



AGENDA

REGULAR VILLAGE BOARD MEETING

December 10, 2019

7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

INVOCATION (PASTOR MIKE GATES, LIVING HOPE CHURCH)

3. APPROVAL OF MINUTES OF NOVEMBER 19, 2019

4. MAYOR & BOARD OF TRUSTEES' REPORT

5. ACCOUNTS PAYABLE WARRANT: DECEMBER 10, 2019 \$1,215,134.37

6. CONSENT AGENDA

- a. Consideration to authorize payment of \$2,000 in dues to the Illinois Municipal League for Fiscal Year 2020-2021.

(The Illinois Municipal League (IML) represents municipalities on legislation pending before the General Assembly.

(In addition, the Village dues payment includes subscriptions to the Illinois Municipal Review, a monthly publication that contains articles on programs and findings of member municipalities.

(Sufficient funds are budgeted and available for this purpose in the General Fund.)

- b. Consideration of a request from Alexian Brothers Medical Center (800 Biesterfield Road) to waive permit fees to upgrade all exterior lighting fixtures to LED technology in the amount of \$3,644.

(It has been past practice for the Village Board to grant fee waivers for governmental and non-profit organizations).

(The Director of Community Development recommends approval.)

- c. Consideration to award a professional service contract to HR Green of McHenry, IL, for design engineering services for Residential Lift Station Structural Rehabilitation in the amount of \$39,130 from the Water and Sewer fund.

(A proposal was solicited from HR Green of McHenry, IL, for the design engineering services for the Residential Lift Station Structural Rehabilitation.

(HR Green will provide construction documents, including the Plans, Specifications and Special Provisions for the proposed concrete repairs to the interior and top slab of the existing lift station.

(The Director of Public Works recommends approval.)

- d. Consideration to award a professional service contract to Engineering Enterprises, Inc. of Sugar Grove, IL, for design engineering services for the 2020 Sanitary Manhole Rehabilitation project for the amount of \$58,694 from the Water & Sewer Fund.

(A proposal was solicited from Engineering Enterprises, Inc. (EEI) of Sugar Grove, IL for design engineering services for the 2020 Sanitary Manhole Rehabilitation project (228 Sanitary manholes where inspected and are in need of repair to comply with the Metropolitan Water Reclamation District's Inflow and Infiltration Program.

(EEI will provide services to video televise the manholes, review televising videos, prepare contract documents, and conduct a financial analysis for a manhole rehabilitation.

(The Director of Public Works recommends approval.)

- e. Consideration to award a purchase contract through the SPC Joint Purchasing Cooperative to Sutton Ford of Matteson, IL for the purchase of a Ford F-550 Service Truck with Crane, in the amount of \$89,890 from the Water & Sewer Fund.

(Funds have been budgeted to replace unit 828, a 1988 Ford Super Duty truck with crane, due to excessive age and obsolescence.

(The current model year vehicle is an all new aluminum body structure, which continues Ford's changeover from steel bodies, to their class 4 and 5 trucks.

(Due to this changeover and new safety enhancements of the crane, the purchase price for this vehicle exceeds the budget by \$9,890. There are sufficient additional funds available to cover this shortage in the same fund and account.

(The Ford F-550 Service Truck with Crane is available through the Suburban Purchasing Cooperative (SPC) Joint Purchasing Contract from Sutton Ford of Matteson, IL in the amount of \$89,890. Adequate funds are available in the Water & Sewer Fund.

(The Director of Public Works recommends approval.)

- f. Consideration to award a professional service contract to HR Green of McHenry, IL for construction engineering services for the Residential Lift Station Tributary Flow Monitoring in the amount of \$163,682 from Water and Sewer found.

(A proposal was solicited from HR Green of McHenry, IL construction engineering services for the Residential Lift Station Tributary Flow Monitoring

(The purpose of flow monitoring is to determine the extent of excess sanitary flows, inflow and infiltration (INI), in each sub-basin. Prioritization of sub-basins will assist the community in focusing reduction efforts on those areas with larger inflow and infiltration contributions to the overall basin.)

(The Director of Public Works recommends approval.)

- g. Consideration to award a purchase contract through the SPC Joint Purchasing Cooperative to Currie Motors, of Frankfort, IL for the purchase of four (4) 2020 Ford Utility Police Interceptors, in the amount of \$165,178 from the General Fund.

(In the FY20 budget, funds have been allocated to replace four (4) patrol units that will soon reach 120,000 miles.

(Ford has completely redesigned the vehicle and now offers it with a hybrid drive train as standard equipment.

(Ford claims this new hybrid will offer savings in operation and maintenance costs due to reduced idling, which would offset the initial additional cost of the hybrid system. They also offer the option of a conventional gas drive train, reducing the base price by \$3,265. (It is proposed the village order two (2) of each drive train design to test them side-by-side, in order to determine the most suitable type going forward.

(The 2020 Ford Utility Police Interceptor is available through the Suburban Purchasing Cooperative (SPC) Joint Purchasing Contract from Currie Motors of Frankfort, IL. The hybrid versus conventional gas optioned vehicles per specification are \$42,927 and \$39,662 each respectively, for a total of \$165,178.

(The Police Chief recommends approval.)

- h. Consideration to award a purchase contract through the HGAC Purchasing Cooperative to MacQueen Equipment LLC, of Aurora, IL for the purchase of a Pierce Enforcer Fire Pumper, in the amount of \$676,938 from the Capital Replacement Fund.

(In the FY20 budget, funds have been allocated to replace Reserve Engine 8 (117), a 2002 Pierce Quantum Pumper, due to age and the need for extensive refurbishment.

(After extensive research, input and review, the Apparatus Committee is recommending the purchase of a Pierce Enforcer Fire Pumper from the Village's local dealer, MacQueen Equipment LLC, of Aurora, IL.

(The purchase price as specified is \$676,938. Adequate funds are available in the Capital Replacement Fund.

(The Fire Chief recommends approval.)

- i. Consideration to increase a professional services contract with HR Green of McHenry, IL for engineering and coordination services related to the demolition and redevelopment of the former Motel 6 property located at 1601 Oakton Street in the amount of \$13,760 for a total contract amount not to exceed \$92,580 from the Busse-Elmhurst TIF Fund.

(On July 16, 2019, the Village Board awarded a professional services contract to HR Green for engineering and coordination services related to the demolition and redevelopment of the former Motel 6 property.

(During that time, HR Green has been asked to undertake several additional tasks related to the redevelopment of the site, including: conceptual site layout site plan exhibits, preliminary stormwater/drainage designs per MWRD requirements, vehicle turn analysis, and potential cost estimates based upon conceptual site plan layouts.

(The Deputy Village Manager recommends approval.)

- j. Consideration to award a professional service contract with Civiltech Engineering, Inc. of Itasca, IL for the Meacham Road Corridor Enhancements in the amount of \$288,085.50 from the Capital Projects Fund.

(A proposal was solicited from Civiltech Engineering of Itasca, IL for Phase II Engineering Services for Meacham Road Corridor Enhancements.

(These professional services include finalizing the design, providing contract plans and specifications, and obtaining all permits and approvals from the County.

(The corridor enhancements along Meacham Road from I-390 to Village northern limits will consist of landscape medians and parkway improvements, installation of a multi-user path, gateway signs at the south and north end of the Village limits, and extension and upgrade of the existing roadway lighting system.

(Adequate funds are available in the Capital Projects Fund.

(The Director of Public Works has recommended approval)

k. Consideration of the following:

- to adopt Ordinance No. 3640 authorizing the Levy and Collection of Taxes for the Corporate and Municipal purposes of the Village of Elk Grove Village for the Fiscal Year beginning May 1, 2020 and ending April 30, 2021;
- to adopt Ordinance No. 3641 abating a portion of the 2019 Property Taxes Levied for certain taxable General Obligation Bonds, Series 2013, of the Village of Elk Grove Village; and
- to adopt Ordinance No. 3642 abating a portion of the 2019 Property Taxes Levied for certain taxable General Obligation Bonds, Series 2017, of the Village of Elk Grove Village.

(This will be the 13th consecutive year that the Village Board will be holding the line on property taxes for the general fund and debt service fund.

(The Village request increase is 1.79%, and the Library request increase is 3.28%.

(The 2019 Property Tax Ordinance in the amount of \$31,010,014 includes the Library. Ordinances abating \$6,353,995 are included, thus reducing the net levy to \$24,656,019 or 2.15% increase overall.

(The Tax Levy Ordinance must be approved by the Mayor & Board of Trustees and filed by the Village Clerk with the County Clerks of Cook and DuPage on or before the last Tuesday in December in accordance with State Statutes.

(The Director of Finance recommends approval.)

l. Consideration to adopt Ordinance No. 3643 amending Title 1, Chapter 4, Section 1-4-1 and Title 1, Chapter 12, Section 1-12-14 of the Village Code of Ordinance. Updated procedures for the system of administrative adjudication of vehicular standing, parking compliance regulation (condition of vehicles), violations of Title 6, Chapter 4 of this Code.

(This Ordinance is to update the Village Adjudication procedures, standing parking and vehicle compliance violations.

(The Elk Grove Village Police Department shall begin to issue electronic citations that require updates to the Village adjudication and parking Ordinances.

(Review of Title 1 of the Village Code of the Village of Elk Grove Village corporate authorities have determined that it is necessary and appropriate to revise Title 1, Chapter 4, Section 1-4-1 and Title 1, Chapter 12, Section 1-12-14 of the Village Code of Ordinances in the manner hereinafter set forth.)

m. Consideration to adopt Ordinance No. 3644 amending Position Classification and Salary Plan of the Village of Elk Grove Village (Police Officer-Police Department; Maintenance

Worker-Public Works Department; and Cross Seasonal-Public Works Department).

(This Ordinance adds one (1) temporary Police Officer position in the Police Department, one (1) temporary Maintenance Worker position in Public Works Department and one (1) Cross Seasonal in the Public Works Department. All positions will be temporary for retirement and/or winter purposes.)

n. Consideration of the following:

- to award a professional services contract to Arthur J. Gallagher for the administration of the self-insured liability plan in the amount of \$65,000;
- to award a professional services contract to CCMSI for the administration of the third party claims in the amount of \$5,715; and
- to approve the Liability Insurance Premiums submitted by Arthur J. Gallagher Risk Management Services (AJG) at a premium level as determined for the following coverage in the amount of \$427,701:

General Liability, Auto Liability, Public Officials Liability, Law Enforcement Liability, Property, Environmental, and Fiduciary Pension Fund Insurance.

(In September 2018, the Village joined the Suburban Liability Insurance Pool (SLIP) along with Buffalo Grove, Highland Park, and Hoffman Estates.

(AJG solicited quotes and prepared a proposed insurance package for the policy period of January 1, 2020 to December 31, 2020.

(AJG requested competitive bids to obtain optimal coverage at the lowest cost.

(The total increase with the Loss Fund Reserves is 9.0% while excluding the reserves results in an increase of 6.1%.

(The Director of Finance recommends approval.)

o. Consideration of the following:

- to award a professional services contract to Baxter & Woodman of Crystal Lake, IL for Preliminary Engineering for Wellington Avenue and Leicester Road Culverts Improvement over Lake Cosman in the amount of \$160,000 from the Capital Projects Fund; and
- to adopt Resolution No. 72-19 authorizing the Mayor to execute a Joint Agreement between the Illinois Department of Transportation (IDOT) and the Village of Elk Grove Village and appropriate funds for preliminary engineering for Wellington Avenue and Leicester Road Culvert Improvements over Lake Cosman.

(The Village has secured funding in the amount of \$128,000 through the Surface Transportation Bridge Program (STR-BR) for preliminary engineering for replacement of the culverts over Lake Cosman located at Wellington Avenue and Leicester Road.

(A Joint Agreement for preliminary engineering for the culverts over Lake Cosman needs to be executed by and between the Illinois Department of Transportation (IDOT) and the Village of Elk Grove Village.

(A proposal was obtained from Baxter & Woodman, to provide preliminary engineering

services.

(Adequate funds are available in the Capital Project Fund.

(The Director of Public Works recommends approval.)

- p. Consideration to adopt Resolution No. 73-19 adopting the Village of Elk Grove Village Complete Streets Policy.

(To enhance the ability to receive grant funding the Policy aims to develop a safe, efficient, accessible and integrated multimodal transportation network for all users and modes that include pedestrians, bicyclists and transit passengers of all ages and abilities, as well as trucks, buses, trains and automobiles.

(This Policy will balance the needs and desire for access, mobility, economic development and aesthetic enhancements while encouraging healthy and active living for people of all ages and abilities.

(The adoption of a Complete Street Policy is a mandatory requirement for local government agencies to be eligible for future Federal Transportation Funding, including Surface Transportation Program (STP) funding.

(The Director of Public Works recommends approval.)

- q. Consideration to adopt Resolution No. 74-19 approving the Plat of Subdivision identified as 901 Chase Plat of Resubdivision (901 Chase Avenue).

(The Judiciary, Planning and Zoning Committee discussed this items at their meeting on Tuesday, November 19, 2019 and has unanimously recommended approval of the petition for resubdivision.

(The purpose of the resubdivision is to consolidate three (3) existing lots at 901 Chase Avenue into one (1) lot for the purpose of redeveloping the site and constructing a 154,000 square foot industrial facility.)

7. REGULAR AGENDA

8. PLAN COMMISSION - Village Manager Rummel

- a. PC Docket 19-12 - Public Hearing to consider a petition to resubdivide and rezone the property from I-1 Restricted Industrial District to B-2 Business District (General Business) for a mixed-use development consisting of two hotels and one retail/restaurant on the property located at 1600 E. Oakton Street. (PH 12-02-19)
- b. PC Docket 19-13 - Public Hearing to consider a petition for rezoning from B-3 Business District (Automotive) to I-1 Restricted Industrial District for the property located at 228 E. Devon Avenue. (PH 12-02-19)
- c. PC Docket 19-14 - Public Hearing to consider text amendments pertaining to principal buildings and accessory structures; and conditional uses in the B-3 (Automotive) Zoning District. (PH 12-02-19)

9. ZONING BOARD OF APPEALS - Village Manager Rummel

10. YOUTH COMMITTEE - Trustee Franke

- 11. BUSINESS LEADERS FORUMS - Trustee Lissner**
- 12. CABLE TELEVISION COMMITTEE - Trustee Lissner**
- 13. HEALTH & COMMUNITY SERVICES - Trustee Czarnik**
- 14. INFORMATION COMMITTEE - Trustee Lissner**
- 15. RECYCLING & WASTE COMMITTEE - Trustee Feichter**
- 16. PARADE COMMITTEE - Trustee Czarnik**
- 17. PERSONNEL COMMITTEE - Trustee Franke**
- 18. JUDICIARY, PLANNING AND ZONING COMMITTEE - Trustee Prochno**
 - a. Telecommunication Facilities
- 19. CAPITAL IMPROVEMENTS COMMITTEE - Trustee Czarnik**
- 20. AIRPORT UPDATE**
- 21. MID-SUMMER CLASSICS CONCERT SERIES UPDATE - Mayor Johnson**
- 22. SPECIAL EVENTS COMMITTEE - Mayor Johnson**
- 23. LIQUOR COMMISSION - Mayor Johnson**
- 24. REPORT FROM VILLAGE MANAGER**
- 25. REPORT FROM VILLAGE CLERK**
- 26. UNFINISHED BUSINESS**
- 27. NEW BUSINESS**
- 28. PUBLIC COMMENT**
- 29. ADJOURNMENT**

In compliance with the Americans with Disabilities Act and other applicable Federal and State laws, the meeting will be accessible to individuals with disabilities. Persons requiring

auxiliary aids and/or services should contact the Village Clerk, preferably no later than five days before the meeting.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE LEVY AND COLLECTION OF TAXES FOR THE CORPORATE AND MUNICIPAL PURPOSES OF THE VILLAGE OF ELK GROVE VILLAGE FOR THE FISCAL YEAR BEGINNING MAY 1, 2020 AND ENDING APRIL 30, 2021

NOW, THEREFORE, BE IT ORDAINED BY THE Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois:

Section 1: That the sum of thirty one million ten thousand fourteen dollars (\$31,010,014) being the total amount to be levied from the approved budget heretofore made for the corporate and municipal purposes specified and herein, less the estimated revenue from sources other than general taxation, for the fiscal year beginning May 1, 2020 and ending April 30, 2021 be and the same is hereby levied on all taxable property within the Village of Elk Grove Village according to the valuation of said property as is, or as shall be assessed, or equalized by the State, for the current year 2019. The fiscal year 2020 budget was approved in accordance with sections 5/8-2-9.1 to 5/8-2-9.10 of the Illinois Compiled Statutes (the Municipal Budget Act) by the Mayor and Board of Trustees of the Village of Elk Grove Village at a meeting regularly convened and held in the said Village of Elk Grove Village, Illinois on the 23rd day of April, 2019. Publication of the tentative annual budget and notice of the public hearing relating there so was made April 12th, 2019, pursuant to Section 5/8-2-9.9 of Chapter 65 of the Illinois Compiled Statutes. The various objects and purposes for which said budgets were set forth under the column entitled "Amount Budgeted", and the specific amount hereby levied for each object and purpose is set forth under the column entitled "Amount Levied", as follows:

Section 2: That this Levy Ordinance is adopted pursuant to the Illinois Municipal Code providing however, that any tax rate limitation or any other substantive limitations as to tax levies in the Illinois Municipal Code in conflict with the Ordinance shall not be applicable to this Ordinance as the Village of Elk Grove Village is a "Home Rule" municipality having a population in excess of 25,000, and elects to exercise all powers granted pursuant to Section 6, Article VII of the Constitution of the State of Illinois and particularly does not choose to be bound by any tax limitations contained in the Illinois Municipal code.

Section 3: That this Levy Ordinance is adopted in full compliance with Public Act 82-102 known as the Truth-In-Taxation Act and amended by Public Act 86-957.

Section 4: That the Village Clerk is hereby ordered and directed to file a certified copy of the Ordinance with the County Clerks of Cook and DuPage Counties on or before the time required by law.

Section 5: That this Ordinance shall take effect and be in full force and effect immediately on and after its passage and approval according to law.

ADOPTED this ____ day of December, 2019 pursuant to a roll call vote as follows:

AYES: ____ **NAYS:** ____ **ABSENT:** ____

PASSED this ____ day of December 2019.

APPROVED this ____ day of December 2019.

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

ORDINANCE NO. _____

AN ORDINANCE ABATING A PORTION OF THE 2019 PROPERTY TAXES LEVIED FOR CERTAIN TAXABLE GENERAL OBLIGATION BONDS, SERIES 2013, OF THE VILLAGE OF ELK GROVE VILLAGE, ILLINOIS

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois as follows:

Section 1: That the County Clerks of Cook and DuPage Counties, are hereby authorized and directed to abate \$2,182,895 from the taxes levied for 2019 in Ordinance No. 3331, duly passed and approved on the 8th day of January, 2013, which Ordinance provided for the issuance of \$38,000,000 dollars Taxable General Obligation Bonds, Series 2013, of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois.

Section 2: That the Village Clerk is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerks of Cook and DuPage, Counties, Illinois prior to December 31, 2019.

Section 3: That the Village Clerk is hereby authorized to publish this Ordinance in pamphlet form.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

VOTE: **AYES:** _____ **NAYS:** _____ **ABSENT:** _____

PASSED this _____ day of _____ 2019.

APPROVED this _____ day of _____ 2019.

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

PUBLISHED in pamphlet form this _____ day of _____ 2019.

ORDINANCE NO. _____

AN ORDINANCE ABATING A PORTION OF THE 2019 PROPERTY TAXES LEVIED FOR CERTAIN TAXABLE GENERAL OBLIGATION BONDS, SERIES 2017, OF THE VILLAGE OF ELK GROVE VILLAGE, ILLINOIS

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois as follows:

Section 1: That the County Clerks of Cook and DuPage Counties, are hereby authorized and directed to abate \$4,171,100 from the taxes levied for 2019 in Ordinance No. 3510, duly passed and approved on the 15th day of August, 2017, which Ordinance provided for the issuance of \$60,000,000 dollars Taxable General Obligation Bonds, Series 2017, of the Village of Elk Grove Village, Counties of Cook and DuPage, Illinois.

Section 2: That the Village Clerk is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerks of Cook and DuPage, Counties, Illinois prior to December 31, 2019.

Section 3: That the Village Clerk is hereby authorized to publish this Ordinance in pamphlet form.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

VOTE: AYES: _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2019.

APPROVED this _____ day of _____ 2019.

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

PUBLISHED in pamphlet form this _____ day of _____ 2019.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 1-4-1 ENTITLED “GENERAL PENALTY” OF CHAPTER 4 ENTITLED “GENERAL PENALTY” OF TITLE 1 ENTITLED “ADMINISTRATIVE” AND SECTION 1-12-14 ENTITLED “ADOPTION OF CURRENT AND FUTURE STATUTES” OF CHAPTER 12 ENTITLED “ADMINISTRATIVE ADJUDICATION OF ORDINANCE VIOLATIONS” OF TITLE 1 ENTITLED “ADMINISTRATIVE” OF THE VILLAGE OF ELK GROVE VILLAGE, COOK AND DUPAGE COUNTIES, ILLINOIS

WHEREAS, upon review of Title 1 of the Village Code of Ordinances of the Village of Elk Grove Village, the corporate authorities of the Village have determined that it is necessary and appropriate to revise Title 1, Chapter 4, Section 1-4-1 and Title 1, Chapter 12, Section 1-12-14 of the Village Code of Ordinances in the manner hereinafter set forth.

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

SECTION 1: Section 1-4-1 entitled “General Penalty” of Chapter 4, entitled “General Penalty” of Title 1 entitled “Administrative” as amended is hereby further amended by deleting the words and figure “five hundred dollars (\$500.00) from Section 1-4-1 and inserting in lieu thereof, “seven hundred fifty dollars (\$750.00)”.

SECTION 2: Section 1-12-14 entitled “Adoption of Current and Future Statutes” of Chapter 12 entitled “Administrative Adjudication of Ordinance Violations” of Title 1 entitled “Administrative” is hereby deleted in its entirety, the following to be inserted in lieu thereof:

1-12-14: PROCEDURES FOR STANDING PARKING AND VEHICLE COMPLIANCE VIOLATIONS.

The procedures for the system of administrative adjudication of vehicular standing, parking compliance regulation (condition of vehicles), violations of Title 6, Chapter 4 of this Code shall be as follows:

- A. Violation Notice: A vehicular standing, parking and compliance regulation notice (“violation notice”) shall be issued by the persons authorized in this Chapter, herein and shall contain information and shall be served, certified and have evidentiary admissibility as is hereinafter set forth.
- B. Authorization: All full time police officers, community service officers, and all code enforcement personnel shall have the authority to issue violation notices.
- C. Detection of Violations: Any individual authorized to issue a violation notice pursuant to this chapter who detects a violation of any standing, parking or compliance provision of this code shall issue and serve a notice of violation as set forth in this section.
- D. Contents of Violation Notice: The vehicular standing, parking, compliance regulation violation notice shall contain, but shall not be limited to, the following information:

1. The date, time and place of the violation;
2. The particular vehicular standing, parking, compliance regulation violated;
3. The vehicle make and state registration number;
4. The fine and any penalty which may be assessed for late payments;
5. The identification number of the person issuing the notice and his or her signature which shall certify the correctness of the specified information as provide in Section 11-208.3 of the Illinois Vehicle Code (625 ILCS 11-208.3), as amended;
6. Information as to the availability of an administrative hearing at which the registered owner or lessee of the motor vehicle may appear in person and context the violation notice on its merits and the time and manner in which such hearing may be had;
7. The date, time and place of an administrative hearing at which the violation may be contested on its merits or a statement the person will be notified of a hearing time;
8. Payment of the indicated fine and any late payment penalty shall operate as a final disposition of the violation; and
9. Information as to the availability for a contest and an adjudication by mail by which the registered owner or lessee of the motor vehicle may contest by mail without personally appearing to contest the merits of the violation notice and the manner in which such contest by mail may be had.

E. Service of Violation Notices: Service of the violation notices shall be made by the person issuing such notice by:

1. Offering the original or a facsimile of the notice of violation to the unlawfully standing, parked or compliance violation vehicle;
2. Handing the Notice of Violation to the operator of the operator of a motor vehicle violating a parking, standing or compliance regulation; or
3. Mailing the notice of violation to the address of the registered owner or lessee of the cited vehicle as recorded with the Secretary of State or lessor of the vehicle within thirty (30) days after the Secretary of State or lessor of the motor vehicle notifies the Village of the identity of the owner or lessee of the vehicle, but not later than ninety (90) days after the date of the violation except that in the case of a lessee of a motor vehicle, service of the violation notice of a parking, standing or compliance violation may occur no later than two hundred ten (210) days after the violation.

- F. Certification of Facts Alleged in Violation Notice: The correctness of facts contained in the vehicular standing, parking, compliance regulation notices shall be certified by the person authorized to issue said notice by either:
1. Signing his or her name to the notices at the time of service; or
 2. Signing a single certificate, to be retained by the Traffic Compliance Administrator or Enforcement Administrator, attesting to the correctness of all notices produced by the device while under his/her control when the violation notice is produced by a computer device.
- G. Retention of Violation Notices: The original or a facsimile of the violation notice shall be retained by the Traffic Compliance Administrator or Ordinance Enforcement Administrator and kept as a record in the ordinary course of business.
- H. Prima Facie Evidence of Correctness: Any violation notice issued, signed and served in accordance herewith, or a copy of the notice, shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice.
- I. Admissibility: The violation notices or copies shall be admissible in any subsequent administrative or legal proceeding.
- J. Action Upon Receiving Violation Notice/Opportunity for Hearing: A person to whom a standing, parking, or compliance regulation violation notice has been served pursuant to this section, shall, within twenty-one (21) days from the date of the issuance of standing, parking or compliance violation notice: 1) pay the indicated fine; or 2) submit the materials set forth in this section to obtain an adjudication by mail; or 3) attend an administrative hearing as set forth in this section to contest the charged violation. An administrative hearing date will be assigned at the time the notice of violation is issued. A response by mail shall be deemed timely if postmarked within twenty-one (21) days of the issuance of the parking or compliance violation notice.
- K. Contest by Mail: If the respondent submits documentary evidence to contest by mail pursuant to this section, the respondent shall be served with a copy of the hearing officer's written determination of liability or non-liability.
- L. Administrative Hearing: If the respondent requests an administrative hearing to contest the merits of the standing, parking or compliance violation, the respondent shall be served with notice of the date, time and location of the hearing. The formal or technical rules of evidence shall not apply at the hearing.

When a respondent either fails to pay the indicated fine prior to the hearing, contest the violation by mail, or appear at a hearing, a determination of standing, parking or compliance liability, as the case may be, shall be entered in the amount of the fine indicated on the notice of violation. Failure to pay the fine within twenty-one (21) days of issuance of a determination of liability will result in the imposition of a late payment penalty. Upon the occurrence of a final determination of liability, any unpaid fine or

penalty will constitute a debt due and owing the Village. The respondent shall be served with a notice of final determination of liability in accordance with this section.

M. Second Notice of Parking, Standing, or Compliance Violation: In the event the first notice of violation was issued by affixing the original or facsimile of the notice to the unlawfully parked vehicle or by handing the notice to the operator, a second notice of standing, parking or compliance violation to be sent to the respondent in accordance with subsection P of this section. The second notice of violation shall specify the date and location of the violation, the make and State registration number of the cited vehicle, the Code provision violation, the applicable fine, and the time and manner in which the respondent may obtain an adjudication, in writing, or appear at the scheduled hearing to contest the violation.

The second notice of standing, parking or compliance violation shall also state that failure to pay the indicated fine and any applicable penalty, or to appear at a hearing or contest a vehicular standing, parking, or vehicle compliance violation in writing on the merits in the time and manner specified, will result in a default judgment and final determination of liability for the cited violation in the amount of the fine or penalty indicated, and that upon the occurrence of a final determination of violation liability for the failure, and the exhaustion of, or failure to exhaust, available administrative or judicial procedures for review, or any unpaid fine or penalty, or both, will constitute a debt due and owing the Village.

The respondent shall have the option of avoiding an appearance at an administrative hearing by completing either of the following options at least twenty-one (21) days prior to the scheduled hearing date set forth in the second notice of standing, parking or compliance violation: 1) paying the fine and penalty amount; or 2) contest the violation notice as pursuant to subsection J or contest the violation notice in writing pursuant to subsection K of this Section. Payment of the fine is an admission of liability and will act as a final disposition of the violation.

N. Notice of Final Determination of Liability. A notice of final determination of vehicular standing, parking, or vehicle compliance liability shall be sent following a determination of liability for the standing, parking or compliance violation and the conclusion of any administrative or judicial review, as is herein after set forth, and the notice shall contain, but not be limited to, the following information and warnings:

1. A statement that the unpaid fine or penalty, or both, is a debt due and owing the Village;
2. A warning that failure to pay the fine or penalty due and owing the Village within twenty-one (21) days of the issuance of the final determination of liability may result in the filing of a petition in the Circuit Court to have the unpaid fine or penalty, or both, rendered a judgment as provided by this section; and
3. A warning that the person's driver's license may be suspended for failure to pay fines and/or penalties for ten (10) or more vehicular standing and/or parking or

compliance regulation violations under section 6-305.5 of the Illinois Vehicle Code, as amended, and incorporated herein by reference.

- O. Notice of Impending Driver's License Suspension: A notice of impending suspension of a person's driver's license shall be sent to any person determined to be liable for the payment of any fine or penalty that remains due and owing, or both, on ten (10) or more vehicular standing and/or parking regulation violations:
1. The notice shall state that the failure to pay the fine or penalty owing, or both, within forty-five (45) days of the date of the notice will result in the Village's notifying the Illinois Secretary of State that the person is eligible for initiation of suspension proceedings under section 6-306.5 of the Illinois Vehicle Code, as amended, and incorporated herein by reference;
 2. The notice of impending driver's license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Illinois Secretary of State; and
 3. The notice shall also state the Respondent may obtain a photostatic copy of the original citation or, in the case of a ticket produced by a computerized device, a signed single certificate of the citation imposing a fine or penalty by sending a self-addressed, stamped envelope to the Village along with a request to the Traffic Compliance Administrator or Ordinance Enforcement Administrator for the photostatic copy or certificate.

- P. Notices: The Traffic Compliance Administrator or Ordinance Enforcement Administrator shall send the notice of standing, parking or compliance violation, the second notice of standing, parking or compliance violation, the Administrative Hearing Officer's notice of determination of liability, the notice of final determination of liability, and the notice of impending driver's license suspension, where applicable, to the Respondent by first class mail, postage prepaid, to the address recorded with the Illinois Secretary of State. If any such notice to that address is returned as undeliverable, then to the last known address recorded in a United States Post Office approved database.

If the vehicle is registered in a state other than Illinois, the Ordinance Enforcement Administrator shall send the appropriate notice to the address of the registered owner as recorded in such other state's registry of motor vehicles.

- Q. A final determination of vehicular standing and parking violation and vehicle compliance violation liability shall occur following the failure to pay the total assessed fine and penalty after the Administrative Hearing Officer's determination of liability and the exhaustion of or the failure to exhaust any judicial review procedures set forth in this section or the failure to file a petition to vacate a default judgment as set forth in section R of this chapter.

The Administrative Hearing Officer's determination of liability of vehicular standing and parking violations and vehicle compliance violations made under this section, shall become final upon denial of a timely petition to vacate and/or set aside that

determination, or upon expiration of the period for filing the petition to vacate without a filing have been made where a person fails to appear at a hearing to contest the alleged violation in the time and manner specified in a prior mailed notice.

- R. A petition to set aside a default judgment or determination of liability may be filed by a person owing an unpaid fine or penalty in the manner and subject to the restrictions and grounds hereinafter set forth:
1. A written petition to set aside a default judgment or determination of liability must be filed with the Traffic Compliance Administrator or Ordinance Enforcement Administrator, c/o Elk Grove Village Police Department, within, but not later than, twenty-one (21) days from the date the default judgment or determination of liability is made;
 2. The Administrative Hearing Officer shall act upon a petition timely filed and render a decision thereon within thirty (30) days of the date filed;
 3. The grounds for setting aside a determination of liability shall be limited to the following:
 - a) The person against whom the determination of liability is made was not the owner or lessee of the cited vehicle on the date the vehicular standing and parking violation or vehicle compliance violation notice was issued;
 - b) The person has already paid the fine and any penalty; and
 - c) Excusable failure to appear at or request a new date for a hearing.
 4. Should the default judgment or determination of liability by the Administrative Hearing Officer be set aside, the Traffic Compliance Administrator or Ordinance Enforcement Administrator shall:
 - a) Notify the registered owner, or lessee, as the case may be, that the default judgment or determination of liability has been set aside;
 - b) Notify the registered owner, or lessee, as the case may be, of the date, time and place for a new hearing on the merits of the violation for which the default judgment or determination of liability has been set aside;
 - c) Notice of setting aside of the default judgment or determination of liability and the notice of the hearing date shall be by first class mail, postage prepaid, to the address set forth on the petition to set aside the default judgment or determination of liability; and
 - d) Service of the notice shall be complete on the date the notices are deposited in the United States mail;
- S. Contest by Mail Procedures: Persons who have been served standing, parking or compliance regulation notices, in accordance with this section, may contest the validity of the alleged violation without personally appearing at an administrative hearing by:

1. Contest by mail: Completing, in full, the “contest by mail” section of the violation notice, served upon him or her pursuant to this chapter.
 2. Signature: Signing the “contest by mail” in the space specified in the violation notice, and acknowledging that his or her personal appearance is waived and submitting to an adjudication based upon the signed statement and other supporting materials filed by him or her and the facts contained in the violation notice.
 3. Filing Materials: Filing by mail with the Traffic Compliance Administrator or Ordinance Enforcement Administrator postmarked within twenty-one (21) days of the violation notice issuance or within twenty-one (21) days of the date of the additional violation notice, the following materials: the violation notice with the “contest by mail” section fully completed; the full name, address and telephone number(s) of the respondent; the make, model and year of the vehicle, if applicable; any documentary evidence that rebuts the charge; and a written statement signed by the respondent setting forth facts relevant to establishing a defense to the charge.
 4. Grounds for Review: A person charged with a parking, standing or compliance regulation violation may contest the charge by mail by asserting one or more defenses to the violation with appropriate evidence to support such defense(s).
 5. Determination of Liability. Upon review of the materials submitted, the Administrative Hearing Officer shall make a determination of liability or non-liability. The Administrative Hearing Officer shall, upon a determination of liability, assess fines as authorized by this Code.
 6. Notice of Determination: Notice of the determination of the hearing officer shall be served upon the person contesting a violation notice by mail by first class mail, postage prepaid, addressed to the person at the address set forth in the materials submitted.
 7. Service of Notice: Service of the notice of determination shall be complete on the date the notice is placed in the United States mail.
- T. Penalties: The fines and penalties which shall be imposed for each violation of a vehicular standing, parking or compliance regulation violation shall be no less than thirty dollars (\$30.00) nor more than two hundred fifty dollars (\$250.00) and the fines and penalties shall be uniformly applied for each violation, provided, however, fines and penalties for a violation of parking in a parking space reserved for persons with disabilities (handicapped parking) shall be not less than three hundred dollars (\$300.00) nor more than three hundred fifty dollars (\$350.00).
1. Excluding penalties for violations of parking in a parking space reserved for persons with disabilities, failing to pay the indicated fine or attend a scheduled hearing within twenty-one (21) days of the issuance of the determination of liability and the exhaustion of or failure to exhaust any administrative review

procedures shall result in the imposition of a late payment penalty fee in addition to the fine as follows:

- a) **Parking Violations (excluding handicap parking and fire lane violations)**
 - \$30 if paid **before 21 days** following issuance
 - \$75 when paid **more than 21 days but less than 42 days** following the issuance of determination
 - \$150 when paid **more than 63 days** following the issuance of determination
- b) **Handicap Parking Violation**
 - \$250 if paid **before 21 days** following issuance
 - \$300 when paid **more than 21 days but less than 42 days** following the issuance of determination
 - \$350 when paid **more than 63 days** following the issuance of determination
- c) **Fire Lane Violations**
 - \$50 if paid **before 21 days** following issuance
 - \$75 when paid **more than 21 days but less than 42 days** following the issuance of determination
 - \$150 when paid **more than 63 days** following the issuance of determination
- d) **Compliance Violation**
 - \$50 if paid **before 21 days** following issuance
 - \$75 when paid **more than 21 days but less than 42 days** following the issuance of determination
 - \$150 when paid **more than 63 days** following the issuance of determination

U. The Village of Elk Grove Village hereby adopts, by reference, all current and future provisions of the Illinois Compiled Statutes, including all current and future amendments to the Illinois Vehicle Code (625 ILCS 5/1-100, *et seq.*) governing the standing, parking or condition of motor vehicles, for its enforcement and adjudication within the corporate boundaries of the Village and in those areas subject to off-street parking agreements.

SECTION 3: Any ordinances or portion of any ordinance in conflict the provisions of this ordinance are hereby repealed to the extent of the conflict.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

SECTION 4: This ordinance shall be in full force and effect ten (10) days after its passage, approval and publication in pamphlet form in the manner provided by law.

VOTE: AYES: _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2019.

APPROVED this _____ day of _____ 2019.

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

PUBLISHED this _____ day of _____, 2019 in pamphlet form.

ORDINANCE NO. _____

AN ORDINANCE AMENDING POSITION CLASSIFICATION AND SALARY PLAN OF THE VILLAGE OF ELK GROVE VILLAGE (POLICE OFFICER OF THE POLICE DEPARTMENT; MAINTENANCE WORKER OF THE PUBLIC WORKS DEPARTMENT; AND CROSS SEASONAL OF THE PUBLIC WORKS DEPARTMENT)

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

Section 1: That the Position Classification and Salary Plan of the Village of Elk Grove Village be and the same is hereby amended to read as follows:

<u>Police Department</u>	<u>Permanent Authorized Positions</u>			<u>Total</u> <u>December 11, 2019</u>
	<u>Current</u>	<u>Delete</u> <u>Full-Time</u>	<u>Add</u> <u>Full-Time</u>	
*Police Officer	72	0	1	73

* This ordinance will increase the authorized positions by one (1) additional temporary position also to allow for retirements. The authorized amount was increased by two (2) positions in September (one temporary for retirements and one for Student Resource Officer). Authorized amount decreases to 71 after retirements.

<u>Public Works Department</u>	<u>Permanent Authorized Positions</u>			<u>Total</u> <u>December 11, 2019</u>
	<u>Current</u>	<u>Delete</u> <u>Full-Time</u>	<u>Add</u> <u>Full-Time</u>	
*Cross Seasonal	1	0	1	2
*Maintenance Worker	16	0	1	17

*Current employee in position will be promoted. The authorization will temporarily be increased by one (1) Maintenance Worker position and one (1) Cross-Seasonal position. However, only one additional position will be filled based on qualifications of the candidates that have applied. This ordinance will be updated once a position above has been filled.

Section 2: That this Ordinance shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYES: _____ **NAYS:** _____ **ABSENT:** _____

PASSED this _____ **day of** _____ **2019.**

APPROVED this _____ **day of** _____ **2019.**

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

RESOLUTION NO. _____

A RESOLUTION APPROPRIATING FUNDS IN THE AMOUNT OF \$160,000 FOR PRELIMINARY ENGINEERING FOR WELLINGTON AVENUE AND LEICESTER ROAD CULVERT IMPROVEMENTS OVER LAKE COSMAN AND AUTHORIZING THE MAYOR TO EXECUTE A LOCAL PUBLIC AGENCY AGREEMENT FOR FEDERAL PARTICIPATION BETWEEN THE VILLAGE OF ELK GROVE VILLAGE AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION

BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, State of Illinois as follows:

Section 1: That the Mayor be and is hereby authorized to sign the attached document marked "Local Public Agency Agreement For Federal Participation," a copy of which is attached hereto and made a part hereof as if fully set forth and the Village Clerk is authorized to attest said document upon the signature of the Mayor.

Section 2: That the Mayor and Board of Elk Grove Village authorize one hundred sixty thousand dollars (\$160,000) or as much may be needed to match federal funds in the completion of MFT Section Number 19-00070-00-BR.

Section 3: That the Village Clerk of the Village of Elk Grove Village shall transmit five certified copies of this Resolution to the Illinois Department of Transportation.

Section 4: That this Resolution shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYES: _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2019.


APPROVED this _____ day of _____ 2019.

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

 Illinois Department of Transportation Local Public Agency Agreement for Federal Participation	Local Public Agency Village of Elk Grove Village	State Contract	Day Labor	Local Contract X	RR Force Account
	Section 19-00070-00-BR	Fund Type STP-BR	ITEP, SRTS, or HSIP Number(s)		
Construction		Engineering		Right-of-Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
		P-91-041-19	PZ7C(367)		

This Agreement is made and entered into between the above local public agency, hereinafter referred to as the "LPA", and the State of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The STATE and LPA jointly propose to improve the designated location as described below. The improvement shall be constructed in accordance with plans prepared by, or on behalf of the LPA, approved by the STATE and the STATE's policies and procedures approved and/or required by the Federal Highway Administration, hereinafter referred to as "FHWA".

Location

Local Name 1)Wellington Avenue; 2)Leicester Road Route MUN 2080 / MUN 2100 Length 0.32 mi

Termini 1) Over Lake Cosman, 175 feet east of Leicester Road; 2) Over Lake Cosman, 200 feet north of Wellington Avenue

Current Jurisdiction LPA TIP Number 03-19-0007 Existing Structure No 1) 016-7854
2) 016-7855

Project Description

Phase I (Preliminary Engineering) for structure replacement of the Wellington Avenue and Leicester Road culverts over Lake Cosman. The Phase I includes evaluation of the existing structures, environmental review, preliminary design, and agency/public coordination. Engineers project number 181136.30.

Division of Cost

Type of Work	STP-Br	%	%	LPA	%	Total
Participating Construction		()	()		()	
Non-Participating Construction		()	()		()	
Preliminary Engineering	128,000	(*)	()	32,000	(BAL)	160,000
Construction Engineering		()	()		()	
Right of Way		()	()		()	
Railroads		()	()		()	
Utilities		()	()		()	
Materials		()	()		()	
TOTAL	\$ 128,000			\$ 32,000		\$ 160,000

*Maximum FHWA (STP-Br) participation 80% not to exceed \$128,000

NOTE: The costs shown in the Division of Cost table are approximate and subject to change. The final LPA share is dependent on the final Federal and State participation. The actual costs will be used in the final division of cost for billing and reimbursement.

If funding is not a percentage of the total, place an asterisk in the space provided for the percentage and explain above.

Local Public Agency Appropriation

By execution of this Agreement, the LPA attests that sufficient moneys have been appropriated or reserved by resolution or ordinance to fund the LPA share of project costs. A copy of the authorizing resolution or ordinance is attached as an addendum (required for State-let contracts only)

Method of Financing (State Contract Work Only)

METHOD A---Lump Sum (80% of LPA Obligation) _____
 METHOD B--- _____ Monthly Payments of _____ due by the _____ of each successive month.
 METHOD C---LPA's Share _____ divided by estimated total cost multiplied by actual progress payment.

(See page two for details of the above methods and the financing of Day Labor and Local Contracts)

Agreement Provisions

THE LPA AGREES:

- (1) To acquire in its name, or in the name of the **STATE** if on the **STATE** highway system, all right-of-way necessary for this project in accordance with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and established State policies and procedures. Prior to advertising for bids, the **LPA** shall certify to the **STATE** that all requirements of Titles II and III of said Uniform Act have been satisfied. The disposition of encroachments, if any, will be cooperatively determined by representatives of the **LPA**, and the **STATE** and the **FHWA**, if required.
- (2) To provide for all utility adjustments, and to regulate the use of the right-of-way of this improvement by utilities, public and private, in accordance with the current Utility Accommodation Policy for Local Agency Highway and Street Systems.
- (3) To provide for surveys and the preparation of plans for the proposed improvement and engineering supervision during construction of the proposed improvement.
- (4) To retain jurisdiction of the completed improvement unless specified otherwise by addendum (addendum should be accompanied by a location map). If the improvement location is currently under road district jurisdiction, an addendum is required.
- (5) To maintain or cause to be maintained, in a manner satisfactory to the **STATE** and the **FHWA**, the completed improvement, or that portion of the completed improvement within its jurisdiction as established by addendum referred to in item 4 above.
- (6) To comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and Nondiscrimination Regulations required by the U.S. Department of Transportation.
- (7) To maintain, for a minimum of 3 years after final project close-out by the **STATE**, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records and supporting documents related to the contract shall be available for review and audit by the Auditor General and the department; and the **LPA** agrees to cooperate fully with any audit conducted by the Auditor General and the **STATE**; and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the **STATE** for the recovery of any funds paid by the **STATE** under the contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.
- (8) To provide if required, for the improvement of any railroad-highway grade crossing and rail crossing protection within the limits of the proposed improvement.
- (9) To comply with Federal requirements or possibly lose (partial or total) Federal participation as determined by the **FHWA**.
- (10) (State Contracts Only) That the method of payment designated on page one will be as follows:
 - Method A - Lump Sum Payment. Upon award of the contract for this improvement, the **LPA** will pay to the **STATE** within thirty (30) calendar days of billing, in lump sum, an amount equal to 80% of the **LPA**'s estimated obligation incurred under this Agreement. The **LPA** will pay to the **STATE** the remainder of the **LPA**'s obligation (including any nonparticipating costs) within thirty (30) calendar days of billing in a lump sum, upon completion of the project based on final costs.
 - Method B - Monthly Payments. Upon award of the contract for this improvement, the **LPA** will pay to the **STATE**, a specified amount each month for an estimated period of months, or until 80% of the **LPA**'s estimated obligation under the provisions of the Agreement has been paid, and will pay to the **STATE** the remainder of the **LPA**'s obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
 - Method C - Progress Payments. Upon receipt of the contractor's first and subsequent progressive bills for this improvement, the **LPA** will pay to the **STATE** within thirty (30) calendar days of receipt, an amount equal to the **LPA**'s share of the construction cost divided by the estimated total cost, multiplied by the actual payment (appropriately adjusted for nonparticipating costs) made to the contractor until the entire obligation incurred under this Agreement has been paid.Failure to remit the payment(s) in a timely manner as required under Methods A, B, or C, shall allow the **STATE** to internally offset, reduce, or deduct the arrearage from any payment or reimbursement due or about to become due and payable from the **STATE** to **LPA** on this or any other contract. The **STATE**, at its sole option, upon notice to the **LPA**, may place the debt into the Illinois Comptroller's Offset System (15 ILCS 405/10.05) or take such other and further action as may be required to recover the debt.
- (11) (Local Contracts or Day Labor) To provide or cause to be provided all of the initial funding, equipment, labor, material and services necessary to construct the complete project.
- (12) (Preliminary Engineering) In the event that right-of-way acquisition for, or actual construction of, the project for which this preliminary engineering is undertaken with Federal participation is not started by the close of the tenth fiscal year following the fiscal year in which the project is federally authorized, the **LPA** will repay the **STATE** any Federal funds received under the terms of this Agreement.
- (13) (Right-of-Way Acquisition) In the event that the actual construction of the project on this right-of-way is not undertaken by the close of the twentieth fiscal year following the fiscal year in which the project is federally authorized, the **LPA** will repay the **STATE** any Federal Funds received under the terms of this Agreement.

- (14) (Railroad Related Work Only) The estimates and general layout plans for at-grade crossing improvements should be forwarded to the Rail Safety and Project Engineer, Room 204, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois, 62764. Approval of the estimates and general layout plans should be obtained prior to the commencement of railroad related work. All railroad related work is also subject to approval by the Illinois Commerce Commission (ICC). Final inspection for railroad related work should be coordinated through appropriate IDOT District Bureau of Local Roads and Streets office.
- Plans and preemption times for signal related work that will be interconnected with traffic signals shall be submitted to the ICC for review and approval prior to the commencement of work. Signal related work involving interconnects with state maintained traffic signals should also be coordinated with the IDOT's District Bureau of Operations.
- The **LPA** is responsible for the payment of the railroad related expenses in accordance with the **LPA**/railroad agreement prior to requesting reimbursement from IDOT. Requests for reimbursement should be sent to the appropriate IDOT District Bureau of Local Roads and Streets office.
- Engineer's Payment Estimates shall be in accordance with the Division of Cost on page one.
- (15) And certifies to the best of its knowledge and belief its officials:
- are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
 - have not within a three-year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements receiving stolen property;
 - are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, local) with commission of any of the offenses enumerated in item (b) of this certification; and
 - have not within a three-year period preceding the Agreement had one or more public transactions (Federal, State, local) terminated for cause or default.
- (16) To include the certifications, listed in item 15 above, and all other certifications required by State statutes, in every contract, including procurement of materials and leases of equipment.
- (17) (State Contracts) That execution of this agreement constitutes the **LPA's** concurrence in the award of the construction contract to the responsible low bidder as determined by the **STATE**.
- (18) That for agreements exceeding \$100,000 in federal funds, execution of this Agreement constitutes the **LPA's** certification that:
- No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or any employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement;
 - If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress, in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions;
 - The **LPA** shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- (19) To regulate parking and traffic in accordance with the approved project report.
- (20) To regulate encroachments on public right-of-way in accordance with current Illinois Compiled Statutes.
- (21) To regulate the discharge of sanitary sewage into any storm water drainage system constructed with this improvement in accordance with current Illinois Compiled Statutes.
- (22) To complete this phase of the project within three (3) years from the date this agreement is approved by the **STATE** if this portion of the project described in the Project Description does not exceed \$1,000,000 (five years if the project costs exceed \$1,000,000).
- (23) To comply with the federal Financial Integrity Review and Evaluation (FIRE) program, which requires States and subrecipients to justify continued federal funding on inactive projects. 23 CFR 630.106(a)(5) defines an inactive project as a project which no expenditures have been charged against Federal funds for the past twelve (12) months.
- To keep projects active, invoicing must occur a minimum of one time within any given twelve (12) month period. However, to ensure adequate processing time, the first invoice shall be submitted to the **STATE** within six (6) months of the federal authorization date. Subsequent invoices will be submitted in intervals not to exceed six (6) months.
- (24) The **LPA** will submit supporting documentation with each request for reimbursement from the **STATE**. Supporting documentation is defined as verification of payment, certified time sheets or summaries, vendor invoices, vendor receipts, cost plus fee invoice, progress report, and personnel and direct cost summaries and other documentation supporting the requested reimbursement amount (Form BLRS 05621 should be used for consultant invoicing purposes). **LPA** invoice requests to the **STATE** will be submitted with sequential invoice numbers by project.

The **LPA** will submit to the **STATE** a complete and detailed final invoice with applicable supporting documentation of all incurred costs, less previous payments, no later than twelve (12) months from the date of completion of this phase of the improvement or from the date of the previous invoice, whichever occurs first. If a final invoice is not received within this time frame, the most recent invoice may be considered the final invoice and the obligation of the funds closed.

- (25) The **LPA** shall provide the final report to the appropriate **STATE** district within twelve months of the physical completion date of the project so that the report may be audited and approved for payment. If the deadline cannot be met, a written explanation must be provided to the district prior to the end of the twelve months documenting the reason and the new anticipated date of completion. If the extended deadline is not met, this process must be repeated until the project is closed. Failure to follow this process may result in the immediate close-out of the project and loss of further funding.
- (26) (Single Audit Requirements) That if the **LPA** expends \$750,000 or more a year in federal financial assistance they shall have an audit made in accordance with 2 CFR 200. **LPAs** expending less than \$750,000 a year shall be exempt from compliance. A copy of the audit report must be submitted to the **STATE** (Office of Finance and Administration, Audit Coordination Section, 2300 South Dirksen Parkway, Springfield, Illinois, 62764), within 30 days after the completion of the audit, but no later than one year after the end of the **LPA's** fiscal year. The CFDA number for all highway planning and construction activities is 20.205.

Federal funds utilized for construction activities on projects let and awarded by the **STATE** (denoted by an "X" in the State Contract field at the top of page 1) are not included in a **LPA's** calculation of federal funds expended by the **LPA** for Single Audit purposes.

- (27) That the **LPA** is required to register with the System for Award Management or SAM (formerly Central Contractor Registration (CCR)), which is a web-enabled government-wide application that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of the contract award and the electronic payment processes. To register or renew, please use the following website: <https://www.sam.gov/portal/public/SAM/#1>.

The **LPA** is also required to obtain a Dun & Bradstreet (D&B) D-U-N-S Number. This is a unique nine digit number required to identify subrecipients of federal funding. A D-U-N-S number can be obtained at the following website: <http://fedgov.dnb.com/webform>.

THE STATE AGREES:

- (1) To provide such guidance, assistance and supervision and to monitor and perform audits to the extent necessary to assure validity of the **LPA's** certification of compliance with Titles II and III requirements.
- (2) (State Contracts) To receive bids for the construction of the proposed improvement when the plans have been approved by the **STATE** (and **FHWA**, if required) and to award a contract for construction of the proposed improvement, after receipt of a satisfactory bid.
- (3) (Day Labor) To authorize the **LPA** to proceed with the construction of the improvement when Agreed Unit Prices are approved, and to reimburse the **LPA** for that portion of the cost payable from Federal and/or State funds based on the Agreed Unit Prices and Engineer's Payment Estimates in accordance with the Division of Cost on page one.
- (4) (Local Contracts) For agreements with Federal and/or State funds in engineering, right-of-way, utility work and/or construction work:
- (a) To reimburse the **LPA** for the Federal and/or State share on the basis of periodic billings, provided said billings contain sufficient cost information and show evidence of payment by the **LPA**;
 - (b) To provide independent assurance sampling, to furnish off-site material inspection and testing at sources normally visited by **STATE** inspectors of steel, cement, aggregate, structural steel and other materials customarily tested by the **STATE**.

IT IS MUTUALLY AGREED:

- (1) Construction of the project will utilize domestic steel as required by Section 106.01 of the current edition of the Standard Specifications for Road and Bridge Construction and federal Buy America provisions.
- (2) That this Agreement and the covenants contained herein shall become null and void in the event that the **FHWA** does not approve the proposed improvement for Federal-aid participation within one (1) year of the date of execution of this Agreement.
- (3) This Agreement shall be binding upon the parties, their successors and assigns.
- (4) For contracts awarded by the **LPA**, the **LPA** shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any USDOT – assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The **LPA** shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of USDOT – assisted contracts. The **LPA's** DBE program, as required by 49 CFR part 26 and as approved by USDOT, is incorporated by reference in this Agreement. Upon notification to the recipient of its failure to carry out its approved program, the **STATE** 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.). In the absence of a USDOT – approved LPA DBE Program or on State awarded contracts, this Agreement shall be administered under the provisions of the STATE's USDOT approved Disadvantaged Business Enterprise Program.

- (5) In cases where the STATE is reimbursing the LPA, obligations of the STATE shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or applicable Federal Funding source fails to appropriate or otherwise make available funds for the work contemplated herein.
- (6) All projects for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement and/or amendment shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application.

ADDENDA

Additional information and/or stipulations are hereby attached and identified below as being a part of this Agreement.

Number 1- Location Map, Number 2 – GATA Reporting

(Insert Addendum numbers and titles as applicable)

The LPA further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all Addenda indicated above.

APPROVED

Local Public Agency

Craig B. Johnson

Name of Official (Print or Type Name)

Mayor

Title (County Board Chairperson/Mayor/Village President/etc.)

(Signature)

Date

The above signature certifies the agency's TIN number is 36-6009201 conducting business as a Governmental Entity.

DUNS Number 072316581

APPROVED

State of Illinois
Department of Transportation

Randall S. Blankenhorn, Secretary of Transportation

Date

By:

Erin Aleman, Director of Planning & Programming

Date

Erin Aleman, Director of Planning & Programming

Date

Philip C. Kaufmann, Chief Counsel

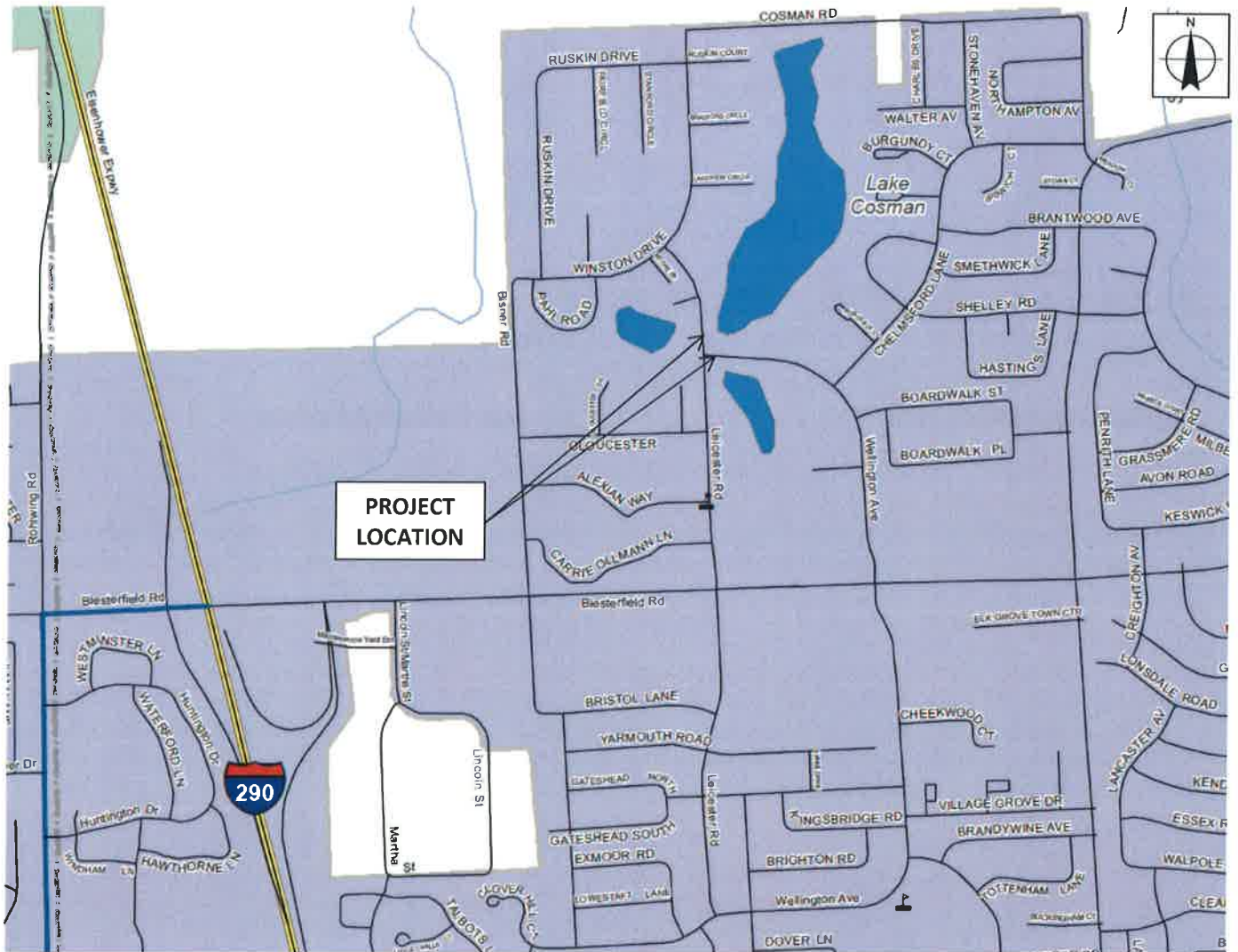
Date

Jeff Heck, Chief Fiscal Officer (CFO)

Date

NOTE: If the LPA signature is by an APPOINTED official, a resolution authorizing said appointed official to execute this agreement is required.

LOCATION MAP



**Wellington Avenue and Leicester Road over Lake Cosman
Section No.: 19-00070-00-BR
Elk Grove Village**

Addendum 2

Grant Accountability and Transparency Act (GATA)

Required Uniform Reporting

The Grant Accountability and Transparency Act (30 ILCS 708), requires a uniform reporting of expenditures. Uniform reports of expenditures shall be reported no less than quarterly using IDOT's [BoBS 2832](#) form available on IDOT's web page under the "Resources" tab.

Additional reporting frequency may be required based upon specific conditions, as listed in the accepted Notice of State Award (NOSA). Specific conditions are based upon the award recipient/grantee's responses to the Fiscal and Administrative Risk Assessment (ICQ) and the Programmatic Risk Assessment (PRA).

PLEASE NOTE: Under the terms of the Grant Funds Recovery Act (30 ILCS 705/4.1), "*Grantor agencies may withhold or suspend the distribution of grant funds for failure to file requirement reports*" if the report is more than 30 calendar days delinquent, without any approved written explanation by the grantee, the entity will be placed on the Illinois Stop Payment List. (Refer to the Grantee Compliance Enforcement System for detail about the Illinois Stop Payment List: <https://www.illinois.gov/sites/GATA/Pages/ResourceLibrary.aspx>)

RESOLUTION NO. _____

**A RESOLUTION ADOPTING THE VILLAGE OF ELK GROVE VILLAGE
COMPLETE STREETS POLICY**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, State of Illinois as follows:

Section 1: That the Mayor and Board of Trustees do hereby adopt the document entitled:

**VILLAGE OF ELK GROVE
COMPLETE STREETS POLICY**

a copy of which is attached hereto and made a part hereof as if fully set forth.

Section 2: That this Resolution shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYES: _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2019.

APPROVED this _____ day of _____ 2019.

APPROVED:

**Mayor Craig B. Johnson
Village of Elk Grove Village**

ATTEST:

Loretta M. Murphy, Village Clerk



COMPLETE STREETS POLICY

2019

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Vision

The Village of Elk Grove Village is committed to developing a safe, efficient, accessible and integrated multimodal transportation network for all users and modes that include pedestrians, bicyclists and transit passengers of all ages and abilities, as well as trucks, buses, trains and automobiles. This Policy will balance the need and desire for access, mobility, economic development and aesthetic enhancements while encouraging healthy and active living for people of all ages and abilities.

Benefits of a Complete Streets System

The complete streets system serves all users and modes. People of all ages and abilities receive the benefit of a complete streets system that provides safe access for people traveling as pedestrians and by bicycle, transit riders, motorists, emergency responders, freight carriers and others. Many benefits include:

- Providing safe walking and bicycling options for all ages that is consistent with the national Safe Routes to School program.
- Encouraging walking and bicycling that improves health and fitness.
- Improving pedestrian and cyclist safety by reducing the number of accidents between motorized and non-motorized users.
- Encouraging economic growth, and positively impacting property values.
- Providing driving alternatives that positively impact the environment, conserves fuel and saves money.

The Village of Elk Grove Village has already begun working on connectivity improvements throughout its jurisdiction and with neighboring entities and partners. Partners have been private developers, Elk Grove Park District, Cook and DuPage County, Illinois Department of Transportation, School Districts 54, 59 and 214. Benefits to these improvements and partnerships include:

- Identifying and filling gaps to our pedestrian system.
- Identifying and filling the maintenance needs for the transportation systems.
- Identifying and implementing an ADA Transition Plan.

Definitions

Village shall mean the Village of Elk Grove Village

Complete Streets shall mean streets that are designed and operated to enable safe access for all users, in that motorists, pedestrians, bicyclists, users of public transportation, freight providers, users of all ages and abilities (including children, the elderly and the disabled), emergency responders and adjacent land users are accommodated and are able to safely move along and across a street.

Street shall mean any right-of-way, public or private, including arterials, collectors, residential, lanes and roadways by any other designation, as well as bridges and any other portions of the transportation network.

Project shall mean the construction, reconstruction, retrofit, maintenance, alteration, repair of any Street or Public Way, and includes the planning, design, approval and implementation processes. Project does not mean any routine maintenance such as sweeping, mowing, and pothole patching.

Public Way shall mean any transportation improvement accessible by the public; including but not limited to parks and public land.

Users shall mean individuals that use Streets, including motorists, pedestrians, bicyclists, public transportation riders and drivers, emergency vehicles, freight carriers, agricultural vehicles and people of all ages and abilities, including children, youth, families, older adults and individuals with abilities

Diverse Users

The Village shall provide that this Policy serves all users equitably, particularly vulnerable users and the most underinvested and underserved communities with the following benefits:

- Deliver a more integrated, connected and comprehensive multimodal transportation network system serves all users and modes.
- Promote a safe means of travel for users.
- Ensure the network system is compliant with the Americans with Disabilities Act to meet the needs of people with different types of disabilities.
- Evaluate the needs of connections to transit options in areas or population groups with limited access.
- Embrace the right-of-way as a whole to create a sense of community with improved aesthetic enhancements.

- Encourage healthy and active living through more accessible options that include walking and bicycling.
- Reduce transportation travel time while increasing property values and job growth in our community.

Commitment on Projects

The Village shall approach every transportation and transportation-related improvement as an opportunity to create safer, more accessible streets for all users. Complete Streets may be achieved through single projects or incrementally through a series of smaller improvements or maintenance activities over time. This includes approaching private development and re-development projects with a Complete Streets focus in mind. Projects may be phased to include planning, scoping, programming, design, right-of-way acquisition, construction/reconstruction, operation and maintenance.

Transportation improvement projects will include facilities and other amenities that are recognized as contributing to Complete Streets, which may include but not limited to, one or more of the following:

- Create a comprehensive transportation network by providing multi-user paths and sidewalks connections to trip generators such as residential, employment, schools, recreational, public facilities, retail and commercial areas.
- Infrastructure should promote safe and accessible accommodations for existing and future pedestrian and bicycle facilities.
- Crosswalk improvements, bump-outs or pedestrian refuge islands.
- Accessible improvements consistent with the Americans with Disability Act (ADA)
- Lighting of intersections with multi-use path/sidewalk present.
- Bicycle accommodations following the Village's Bicycle and Pedestrian Master Plan.
- Connecting sidewalks and multi-use paths along public streets to private development or commercial sidewalks and paths.
- Optimize parkway trees, landscape beds and median enhancements for a positive environmental impact on the air, noise levels, driver's anxiety and speed in multimodal function corridors.
- Prioritize clear pedestrian, bicyclist and vehicle oriented signs, lighting, benches and attractive and accessible public transportation facilities.
- Provide provisions for pedestrians and bicyclists during all construction and maintenance projects.

Exceptions

Any exception to this policy shall be approved by the Director of Public Works and be documented to indicate the basis of the decisions. Additional review by the Village Board will be conducted when necessary. Exceptions of the policy that are requirements of the Subdivision Ordinance or Zoning Ordinance shall be approved by Village Board as noted in those ordinances. The following exceptions to this policy may be considered:

- Accommodation is not necessary on corridors where specific users are prohibited.
- The costs of providing accommodation for some travel modes are excessively disproportionate to the need or probable use by those modes.
- Where the construction is not practically feasible or cost effective because of severe topography constraints, or unreasonable adverse impacts on the environment or on neighboring land uses including impact from right-of-way acquisition.
- Activities that are ordinary maintenance activities designed to keep assets in serviceable condition and do not change the street's geometry or operations. Such activities may include pothole patching, mowing, sweeping/cleaning, joint repair or other regular or seasonal maintenance.
- A documented absence of current and future need exists.
- There is a reasonable and equivalent project along the same corridor, effectively serving the same destinations and providing the same access and mobility, which is already programmed to provide facilities, therefore exempting the project at hand.
- Emergency repairs. (water main breaks, pothole repairs, storm damage cleanup, etc.)
- Transit accommodations are not required where there is no existing or planned transit service.

Jurisdiction

The Village shall require interagency coordination between departments and partner agencies.

- All Village projects shall adhere to the Policy.
- All non-village agencies such as State, County, Township and Metropolitan Water Reclamation District of Greater Chicago (MWRD) projects shall adhere to the Policy.
- All utility companies issued a permit shall adhere to the Policy.
- All private development including work within the right-of-way shall adhere to the Policy.

Design

The Village of Elk Grove Village shall follow the latest accepted or adopted design standards available from, including but not limited to:

- American Association of State Highway Transportation Officials (AASHTO)
- Federal Highway Administration (FHWA)
- Illinois Department of Transportation (IDOT)
- Institute of Transportation Engineers (ITE)
- American with Disabilities Act (ADA)
- Public Right-of-Way Accessibility Guidelines (PROWAG)

The design solutions shall be flexible and innovative while balancing public input on the user and modal needs.

Land Use

The Village shall consider surrounding context including current and planned redevelopments, parks, schools, hospitals when looking at current and future transportation needs.

- Ensure that all necessary and appropriate new or revised land use policies, plans, zoning codes, ordinances, standards, regulations, and guidelines have updated design components for all modifications within the right-of-way to reinforce the intent of the policy.
- Encourage private partnerships to incorporate these benefits within private developments.

Performance Measures

The Village shall establish performance measures to gauge success of the policy. Each year the Public Works department shall annually update the performance measures on the Village website.

- Miles of new or rehabilitated sidewalk
- Miles of new or rehabilitated multi-use paths
- Number of new or rehabilitated curb ramps
- Number of new or restriped crosswalks
- Number of new or replaced pedestrian signals
- Number of new parkway trees planted

Project Selection Criteria

The following specific criteria shall be used to encourage funding prioritization;

- Safety is the highest priority, followed by function.
- Among modes, pedestrian and bicycle needs shall receive priority, followed by transit and vehicle.
- Strive for balance among all modes involved in each project. The overall goal is that all users of all ages and abilities can safely and conveniently use the integrated multimodal transportation network.

Implementation

The implementation of Complete Streets Policy will require cooperation and collaboration from all stakeholders.

- The Village shall annually review current and future improvements to ensure they are meeting the policy requirements.
- The Village shall annually review zoning code and standards to ensure they are meeting the policy requirements.
- The Village shall evaluate every project as an opportunity to implement Complete Streets elements.
- The Village encourage staff professional development in the area of Complete Streets through attendance at seminars, conferences and workshops.
- The Village shall actively promote public information and education about Complete Streets to the community.

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE PLAT OF RESUBDIVISION IDENTIFIED AS
901 CHASE PLAT OF RESUBDIVISION (901 CHASE AVENUE)**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Elk Grove Village, Counties of Cook and DuPage, State of Illinois as follows:

Section 1: That approval is hereby given the Final Plat of Resubdivision identified as 901 Chase Plat of Resubdivision, being a resubdivision of Lots 89, 90, 91 and part of Lot 92 in Centex Industrial Park Unit 10, being a Subdivision of Part of the Southeast Quarter of Section 27, Township 41 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois, a copy of which is attached hereto and made a part hereof as if fully set forth.

Section 2: That the Mayor and Village Clerk are hereby authorized to sign said Plat for and in the name of the Village and attach thereto the corporate seal.

Section 3: That the Village Clerk is hereby directed to record a copy of said Plat with the Recorder of Deeds of Cook County, Illinois.

Section 4: That this Resolution shall be in full force and effect from and after its passage and approval according to law.

VOTE: AYES: _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of _____ 2019.

APPROVED this _____ day of _____ 2019.

APPROVED:

Mayor Craig B. Johnson
Village of Elk Grove Village

ATTEST:

Loretta M. Murphy, Village Clerk

