage
Job No. C-91-573-11
PTB & Item _____

Date 11/14/11
Overhead Rate 151.34%
Complexity Factor 0

DBE Drop Box	Item	Manhours (A)	Payroll (B)	Overhead & Fringe Benefits (C)	In-House Direct Costs (D)	Fixed Fee (E)	Outside Direct Costs (F)	Services By Others (G)	DBE Total (B+C+D+E+F+G)	Total (B+C+D+E+F+G)	% of Grand Total
	PRECONSTRUCTION										
	Contract Documents Review										
	Project Site Inspection										
	Meeting	4	223.10	337.64		81.31				642.05	2.05%
	Job Setup										
	CONSTRUCTION										
	Shop drawing review										
	Construction Layout									0.00	0.00%
	Construction Inspection										
	Traffic Control										
	Daily Documentation										
	Pay Estimates										
	Weekly Documentation	96	5,543.04	8,388.84	959.40	2,159.24				17,050.51	54.53%
	Other Agency Coordination										
	Contractor Coordination										
	Utility Coordination										
	QC/QA of Materials	12	645.72	977.23		235.33		7,290.74	7,290.74	9,149.02	29.26%
	POST CONSTRUCTION										
	Final Documentation	16	923.84	1,398.14		336.69				2,658.67	8.50%
	Record Drawings										
	ADMINISTRATION AND MANAGEMENT										
	Administration/Management	10	384.14	581.36		140.00				1,105.49	3.54%
	Quality Control and Assurance	4	230.96	349.53		84.17				664.67	2.13%
	TOTALS	142	7,950.80	12,032.74	959.40	3,036.73	0.00	7,290.74	7,290.74	31,270.41	100.00%

DBE 23.32%



Average Hourly Project Rates

Route FAU 2542 (Fair Oaks Road)
 Section 11-00057-00-RS
 County DuPage
 Job No. C-91-573-11
 PTB/Item _____

Consultant TranSystems

Date 11/14/11

Sheet 1 OF 4

Payroll Classification	Avg Hourly Rates	Total Project Rates			PRECONSTRUCTION			Contract Documents Review			Project Site Inspection			Meeting			Job Setup		
		Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg	Hours	% Part.	Wgtd Avg
Principal in Charge	70.00	0																	
Senior Project Manager (Highway)	69.15	0																	
Construction Manager	57.74	122	85.92%	49.61									2	50.00%	28.87				
Structural Engineer	46.00	0																	
Project Manager (Construction)	53.81	14	9.86%	5.31									2	50.00%	26.91				
Resident Engineer	54.24	0																	
Senior Resident Inspector	49.06	0																	
Assistant Resident Inspector	37.95	0																	
Design Engineer II (Highway)	35.64	0																	
Construction Inspector I	29.66	0																	
Land Surveyor	33.66	0																	
Survey Crew Chief	31.73	0																	
Rodman	20.40	0																	
CADD Technician III	29.91	0																	
Administrative Assistant	25.53	6	4.23%	1.08															
		0																	
		0																	
		0																	
		0																	
		0																	
		0																	
		0																	
		0																	
		0																	
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		0																	
		0																	
		0																	
TOTALS		142	100%	\$55.99	0	0%	\$0.00	0	0%	\$0.00	0	0%	\$0.00	4	100%	\$55.78	0	0%	\$0.00

DETAILED SUMMARY OF DIRECT COSTS

CONSULTANT: TranSystems
ROUTE: FAU 2542 (Fair Oaks Road)
PROJECT: M-9003 (830)
SECTION: 11-00057-00-RS
COUNTY: DuPage
JOB NO.: C-91-573-11

INHOUSE DIRECT COSTS

TRAVEL

21	\$	45.00	per day	\$945.00
# of days x day rate				Cost

SURVEY SUPPLIES \$0.00

PRINTING (breakdown in following manner: # of sets x # of prints/set x rate)

Blueprints: 8 sets x 9 prints/set x \$0.20 \$14.40

Reports: _____ \$0.00

OUTSIDE DIRECT COSTS

PRINTING

Mylars: _____ \$0.00

Reports: _____ \$0.00

Project Schedule

CONSULTANT: TranSystems
 ROUTE: FAU 2542 (Fair Oaks Road)
 PROJECT: M-9003 (830)
 SECTION: 11-00057-00-RS
 COUNTY: DuPage
 JOB NO.: C-91-573-11

DATE November 14, 2011

MONTH	Apr-12	May-12	Jun-12	Jul-12	Aug-12	Sep-12	TOTAL
ESTIMATED CONTRACTOR'S SCHEDULE							
NO. OF WEEK DAYS	0	22	20	18	0	0	60
NO. OF IDOT WORKING DAYS	0	15	17	17	11	0	60
NO. OF WEEKEND DAYS	0	0	0	0	0	0	0
TOTAL DAYS	0	22	20	18	0	0	60
TOTAL HOURS	0	176	160	144	0	0	480
TASK (HOURS PER TASK)							
PRECONSTRUCTION							
Contract Documents Review	0						0
Project Site Inspection	0						0
Meeting	4						4
Job Setup	0						0
CONSTRUCTION							
Shop drawing review	0	0					0
Construction Layout	0	0	0	0	0	0	0
Construction Inspection	0	0	0	0	0	0	0
Traffic Control	0	0	0	0	0	0	0
Daily Documentation	0	0	0	0	0	0	0
Pay Estimates	0	0	0	0	0	0	0
Weekly Documentation	0	24	24	30	18	0	96
Other Agency Coordination	0	0	0	0	0	0	0
Contractor Coordination	0	0	0	0	0	0	0
Utility Coordination	0	0	0	0	0	0	0
QC/QA of Materials	0	4	4	4	0	0	12
POST CONSTRUCTION							
Final Documentation					8	8	16
Record Drawings						0	0
ADMINISTRATION AND MANAGEMENT							
Administration/Management	2	2	2	2	2	0	10
Quality Control and Assurance	4	0	0	0	0	0	4
Total Hours	10	30	30	36	28	8	142
Vehicle Days	2	4	4	6	5	0	21

Assumptions
 8 Hour work day
 60 Working Day Contract

Anticipated Schedule
 Letting
 Contract Execution
 Begin Construction
 Project Completion
 Finalize Documentation

January 20, 2012
 March 5, 2012
 April 30, 2012
 August 31, 2012
 September 28, 2012

In-HOUSE DIRECT COSTS

Great Lakes Soil & Env. Consultants, Inc.
Fair Oaks Road, Carol Stream
11-00057-00-RS

Item Description

REPRODUCTION & PICTURE ALLOWANCE

					TOTAL
Reproduction	MO @	\$ 50.00	/ MO (Billed at Actual Cost)		\$ -
Pictures	MO @	\$ 50.00	/ MO (Billed at Actual Cost)		\$ -
Reproduction & Picture Totals:					\$ -

VEHICLE MILEAGE NOT ELIGIBLE FOR PROFIT

Vehicle Days		\$ 45.00	Day	7	\$ 315.00
Personal Car Usage:	Mileage @ \$ 0.505 / mile				\$ -
Vehicle Totals:					\$ 315.00

COMMUNICATION

Phone/Radio Combo Units	0	MO @	\$ 70.00 / MO	0 People	\$ -
Radio Only Units	0	MO @	\$ 60.00 / MO	0 People	\$ -
Communication Charge Totals:					\$ -

2011 Rates

Concrete Coring & Testing

Includes mobilization, cutting & testing 2 cores for Compressive Strength		\$ -	Day	0	\$ -
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LABORATORY TESTING

Nuclear Density Gauge Compaction		\$ 45.00	Day	4	\$ 180.00
Modified Proctor Tests (AASHTO T180)		\$ 194.00	Each	0	\$ -
Standard Proctor Tests (AASHTO T99)		\$ 189.00	Each	0	\$ -
Organic Content		\$ 116.00	Each	0	\$ -
L.A. Abrasion		\$ 578.00	Each	0	\$ -
Gradation (Wash)		\$ 158.00	Each	0	\$ -
PGE Gradation (Wash)		\$ 289.00	Each	0	\$ -
Atterberg Limits		\$ 116.00	Each	0	\$ -
Sieve Analysis with Hydrometer Tests		\$ 173.00	Each	0	\$ -
Concrete					
Compressive Strength of Test Cylinders		\$ 30.00	Each	8	\$ 240.00
Pick up Charge		\$ -	Per trip	0	\$ -
Hot Mixed Asphalt					
HMA Air Voids		\$ 450.00	Each	0	\$ -
Core Density		\$ 68.00	Each	12	\$ 816.00
Extraction/Ignition & Gradation		\$ 230.00	Each	0	\$ -
Gradation of stockpile/belt Aggregates		\$ 160.00	Each	0	\$ -

Laboratory Testing Charge Totals: **\$ 1,236.00**

TOTALS: **\$ 1,551.00**

AGENDA ITEM

G-4 2-6-12

Village of Carol Stream

INTER-DEPARTMENTAL MEMO

TO: Mayor & Trustees

FROM: Robert Mellor, Assistant Village Manager *R/m*

DATE: February 2, 2012

RE: Award of Contract– Re-codification

History

Throughout the year the Village Board adopts many ordinances which, in part, serve as laws and regulations of the Village. Village staff, residents and others that do business in Carol Stream use the Code to guide their work and other actions in the Village. Periodically, it is good business practice to engage outside legal counsel to review the Village code to ensure that the codified document available to the general public is consistent with Village Board actions as well as with State Statutes. It is recommended that the Village Code be reviewed and re-codified at this time to include ordinances from 2000 to the present.

Actionable Item

Attached is a proposal from American Legal Publishing Corporation to re-codify the Village Code. American Legal has published the Carol Stream Code of ordinances for over ten years and has published our current Code both online and in print. It is not practical or cost effective to engage another company to perform legal review and publish our code since they would need to republish the entire document whereas American Legal only needs to review and publish required updates. This re-codification will include 272 ordinance updates from 2000 to the present. In 2009, the Zoning Code was revised and included 230 pages in the last major update of the Code.

Staff Recommendation

Staff recommends the Village Board waive formal bidding for legal and publishing services for re-codification and accept the attached proposal from American Legal Publishing for re-codification services as specified in the attached proposal. We anticipate the cost for codification of codes from 2010 to the present will be \$20,500. The proposal includes over 1,000 pages of updates, 15 bound copies of the code, publication of the code on the Internet and legal review to ensure consistency with State Statute. Once the Code is updated supplemental code updates will be submitted to American Legal Publishing bi-weekly or as needed. There are sufficient funds budgeted in the current Fiscal Year 2012 and proposed 2013 budgets to pay for these expenditures. I am available to answer any questions regarding the re-codification proposal.

Attachment

Cc: Joseph E. Breinig, Village Manager

Recodification Proposal

Carol Stream, Illinois Code of Ordinances



American Legal Publishing Corporation
432 Walnut St. Cincinnati, Ohio 45202

Ruth Morton Fazio
216-381-6400

AMERICAN LEGAL PUBLISHING CORPORATION
Recodification Proposal for Carol Stream, Illinois

TABLE OF CONTENTS

1. Letter
2. Cost and Services Summary
3. Codification Agreement



January 20, 2012

Beth Melody, Village Clerk
Village of Carol Stream
500 North Gary Avenue
Carol Stream, Illinois 60188-1811

Dear Ms. Melody:

Enclosed, pursuant to Sherry Craig's request, is our proposal to recodify the ordinances of the Village and publish 15 copies of the new Code in hard-cover binders with gold imprinting and tab dividers, as well as to perform a legal review of the ordinances and to provide electronic services. **Please note that the recodification may be paid over 25 months, which includes the third budget cycle.**

A recodification by American Legal includes incorporating new ordinances, updating the index and tables as needed, reformatting the pages into a uniform type style in dual-column format and printing complete copies of the entire Code. It also includes a legal review by one of our 13 staff attorneys and a written report of his or her findings, including inconsistencies between sections in the code and inconsistencies with the code and State statutes, as well as updating citations to State law and updating fines and fees to generate revenue for the Village. Additionally, there might be some reorganization and renumbering of the Code if necessary. New binders and divider tabs are included in the price, as is a copy of the new code on CD in word processing.

There is also the option to receive the new code on CD in Folio VIEWS and have it published at the Village website. We can update the Internet version of your new Code on an ongoing basis, even after each Board meeting.

Please review the enclosed Proposal and let us know how the Village wishes to proceed. If you have any questions, please call my direct line at 216-381-6400.

Best regards,

Ruth Morton Fazio
Staff Attorney

CODIFICATION COST AND SERVICES SUMMARY

American Legal Publishing proposes to recodify the ordinances of Carol Stream, Illinois, at the following price:

I.	Base Cost	\$20,500
	<i>*The actual page count may vary from the estimate or you might add new ordinances during the codification process.</i>	
	Includes	
	a. Number of Copies of Carol Stream's Code (includes post-type binders with divider tabs)	15
	b. Legal Analysis	
	i. Research Internal Consistency	
	ii. Research State Law Consistency	
	iii. Legal and Editorial Research and Report	
	c. Special Features	
	i. Tables of Special Ordinances	
	ii. Parallel References	
	iii. Comprehensive Index	
	iv. Tabular Matter (Tables, Charts, Graphs)	
	v. Code on Disk (WordPerfect, MS Word, or ASCII)	
	d. Estimated Number Of Pages	
	8½" x 11" Dual-Column Format	1,080
II.	Variable Cost	
	a. Per Page Increase Rate	
	8½" x 11" Dual-Column Format	\$20.00
	b. Freight/Shipping	
III.	Time to Completion	
	Number of Months Until Manuscript	3-4 months
	Number of Months Until Completed Code (after return of manuscript)	2-3 months
	Number of Days for Updated Supplements	30 days or less
IV.	Optional Services that may be ordered:	
	a. Reorder Copies of Complete Extra Code	
	i. Minimum Number of Copies	No minimum
	ii. Cost per Extra Code with Binder	\$60
	iii. Cost per Extra Code without Binder	\$45
	b. Supplement Service	
	8½" x 11" Dual-Column Format	\$21.00/reprinted page

- c. Subscription Service
Surplus revenue is credited to your account YES
- d. Pamphlets With Cardstock Cover e.g., Zoning Code
Per Impression (Printed Page)
 - i. 1-50 copies \$.075
 - ii. 51-99 copies \$.070
 - iii. 100 copies or greater \$.065
 - iv. Pamphlet Binders \$7.50 each
- e. Folio VIEWS Search and Retrieval Software (Folio 4)
 - Documents in Folio:
 - i. Code of Ordinances (**one-time charge**) \$950.00
 - ii. Future Monthly Supplements of Folio (**in addition to editorial fee (IV.b.)**) \$1.95/page
 - iii. Meeting Minutes \$2/page if on disk
 - iv. Phone Support No Extra Charge
 - Optional Services:
 - On-Site Installation & Training (**usually not needed**) \$795.00/day + travel
- f. Code on the Internet (after conversion into Folio) \$375.00 per year
(1st yr. @ no charge)

V. Terms (**may be budgeted over 25 months to include 3 budgets**)

- i. Forty Percent (40%) due upon acceptance of this agreement.
- ii. Forty Percent (40%) within 30 days of receiving the manuscript.
- iii. Balance 30 days after receiving and reviewing legal report and delivery of the completed code.

CODIFICATION AGREEMENT

January 20, 2012

The Village of Carol Stream, a municipal corporation in the State of Illinois ("Municipality"), and American Legal Publishing Corporation ("Publisher"), an Ohio corporation, agree as follows:

I. THE PUBLISHER SHALL:

- (1) Examine the current code and the all ordinances provided by the Municipality and determine which materials are to be recodified.
- (2) Utilize its staff of attorneys to review all materials to be recodified for conformity and conflict with existing state statutes and federal law, as well as other ordinances and resolutions. Such conflicts will be brought to the attention of the Municipal Attorney in a written report.
- (3) Suggest new provisions which the Municipality should consider including in the new code, and delete old provisions which are no longer necessary or which might be improper or unlawful.
- (4) Classify all ordinances and resolutions which are of a general and permanent nature into titles, chapters, and sections, according to subject matter.
- (5) Make changes to effect uniformity of style and to correct typographical and spelling errors, grammar, and usage. Substantive changes shall not be made in the wording of the ordinances. Suggestions for additions or changes in the ordinances will be submitted to the Municipal Attorney.
- (6) Prepare:
 - (a) Title, chapter, and section headings.
 - (b) A table of contents and sectional analysis for each chapter.
 - (c) A legislative history for each section, citing the ordinance number and date of passage, as indicated on copies of ordinances supplied to the Publisher.
 - (d) Statutory cross-references to sections of the state statutes and to other pertinent parts of the Code where applicable. These references shall appear at the end of the section to which they apply.
 - (e) Tables of Special Ordinances listing chronologically those ordinances in certain subject areas that the Municipality finds to be pertinent.
 - (f) Parallel Reference Tables showing:
 1. The disposition of ordinances (in numeric sequence) included in the codification (Ordinance to Code).
 2. A listing of code sections based on state statutes (Statute to Code).

3. A listing of prior code sections incorporated into the new code if applicable (Old Code to New Code).
- (g) An index (which will be created after the first draft of the Code is submitted).
- (7) Provide the Municipality a consultation service, for:
 - (a) Updating ordinances in conflict with state and federal statutes;
 - (b) Providing model ordinances when requested.
- (8) Deliver to the Municipality, within 3 to 4 months from receipt of the materials deemed necessary by the Publisher to begin the codification (prior code, ordinances and new code questionnaire), one copy of a draft of the Code for the Municipality's examination.
- (9) hold a conference to make final corrections, additions, and deletions to the Code. The Municipality will be billed for the travel expenses of the American Legal staff attorney. The Municipality may present changes to pages of the draft at the conference. After the final conference, no additional changes are to be made. Any further changes, additions, or deletions shall be made in the future supplements to the Code in accordance with IV(3) of this Agreement. When the draft, and any changes thereto made by the Municipality, is returned to the Publisher, such return of the draft shall be deemed final authorization by Municipality to publish the Code as returned. If additional conferences are requested by the Municipality which require the travel of a member of the staff of Publisher, then the Municipality shall be advised what the additional cost, if any, for such conference will be.
- (10) Deliver to the Municipality, within 2 to 3 months of receipt of the corrected draft, 15 printed copies of the Code meeting the following specifications:
 - (a) Type to be dual column, at the option of the Municipality
 - (b) Page size to be 8½" x 11"
 - (c) Printed on high quality paper
 - (d) All copies to be in hard-cover 3-ring binders. All binders shall have the Municipality's name stamped in gold and shall contain divider tabs.
- (11) Provide a sample adopting ordinance to the Municipality.

II. THE MUNICIPALITY SHALL:

- (1) Provide clear copies of all materials necessary to perform the codification, including an up to date copy of any previously published code of ordinances.
- (2) After receipt of the draft of the code and legal report described in paragraph I (2), have 60 days to review the draft and report and to return to the Publisher its comments about the draft and its answers to the legal report. In the alternative, if the Municipality opts for the legal conference described in paragraph I (9), it must contact the Publisher within 60 days to set up a meeting date. The meeting, itself, need not occur within the same 60 day period. If the Municipality fails to either return its comments and answers to the legal report within 60 days or, if applicable, to set up a meeting date, the Municipality may request that the Publisher extend the deadline in writing. The Publisher may adjust the contract price to cover any increased costs due to the Municipality's delay.

(3) Agree that any ordinances adopted after the time the manuscript is originally due back to the Publisher under the provisions of (2) above shall be included at the Publishers' supplement rates at the time of the inclusion of these ordinances into the code. The Publisher agrees to include in the final version of the Code all ordinances adopted by the Municipality up to this date.

(4) (a) Pay to the Publisher for shipping of the final code order, and as a base price, the sum of \$20,500 for its services set out in Section I, payable as follows: **(may be paid over 25 months, to include 3 budgets)**

Forty percent (40%) due upon execution of this agreement;

Forty percent (40%) within 30 days after submission of the draft manuscript;

The balance 30 days after final delivery of the printed Code books plus invoice.

(b) The price above is based upon a code of the following number of pages according to the format option of the Municipality. Should the final code number fewer or more pages than this estimate, the base price will decrease or increase accordingly at the time of final invoice.

FORMAT	NUMBER OF PAGES	INCREASE
8½" x 11" Dual-column page	1,080	\$20.00 per page

(5) Pay any invoices within 30 days of the invoice date. Invoices outstanding beyond the 30 day period shall be subject to a late payment equal to 1.5% of the unpaid balance per month, or part thereof.

III. DISTRIBUTION.

The Publisher shall ship by common carrier, the number of codes or supplements ordered and the Municipality may direct that different portions of the shipment be made at various locations within the municipality.

IV. OPTIONAL SERVICES.

The Municipality, by the initials of the person executing the agreement on its behalf, exercises the following options:

INITIAL

(1) Additional Copies of Code: number of copies _____

The Municipality may purchase additional codes at \$60 per copy or \$45 without a binder.

(2) Five- year supplemental service plan: _____

For a period of five years after delivery of the code:

(a) The Publisher shall:

1. Incorporate into the code new pertinent ordinances submitted by the Municipality.
2. Revise or make additional entries to the table of contents, parallel reference tables, and index as necessary to reflect the incorporation of additional, changed or deleted material.
3. Within 45 days, deliver to the Municipality 15 printed copies of supplemental pages with an

instruction sheet for directing the placement of the new pages in the code.

(b) The Municipality shall:

1. Provide a copy of ordinances or resolutions passed subsequent to publication of the previous code supplement;
2. Pay to the Publisher the sum of \$21.00 per reprinted dual-column page.

The prices above are for a five-year period and cannot be changed except for adjustments in the second, third, fourth, and fifth years of this agreement to reflect any decrease or increase in the United States Consumer Price Index calculable from the month of delivery of the Code.

(c) Upon completion of the five-year period, this agreement shall automatically renew itself from year to year except that either party may alter or cancel the terms of this agreement at any time upon sixty days written notice.

(4) Code on Computer Disk: _____

At no additional charge, the Publisher will provide the code on computer disk in one of the following formats (*circle one*): WordPerfect 8.0, Microsoft Word, PDF or ASCII

(5) Subscribers Service: _____

The Publisher will operate a subscription service upon the Municipality's request as follows (minimum of 15 subscribers required):

- (a) The Municipality has the right to set the total price of the codes for the subscribers. After subtracting production cost and shipping and handling charges, the difference will be credited to the Municipality's future supplement invoices.
- (b) Subscribers can be charged in advance or at time of shipment if they wish to subscribe to the supplements. The total cost for this subscription will be for a year's worth of supplements.
- (c) Subscribers of the complete code will be required to pay in advance of shipment by check or credit card.
- (d) The Publisher will incur all mailing costs for the marketing of the code. Order forms with an announcement of the codes and supplement service availability will be included in this mailing.
- (e) Any law firms, realtors, businesses, libraries or other interested parties contacted may inquire about code orders by using American Legal's toll-free number.
- (f) The Publisher will print subscribers' orders as needed, and will not require the Municipality to either pre-purchase copies or store extra copies.

(6) Pamphlets:

- (a) Pamphlets, sized for 8½" x 11" copy, containing component parts of a Code, with a cardstock cover, may be ordered: (*circle desired topic and insert number of copies*):

Charter	# of copies _____	_____
Traffic/General Offenses Code	# of copies _____	_____
Zoning Code	# of copies _____	_____

Subdivision	# of copies _____	_____
All Land Use Regulations	# of copies _____	_____
Other _____	# of copies _____	_____

- (b) Cost:
- | | |
|-------------|--|
| 1-50 | copies of pamphlet — .075 per printed page |
| 51-99 | copies of pamphlet — .070 per printed page |
| 100 or more | copies of pamphlet — .065 per printed page |

(c) Optional 3-ring pamphlet binders (\$14.95 each) _____

(d) Pocket sized pamphlets are available at rates to be agreed upon.

(7) Folio Version 4 Search and Retrieval program:

(a) The Publisher shall provide the Municipality's code in the Folio format CD with complete instructions and one copy of a manual for a one-time charge of \$950.00. _____

(Additional CD's are \$10 each + license fee)

(b) Future Monthly Supplements of Folio @ \$1.95/page* _____
 *price is included in editorial page rate (IV. (2))

(c) Additional Bound/Read-Only License Fees (for CD version only) _____
 # _____ of additional licenses (\$50 each)

(d) Optional On-Site Installation & Training (**usually not needed**) _____
 at \$795.00/day + Travel Expenses.

(f) Code on the Internet (after Folio conversion) at \$375.00 per year (**1st yr. @ no charge**). _____

V. TRANSMITTAL AS OFFER.

The transmittal of this Agreement to the Municipality is an offer by the Publisher to perform the stated services at the prices and terms referenced within the Agreement. This offer will expire if not executed by the Municipality by June 30, 2012, unless such date is extended in writing by the Publisher.

IN WITNESS WHEREOF the parties to this contract have hereunto set their hands on the date(s) indicated:

Village of Carol Stream, Illinois

American Legal Publishing Corporation

BY _____

BY _____

TITLE _____

TITLE Ruth Morton Fazio, Staff Attorney

DATE _____

DATE January 20, 2012

AGENDA ITEM

Village of Carol Stream H-1 2-6-12

Interdepartmental Memo

To: Village Manager Joe Breinig

From: Chief Kevin Orr 

Date: January 27, 2012

Re: The police department requests that the Village Board approve the attached ordinance for Vehicle Seizure and Impoundment, which has been amended to mirror state law.

The attached amended ordinance mirrors a new state law regarding Vehicle Seizure and Impoundment, which took effect January 1, 2012. The ordinance contains new provisions in the state law regarding offenses in which vehicles can be towed and impounded, such as, theft, retail theft and traffic related warrants.

The ordinance also contains state law requirements for probable cause hearings for any vehicle towed under an "Administrative Tow" ordinance. James Rhodes drafted the ordinance.

As you know, we have suspended our Administrative Tow program because the original ordinance did not mirror this new law. Once the Village Board approves the amended ordinance, the program will be reinstated.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE 7 OF THE CAROL STREAM CODE OF ORDINANCES PROVIDING FOR VEHICLE SEIZURE AND IMPOUND

WHEREAS, the Police Department of the Village of Carol Stream has experienced numerous instances in which individuals are not able to continue to drive vehicles within the Village because they have been placed under arrest for certain offenses or they are observed by the police or other Village officials or employees in a condition where it would not be safe for them to drive a vehicle or a proper license permit or privilege to operate a vehicle is not within their possession or receipt; and

WHEREAS, under such circumstances, the police and other Village officials are required to expend time and effort to impound the vehicle so that it does not cause a danger to traffic, an impediment or distraction to traffic or remain abandoned for a period of time and become subject to vandalism, mischief or otherwise detract from the regulated parking restriction provisions in force within the Village; and

WHEREAS, a substantial period of time can be devoted by municipal officials in providing security for the vehicle, attempting to determine whether another person is lawfully capable of driving the vehicle, so that no impediment is necessary, and, in some cases, providing assistance to the passengers in the vehicle, including minors, when the vehicle is to be impounded; and

WHEREAS, the Corporate Authorities have heretofore determined that it is prudent and within its power to establish a standard fee for the actions and services required by the Village where the Police Department or other Village personnel has reasonable cause to believe that the driver of a vehicle is operating the vehicle in violation of state statutes or local ordinances; and

WHEREAS, Corporate Authorities have determined that it is necessary and in the best interests of the Village to amend Chapter 8, "Traffic Code", Article 7, "Vehicle Seizure and Impound" of the Carol Stream Code of Ordinances, as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: Chapter 8, "Traffic Code", Article 7, "Vehicle Seizure and Impoundment" of the Carol Stream Code of Ordinances is hereby amended in its entirety, and as amended shall read as follows:

ARTICLE 7. VEHICLE SEIZURE AND IMPOUND

Section

8-7-1	Definitions
8-7-2	Acts subjecting vehicle to seizure and impound; administrative and public safety fee
8-7-3	Seizure and impound procedures
8-7-4	Release of motor vehicle – posting of bond
8-7-5	Notice of seizure and impound
8-7-6	Administrative hearings
8-7-7	Collection of unpaid administrative and public safety fee
8-7-8	Release of motor vehicle not allowed
8-7-9	Multiple owners
8-7-10	Failure to claim vehicle

§ 8-7-1 DEFINITIONS.

For the purposes of this Article, the following definitions shall apply unless the context clearly indicates a different meaning.

BUSINESS DAY means any day in which the office of the village clerk of the Village of Carol Stream is open to the public for a minimum of seven hours.

MOTOR VEHICLE OR VEHICLE means every vehicle which is self-propelled, including, but not limited to, automobiles, trucks, vans, motorcycles and motor scooters, and shall include every vehicle defined by Section 1-146 of the Illinois Vehicle Code.

OWNER means a person who holds legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of such vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner. Any person may, with the owner's express permission, perform any act that the owner is authorized to perform.

§ 8-7-2 ACTS SUBJECTING VEHICLE TO SEIZURE AND IMPOUND; ADMINISTRATIVE AND PUBLIC SAFETY FEE.

(A) A motor vehicle that is driven, used, or operated, by a person who is reasonably charged or could be charged with any of the following violations shall be declared a public nuisance and be subject to seizure and impound by the village. It shall not be necessary for criminal charges to be filed,

prosecuted, and/or proven in order to demonstrate that one or more of the following violations has/have been committed:

- (1) Driving a motor vehicle under the influence of alcohol, other drug or drugs, intoxicating compound(s), or a combination thereof, as prohibited in Section 5/11-501(a) of the Illinois Vehicle Code, 625 ILCS 5/11-501(a);
- (2) Driving a motor vehicle while driver's license, permit or privilege to operate a motor vehicle is suspended or revoked, regardless of whether the revocation or suspension was of an Illinois driver's license or the driver's license from another state, except that vehicles shall not be subject to seizure or impound if a driver's license is suspended for unpaid citations (parking or moving) or due to a failure to comply with emission testing;
- (3) Driving a motor vehicle without ever having been issued a valid driver's license; or
- (4) Driving a motor vehicle when the driver's license has been expired for more than one year, or the driver's permit, restricted driver's permit or other driving privilege has expired, regardless of whether such expired license, permit, restricted driver's permit or other driving privilege was previously issued by the State of Illinois or another state.
- (5) Firearms offenses
 - (a) Unlawful use of weapons, 720 ILCS 5/24-1.
 - (b) Unlawful use or possession of weapons by felons or persons in the custody of the department of corrections facilities, 720 ILCS 5/24-1.1.
 - (c) Aggravated discharge of a firearm, 720 ILCS 5/24-1.2.
 - (d) Aggravated discharge of a machine gun or a firearm equipped with a device designed or used for silencing the report of a firearm, 720 ILCS 5/11-1.2-5.
 - (e) Reckless discharge of a firearm, 720 ILCS 5/24-1.5.
 - (f) Aggravated unlawful use of a weapon, 720 ILCS 5/24-1.6.
 - (g) Unlawful use or possession of ammunition, 720 ILCS 5/24-3.1
- (6) Drug offenses:
 - (a) Operation or use of a motor vehicle in the commission of, or the attempt to commit, a felony or in violation of the Cannabis Control Act.
 - (b) Operation or use of a motor vehicle while soliciting, possessing, or possess cannabis or a controlled substance, as defined by the Cannabis Control Act or the Illinois Controlled Substance Act.
- (7) Operation of a motor vehicle by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated Section 6-101, 6-303, or 11-501 of this Code.
- (8) Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in the violation of Article 16 or 16A of the Criminal Code of 1961
- (9) Any offense for which a motor vehicle can be seized and forfeited pursuant to Section 36-1 of the Illinois Criminal Code, 720 ILCS 5/36-1.

(B) No vehicle shall be seized and impounded pursuant to paragraphs (a)(3) and (4), above, if the driver was driving pursuant to certain exceptions to the licensing requirements, as allowed in the exemption provision, Section 5/6-102, of the Illinois Vehicle Code.

(C) In the event a motor vehicle is seized and impounded pursuant to this Article, the owner of the motor vehicle shall be liable to the village for an administrative and public safety fee of five hundred dollars (\$500.00), in order to cover the administrative and processing costs incurred by the village associated with the investigation, arrest and detention of the offender and the removal, impound and release of the vehicle, including ensuring that the motor vehicle is properly removed from the scene of the incident and the vehicle, personal property enclosed therein, is secured and safeguarded, and any passengers in the vehicle, including children are assisted. All owners of a motor vehicle shall be jointly and severally liable for the administrative and public safety fee.

(D) Upon demonstration that it has the right to possession of a seized motor vehicle, a lessor, whether a rental agency or otherwise, or lien holder of a motor vehicle shall have the right to pay the administrative and public safety fee and be issued a release from the Carol Stream Police Department authorizing it to gain possession of the vehicle.

(E) The administrative and public safety fee is separate and distinct from, and in addition to, any fees or costs owed by the owner to a private towing company for the towing and storage of the vehicle.

§ 8-7-3 SEIZURE AND IMPOUND PROCEDURES.

(A) Whenever a police officer has reason to believe that a motor vehicle is subject to seizure and impound pursuant to §8-7-2, above, the police officer shall order that the vehicle be seized and impounded. The Carol Stream Police Department shall utilize the services of a private towing company. If towed, the motor vehicle must be impounded and stored in a secure facility owned, leased, or operated by the private towing company.

(B) The police officer shall, at the time the vehicle is towed, notify or make a reasonable attempt to notify the owner, lessee or person identifying himself or herself as the owner of the vehicle, or any person who is found to be in control of the vehicle at the time of the offense of the following:

- (1) The seizure and impound of the vehicle;
- (2) The owner's right to retrieve the vehicle by payment of the administrative and public safety fee to the village and towing and storage fees and costs to the private towing company;
- (3) The availability of posting a bond in the full amount of the administrative and public safety fee;
- (4) The date, time and place of the initial hearing before an administrative hearing officer to determine whether or not there was probable cause for the seizure and impound ; and
- (5) The vehicle will remain impounded pending the administrative hearing unless the owner or lessee posts a bond in an amount equal to the administrative and public safety fee.

(C) If a properly licensed person authorized by the owner or the operator of the motor vehicle is present and capable to provide for the lawful immediate removal of the motor vehicle, and said motor vehicle is not required to be held as evidence in regard to the violation, subject to forfeiture pursuant to 720 ILCS 5/36-1 or otherwise subject to impound pursuant to state law, the police officer shall allow that individual to promptly remove the motor vehicle without it being subject to seizure and impound. The police officer shall not be under any duty or requirement to:

- (1) Inform the person being arrested that he or she may contact another person to remove the vehicle from the scene of the incident;
- (2) Allow a driver being arrested to make or send a telephone call, electronic message or other attempt to contact a person to drive the vehicle from the scene of the arrest; and
- (3) Initiate such call, message or contact another person on behalf of the arrestee.

(D) Upon the arrest of a driver for violations referenced in §8-7-2 above, the vehicle shall not be removed from the scene by any owner, or another person authorized by the owner, if the police officer determines that the vehicle should not be released due to the applicability of §8-7-8, below.

(E) The imposition of the administrative and public safety fee shall not apply if the vehicle driven by a person arrested in connection with the offenses identified in §8-7-2, was stolen at that time and the theft was reported to the appropriate police authorities within twenty-four (24) hours after the theft was discovered or reasonably should have been discovered.

§ 8-7-4 RELEASE OF MOTOR VEHICLE.

(A) The owner of a motor vehicle that is seized and impounded pursuant to this Article may regain possession of the vehicle by first: (i) paying to the village the \$500.00 administrative and public safety fee; or (ii) posting a bond in the full amount of the administrative and public safety fee. The fee or bond shall be paid at the Carol Stream Police Department. The fee or bond shall only be paid with cash, credit card, cashier's or certified check, or other type of payment acceptable to the village that has the legal effect of being equivalent to the aforementioned methods of payment.

(B) Upon payment of the fee or bond, the Department shall provide the owner with a document authorizing the release of the vehicle from the private towing company. No release shall be granted unless proof of insurance is provided. The owner may present the Department-issued document authorizing release to the private towing company, and upon payment of any fees and costs to company for towing and storage of the vehicle, shall regain possession of the vehicle.

§ 8-7-5. NOTICE OF SEIZURE AND IMPOUND.

(A) The village shall, within ten (10) days after a vehicle is seized and impounded pursuant to this Article, send a written notice by first class mail to the registered owner or lessee of the vehicle and any lienholder of record. The notice shall be served upon the owner, lessee and lienholder of record by personal service or first class mail to the addresses registered with the Secretary of State.

(B) The notice shall: (i) state that the motor vehicle was seized and impounded; (ii) contain all pertinent facts relating to the date, time and reason for the seizure and impound; (iii) specify the procedures by which possession of the vehicle may be regained; (iv) state that the failure to regain possession of the vehicle, pursuant to the provisions of this article, shall result in the vehicle being disposed of pursuant

to law; and (v) provide the date and time of the scheduled initial hearing date, which shall not be more than 45 days after the impound of the vehicle..

§ 8-7-6 ADMINISTRATIVE HEARINGS

(A) The administrative hearing shall be conducted by a hearing officer who shall be an attorney licensed to practice law in the State of Illinois for at least 3 years.

(B) Administrative hearing procedures shall be as follows:

- (1) On the date of the initial hearing, the owner, any lessee and any lien holder of record shall appear and either admit or deny probable cause for the seizure and impound of the vehicle. If an admission is entered, or if the owner, any lessee and any lien holder of record fail to appear, the case shall be disposed of at that time, with an order/default order in favor of the Village, which order/default order shall require the payment to the Village of the five hundred dollar (\$500.00) administrative fee and towing and storage costs to the applicable tow company, and the continued impound of the motor vehicle until the owner of record, any lessee or lien holder of record pays to the Village the five hundred dollar (\$500.00) administrative fee and towing and storage costs to the applicable towing company. If the owner of record, any lessee or any lien holder of record enters a denial, an evidentiary hearing shall be scheduled.
- (2) All parties shall be given a reasonable opportunity to present testimony and evidence at the hearing. Continuances of the hearing date must be made in person before the hearing officer and may be granted upon a showing of good cause. The formal rules of evidence will not apply at the hearing, and hearsay evidence shall be admissible, subject to the discretion of the hearing officer.
- (3) The original or a legible copy of the charging document signed by the village officer certifying to the correctness of the information contained therein shall be prima facie evidence of the facts specified therein.
- (4) If the hearing officer determines by a preponderance of evidence that the seizure and impound was proper, the hearing officer shall enter a final order finding the owner of the vehicle liable to the village for the administrative and public safety fee in the amount of \$500.00. In the event a bond was posted, it will be retained by the village as final payment of the administrative and public safety fee. If the hearing officer determines by a preponderance of evidence that the seizure and impound was not proper, the hearing officer shall enter a final order for the return of the vehicle or the bond. A finding that the seizure and impound was not proper shall not have any bearing on whether the owner is obligated to pay the towing and storage fees and costs, and the owner must pay all fees and costs owed to the private towing company.
- (5) The decision by the hearing officer on the issue of whether the seizure and impound was proper, shall constitute a final determination for purposes of judicial review and shall be subject to review pursuant to the Illinois Administrative Review Act, 735 ILCS 5/3-101 *et seq.*, as now or hereafter amended. A party must exhaust its administrative remedies prior to seeking judicial review.

(C) Any owner, lessee or lienholder may waive, in writing, their right to a hearing.

§ 8-7-7 COLLECTION OF UNPAID ADMINISTRATIVE AND PUBLIC SAFETY FEE.

If an administrative and public safety fee is imposed pursuant to this Article fee shall constitute a debt due and owing the Village of Carol Stream. The village may collect on the debt using all means permitted by law, including, without limitation, obtaining a judgment on the debt and enforcing such judgment against the owner, or disposing of vehicle as unclaimed vehicle.

The village may commence legal proceedings to collect an unpaid administrative and public safety fee, or take actions to dispose of the impounded vehicle: (i) 35 days after a determination was made at the requested hearing that the seizure and impound was proper, and no petition was filed in the Circuit Court seeking judicial review of the administrative hearing officer's determination or other review; (ii) 30 days after a final order is rendered by a judge of the Circuit Court whenever a petition seeking judicial review was filed by a party; or (iii) 15 days after the notice referenced in §8-7-6, above, was mailed and the administrative hearing was waived in writing.

§ 8-7-8 RELEASE OF MOTOR VEHICLE NOT ALLOWED.

The provisions of this Article authorizing an owner, or other party, to regain possession of a motor vehicle are not applicable when vehicle or asset forfeiture proceedings have been instituted under state or federal drug asset forfeiture laws or Article 36 of the Illinois Criminal Code of 1961. In such case, the village shall not release, or dispose of, the vehicle to any person, except as consistent with those proceedings.

In the event the Carol Stream Police Department determines that the vehicle seized and impounded pursuant to this Article should not be released to its owner or other persons, or disposed of as an unclaimed vehicle, due to the need to retain the vehicle as part of a continuing criminal investigation, or as evidence in a crime, then the village shall notify the owner that the vehicle will be retained and not released except as required by law.

8-7-9 MULTIPLE OWNERS.

Whenever in this Article the word owner is used, it shall apply to all owners. This article presumes that all owners have equal rights to a seized and impounded vehicle. In instances of multiple owners of a vehicle, the village shall not have any duty or responsibility to inquire or determine whether all owners concur with, or object to, any action taken, or omissions, by any one owner in relation to the vehicle seized and impounded.

8-7-10 FAILURE TO CLAIM VEHICLE

Any motor vehicle that is not reclaimed within thirty (30) days after the expiration of the time during which the owner may seek judicial review of the hearing officers decision, or, if judicial review is sought, the time at which a final judgment is rendered in favor of the village; or the time a final administrative decision is rendered against any owner, lessee or lienholder of record who fails to appear at the hearing, may be disposed of as abandoned and unclaimed as provided by law; provided that where proceedings have been instituted under state or federal forfeiture laws, the village may not dispose of the vehicle except as consistent with the forfeiture proceedings.

SECTION 2: This Article shall be printed in the Carol Stream Code of Ordinances.

SECTION 3: 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 THIS 6TH DAY OF FEBRUARY, 2012.

AYES:

NAYS:

ABSENT:

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

AGENDA ITEM

H-2 2-6-12

Village of Carol Stream Interdepartmental Memo

DATE: January 30, 2012

TO: Joseph E. Breinig, Village Manager
Kevin Orr, Chief of Police

FROM: Christopher M. Oakley, Asst. to the Village Manager *CMO*

RE: Ordinance Amendment – INVESTIGATIONS FEE; CARNIVALS

Attached is a draft amendment to Section 10-2-6 of the Village Code of Ordinances pertaining to the licensing of carnivals that explains the \$25 fee (administrative processing) and also includes new language (in bold) that stipulates the applicant's requirement to pay the Village the full cost of conducting criminal background and finger print checks for all of its prospective employees undergoing screening in hopes of working the subject carnival event.

c: Terry Davis, Administrative Secretary
Sherry Craig, Deputy Village Clerk

attachment (1)

**AN ORDINANCE AMENDING CHAPTER 10 OF THE CAROL STREAM
VILLAGE CODE PERTAINING TO AMUSEMENTS**

BE IT HEREBY ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUAPGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME-RULE POWERS, as follows:

SECTION 1: That Section 10-2-6 of the Carol Stream Municipal Code pertaining to Business Licensing and Regulation: Amusements is hereby amended as follows:

10-2-6 INVESTIGATION FEE; CARNIVALS.

There shall be filed with each application for a license to operate a carnival, a non-refundable investigation and permit fee of \$500, and an ~~additional fee of~~ \$25 per employee **administrative processing fee, in addition to the cost of a criminal background and finger print check.**

SECTION 2: This Ordinance shall be in full force and effect immediately upon its passage, approval and publication as provided by law.

PASSED THIS 6TH DAY OF FEBRUARY, 2012.

AYES:

NAYS:

ABSENT:

SIGNED:

Frank Saverino, Sr. Mayor

ATTEST:

Beth Melody, Village Clerk

AGENDA ITEM

ORDINANCE NO. _____

H.3 2-6-12

**AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE
CAROL STREAM CODE OF ORDINANCES BY DECREASING
THE NUMBER OF CLASS C LIQUOR LICENSES FROM 20 TO 19
(MEMA BROTHERS, INC. d/b/a MB DISCOUNT WINE & LIQUOR)**

WHEREAS, the Corporate Authorities of the Village of Carol Stream granted a Class C Liquor License to Mema Brothers, Inc. d/b/a MB Discount Wine & Liquor, 600 E. North Avenue; and

WHEREAS, the business has closed as of January 31, 2012; and

WHEREAS, the owner has voluntarily relinquished Class C License #L1130C issued on the first day of May, 2011.

BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That Chapter 11, Article 2 of the Carol Stream Code of Ordinances, Classification of Liquor Licenses, be and the same is hereby amended by decreasing the number of Class C Liquor Licenses from twenty (20) to nineteen (19).

SECTION 2: This Ordinance amending Chapter 11 of the Code of Ordinances of the Village of Carol Stream shall be reprinted in the loose-leaf volume, which bears that title.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage and approval by law.

PASSED AND APPROVED THIS 6th of FEBRUARY, 2012.

AYES:

NAYS:

ABSENT:

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

LICENSE

No. L1130C

\$2,750.00

TO SELL ALCOHOL LIQUOR AT RETAIL

By Authority of the Village of Carol Stream

License is Hereby Granted to

**MEMA BROTHERS, INC. D/B/A
MB DISCOUNT WINE & LIQUOR**

To Sell Alcohol Liquor at Retail

Class "C" Liquor License

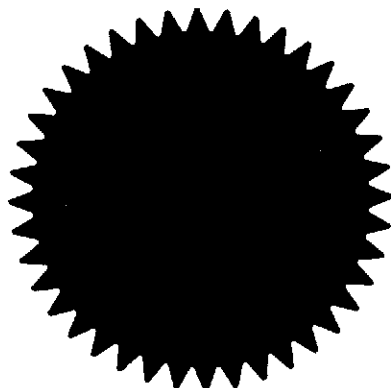
KIND AND CLASSIFICATION OF LICENSE

at 600 E. North Avenue in said Village until the 30th day of April A.D. 2012 subject to the provisions of all Ordinances now in force and that may hereafter be passed by said Village.

Witness the hand of the Mayor and Board of Trustees and Corporate Seal thereof, this 1st day of May A.D. 2011.

Attest: *Bob Murphy*
Village Clerk

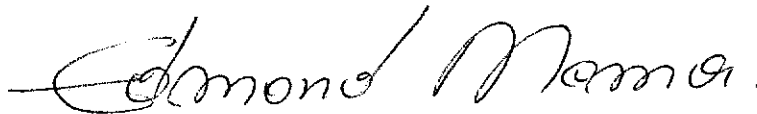
Frank Swearing
Mayor



To whom it may concern:

I Edmond Mema the owner of Meme Brother's Inc/dba Mb Discount Wine and Liquor. I am returning this license back to the village of Carol Stream at the first of the month of February. The reason I am returning the license is because due to the economy and also me negotiating with the land lord about the rent making it lower was not successful. I decided to close down my corporation, it has been an honor to work in the village of Carol Stream. Thank you for all you have done for us and I hope one day I can open up my business again in the village of Carol Stream once I find the right place.

Sincerely Edmond Mema

A handwritten signature in cursive script that reads "Edmond Mema". The signature is written in black ink and is positioned below the typed name.

AGENDA ITEM

H-4 2-6-12

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE
CAROL STREAM CODE OF ORDINANCES BY DECREASING
THE NUMBER OF CLASS G LIQUOR LICENSES FROM 3 TO 2
AND
INCREASING THE NUMBER OF CLASS C LICENSES FROM 19 TO 20
(BOND COMPANY OF ILLINOIS, LLC d/b/a WALGREENS #03993))**

WHEREAS, the Corporate Authorities of the Village of Carol Stream granted a Class G Liquor License to Bond Company of Illinois, LLC d/b/a Walgreens #03993, 540 N. Schmale Road; and

WHEREAS, Bond Company of Illinois, LLC d/b/a Walgreens #03993 has requested to upgrade its liquor license from a Class G liquor license to a Class C liquor license.

BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That Chapter 11, Article 2 of the Carol Stream Code of Ordinances, Classification of Liquor Licenses, be and the same is hereby amended by decreasing the number of Class G Liquor Licenses from three (3) to two (2).

SECTION 2: That Chapter 11, Article 2 of the Carol Stream Code of Ordinances, Classification of Liquor Licenses, be and the same is hereby amended by increasing the number of Class C Liquor Licenses from nineteen (19) to twenty (20).

SECTION 3: This Ordinance amending Chapter 11 of the Code of Ordinances of the Village of Carol Stream shall be reprinted in the loose-leaf volume, which bears that title.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval by law.

PASSED AND APPROVED THIS 6th DAY OF FEBRUARY, 2012.

AYES:

NAYS:

ABSENT:

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk



January 11, 2012

Village of Carol Stream
Attn: Sherry Craig
500 N. Gary Ave
Carol Stream, IL 60188

RE: Spirits License Expansion

Store(s) Located At: **Store #03993 – 540 N. Schmale Rd, Carol Stream, IL 60188**

To Whom It May Concern:

As we discussed, Bond Drug Company of Illinois, LLC would like to upgrade the above store(s) liquor license to a full package liquor license. Enclosed please find the required application/payment.

Upon issuance of the above license(s), please send to the attention of the undersigned:

**Walgreen Co.
Liquor Renewals-License Administration
300 Wilmot Road, MS 3301
Deerfield, IL 60015**

Thank you for your attention and cooperation in this matter. Please feel free to contact me if you have any questions or concerns regarding this request.

Sincerely,
Bond Drug Company of Illinois, LLC

Laura Milowski
License Specialist, License Administration
Accounting Shared Services Excellence Team (ASSET)
300 Wilmot Road, MS 3301, Deerfield, IL 60015
Office: 847-527-4516 Fax: 847-368-6687
laura.milowski@walgreens.com



**SPIRITS LICENSE EXPANSION
DECEMBER 30, 2011**

To: Frank Saverino, Mayor & Liquor Commissioner
From: Laura Milowski
Subject: Spirits License Expansion

Walgreens is seeking a license to sell spirits in your municipality at the location(s) listed below:

- Walgreens #03993, 540 N. Schmale Rd, Carol Stream, IL 60188

The request for these licenses is in an effort to expand our Adult Beverage offering beyond beer and wine offering a complete shopping solution to our valued customers. Since our recent expansion into beer and wine the customer feedback on requests for spirits in our locations has been overwhelming. A recent Market Tool survey* found that 87% of our beer & wine customers stated that they would purchase spirits if they were available.

The customer requesting spirits at our locations doesn't come as a surprise, considering our largest competitor in the drug channel (CVS) is the #1 spirits license holder in the U.S., Rite Aid is the 4th largest spirits license holder. In fact the top five license holders for spirits in the U.S. all have pharmacies in their stores. Again this shouldn't come as a surprise considering retailers of pharmaceutical products tend to be much more advanced in handling regulated products.

The space required for adding spirits would be incremental to the current beer and wine space, on average the total space for beer, wine, and spirits would be less than 5% of the total space.

Currently Walgreens is at a competitive disadvantage by not carrying spirits; I seek your support in our licensing efforts.

Please contact me if this meets with your approval so we can process the application and payment.

Thank you,
Walgreen Co.

Laura Milowski
License Specialist, License Administration
Accounting Shared Services Excellence Team (ASSET)
300 Wilmot Road, MS 3301, Deerfield, IL 60015
Office: 847-527-4516 Fax: 847-368-6687
laura.milowski@walgreens.com

LICENSE

No. L1141G

\$1,375.00

TO SELL ALCOHOL LIQUOR AT RETAIL

By Authority of the Village of Carol Stream

License is Hereby Granted to

**BOND DRUG COMPANY OF ILLINOIS, LLC D/B/A
WALGREENS #03993**

To Sell Alcohol Liquor at Retail

Class "G" Liquor License

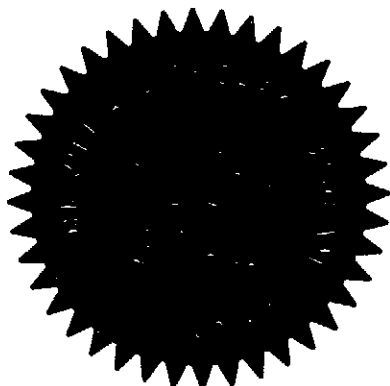
KIND AND CLASSIFICATION OF LICENSE

at 540 N. Schmale Road in said Village until the 30th day of April A.D. 2012 subject to the provisions of all Ordinances now in force and that may hereafter be passed by said Village.

Witness the hand of the Mayor and Board of Trustees and Corporate Seal thereof, this 1st day of May A.D. 2011.

Attest: 
Village Clerk


Mayor



AGENDA ITEM

I-1 2-6-12

RESOLUTION NO.

A RESOLUTION TO ADOPT MUNICIPAL LEGISLATIVE POSITIONS AND PRIORITIES FOR THE 2012 LEGISLATIVE SESSION

WHEREAS, the Village of Carol Stream is a member of the DuPage Mayors and Managers Conference; and

WHEREAS, the DuPage Mayors and Managers Conference develops its annual Legislative Action Program with the goal of establishing a comprehensive platform on legislative issues in order to protect and benefit the interests of its member municipalities, residents, and businesses in these municipalities, and the region generally; and

WHEREAS, on January 25, 2012, the DuPage Mayors and Managers Conference voted unanimously to adopt its 2012 Legislative Action Program, attached hereto; and

WHEREAS, the Village of Carol Stream, will be individually benefitted by formally establishing positions on legislative issues affecting municipalities, thereby giving clear direction to officials and employees of the Village of Carol Stream regarding legislative positions that may be represented in official capacity or on behalf of the municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the Village of Carol Stream hereby adopts as its legislative positions and priorities for the 2012 Legislative Session the positions, goals, and principles of the DuPage Mayors and Managers Conference's 2012 Legislative Action Program.

SECTION 2: That a copy of this Resolution be forwarded to the DuPage Mayors and Managers Conference, to all state and federal legislators representing the Village of Carol Stream, to the Governor, and to department heads in the Village of Carol Stream.

SECTION 3: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED AND APPROVED THIS 6th DAY OF FEBRUARY 2012.

AYES:

NAYS:

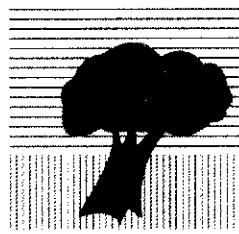
ABSENT:

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

2012 Legislative Action Program



*DuPage Mayors and Managers Conference
1220 Oak Brook Road
Oak Brook, Illinois 60523
(630) 571-0480
www.dmmc-cog.org*

DuPage Mayors and Managers Conference

Officers

President, Gary Grasso
Mayor, Village of Burr Ridge

Vice President, Rodney Craig
President, Village of Hanover Park

Secretary/Treasurer, Steve Stricker
Administrator, Village of Burr Ridge

Legislative Committee

Director, Jeff Pruyn, Mayor, Village of Itasca
Deputy Director, Joseph Breinig, Manager, Village of Carol Stream
Joseph Broda, Mayor, Village of Lisle
Michael Cassady, Manager, Village of Bensenville
David Cook, Manager, Village of Hinsdale
Rodney Craig, President, Village of Hanover Park
Dave Hulseberg, Manager, Village of Lombard
Jack Knight, Management Analyst, Village of Woodridge
Sylvia Layne, Trustee, Village of Addison
Jennifer McMahan, Assistant Administrator, City of Warrenville
Kenn Miller, Councilman, City of Naperville
David Niemeyer, Manager, Village of Oak Brook
Nunzio Pulice, Mayor, City of Wood Dale
Todd Scalzo, Councilman, City of Wheaton
Gayle Smolinski, Mayor, Village of Roselle
Steve Stricker, Administrator, Village of Burr Ridge
Grant Wehrli, Councilman, City of Naperville

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Legislative Priorities

Legislative Priorities are those specific, important issues that the Conference pursues either through drafting and sponsoring legislation or through strong advocacy in cooperation with other municipal organizations. Legislative Priorities are the primary focus of our legislative efforts.

Critical Priority: Protect the Financial Survival of Municipalities

Local governments are challenged to fund essential services with limited existing resources. Local revenues are often dependent on the State's authorization, collection, and distribution. Frequently threatened with revenue diversions and state fee increases, municipalities require the freedom to raise and expend municipal funds in order to provide the services most needed by their residents and businesses. Recently, municipalities have opposed reduction of the local portion of income tax, sales tax "holidays" that decrease revenue, and fund sweeps that divert funds intended for local programs.

Require the Timely Disbursement of LGDF Funds

Current practice dictates that after collection by the State, local government revenues are deposited in the State's General Revenue Fund and then transferred to the Local Government Distributive Fund (LGDF). The State has recently been up to six months behind in LGDF payments to municipalities. The Comptroller should be required to transfer funds to the LGDF and distribute those funds to municipalities as soon as they are received and certified by the Department of Revenue and the Treasurer's Office. Furthermore, the State should refrain from diverting this, or any other municipal revenue, for its own programs.

Exempt Staffing Requirements from Collective Bargaining

When negotiating with unions, three variables affect the cost to municipalities—wages, pension benefits, and staffing levels. Because of statutory arbitration requirements and state-mandated pensions, the only variable municipalities can use to manage budgets is the number of staff. Therefore, municipalities must have the sole authority to set staffing levels for all municipal activities. Legislation should be approved to explicitly exclude employee staffing levels from municipal collective bargaining.

Amend the Illinois Labor Relations Act to Create a Level Playing Field for Labor Arbitration

Arbitration between municipalities and unions does not include considerations of affordability and fiscal implications for the municipality. The Act should be amended to ensure that arbitrators take into account both the interest and welfare of the public and the financial ability of the unit of government to meet costs with its current revenue streams.

Repeal the Illinois Workers on Public Works Act

The Act currently requires the use of Illinois firms for public works projects. As a result, municipalities unnecessarily pay more for projects and attract a smaller pool of bidders.

Reject Unfunded State Mandates

Legislation often requires communities to divert local expenditures from municipal responsibilities and use them to fund state-imposed programs. The State should not impose mandates that increase financial obligations on local governments without providing adequate funds to reimburse municipalities for these new mandates.

The State should not balance its budget to the detriment of municipalities, nor should it disrupt local budgets by removing or reducing local revenues.

Critical Priority: Reform Pensions

The Conference seeks to make the pension system sustainable not only to ensure affordability for municipalities and their taxpayers, but also to protect obligations to employees. If municipalities lack sufficient funds, then pension systems will collapse and employees will receive nothing. In 2010, police and fire pensions became a two-tier system that ensured some relief for municipalities. That relief, however, will mostly occur in future years. While these reforms are important, more needs to be done now.

Reform Pensions for Current Public Safety Employees

Existing pension benefit obligations are putting communities on the verge of insolvency. The only way to stabilize municipal budgets and protect ongoing pension benefits is to enact legislation to reduce the pension benefits current employees will earn for future work performed after such legislation takes effect.

Oppose All Pension Sweeteners

Public Act 96-1495 created a two-tier pension system with more reasonable pension benefits for public employees hired after January 1, 2011. This reform will be meaningless if the Legislature increases those employees' benefits. The Legislature must reject any pension sweetener for either new hires or current employees.

Amend the Compliance and Penalty Provisions in Public Act 96-1495

Public Act 96-1495 requires municipalities to contribute annually to public safety pension funds in an amount sufficient to reach a 90% funded level by the 2040 fixed amortization deadline. Municipalities unable to make these payments will lose LGDF and other state-collected funds to make up the difference, starting in 2015. The financial benefits of P.A. 96-1495 apply only to employees hired after January 1, 2011, and will not result in tangible savings until those employees have been in the system for several years. Municipalities with underfunded pensions are in that position because there simply are no revenues available to meet their growing pension burdens. The penalty provision of this new law, if left unchanged, will push the municipalities with the fewest resources most quickly toward insolvency, which will ultimately imperil the very pensions that this law was intended to protect.

Enact a Rolling Amortization Period for Pension Funding

Current law amortizes municipalities' pension debts to a fixed deadline of 2040, requiring payments by municipalities which would bring the funds current by that year. While this may sound reasonable in isolation, this arbitrary and unnecessary deadline exacerbates the pressure placed on taxpayers, as they will see their contribution amounts continue to climb. The Government Accounting Standards Board, the source of generally accepted accounting principles for state and local governments, currently endorses a 30-year rolling amortization period as an appropriate method to calculate contributions. Rather than continuing Illinois' unpredictable practice of periodically changing the fixed date, the Legislature should protect the sustainability of pension funds and minimize the immediate burden on taxpayers by adopting a 30-year rolling amortization.

Between 1997 and 2008, taxpayers increased their contributions to police and fire pensions by more than 150% - but funding levels continued to decline due to pension sweeteners and the economic downturn. In just two years (2008-2010), the total combined unfunded liability between the police and firefighter pension funds grew by \$985 million.

Source: Illinois Municipal League

Critical Priority: Reform Pensions (continued)

Increase Employee Contributions

A fundamental principle of pension funding is that both employees and taxpayers contribute to municipal pension costs. Initially, contributions were evenly split, but today taxpayers contribute up to 75% of the pension costs. Employee contributions should be increased and adjusted over time to match taxpayer contributions.

Allow Police and Fire Pension Boards to Invest Funds in IMRF

Police and fire pension boards are restricted to certain investments because each individual fund is relatively small. Other municipal employees' pension funds are mandatorily invested with the Illinois Municipal Retirement Fund, a professionally managed system subject to far fewer investment restrictions. Public safety employees should have the option of investing in IMRF as well.

Allow Police and Fire Pension Boards to Merge Funds

Public safety pension boards should be permitted to merge funds with other jurisdictions. Merging would create larger pension funds with which the boards could access a wider range of investment opportunities.

Ensure Municipal Majority on Pension Boards

Current police and fire pension boards are controlled by beneficiaries of the pension. Boards are comprised of two members appointed by the mayor, two active employees participating in the pension system, and one retiree. Municipalities may be completely cut out of the decisions made about the system despite bearing all the risk if funds do not perform well. Municipalities, not employees, should have majority representation on pension boards. Municipalities should also have standing to testify in disability proceedings before the board, a right that was previously taken away by the courts.

Remove Pension Levies from the Tax Cap

Previous state-mandated pension increases have combined with current economic conditions to overburden municipal budgets. It is imperative that pension costs be removed from the tax cap for non-home rule communities.

Amend the Public Safety Employee Benefits Act

The legislature should amend statutory provisions that affect benefits for people no longer working due to injury or illness to ensure that these benefits are justified and not resulting in double payment.

Continued reforms are needed to protect pension systems and ensure the ability to meet obligations to employees, including police officers and firefighters. At the same time, it is also important to recognize the ongoing strain these pensions place on municipalities and their taxpayers.

Priorities

Protect the Public Rights-of-Way and Advance the Modernization of Public Utilities

Public utilities use public rights-of-way to deliver necessary services and commodities to municipalities. Municipalities own these rights-of-way and have a duty to protect them. As such, municipalities and residents must be able to regulate utilities' usage of this land. In addition, utilities should be required to improve customer service, communications, reliability, and responses to matters of local importance.

Require Arbitration for Utility Franchises

Municipalities are at a disadvantage when negotiating with utilities over expired franchises. Utilities should negotiate with municipalities in good faith and if they do not, then arbitration should be required so that a contract is always in place to protect the public.

Repeal Limitations on Municipal Audits of Utility Taxes

Under Public Act 96-1422, utilities collect taxes and fees to send to municipalities; however, municipalities are not permitted to effectively audit utility tax remittances.

Require ComEd/SMART Grid Reliability

Recent legislation provides utilities with rate increases to invest in infrastructure and implement SMART Grid technology. In return, utilities should be required to meet reliability standards and guarantee that revenue will be used appropriately to fund infrastructure improvements.

Support Western Access

As the Elgin-O'Hare Expressway expands, the State should consider the project's impact on local residents and businesses. The State should also ensure that funding for the project is fair, regional benefits are paid for by the region, and the new access route provides a true entrance into the airport.

Remove the Sunset Date on the Wireless Emergency Telephone Safety Act

With the advent of cell phone usage, an access fee was implemented to fund technological improvements so that cell phones could contact 9-1-1. This legislation sunsets April 1, 2013. Because of widespread cell phone usage today, it is important that the system continues to be funded.

If the wireless fee is allowed to expire next year, 9-1-1 systems would suffer devastating revenue shortfalls. By simply continuing this existing mechanism, we can advance further upgrades to the 9-1-1 centers' capabilities and maintain equipment necessary to ensure the safety of residents.

Legislative Principles

Legislative Principles represent the foundation of our legislative efforts. They help clarify the development of legislative positions and they serve as a benchmark to evaluate the impact of legislative proposals on municipalities.

Protect Municipal Revenues

Municipalities should have the flexibility to fund the programs and services they consider necessary. Funds owed to municipalities should not be diverted for other programs and should reach municipalities in a timely manner. State mandates should be reasonable and balanced against other municipal spending priorities to prevent overburdening local budgets and taxpayers.

Eliminate Legislative Barriers to the Joint Provision of Municipal Services

All levels of government are struggling to maintain programs and services with decreasing revenues, but legislative barriers often make it difficult to consider consolidation and coordination of services including public works, code enforcement, police, and fire. The Conference supports the removal of any statutory barriers that prevent municipalities from working together across jurisdictions to provide joint services. The resulting efficiency would permit municipalities to provide a higher level of services, save money, and reduce the burden on taxpayers.

Preserve and Respect Local Authority

The freedom to make decisions at the local level is the best way that municipalities can fully serve their unique constituencies. Activities such as franchising, zoning, issuing permits and licenses, local code enforcement, and regulating business activities are the fundamental responsibilities of local governments. The ability to make decisions to raise and expend municipal funds, regardless of their source, is vital to local efficiency. Policies should not undermine or preempt local authority to protect the health, safety, and welfare of local residents.

Furthermore, the distinction between home rule and non-home rule communities should be removed to recognize the ability of all municipalities to govern themselves, regardless of population. The State should reject restrictions that erode local decision-making authority. For the good of their residents, both home rule and non-home rule municipalities must have the freedom to employ policies including crime free housing, state and local funding alternatives, out-of-state gas taxation, regulation of pawn shops, and economic development incentives.

Implement Streamlined Sales Tax

A legal loophole allows online retailers to avoid collecting sales taxes. As a result, states and municipalities have missed out on billions of dollars in tax revenue. As the Illinois Legislature looks at implementing federal streamlined sales tax and intra-Illinois sales tax sourcing rules, it must also take into consideration the potential impact on individual municipalities. The State should ensure that any change of rule does not devastate a municipality based on its individual revenue structure. The Conference supports a federal streamlined system that preserves intra-state sourcing rules and requires the State to treat the resulting funds as pass-through revenue. Such a system would ensure that a municipality receives the tax revenue from online retailers for sales ordered and shipped from out of state.

Collection of the 6.25% basic state sales tax on out-of-state sales would produce an estimated \$153 million per year in Illinois alone.

Source: Daily Herald

Legislative Position Statements

Legislative Position Statements regard issues that affect municipalities. They can be proposals that reappear frequently and require legislative efforts by the Conference; or they may never arise during a legislative year. They generally require less time and effort than Legislative Priorities, though on occasion they may become more significant over the course of a legislative session.

STATE AND LOCAL FINANCE

Make Owners Responsible for Protecting Foreclosed Property

The burden to maintain foreclosed property should rest not on the municipality, but on the bank or other owner of record.

Amend Rules Regarding Publication of Legal Notices

Legal notices should be published on the web instead of in a newspaper, as municipalities often no longer have a newspaper of general circulation. In addition, double publication of two-county Truth in Taxation Notices should be eliminated. Municipalities which straddle two counties are currently required to publish legal notices in both; this is a waste of limited public resources.

Permit Municipal Administration of Motor Fuel Tax Funds

Streamline the process for expending motor fuel tax funds so municipalities can use these funds more efficiently.

Remove the Referendum Requirement for Real Estate Transfer Tax

Allow municipalities to enact or increase a real estate transfer tax without a referendum.

LOCAL GOVERNMENT AUTHORITY

Remove Barriers from Non-Home Rule Authority

Allow Crime Free Housing Regulations

Municipalities with home rule authority are permitted to license landlords and require periodic inspection of dwellings. If crimes occur in a dwelling and the landlord fails to enforce the lease, then the municipality may take away the license. Legislation should allow non-home rule communities to use this program as well.

Amend the Hotel-Motel Tax

Allow non-home rule municipalities greater flexibility in how they can spend Hotel-Motel Tax revenues.

Permit Access to Sales Tax Information

Grant all municipalities access to the Illinois Department of Revenue sales tax information by individual retailer for enforcement and budgeting purposes.

Amend the Open Meetings Act

Amend the Open Meetings Act to exclude the use of email in the definition of "meeting," except when used as immediate electronic communication, and allow electronic meeting attendance in cases of non-emergencies and out-of-town vacations. Furthermore, clarify the Act to explicitly authorize municipal boards to vote on items raised under "New Business."

Require Municipal Control of the Foreign Fire Insurance Tax

Elected municipal officials, not fire department members, should receive, budget, and spend the revenues from the Foreign Fire Insurance Tax.

Prohibit Municipal Employees from Serving on the Governing Board

No municipal employee should be eligible to serve on the governing board for that municipality.

PERSONNEL AND COLLECTIVE BARGAINING

Limit the Prevailing Wage Act

Repeal or modify the Prevailing Wage Act to give municipalities more flexibility and assist limited local budgets in meeting residents' needs.

Regulate Charitable Solicitations on Behalf of Police or Fire Unions

Develop effective efforts to prevent fraud and misrepresentation by solicitors.

Define "Confidential Employees" Under the Illinois Labor Relations Act

Legislation is necessary to include within the definition of "confidential employees" those secretaries and similar support staff working directly for certain management personnel and to ensure that such employees are not considered "public employees" entitled to membership within a bargaining unit.

Amend Public Safety Pension Board Training Legislation

Public Act 96-0429 should be amended to permit training using current technology, including online courses and webinars, and to allow certification of local community colleges to provide such training.

PUBLIC SAFETY, UTILITIES, AND ENVIRONMENT

Promote Net Metering for Wind Farmers

Legislation in 2008 provided that local governments are eligible to own and operate wind generation turbine farms, but to be effective the statute must mandate net aggregate metering.

Exempt Park Departments from AED Regulations

Indoor and outdoor physical fitness facilities are required to have an automatic external defibrillator (AED) and an individual trained in the use of the AED on site. Public Act 95-0712 exempts park districts from these regulations. Municipal park departments should be afforded the same exemption.

PLANNING, LAND USE, AND TRANSPORTATION

Protect Sign Regulation and Limit Billboard Removal Compensation

Protect municipal authority to regulate signs. Legislation is necessary to allow municipalities to use amortization as a form of "just compensation" when zoning changes cause a billboard to be a nonconforming use.

Expand Allowable Annexation Boundaries

Expand municipalities' rights with respect to involuntary annexations by adding railroad and utility rights-of-way as allowable boundaries.

Limit Land Disconnection

Prohibit the disconnection of land from a municipality without approval from the city council or village board.

Permit Special Service Areas for Stormwater Facilities

Reform Public Act 97-0533 to allow the use of special service areas so that municipalities can ensure maintenance of drainage facilities that are the responsibility of homeowner associations.

Allow Local Government Quick-Take Authority

Municipalities should be allowed to use quick-take authority to acquire land for specific purposes without being required to obtain a permit.

Allow Municipalities to Determine the Form of Security Posted By Developers

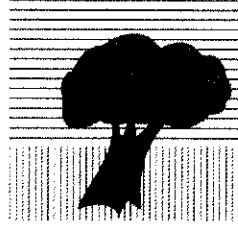
Municipalities, rather than developers, should be able to decide whether developers will need a bond or a letter-of-credit for public improvements.

Conference Membership Home Rule Status and Population

Municipality	City or Village	Home Rule*	Population**
Addison	Village	Yes	36,942
Aurora	City	Yes	197,899
Bartlett	Village	Yes	41,208
Bensenville	Village	No	18,352
Bloomington	Village	Yes	22,018
Bolingbrook	Village	Yes	73,366
Burr Ridge	Village	No	10,559
Carol Stream	Village	Yes	39,711
Clarendon Hills	Village	No	8,429
Downers Grove	Village	Yes	47,833
Elmhurst	City	Yes	44,121
Glen Ellyn	Village	Yes	27,450
Glendale Heights	Village	Yes	34,208
Hanover Park	Village	Yes	37,973
Hinsdale	Village	No	16,816
Itasca	Village	No	8,649
Lisle	Village	No	22,390
Lombard	Village	No	43,165
Naperville	City	Yes	141,853
Oak Brook	Village	No	7,883
Oakbrook Terrace	City	Yes	2,134
Roselle	Village	No	22,763
St. Charles	City	Yes	32,974
Villa Park	Village	No	21,904
Warrenville	City	Yes	13,140
Wayne	Village	No	2,431
West Chicago	City	Yes	27,086
Westmont	Village	Yes	24,685
Wheaton	City	Yes	52,894
Willowbrook	Village	No	8,540
Winfield	Village	No	9,080
Wood Dale	City	No	13,770
Woodridge	Village	Yes	32,949
Total			

*Under the 1970 Illinois Constitution, any municipality of more than 25,000 is a home rule unit. Municipalities of 25,000 or less may elect by referendum to become home rule units. Similarly, home rule communities, regardless of population, may rescind home rule power by referendum. Home rule units enjoy broader powers to license, tax, incur debt, and generally regulate for the public health, safety, and welfare than do non-home rule units. The Constitution provides that the General Assembly may preempt home rule powers in many cases if it does so with the approval of an extraordinary majority (3/5 of the members) in each chamber. (Illinois Constitution, Article VII, Section 6)

**Based on figures from the 2010 Federal Census.




DuPage Mayors and Managers Conference
Celebrating 50 years of intergovernmental cooperation.
1962 - 2012

AGENDA ITEM

J-1 2-6-12

Village of Carol Stream

Interdepartmental Memo

DATE: February 6, 2012
TO: Mayor Saverino Sr. & the Board of Trustees
FROM: Christopher M. Oakley, Asst. to the Village Manager 
RE: Proposal for 2012 Summer Carnival @ the Town Center

Since 2004, Alpine Amusement Co. (Naperville) has been licensed to provide carnival/amusement programming at the Village Town Center as part of 'Summer in the Center' events. Alpine Amusement Co. is proposing to host a 4-Day summer carnival tentatively scheduled for Thu., June 21st – Sun., June 24th. The terms detailed in the proposed carnival agreement are consistent with those from prior years and include

Revenue Sharing:	25% (\$1-\$50,000) 30% (\$50,001 +)
Concession Booth Fee:	\$125/booth @ 8 – 10 booths
Unlimited Ride Wristbands:	Thu. 6 – 10 pm/ Sat. & Sun. 1- 5 pm
FREE Special Needs Carnival:	Sat. Noon – 2 pm
Compliance w/ Carnival Code:	Chapter 10 Article 2: Amusements

The schedule for the proposed carnival is as follows:

Mon., June 18th:	Arrival & Set Up
Thu., June 21st:	Day 1: 6 – 10 pm
Fri., June 22nd:	Day 2: 6 – 11 pm
Sat., June 23rd:	Day 3: 2 – 11 pm
Sun., June 24th:	Day 4: 1 – 10 pm

Last year's carnival was the 2nd stand-alone (not part of a festival) carnival that required minimal staff time and associated costs to host this event. All of the fees and revenue sharing generated from this event is assumed into the General Corporate Fund. As was the case during last year's carnival, there will be additional overlapping programming at the Town Center on Sat., June 23rd in the morning when the Annual Bud Swanson 5K Race/Walk for Sarcoma will be held. Because the carnival will operate this year from the Town Center's paved parking area, it was decided not to schedule a summer concert on the evening of Thu., June 21st, as the proximity of the carnival program area would interfere with the ability to listen to music from the Gazebo Stage.

As part of the proposed agreement, the carnival staff will be responsible to managing waste generated during the event. Similar to last year, Police Volunteers were scheduled to handle various duties including crowd management, venue security and assisting with traffic control. The net revenue share to the Village from all 2011 carnival proceeds was \$14,469 (\$16,542 in revenue less \$2,073 in staff costs). Because of the successful working relationship with Alpine Amusement Co. over the past 9 years as well as the popularity of the event, I recommend entering into a contract for carnival services from June 21st – 24th per the terms detailed in the attached agreement.

ALPINE AMUSEMENT CO. INC.

2648 Wild Timothy Road, Naperville IL 60564

Phone: 630-922-3188

Fax: 630-922-0589

This agreement made this 19th day of January, 2012, by and between Alpine Amusement Co., Inc., Party of the First Part and the Village of Carol Stream, Party of the Second Part. Party of the Second Part agrees to furnish a location for the erection and operation of a combination of rides, shows and concessions known as Alpine Amusement Co., Inc. Party of the Second Part also agrees to furnish and pay for any Village tax, permits or licenses that may be required for operation, and for all water, lot and street privileges necessary for operating, conducting, and placing of all attractions and concessions (the location must be mutually agreeable and acceptable to both parties).

Party of the First Part further agrees to furnish all electrical connections, sufficient electrical generators and electric current with distribution necessary for the power and illumination of all rides, shows and concessions and two (2) deluxe portable toilet facilities with hand wash stations and infant changing stations and one (1) handicapped accessible portable toilet facility with hand wash station. Said toilet facilities to be for operating hours and to be supplied until all attractions are dismantled at the close of the engagement. Party of the First Part also agrees to furnish Uniformed Ride Attendants, Foreman on Festival grounds at all times, All ticket boxes and coupons for ride admittance and \$1,000,000 public liability and property damage certificate of insurance naming Party of the Second Part as additional insured for each incident. (Alpine Amusement Co. is not liable for Party of the Second Part employees and volunteers), unless caused by our own negligence. Said Certificate of Insurance shall be sent to the Village at least one (1) week prior to the engagement. The Village of Carol Stream, its Officers, and Employees shall be named as an insured on said policy. Said policy shall be on an ISO approved form and shall not include any limitations of liability for failure to notify the Village of the cancellation of said policy. Party of the First Part has the right of first refusal for the next year or the next year Party of the Second Part runs the festival in the event a year or more is skipped between running the festival subject to approval of Party of the Second Part and satisfactory provision of services by Party of the First Part.

Party of the Second Part also agrees to have location available Monday before event. If streets are used for location of said attractions, Party of the Second Part agrees to have them closed to traffic and parking no later than 12:01 A.M. Monday before event.

IN CONSIDERATION OF THE ABOVE, Party of the First Part agrees to furnish, present and operate rides, concessions, and attractions at The Ross Ferraro Town Center asphalt parking lot for a period of 4 days, starting June 21, 2012 and ending June 24, 2012 for a carnival event. To pay the Second Part the sum of \$125 for each food or concession or game booth operated on the grounds during the engagement. Any concession or booth closed or unable to operate shall pay pro rata for actual days operated. To pay the Party of the Second Part (25% from \$0-\$50,000 and 30% from \$50,001 and over) the gross receipts from monies derived from the sale of admission tickets at any attractions and rides after usual Government Taxes, Midway Insurance and State and City sales tax and amusement tax, if applicable, are deducted.

The settlement of the concessions and booths and the percentage on the attractions and rides shall be made on the closing of the engagement. This agreement is fully or partially assignable by Alpine Amusement Co., Inc. only upon concurrence by the Village of Carol Stream.

Party of the Second Part is responsible for the following services:

- Sufficient police protection and security
- Responsible for all expenses associated with Village ordinance background checks.
- Trash receptacles for midway clean-up operation (Party of the First Part is responsible for emptying trash receptacles in the Village provided onsite dumpster)
- Parking area for semi-trailers, trucks and trailers at an approved Village parking lot, (no trailers or trucks will be allowed to park on site unless they are an integral part of the carnival ride).
- Promotion of carnival on Village website.

REMARKS:

No employee travel trailers will be on site at festival nor will employees be housed on site.

UNLIMITED RIDE SPECIAL \$20.00/PERSON, THURSDAY 6:00 p.m. -10:00 p.m., SATURDAY, AND SUNDAY 1:00 p.m. -5:00 p.m. Hours of event will be: Thursday 6:00 p.m. -10:00 p.m., Friday 6:00 p.m. -11:00 p.m., Saturday 1:00 p.m. - 11:00 p.m. and Sunday 1:00 p.m. - 10:00 p.m.

IT IS FURTHER UNDERSTOOD AND AGREED:

Party of the First Part assumes no liability for any accident that might be caused by streets or other locations being left open to local traffic or parking during erection, dismantling, or operation of equipment or to trespassers while equipment is not in operation. Party of the Second Part agrees to indemnify and hold harmless the Party of the First Part for any defects relating to the condition of the grounds. Party of the First Part agrees to indemnify and hold harmless, Party of the Second Part against any and all injuries or claims for damages as a result of said carnival, amusement and /or concessions operated by Alpine Amusements or its subcontractors or agents.

It is understood and agreed that there shall be no other riding devices, shows, attractions, or concessions (including confections to be known as popcorn, cotton candy, funnel cakes, corn dogs, sno cones, nachos, coke and other soft drinks at this event other than those furnished by Alpine Amusement Co., Inc. except those furnished by the Party of the Second Part or food vendors operating under agreement by the Village (and those agreed upon, prior to the event).

The attached addendum "A" is hereby incorporated as part of this agreement.

That there is no other contract or promise expressed or implied, written or verbal. That should any other or additional agreement become necessary, the same shall be void unless reduced to writing and signed by the parties hereto.

That this agreement in part or entirety is subject to strikes, suspension of electric service, failure of transportation facilities, Government decrees, fire, floods, wrecks, tornadoes, war, riots, public demonstrations, or other good and sufficient reasons beyond the control of either party hereto. Both parties agree to work together to make this event a success.

IN WITNESS WHEREOF, we set our hands and seals in good faith this 19th day of January, 2012.

VILLAGE OF CAROL STREAM

ALPINE AMUSEMENT CO., INC.

By: _____
Party of the Second Part

By: _____
Party of the First Part

Void if not returned by February 15, 2012.

ADDENDUM "A"

All costs and expenses of supplying the amusements are the sole responsibility of Alpine Amusement Co., Inc.

Alpine Amusement Co., Inc. agrees that the Village shall have the right to have a representative present in any ticket booth at any time during the event if Alpine Amusement Co., Inc. supplies the staff. Alpine Amusement Co., Inc. also agrees that the Village shall have the right to have a representative examine any and all books, records of ride ticket sales from the Village of Carol Stream Summer in the Center festival and to make copies. Alpine Amusement Co., Inc. agrees that it will retain any and all ticket stubs and/or unsold tickets. Alpine Amusement Co., Inc. agrees that the Village shall have the right to examine said ride tickets and/or stubs and, at the Village's option and cost, conduct an independent audit of all ride ticket sales generated from the event.

Both the Village of Carol Stream and Alpine Amusement Co., Inc will determine the layout of the rides and concession booths. Alpine Amusement Co., Inc. must comply with all reasonable directives of the Village of Carol Stream.

Alpine Amusement Co., Inc. agrees to work with the Village to provide a "No-Charge" disability/physically challenged program to take place on Saturday, June 23, 2012 from 12:00 a.m. to 2:00 p.m.

Ride selections will be based on available space and selection between the Village of Carol Stream and Alpine Amusement Co., Inc. Layout of the rides and concession booths will be determined when the snow subsides and access to the grounds is available. Appropriate measurements and walk through is required by Alpine Amusement Co., Inc. to provide accurate ride selection.

Alpine Amusement Co., Inc. agrees to comply with Village Ordinance No. 2002-06-35, regulating carnivals.

Alpine Amusement Co., Inc. shall furnish the appropriate number of uniformed ride attendants and a ride foreman on the festival grounds at all times when festival is operating.

Alpine Amusement Co., Inc. shall obtain all required 2012 State of Illinois ride inspection permits and DuPage County Health Department Food Concession permits, which shall be posted in a conspicuous location for public viewing at the ticket sales booth.

Amusement and concession prices will generally be as follows (prices subject to change):

Amusement/Concession	Price
Children Rides	\$2.00
Intermediate Rides	\$3.00
Adult Rides	\$4.00
Slide Ride	\$2.00
Pop/Lemonade	\$2.00-\$3.00
Cotton Candy	\$2.00-\$3.00
Corn Dogs	\$2.00
Funnel Cake	\$4.00-\$5.00
Rope Liquorish	\$1.00
Popcorn	\$2.00-\$3.00
Games (Regulation Basketball, Cat Rack, Balloon, Machine Gun, Grab Bag, etc.)	\$3.00-\$5.00

Alpine Amusement Co., Inc. ticket and concession prices shall not exceed those prices charged at its other events in 2012.

AGENDA ITEM

J-2 2-6-12

Village of Carol Stream Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager
FROM: Ann Delort, Secretary *AD*
DATE: January 19, 2012
RE: Carol Stream Chamber of Commerce
Raffle License Application

The Carol Stream Chamber of Commerce is sponsoring their annual St. Patrick's Reverse Raffle in which a raffle drawing will be held on Thursday, March 15, 2012 to raise funds to support the Chamber of Commerce and its activities promoting member businesses. They have submitted a copy of a Class "C" raffle license application and the required manager's fidelity bond. The aggregate value of the raffle prize totals approximately \$8,500.

Applicant is requesting a fee waiver as indicated in the attached letter request. In accordance with Article 5, Section 10-5-6 of the Village Code, it states, "All raffle license fees waived for non-profit organizations since 1990 shall automatically be waived in subsequent years..". This fee has been waived in previous years.

The raffle license application and required documentation is on file in the Village Clerk's office for your review.

Please place this item on the agenda for review and approval by the Village Board of Trustees at their upcoming Monday, February 6, 2012 meeting.

Thank you.

ad
Attachment



CAROL STREAM
Chamber of Commerce

January 17, 2012

Board of Trustees
Village of Carol Stream
500 N. Gary Avenue
Carol Stream, IL 60188

RE: Carol Stream Chamber of Commerce Raffle
March 15, 2012

Dear Trustees:

Enclosed please find a Raffle License application for the Carol Stream Chamber of Commerce for a Raffle drawing to be held on Thursday, March 15, 2012. This will be in conjunction with our annual St. Patrick's Day Reverse Raffle. We would appreciate it if the Village would waive its license fee in connection with the raffle.

We intend to use the proceeds of this raffle to support the Chamber of Commerce and its activities promoting member businesses.

The Village has on file a copy of the Chamber's Articles of Incorporation. We have already filed our renewal raffle bond with the Village.

The Chamber's 2011 St. Patrick's Day Raffle netted over \$13,000 for the Chamber, which funds were used to support Chamber activities promoting local businesses.

Thank you for your anticipated cooperation and assistance in this matter.

Very truly yours,

Ann Kennedy
President
Carol Stream Chamber of Commerce

AGENDA ITEM

J-3 2-6-12

Village of Carol Stream Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager
FROM: Ann Delort, Secretary *AD*
DATE: February 3, 2012
RE: Winfield School District 34 PTO
Raffle License Application

The Winfield School District 34 PTO is sponsoring a Split-the-Pot raffle to be held during a Winfield Rockin' Blues Fest fundraiser to be held on Saturday, March 3, 2012 at the American Legion Hall in Carol Stream. Raffle tickets will be sold for \$5.00 each from 2/21/12 - 3/3/12 and the estimated amount of sales would be \$400.00. They have submitted a copy of a Class "A" raffle license application.

Applicant is requesting a fee waiver as indicated in the attached letter request. The raffle license application and required documentation is on file in the Village Clerk's office for your review.

Please place this item on the agenda for review and approval by the Village Board of Trustees at their upcoming Monday, February 6, 2012 meeting.

Thank you.

ad
Attachment



Winfield Schools Parent Teacher Organization



Winfield School District 34 PTO, 0S150 Winfield Road, Winfield IL 60190

January 30, 2012

Dear Carol Stream City Council,

Winfield School PTO is requesting a raffle license for a Split-the-Pot raffle to be held during our Winfield Rockin' Blues Fest fundraiser to be held on Saturday, March 3, 2012, at the American Legion in Carol Stream. We plan on selling the tickets for \$5/each starting February 21, 2012 at our middle school office. We estimate that we will not exceed \$500 cash reward and thus are requesting a waiver of the license fee. Also, we are requesting the cost of the fidelity bond to be waived.

Our tax ID # E9997-3251-04.

Thank you for your kind consideration.

Sincerely,

Patti Weber & Maria Perezchica

Winfield Rockin' Blues Fest Co-Chairs
630-871-1699 or pattisweber@comcast.net

Village of Carol Stream
 Schedule of Bills
 For Village Board Approval on February 6 2012

AGENDA ITEM
K-1 - 2-6-12

<u>Vendor / Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Account Description</u>	<u>Invoice No.</u>	<u>Purchase Order</u>
AT & T					
SERV FRM JAN 16- FEB 15	415.02	01652800-52230	TELEPHONE	630257651901JAN16	
	<u>415.02</u>				
ACTIVE EXCAVATING & WRECKING INC					
SNOW PLOWING DEC 17, 2011 & JAN 12, 2012	4,913.00	01670200-52266	SNOW REMOVAL	8467	20120076
	<u>4,913.00</u>				
AQUA AEROBIC SYSTEMS INC					
PURCHASE OF POROUS PLATES	672.12	04101100-52244	MAINTENANCE & REPAIR	989687	20120087
	<u>672.12</u>				
ASSOCIATION OF POLICE SOCIAL WORKERS					
M THOMAS, E MOLLOY, K MCNAMARA DUES	120.00	01662500-52234	DUES & SUBSCRIPTIONS	2012 DUES	
	<u>120.00</u>				
AVALON PETROLEUM COMPANY					
FUEL	22,575.00	01696200-53356	GAS PURCHASED	547825	
	<u>22,575.00</u>				
B & F TECHNICAL CODE					
BUILDING PLAN REV 560 S SCHMALE	392.34	01643700-52253	CONSULTANT	34377	20120007
BUILDING PLAN REV-545 FULLERTON	392.34	01643700-52253	CONSULTANT	34376	20120007
BUILDING PLAN REV-720 CENTER	300.00	01643700-52253	CONSULTANT	34395	20120007
BUILDING PLAN REV-720 CENTER	494.34	01643700-52253	CONSULTANT	34378	20120007
FIRE ALRM RVW 315 E FULLERTON	149.80	01643700-52253	CONSULTANT	34356	20120007
	<u>1,728.82</u>				
BAXTER & WOODMAN INC					
CONSULTING ENGR SERV'S THRU DEC 2011	4,020.00	04101500-54480	CONSTRUCTION	0160672	20120029
ENGINEERING SERVICES AGR-FINAL PAYMENT	4,130.00	04201600-54480	CONSTRUCTION	0160670	20120042
WRC OPERATING PERMIT RNWL	750.00	04101100-52253	CONSULTANT	0160673	20120088
	<u>8,900.00</u>				

C S CITIZEN OF THE YEAR

BREINIG AND TRUSTEES DINNER MTG 2/4/12	35.00	01590000-52222	MEETINGS	2/4/12 DINNER
BREINIG AND TRUSTEES DINNER MTG 2/4/12	175.00	01520000-52222	MEETINGS	2/4/12 DINNER
	<u>210.00</u>			

C S FIRE PROTECTION DISTRICT

PERMITS- DECEMBER 2011	3,184.00	01-24416	DEPOSIT-FIRE DISTRICT PERMIT	PERMITS DEC/2011
	<u>3,184.00</u>			

C S PARK DISTRICT

DOG BARK MEMBERSHIP FOR JAN/12	174.00	01-24236	BARK PARK MEMBERSHIP	JAN/12 MEMB
	<u>174.00</u>			

C S PUBLIC LIBRARY

PPRT FOR THE COLLECTION PERIOD OF JAN/12	4,678.32	01000000-41102	PERSONAL PROPERTY REPLAC TAX	PPRT JAN/12
	<u>4,678.32</u>			

CALL ONE

SERV FRM DEC 15 2011 THRU JAN 14 2012	416.75	04101500-52230	TELEPHONE	JAN 15 2012
SERV FRM DEC 15 2011 THRU JAN 14 2012	2,405.47	04201600-52230	TELEPHONE	JAN 15 2012
SERV FRM DEC 15 2011 THRU JAN 14 2012	2,839.08	01650100-52230	TELEPHONE	JAN 15 2012
	<u>5,661.30</u>			

CDS OFFICE TECHNOLOGIES

LAPTOP COMPUTERS/DOCKING STN	4,680.00	01662700-54412	OTHER EQUIPMENT	0656570	20120081
LAPTOP COMPUTERS/DOCKING STN	13,425.00	01662700-54413	COMPUTER EQUIPMENT	0656570	20120081
	<u>18,105.00</u>				

CHRISTOPHER B BURKE ENGR LTD

PROF SERV'S NOV 27 THRU DEC 31 2011 AMER LEG	524.00	01621900-52253	CONSULTANT	104193	
PROF SERV'S NOV 27-DEC 31 PRINCE IND/AM LITHI	316.63	01621900-52253	CONSULTANT	104191	
PROF SRV'S NOV 27- DEC 31 2011 CAPUTO'S	932.50	01621900-52253	CONSULTANT	104192	
WEED CONTRL MGMT SRVS NOV 27-DEC 31 2011	1,618.86	01621300-52253	CONSULTANT	104234	20120047
	<u>3,391.99</u>				

CIOSEK TREE SERVICE INC

REMOVAL OF PARKWAY TREES NOV-DEC	16,265.00	01670700-52281	EAB REMOVAL/REPLACEMENT	JAN 16 2012	20120053
TREE REMOVALS -2ND YEAR NOV-DEC	4,270.00	01670700-52268	TREE MAINTENANCE	JANUARY 16 2012	20120030
	<u>20,535.00</u>				

CLARK BAIRD SMITH LLP

LEGAL FEES FRM DEC 1 THRU DEC 22 2011

6,228.75

01570000-52238

LEGAL FEES

1522

6,228.75**COMED**

SERV FRM 11/15/11 - 12/20/12

85.07

06320000-52248

ELECTRICITY

5853045025FEB

SERV FRM 11/16/11 THRU 12/19/11

1,232.15

06320000-52248

ELECTRICITY

5853045025JAN/12

SERV FRM 12/12/11 - 01/13 2012

25.96

01670600-52248

ELECTRICITY

6827721000JAN/12

SERV FRM 12/19/11 - 1/24/12

70.37

04201600-52248

ELECTRICITY

2514004009JAN

SERV FRM 12/19/11 - 1/24/12

480.56

06320000-52248

ELECTRICITY

6213120002JAN

SERV FRM 12/19/11 - 1/24/12

714.69

04101500-52248

ELECTRICITY

2496057000JAN

SERV FRM 12/20/11 - 01/24/12

16.51

01670600-52248

ELECTRICITY

4483019016DEC

SERV FRM 12/20/11 - 1/24/12

141.53

01670600-52248

ELECTRICITY

6337409002JAN

SERV FRM 12/20/11 THRU 01/24/12

1,129.88

04201600-52248

ELECTRICITY

0300009027JAN

SERV FRM 12/20/11 THRU 01/25/12

55.13

06320000-52248

ELECTRICITY

1043062112JAN/12

SERV FRM 12/21/11 - 01/25/12

36.05

01662300-52298

ATLE SERVICE FEE

4202129060JAN/12

SERV FRM 12/21/11 - 01/25/12

55.59

04101500-52248

ELECTRICITY

2073133107JAN

SERV FRM 12/21/11 - 1/24/12

127.48

06320000-52248

ELECTRICITY

0030086009JAN

SERV FRM 12/21/11 - 1/24/12

141.13

06320000-52248

ELECTRICITY

3153036011JAN

SERV FRM 12/21/11 - 1/25/12

16.51

01670600-52248

ELECTRICITY

0803155026JAN

SERV FRM 12/21/11 - 1/25/12

16.51

01670600-52248

ELECTRICITY

1865134015JAN

SERV FRM 12/21/11 - 1/25/12

113.30

06320000-52248

ELECTRICITY

6675448009JAN

SERV FRM 12/22/11 - 01/26/12

33.65

06320000-52248

ELECTRICITY

1603109101JAN

SERV FRM 12/27/11 THRU 01/27/12

25.10

01670600-52248

ELECTRICITY

5838596003JAN

SERV FRM 12/28/11 - 01/30/12

25.10

01670600-52248

ELECTRICITY

2127117053JAN/11

4,542.27**CUSTOM SERVICE HEAT COOL INC**

INSTL HEATER GARAGE PWKS

1,727.68

01670400-52244

MAINTENANCE & REPAIR

01/16/12A

NEW GAS SHUT OFF VALVE-HEATER PWKS

107.76

01670400-52244

MAINTENANCE & REPAIR

01/16/12

PERF MTC ON HEATER @PWKS

2,499.82

01670400-52244

MAINTENANCE & REPAIR

12/30/11

REPR HEATER AT GARAGE PWKS

192.50

01670400-52244

MAINTENANCE & REPAIR

01/21/12

4,527.76**DAVID G BAKER**

CUB ENERGY SAVER PSA 1/22/12

105.00

01650100-52253

CONSULTANT

012212

VLG BOARD MTG TELECAST 1/1712

105.00

01650100-52253

CONSULTANT

011712

210.00

DELL MARKETING LP

4TH PYMNT EQUILOGIC STRG SYSTM 2/1/12-2/1/1 21,049.90
21,049.90

01652800-54422

INSTALLMNT CAPITAL ACQUISITION 75471608

DIGIOIA BROTHERS CONST. CO

SNOW PLOWING FOR JAN 12 2012 6,371.50
 SNOW PLOWING JAN 20 & 21 2012 6,368.50
12,740.00

01670200-52266

SNOW REMOVAL 48035

20120074

01670200-52266

SNOW REMOVAL 48036

20120074

DISCOVERY BENEFITS

FLEX ADM - JAN 2012 193.00
193.00

01600000-52273

EMPLOYEE SERVICES 282998

DU COMM

10 BATTERIES POLICE DEPT 157.00
157.00

01662757-53317

OPERATING SUPPLIES 14550

DUPAGE CO CHIEFS OF POLICE ASSN

SAILER, ORR, HOFFMAN DUES 150.00
150.00

01660100-52234

DUES & SUBSCRIPTIONS ASSC DUES 2012

DUPAGE COUNTY

DATA PROCESS FOR DECEMBER/11 POLICE 250.00
250.00

01662600-52247

DATA PROCESSING 0319

ELEVATOR INSPECTION SERVICES

ELEVATOR INSP JAN 10 2012 100.00
100.00

01680000-52244

MAINTENANCE & REPAIR 34799

EXELON ENERGY INC

SERV FRM 12/12/11 TO 01/12/12 404.63
 SERV FRM 12/20/11 - 01/23/12 3,550.48
 SERV FRM 12/20/11 THRU 01/23/12 2,556.35
 SERV FRM 12/21/11 - 01/24/12 3,796.63
10,308.09

04101500-52248

ELECTRICITY 100431100270

04201600-52248

ELECTRICITY 100559500270

06320000-52248

ELECTRICITY 200214600190

04201600-52248

ELECTRICITY 100431200270

FEDEX

INV SUMMARY JAN 25 2012 61.70
61.70

01650100-52229

POSTAGE 7 770 07374

FEECE OIL CO

E75/85 GASOLILNE	3,796.23
	<u>3,796.23</u>

01696200-53356	GAS PURCHASED	3197474
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GAFFNEYS PROTECTIVE MAINTENANCE INC

NEW STREET LIGHT KIMBERLY DR	1,550.00
NW CABLE/PVC PIPE & CONTRL BX TO GRND FAUL'	2,627.09
	<u>4,177.09</u>

01670300-52271	STREET LIGHT MAINTENANCE	17761
01670300-52271	STREET LIGHT MAINTENANCE	17760

I D E S (IL DEPT OF EMPLOYMENT SECURITY

4TH QTR UNEMPLOYMENT CHRGS	6,392.00
	<u>6,392.00</u>

01600000-51115	UNEMPLOYMENT COMP	OCT/11-DEC/11
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ILL ASSN OF PROPERTY & EVIDENCE MGRS

2012 MEMBERSHIP STEVE DUMOULIN	25.00
	<u>25.00</u>

01662400-52234	DUES & SUBSCRIPTIONS	S DUMOULIN 2012
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ILLINOIS SECRETARY OF STATE

7 TITLE FEES FOR SEIZED VEHICLES POLICE DEPT	665.00
	<u>665.00</u>

01664700-53317	OPERATING SUPPLIES	7 SEIZED VEH TITLES
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IMPACT NETWORKNG LLC

SERV FRM 01/06/12- 04/06/12	1,800.34
TONER	19.50
	<u>1,819.84</u>

01652800-52226	OFFICE EQUIPMENT MAINTENANCE	121458
01620100-53314	OFFICE SUPPLIES	11397A

INTERNAL REVENUE SERVICE

SERVICES	13.47
	<u>13.47</u>

01610100-52256	BANKING SERVICES	LTR3502C
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ITRON INC

MTC ON HARDWARE/SOFTWR W&S 2/12-4/12	541.98
MTC ON HARDWARE/SOFTWR W&S 2/12-4/12	541.99
	<u>1,083.97</u>

04203100-52221	UTILITY BILL PROCESSING	227665	20120005
04103100-52221	UTILITY BILL PROCESSING	227665	20120005

JULIE INC

LOCATES THRU FEBRUARY 2012-1ST QTR	347.19
LOCATES THRU FEBRUARY 2012-1ST QTR	347.20
LOCATES THRU FEBRUARY 2012-1ST QTR	347.20
	<u>1,041.59</u>

01670300-52272	PROPERTY MAINTENANCE	2012-0358 FEB/12
04201600-52272	PROPERTY MAINTENANCE	2012-0358 FEB/12
04101500-52272	PROPERTY MAINTENANCE	2012-0358 FEB/12

JOHN C BOSCO

SNOW PLOWING JAN 12 2012	308.25
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01670200-52266	SNOW REMOVAL	1101	20120075
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SNOW PLOWINGJAN 20 & 21 2012	582.25	01670200-52266	SNOW REMOVAL	1102	20120075
	<u>890.50</u>				
JOHN L FIOTI					
ATLE LEGAL AND ADM HEARINGS,UPD STATE LAW	375.00	01662300-52310	ATLE LEGAL ADJUDICATION	C S 37	
ATLE LEGAL AND ADM HEARINGS,UPD STATE LAW	525.00	01570000-52238	LEGAL FEES	C S 37	
	<u>900.00</u>				
KATHLEEN POWELL MSW LCSW BCD					
CLINICAL CONSTULTATION M THOMAS	170.00	01662500-52223	TRAINING	12/29/11	
	<u>170.00</u>				
KLEIN, THORPE & JENKINS, LTD					
LEGAL SERVICE THRU DEC 31 2011	1,170.00	04200100-52238	LEGAL FEES	01/17/12	
LEGAL SERVICE THRU DEC 31 2011	1,393.00	01650100-57499	CONTINGENCY	01/17/12	
LEGAL SERVICE THRU DEC 31 2011	3,959.30	01570000-52238	LEGAL FEES	01/17/12	
	<u>6,522.30</u>				
KLF TRUCKING COMPANY					
	-2,447.00	11-21447	RETAINAGE KLF TRUCKING CO	23552	20120065
Demolition of 3 flood struct	20,570.00	11740000-55488	STORMWATER UTILITIES	23552	20120065
	<u>18,123.00</u>				
KOZIOL REPORTING SERVICE					
LEGAL SERV'S FOR 11/29/11	330.00	01570000-52238	LEGAL FEES	3512	
LEGAL SERVICES 12/15/11	373.75	01570000-52238	LEGAL FEES	3519	
	<u>703.75</u>				
KPW TRUCKING INC					
CA 6 STONE	286.25	04201600-53317	OPERATING SUPPLIES	760	
SNOW PLOWING FOR JAN 12TH 2012	2,609.75	01670200-52266	SNOW REMOVAL	759	20120073
SNOW PLOWINGJAN 20 2012	2,752.50	01670200-52266	SNOW REMOVAL	765	20120073
	<u>5,648.50</u>				
MORONI LAW OFFICES					
PROF SERVICE RENDERED FOR DEC/11	2,270.00	01570000-52235	LEGAL FEES-PROSECUTION	PROF SERV DEC/11	
	<u>2,270.00</u>				
NEXTEL COMMUNICATIONS					
SERV FRM 12/24/11 THRU 01/23/12	27.25	01642100-52230	TELEPHONE	760300514-120	
SERV FRM 12/24/11 THRU 01/23/12	27.25	01643700-52230	TELEPHONE	760300514-120	
SERV FRM 12/24/11 THRU 01/23/12	27.25	01662500-52230	TELEPHONE	760300514-120	
SERV FRM 12/24/11 THRU 01/23/12	54.50	01680000-52230	TELEPHONE	760300514-120	

SERV FRM 12/24/11 THRU 01/23/12	60.95	01600000-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	60.95	01610100-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	60.95	04200100-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	60.95	01690100-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	78.88	01622200-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	115.45	01662300-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	115.95	01664700-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	118.32	01620100-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	121.90	01652800-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	151.18	01662700-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	163.50	04201600-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	163.73	01662400-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	182.85	01650100-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	212.45	01670100-52230	TELEPHONE	760300514-120
SERV FRM 12/24/11 THRU 01/23/12	298.50	01660100-52230	TELEPHONE	760300514-120
	2,102.76			

NICOR GAS

SERV FRM 12/07/11 THRU 01/09/12	128.77	04201600-52277	HEATING GAS	13 81 121000 7JAN/12
SERV FRM 12/28/11- 01/26/12	24.30	04101500-52277	HEATING GAS	14 30 94 7020 2JAN
SERV FROM 12/08/11-01/10/12	82.03	04101500-52277	HEATING GAS	86 60 60 11178DEC
	235.10			

NORTH AMERICAN SALT COMPANY

BULK ROCK SALT	10,432.91	06320000-53335	SALT	70789401	20120051
BULK ROCK SALT	21,126.94	06320000-53335	SALT	70790181	20120051
	31,559.85				

OLIVE GROVE LANDSCAPING INC

SNOW PLOWING JAN 12 2012	3,693.00	01670200-52266	SNOW REMOVAL	11962	20120072
SNOW PLOWING JAN 20 2012	4,406.00	01670200-52266	SNOW REMOVAL	11967	20120072
	8,099.00				

OMI

MONTHLY WRC OPERATIONS-MARCH/12	134,927.58	04101100-52262	WRC CONTRACT	53441	20120012
	134,927.58				

PRESSURE SOLUTIONS INC

NEW PRESSURE HOSE FOR WASHER	512.24	01670500-53317	OPERATING SUPPLIES	286	
	512.24				

RYDIN DECAL

100 -2012 ADDT'L AMUSEMENT LICENSES	186.93	01612900-53315	PRINTED MATERIALS	270461	
	<u>186.93</u>				

S & S MAINTENANCE INC

SNOW PLOWING JAN 12 & 13 2012	6,881.25	01670200-52266	SNOW REMOVAL	VCS01012	20120071
SNOW PLOWING JAN 20TH 2012	7,583.50	01670200-52266	SNOW REMOVAL	VCS001013	20120071
	<u>14,464.75</u>				

SCHROEDER ASPHALT SERVICES

2011 FLEXIBLE PAVEMENT PROJECT	70,683.06	11-21446	RETAINAGE SCHROEDER	2011-408	20120026
	<u>70,683.06</u>				

TCL EXCAVATING INC

SNOW PLOWING JAN 12 & 13 2012	4,864.00	01670200-52266	SNOW REMOVAL	C2427	20120070
SNOW PLOWING JAN 20 & 21 2012	5,904.00	01670200-52266	SNOW REMOVAL	C2428	20120070
	<u>10,768.00</u>				

THE STATE FIRE MARSHALL

ANNL ELEVATOR INSP 01/10/12	75.00	01680000-52244	MAINTENANCE & REPAIR	5125040253	
	<u>75.00</u>				

THEODORE POLYGRAPH SERVICE

POLYGRAPH FOR POLICE CANDIDATE	135.00	01510000-52228	PERSONNEL HIRING	3111	
	<u>135.00</u>				

THOMAS F HOWARD JR

LEGAL SERV FRM 12/28/11 - 01/30/12	6,630.00	01570000-52312	PROSECUTION DUJ	188	
	<u>6,630.00</u>				

TIMOTHY W. SHARPE

OCT/11-JAN/12 POLC PENSION ACTUARY RPRT	1,900.00	01610100-52254	ACTUARIAL	01/24/12	
	<u>1,900.00</u>				

TRANSYSTEMS CORPORATION

KUHN RD BIKE TRL PH II CONST	373.99	11740000-55486	ROADWAY CAPITAL IMPROVEMENT 14(2216334)		20120038
WEST BRANCH TRL PROJECT	4,033.90	11740000-55486	ROADWAY CAPITAL IMPROVEMENT 9(2216333)		20120035
	<u>4,407.89</u>				

U S PAVING INC

SNOW PLOWING - JAN 12 THRU JAN 13 2012	3,366.00	01670200-52266	SNOW REMOVAL	12-002	20120069
SNOW PLOWING JAN 12 & 13 2012	4,320.75	01670200-52266	SNOW REMOVAL	12-001	20120069

SNOW PLOWING JAN 20 2012	2,842.00	01670200-52266	SNOW REMOVAL	12-007	20120069
SNOW PLOWING JAN 20TH 2012	3,774.00	01670200-52266	SNOW REMOVAL	12-006	20120069
	<u>14,302.75</u>				
UNI MAX MANAGEMENT CORP					
JANITORIAL SERV-JANUARY 2012	623.75	01670100-52276	JANITORIAL SERVICES	2358	20120033
JANITORIAL SERV-JANUARY 2012	1,871.25	01680000-52276	JANITORIAL SERVICES	2358	20120033
	<u>2,495.00</u>				
VILLAGE OF CAROL STREAM					
DRUG FLASH MONEY	5,000.00	01662400-53330	INVESTIGATION FUND	INVESTIGATION CASE	
	<u>5,000.00</u>				
GRAND TOTAL	<u><u>\$518,509.19</u></u>				

The preceding list of bills payable totaling \$518,509.19 was reviewed and approved for payment.

Approved by:



Joseph Breinig - Village Manager

Date: 2/3/12

Authorized by:

Frank Saverino Sr - Mayor

Beth Melody, Village Clerk

Date: _____

AGENDA ITEM

K-2 2-6-12

ADDENDUM WARRANTS January 18, 2012 thru February 6, 2012

Fund	Check #	Vendor	Description	Amount
General	A C H	Charter One Bank	Payroll Jan 9 2012 thru Jan 22 2012	448,152.54
Water & Sewer	A C H	Charter One Bank	Payroll Jan 9 2012 thru Jan 22 2012	33,246.67
General	A C H	Ill Funds	Dupage Water Commission - December 2011	219,378.51
General	30910	Christmas Sharing Prgm	Resident donations	<u>3,419.25</u>
				<u>704,196.97</u>

Approved this _____ day of _____, 2012

By: _____
Frank Saverino Sr - Mayor

Beth Melody - Village Clerk