



**TENTATIVE A g e n d a**  
**President and Board of Trustees**  
**Monday, January 3, 2011**  
**Village Hall**  
**123 Madison Street**

**Executive Session at 6:30 p.m., To Discuss Property Disposition & Acquisition,  
Litigation, Personnel and Labor in Room 130**

**Regular Meeting at 7:30 p.m., Council Chambers**

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The President and Board of Trustees welcome you. Statements may be made by citizens at the beginning of the meeting, as well as when agenda items are reviewed. If you wish to make a statement, please complete the "Instructions to Address the Village Board" form which is available at the back of the Chambers, and present it to the staff table at front. When recognized, approach the podium, state your name and address first, and please limit your remarks to three minutes.

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## **Instructions for Non-Agenda Public Comment**

**(3 minutes per person; 30 minutes maximum)**

Non-Agenda Public Comment is a time set aside at the beginning of each Regular Meeting for citizens to make statements about an issue or concern that is not on that meeting's Agenda. It is not intended for a dialogue with the Board. You may also communicate with the Board via the Village Board voicemail at 708-358-5784 or email [Board@oak-park.us](mailto:Board@oak-park.us).

Non-agenda public comment will be limited to 30 minutes with a limit of 3 minutes per person. If comment requests exceed 30 minutes, public comment will resume after the items listed under the Regular Agenda are complete.

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## **Instructions for Agenda Public Comment**

**(3 minutes per person; 3 items per person maximum)**

Comments are 3 minutes per person per agenda item, with a maximum of 3 agenda items to which you can speak. In addition, the Village Board permits a maximum of three persons to speak to each side of any one topic that is scheduled for or has been the subject of a public hearing by a designated hearing body. These items are noted with a (\*).

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**Call to Order**

**Agenda Approval**

**Minutes**                      **Special Board Meeting Minutes of November 11, 2010, Regular Board Meeting Minutes of November 15, 2010, Special Board Meeting Minutes of November 22, 2010**

**Appointments**              **Madison Street Streetscape Steering Committee**

**Non-Agenda Public Comment** – *Please refer to instructions above.*

**A. Village Manager Reports**

**B. Citizen Commission Vacancies**

This is an ongoing list of current vacancies for the Citizens Involvement Commissions. Residents are encouraged to apply through the Village Clerk's Office.

**C. Citizen Commission Appointments, Reappointments, Removal, Resignation and Chair Appointments**

Names are forwarded from the Citizens Involvement Commission to the Village Clerk and then forwarded to the Village President for recommendation. If any appointments are ready prior to the meeting, the agenda will be revised to list the names.

**First Reading**

**E. First Reading of an Ordinance Amending Chapter 30 of the Village Code Regulating Special Events**

Discrepancies in the fee schedule were identified and need correction. These changes are presented to the Village Board for consideration.

**Second Reading**

**F. Second Reading of an Ordinance Amending Chapter 24, Articles 1 and 2 of the Village Code Regarding Taxicabs**

The Office of the Village Clerk has identified several areas of taxicab regulation which are not addressed in the current Village Code. In order to better regulate taxicab and chauffeur licenses, this additional language is proposed to the Board of Trustees.

**Regular Agenda**

**G. An Ordinance Amending Chapter 24, Articles 1 and 2 of the Village Code Regarding Taxicabs**

The Office of the Village Clerk has identified several areas of taxicab regulation which are not addressed in the current Village Code. In order to better regulate taxicab and chauffeur licenses, this additional language is proposed to the Board of Trustees.

**I. Resolution Authorizing the Execution of a Water Meter and Water Meter Parts Purchase Agreement with Northern Water Works Supply/Ferguson Water Works for the Total Amount Not to Exceed \$331,600 Waiving the Village's Bid Process and a Resolution Authorizing the Execution of a Service Agreement with Northern Water Works in an Amount Not to Exceed \$23,400 for Administrative Support for the Village's Water Meter Change Out Program in 2011**

The purchase of the water meters, water meter register heads and Back Office Support from this vendor will allow the Village to resume the water meter change out program. Approximately one quarter of the Village remains to be upgraded with newer meters. The vendor will also provide Back Office support which includes notification, scheduling, data transfer to the Village and other administrative support.

**H. Ordinance Providing for the Submission to the Electors of the Village of Oak Park, Cook County, the Question Whether the Village Should Have the Authority Under Public Act 096-0176 to Arrange for the Supply of Electricity for its Residential and Small Commercial Retail Customers who Have Not Opted Out of Such Program**

This initiative supports Village Board sustainability goals by offering Oak Park residents and small businesses the opportunity to obtain a cheaper and possibly cleaner power supply. By aggregating residential and small commercial electricity accounts, the Village of Oak Park can facilitate the bidding process to acquire a cheaper energy supply which will result in lower electricity bills.

**Consent Agenda**

**J. Resolution Authorizing the Execution of a One Year Agreement with B. Haney & Sons, Inc. of Lombard, Illinois for 2011 Tree Trimming Services, Not to Exceed \$135,000 and Motion to Direct Staff to Prepare the Necessary Budget Amendment**

Each year, the Village budgets for tree trimming in order to maintain good tree health, mitigate hazards in the public right of way from dead, weak, and interfering branches and maintain clear sight lines and proper pedestrian and vehicular clearances. The 2011 program consists of the second year of a six year trim cycle. This is the second of two option years.

**L. Resolution Authorizing Execution of a Contract with G.A. Paving Construction, Inc. of Oak Brook, IL for Snow Removal Services in 2011 in an Amount Not to Exceed \$65,000**

Village Ordinance requires clearing of public sidewalk adjacent to properties. Contractor support is utilized for sidewalk snow clearing of public sidewalks for residents who are unable to do so because of age or disability. Pricing for additional snow removal services have also been requested if needed by the Village.

**M. Resolution Authorizing the Use of Motor Fuel Tax Funds for Maintenance of Streets in the Village of Oak Park for Fiscal Year 2011**

As part of the accounting for the Motor Fuel Tax program the state requires the Village to authorize by Resolution expenditure of the funds for maintenance of the local roadways.

**N. Resolution Authorizing Execution of an Intergovernmental Agreement between Village of Oak Park and Village of River Forest for Environmental Health Services - 2011**

From 1989 to the present, the Village Board has annually renewed this Intergovernmental Agreement. These services include regular inspection of 42 food establishments; investigation of all environmental nuisance complaints; solid waste and rodent complaints; general sanitation in public facilities, and inspection of day care facilities.

**O. Resolution Authorizing the Execution of a One Year Agreement with B. Haney & Sons of Lombard, Illinois for 2011 Tree Removal and Emergency Services, not to exceed \$500,000**

Each year, the Village removes parkway trees due to disease, insect infestation and hazardous tree conditions. In order to expedite tree removal, the Village utilizes contract tree removal services for most diseased and hazardous trees. The agreement also includes for

emergency service cleanup due to storms. Rapid removal of these trees minimizes future storm damage and tree-failure related liability. This is the second of two option years.

- P. Resolution Authorizing a Subordination of Lien: MSA-1002-G**  
The loan recipient is requesting a subordination of their Multi Family Housing Incentives Program grant mortgage to a new first mortgage. The Village remains secure in junior position on the title.
- Q. Ordinance Authorizing Amendment of Section 7-9-8F of the Village Code Designating 308 N. Oak Park and 633 N. East as Oak Park Historic Landmarks as Reviewed at the November 22, 2010 Village Board Meeting**  
Motion to approve an ordinance designating 308 N. Oak Park and 633 N. East as Oak Park Historic Landmarks.
- R. Motion to Approve Parking Restriction Changes on the 700 Block of East Avenue as Recommended by the Transportation Commission and the 700 Blocks of Scoville and Clarence as Additionally Recommended by Staff and Direct Staff to Prepare the Necessary Ordinances**  
The Transportation Commission held a public hearing regarding a petition to establish daytime Resident Permit Parking Only in the 700 block of East due to the influx of Fenwick student parking. The Commission recommends approval of the petition. Staff additionally recommends the establishment of daytime Resident Permit Parking Only on the surrounding blocks of 700 Clarence and 700 Scoville along with the 700 block of East due to a concern that student parking will only shift from East to neighboring blocks if restrictions are not equally implemented.
- S. Motion to Approve Parking Restriction Changes on the Northwest Corner of Randolph Street and East Avenue and Direct Staff to Prepare an Amendment to Resolution 1995-R-152**  
The Transportation Commission held a public hearing regarding a petition to amend existing daytime parking restrictions on the corner of East and Randolph. The Commission recommends replacing existing "No Parking Monday - Friday 8 am to 10am" restriction with "No Parking Tuesdays 8 am to 10 am" at 608-610 Randolph and "No Parking Wednesdays 8 am to 10 am" at 241-245 East Avenue. Staff concurs with the recommendation.
- T. Resolution Authorizing the Village Manager to Enter into a Collective Bargaining Agreement with the International Association of Machinists and Aerospace Workers, Local 702 Representing Employees of the Public Works Department/Fleet Services Concerning Terms and Conditions of Employment for the Period January 1, 2011 Through December 31, 2012**  
This is the formal action of the Board to execute a new labor agreement to one of the 12 unions in the Village.

## **Call to Board and Clerk**

## **Adjourn**

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(\*) The Village Board permits a maximum of three persons to speak to each side of any one topic that is scheduled for or has been the subject of a public hearing by a designated hearing body.

For more information regarding Village Board meetings and agendas, please contact the Village Manager's Office at 708.358.5770. If you require assistance to participate in any Village program or activity, contact the ADA Coordinator at 708.358,5430 or e-mail [adacoordinator@oak-park.us](mailto:adacoordinator@oak-park.us) at least 48 hours before the scheduled activity.

Agendas and agenda materials are now available electronically on the village web site. Visit [www.oak-park.us](http://www.oak-park.us), mouse-over News, then click on Board Agendas and Minutes.

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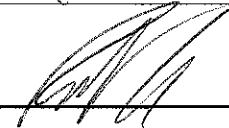
**VILLAGE OF OAK PARK**  
**AGENDA ITEM COMMENTARY**

**Item Title: First Reading of An Ordinance Amending Chapter 30 of the Village Code Regulating Special Events**

**Ordinance No.** \_\_\_\_\_

**Date of Board Action: January 3, 2011**

**Village Clerk:**   
Teresa Powell

**Village Manager's Office:**  \_\_\_\_\_

**Item History (Previous Board Review, Related Action, History):**

In the first year of administering the new Special Events ordinance, two discrepancies in the fee schedule were identified which need correction. These changes are presented to the Village Board for consideration.

**Item Policy Commentary (Key Points, Current Issue, Recommendation):**

Over the past year the Office of the Village Clerk and the Special Events Committee has worked with local event sponsors to establish an optimal plan for each event, meeting the needs of event sponsors while keeping Village costs charged to event sponsors to a minimum. In many cases sponsors were able to use volunteers for some tasks (such as posting "No Parking" signs, completing clean-up after an event or moving certain street closure equipment on residential streets) while delivery and pick-up of Public Works equipment was scheduled during the regular work day when practical to minimize costs. The following changes will further clarify the practices that are needed for effective administration in 2011.

When the initial fee schedule was developed, an extra unneeded category, 30-1-3 H6, BPS Inspection, \$80, was included. Inspection fees are covered through the BPS permit process and this category should be removed.

When Public Works rates were established, a regular time and an overtime (1.5 time) rate were established, but the double time rate for occasional Sunday and holiday services was not included. This rate of \$60.19, based on the standard double time rate calculation for Public Works, will be added to the fee schedule as the double-time rate. While work on Sundays and holidays is a rare occurrence, including this category in the fee schedule noted above meets the goal of covering the actual costs of Public Works services.

This also clarifies that sponsors will pay actual costs for on-duty police officers when off-duty officers or other security personnel are not available.

**Item Budget Commentary: (Account #; Balance; Cost of contract)**

These changes will accomplish the goal of appropriately covering

**Proposed Action:** This is a first reading only.

**FIRST READING OF AN ORDINANCE AMENDING THE  
CODE OF THE VILLAGE OF OAK PARK SECTION 3.9 OF  
CHAPTER 30 OF ENTITLED USE OF PUBLIC PROPERTY  
FOR "SPECIAL EVENTS" – PAYMENT FOR VILLAGE  
SERVICES**

**NOW THEREFORE, Be It Ordained** by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, that Section 3.9 of Chapter 30 of Village Code entitled "Special Events – Payment for Village Services" shall be hereby amended to read as follows:

**3.9 Payment of Village services**

- (a) The Sponsor of a Special Event, who applies for and accepts a Permit, thereby consents to the formation of a contract between the Sponsor and the Village through which the Village agrees to provide services and equipment and the Sponsor agrees to pay for same in accordance with the schedule set forth hereinbelow.
- (b) The Sponsor of a Special Event shall deposit with the Village at least seven (7) days prior to the date of the Special Event twenty-five (25) percent of the cost estimated by the Special Events Committee to be the direct and reasonable cost which will be incurred by the Village to provide services and equipment for the Special Event.
- (c) The Sponsor shall pay to the Village, within fifteen (15) days after the conclusion of the permitted event, the direct and reasonable costs incurred by the Village to provide for cleanup of the public property if such service is not performed by the Sponsor as required herein. Additionally, the amount of the payment required shall include compensation for loss or damage to Village property.
- (d) The Village will send the Sponsor a bill for the actual amount of the additional police and public works services incurred (not related to cleanup and compensation for loss or damage to Village property) within twenty-one (21) days of the conclusion of the event. Within fourteen (14) days after the date of the bill, the Sponsor shall pay to the Village the direct and reasonable costs incurred by the Village to provide additional police and public works services for the Special Event, less the twenty-five (25) percent deposit paid by the Sponsor.



- (e) Special events sponsored by governmental entities shall be exempt from the requirements of subsection (c) of this section.
- (f) The schedule of fees for Village services and equipment shall be as follows:

<u>SERVICE</u>	<u>RATE</u>	<u>NOTES</u>
Building and Property Standards (BPS) Tent Permit	\$64.00	Per event for one or more tents with a floor area of 200 square feet or greater. Permits fee for large tents with a floor area in excess of 400 square feet shall be in accordance with the then current building permit fee schedule.
<del>BPS Inspection</del>	<del>\$80.00</del>	<del>Per event.</del>
Fire Staff, services, equipment	Actual cost	Will primarily apply to athletic events. Always involves staff and equipment.
Environmental Health	\$96.00	Commercial/per event.
<u>SERVICE</u>	<u>RATE</u>	<u>NOTES</u>
Service Fee (Permit)	No Charge	Non-Commercial/ Governmental.
Public Works Labor - Straight Time - during normal workday - when possible		Hours limited to drop off and pickup of equipment and trash removal (Special Event Volunteers or Contract Services may be substituted for all Public Works labor). <u>Overtime (when necessary)</u>
	Straight Time \$34.50	
	<u>Time and one half</u> \$44.23	
	<u>Overtime (when necessary)</u>	
	<u>Doubletime</u> \$60.19	<u>Sundays and holidays</u>

Public Works Equipment  
and Vehicles:

Standard Barricades	}	No Charge	Public works labor will be charged at above hourly rates if Public Works is required to drop off and pickup equipment.
Cones			
Road Closed Barricades			
Directional Signage			

Cardboard Parking Signage	At Cost	Cost for each sign.
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Vehicle	\$11.00	Cost per day, pickup truck or other vehicle.
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Police/Fire Vehicle	\$25.00	Cost of each per day (when required to be assigned to event).
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Police Patrol Officer	\$30.00	Cost per hour; off-duty, paid directly to officer (when required, will normally be for entire time of event).
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<u>Hrly rate per</u>	<u>Cost per hour; on-duty</u>
<u>Per collective</u>	<u>Village pays officer and</u>
<u>Bargaining</u>	<u>Sponsor pays Village.</u>
<u>Agreement</u>	
<u>Time and a half Overtime (when necessary)</u>	

**ADOPTED** this 3rd day of January 2011, pursuant to a roll call vote as follows:

**AYES:**

**NAYS:**

**ABSENT:**

**APPROVED** by me this 3rd day of January 2011.

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David G. Pope, Village President

ATTEST:

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Teresa Powell, Village Clerk

VILLAGE OF OAK PARK

F

AGENDA ITEM COMMENTARY

**Item Title: Second Reading of an Ordinance Amending Chapter 24, Articles 1 and 2 of the Village Code Regarding Taxicabs**

**Resolution or Ordinance No.** \_\_\_\_\_

**Date of Board Action:**

January 3, 2011

**Village Clerk:** \_\_\_\_\_

Teresa Powell

**Village Manager's Office:** \_\_\_\_\_

**Item History:**

The Office of the Village Clerk has identified several areas of taxicab regulation which are not addressed in the current Village Code. In order to better regulate taxicab and chauffeur licenses, this additional language is proposed to the Board of Trustees.

**Item Policy Commentary (Previous Board Review, History Key Points, Current Issue):**

The following changes are proposed:

1. Clarify language to indicate that the maximum age of taxicabs is eight years from date of manufacture (24-1-5C).
2. Provide for consequences for failure of taxicab inspection (24-1-5C and D).
3. Modify a portion of section 24-1-18 to provide for prepayment of fares under certain conditions.
4. Provide more detail regarding license, fare, complaint and other information for customers to be displayed in taxis and removal of language regarding hiring "by the hour" which are no longer offered by taxicab companies. (24-1-20).
5. Require acceptance of credit cards, prohibit use of cell phones and smoking in taxicabs (24-1-21, 22 and 23).
6. Explicitly state that it is unlawful to employ or permit an unlicensed person to drive a taxicab (24-2-1).
7. Clarify certain applicant requirements (24-2-2B and D).
8. Amend application requirements for chauffeur license to include fingerprinting by the Police Department (24-2-3 and 24-2-4) and clarify grounds for license denial.
9. Clearly state that all persons driving taxis must have a current valid license displayed (24-2-7).
10. Clarify notification requirements for change of address and insurance (24-2-12).

**Item Budget Commentary (If applicable, Account #; Balance; Cost of contract):**

No budget impact.

**Proposed Action:**

This is a second reading only.

**SECOND READING OF AN ORDINANCE AMENDING  
CHAPTER 24, ARTICLES 1 AND 2 OF THE VILLAGE CODE  
REGARDING "TAXICABS"**

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Oak Park, County of Cook, State of Illinois, acting pursuant to its Home Rule powers as set forth in Article VII Section 6 of the Illinois Constitution (1970), as follows:

**SECTION ONE:** That Chapter 24, Article 1 of the Village Code entitled "Taxicabs" is hereby amended to read as follows:

**24-1-1: DEFINITIONS:**

The following words and phrases shall have the meanings, and are hereby defined, as follows:

**OWNER:** Every person having the use or control of one or more taxicabs as defined in this section.

**TAXICAB:** All public vehicles driven by mechanical power, used for the carriage of persons for hire, except those vehicles commonly known as buses.

**TAXIMETER:** A mechanical instrument or device by which the charge for hire of a taxicab is mechanically calculated, either for distance traveled or for waiting time, or for both, and upon which such charge shall be indicated by means of figures.

**24-1-2: POLICE AUTHORITY FOR INSPECTION AND LICENSE:**

The establishment of a mechanical inspection test for taxicabs, the licensing and inspecting of taxicabs in accordance with such test, the examining of applicants for licenses to drive such taxicabs, the licensing of drivers and enforcing of the provisions of this article shall be under the control of the Chief of Police.

**24-1-3: APPOINTMENT OF TAXICAB INSPECTORS:**

The Chief of Police shall have power to appoint from the Police Department

or from a public or private entity authorized by the Village, such taxicab inspectors as the Chief may deem necessary for the enforcement of the provisions of this chapter. Any employee of the Police Department shall serve as such as part of his or her police duties.

**24-1-4: TAXICAB LICENSE REQUIRED; TERM:**

No taxicab shall pick up passengers in the Village unless there shall first have been obtained therefor a taxicab license from the Village Clerk. Such taxicab license shall be issued annually January 1 in each and every year, and should be valid to and including December 31 next succeeding and shall be effective for such period of time unless sooner suspended or revoked.

**24-1-5: INSPECTIONS OF VEHICLES AS PREREQUISITE TO LICENSING:**

- A.** No vehicle shall be licensed as a taxicab, whether upon new application or renewal, unless it is **less than eight (8) years of age or less, measured from its year of manufacture**, and until it has been thoroughly and carefully inspected and examined and found to be in a thoroughly safe condition for the transportation of passengers, clean, fit, of good appearance and well painted.
- B.** It shall be the duty of the owner of each taxicab to submit to the Chief of Police each taxicab for inspection prior to the issuance of the license and at least annually thereafter, or at any time upon complaint.
- C.** **Violations of the Motor Vehicle Code observed at the annual inspection but which do not prevent the issuance of a taxicab license, shall be cited on a warning ticket, issued to the owner of the affected taxicab, with a twenty-one (21) day grace period given for correction of the violation. The license and measures inspector, with the concurrence of the police department, may extend this grace period for fifteen (15) days further upon a request by the owner, demonstrating extraordinary circumstances.**
- D.** **A reinspection shall be made at the expiration of the aforesaid twenty- one (21) day grace period, or any extension thereof. The owner shall be issued a citation requiring his or her appearance in court for each violation uncorrected as of the reinspection date.**

**24-1-6: BOND OR INSURANCE POLICY REQUIRED:**

No owner shall be licensed to operate a taxicab until he has complied with the State law pertaining to a surety bond or liability insurance coverage.

**24-1-7: APPLICATIONS AND ISSUANCE OF TAXICAB LICENSES:**

Applications for taxicab licenses shall be made to the Village Clerk by the owner thereof upon blank forms to be furnished by the Village Clerk, and such application shall contain the full name and address of the owner or operator, a list containing the class of the vehicles for which the license is desired, the length of time the vehicles have been in use, the number of persons each vehicle is capable of carrying, and the motor power thereof. Such application shall thereupon be referred by the Village Clerk to the Chief of Police. Upon approval of the application by the Chief of Police, he shall so endorse such application and file the same with the Village Clerk who shall, upon payment of the fee prescribed by Section 8-2-1 of this Code, issue the license, complying with Section 24-1-11 of this Code.

**24-1-8: PUBLIC CONVENIENCE AND NECESSITY; DECLARATION PREREQUISITE TO ISSUANCE OF TAXICAB LICENSE; EXCEPTIONS:**

No taxicab license shall be issued under this Article unless the Board of Trustees, after a hearing, shall by resolution declare and determine that public convenience and necessity require the proposed taxicab service for which application for a license is made; provided, that such declaration of public convenience and necessity shall not be necessary:

- A. For the licensing of the same number of taxicabs licensed for operation and operated by the applicant under the same name and colors, for which a license was issued previously, or the renewal of the license annually thereafter; or
- B. For the renewal of a license to the applicant for the number of taxicabs of the applicant, for which the Board of Trustees shall have at any time prior to the date of application for such renewal, made a declaration of public convenience and necessity.

**24-1-9: PUBLIC CONVENIENCE AND NECESSITY; GROUNDS FOR DETERMINATION:**

In determining whether public convenience and necessity require the licensing of such taxicabs for which application may be made, the Board of Trustees shall take into consideration whether the demands of public

convenience and necessity require such proposed or such additional taxicab service within the Village; the financial responsibility of the applicant; the number, kind and type of equipment; the schedule of maximum rates proposed to be charged; the color scheme to be used by the applicant; the increased traffic congestion and demand for increased parking spaces on the streets of the Village which may result; whether the safe use of the streets by the public, both vehicular and pedestrian, will be preserved by the granting of such additional license and such other relevant facts as the Board of Trustees may deem advisable or necessary.

**24-1-10: PUBLIC CONVENIENCE AND NECESSITY; HEARING AND PROCEDURE:**

If the Board of Trustees finds from the investigation and hearing that the public convenience and necessity justify the operation of the taxicab for which license is desired, it shall notify the applicant of its finding. Within sixty (60) days thereafter, the applicant shall furnish to the Board of Trustees any and all additional information which may be required, and if the Board of Trustees then finds that the applicant is the owner and bona fide operator of the vehicle for which the license is desired, and that such vehicle complies with all of the provisions of this Code and other ordinances of the Village, the license shall thereupon be issued to the applicant upon the payment of the proper license fee.

If the Board of Trustees finds from such investigation and hearing that the public convenience and necessity do not justify the operation of the vehicle for which the license is desired, it shall forthwith notify the applicant of such finding.

**24-1-11: REQUIREMENTS FOR TAXICAB CERTIFICATION DECALS:**

All taxicabs licensed by the Village Clerk as provided in Section 24-1-7 of this Code shall be issued annual decals which shall contain a number assigned to the taxicab, together with the date of the most recent inspection. Such decal shall contain a space upon which an entry shall be made of the date of inspection of the taxicab by the Chief of Police or an inspector appointed by him. License decals shall be of a distinctly different color each renewal period and shall be affixed to the lower passenger side of the rear windshield of each taxicab. There shall be a \$5 fee for the transfer of the decal to a new vehicle.

**24-1-12: REVOCATION OR SUSPENSION OF TAXICAB LICENSE:**

Any taxicab license shall be subject to suspension or revocation upon conviction of the holder thereof for any violation of this Chapter. The Board of



Trustees may at its discretion suspend or revoke a license granted upon any provision of this Chapter pending or in advance of the criminal prosecution of the licensee, after notice and hearing. There shall be no refund of the annual license fee.

**24-1-13: REGISTER OF LICENSED TAXICABS:**

The Village Clerk and Chief of Police shall keep a register of the name and address of each person owning or operating a taxicab licensed under this Chapter, together with the decal number and the description, make and necessary dimensions of such taxicab, with the date and complete record of inspections made of it. Such records shall be open to the inspection of the public at all reasonable times and shall be public records, extracts of which may be certified for use as evidence by the Village Clerk.

**24-1-14: DUTY OF OWNERS TO FURNISH SERVICE;  
ABANDONMENT OF SERVICE:**

The applicant shall operate his licensed vehicle or vehicles during each day of the licensed year to the extent reasonably necessary to meet the public demand of such service. Upon complete abandonment of such service for the period of ten (10) consecutive days by the owner or operator of such service, the Chief of Police upon hearing, after five (5) days' notice to such owner or operator, shall thereupon recommend to the Board of Trustees that the license of such owner or operator shall be revoked, covering all licensed vehicles of such owner or operator.

**24-1-15: TAXICAB COLORS AND NAME:**

No taxicab license shall be issued under the provisions of this Chapter to any person having the name or colors of his taxicab similar to that of any other person having a taxicab license within the corporate limits of the Village.

**24-1-16: CARRYING ADDITIONAL PASSENGERS:**

No driver of a taxicab licensed under this Chapter shall carry any person other than the first passenger first employing the taxicab without the consent of the first passenger.

**24-1-17: OVERCHARGING:**

No driver of any taxicab shall charge or attempt to charge any passenger a greater fare than that to which such driver is entitled under the provisions of this chapter.

**24-1-18: PREPAYMENT OF FARE MAY BE DEMANDED; DUTY OF DRIVERS TO CONVEY ORDERLY PERSONS:**

**A. The required prepayment of fares by taxicab drivers shall be prohibited except that Every driver of a taxicab shall have the right to demand payment of the legal fare in advance and may refuse employment unless so prepaid, under the following circumstances:**

**1. From any person seeking conveyance when that person:**

**a. Has failed to pay the posted or metered taxi fare after having been transported by such taxi to the requested destination on one or more occasions during the previous two (2) year period;**

**b. Appears to be under the influence of alcohol based upon objective indicators including but not limited to slurred speech, smell of alcohol on one's breath, bloodshot and/or glassy eyes and/or a lack of balance; and/or**

**c. Is unfamiliar to the driver and either does not exit from the address to which the driver was dispatched or exits from a public place.**

**B. Required prepaid fares and the reasons therefore, shall be reported by the driver to the company within 24 hours of each such occurrence and a written record of such prepayments, and reasons therefore, shall be maintained by the company for two (2) years and shall be made available to the Village for inspection upon request.**

**C. No driver of a taxicab shall otherwise refuse or neglect to convey any orderly person upon request anywhere in the Village unless previously engaged or unable to do so.**

**24-1-19: RECEIPT FOR FARE PAID:**

If demanded by the passenger, the driver in charge of a taxicab shall deliver to the person paying for the hiring of the same at the time of such payment, a receipt therefore in legible type or writing containing the name of the owner or operator, the Village decal number, or the driver's Village license number,

or the taximeter number and any items for which a charge is made, the total amount paid and the date of payment.

**24-1-20: SCHEDULE OF RATES OF FARES; RATE CARD REQUIRED:**

No person owning, operating, or controlling any taxicab within the limits of the Village shall charge rates not to exceed the following rates to be determined by the taximeter:

For the first $\frac{1}{11}$ mile or fraction thereof for 1 person	\$2 .30
For each succeeding $\frac{1}{11}$ mile or fraction thereof	0 .20
For each additional person over 12 years of age for the whole journey	0 .75
For each 32 seconds of waiting time or fraction thereof	0 .20

Waiting time shall include the time when the taxicab is not in motion, beginning with the arrival at the place to which it had been called, or the time consumed while standing at the direction of the passenger, or time consumed while standing because of conditions beyond control of the operator, but no charge shall be made for time lost for inefficiency of the taxicab or its operator, or time consumed by premature response to a call.

**Flat rate charges for a posted destination or distance shall not exceed the meter rate charge for such destination or distance.**

~~Where, with the consent of the licensee, any such taxicab is hired by the hour, the charge shall not exceed two dollars fifty cents (\$2.50) an hour for not to exceed four (4) passengers, and twenty five cents (\$0.25) an hour additional for each passenger in excess of four (4).~~

~~The rate to be charged for the use of a touring car having a seating capacity of five (5) passengers and carrying not more than four (4) passengers, shall not exceed three dollars (\$3.00) an hour, with an extra charge of fifty cents (\$0.50) an hour for each passenger in excess of four (4); and the rate to be charged for the use of a touring car having a seating capacity for more than five (5) passengers and carrying not more than six (6) passengers shall not exceed four dollars (\$4.00) an hour, with an extra charge of fifty cents (\$0.50) an hour for each passenger in excess of six (6).~~

Every taxicab operated under this chapter shall have a rate card setting forth

the authorized rates of fare displayed in ~~such a place as to be the rear passenger compartment~~ in plain view of all passengers. The rate card shall also contain a list of communities where straight meter rates apply, the cab number, the name of the cab owner, the name of the business or association to which the cab belongs and a telephone number at which complaints can be received.

A licensed taxicab company may provide for multiple passengers and shared rides, provided that the passengers are advised when ordering a cab that the ride will be shared. Group rates for shared rides will be established by the taxi company provided the rate for the group does not exceed the rate that would have been applicable under this section to one passenger multiplied by the number of persons in the group.

**24-1-21: CREDIT CARD PAYMENTS:**

Each vehicle shall be equipped to process credit card payments by passengers.

**24-1-22: NO SMOKING:**

It shall be unlawful for any person to smoke any tobacco at any time in any taxicab.

**24-1-23: CELLULAR TELEPHONES:**

Taxicab operators may not use cellular telephones while transporting passengers.

**SECTION TWO:** That Chapter 24, Article 2 of the Village Code entitled "Taxicabs Drivers; Village Licenses and Regulations" is hereby amended to read as follows:

**24-2-1: INDIVIDUAL LICENSE REQUIRED:**

Every person driving a taxicab must be licensed by the Village as a taxicab driver. It shall be unlawful to employ or otherwise permit to operate a taxicab, any person who does not have a current, valid taxicab driver's license.

**24-2-2: QUALIFICATIONS OF APPLICANTS:**

Each applicant for a taxicab driver's license must:

- A. Be of the age of eighteen (18) years or over;
- B. Be of sound **physique mental and physical condition** with good eyesight, and not subject to epilepsy, vertigo, heart trouble or any other infirmity of body or mind which might render such applicant unfit for the safe operation of a taxicab;
- C. Be able to read, write and speak the English language;
- D. Be clean in dress and person, **of good moral character** and not be addicted to the use of narcotics or intoxicating liquors. For purposes of this Section, convictions for a felony or any of the following misdemeanors may be considered as an indication of character and habits: (References are to the Illinois Compiled Statutes)

720 ILCS 5/12-12 et seq.

720 ILCS 5/11-6

720 ILCS 5/11-9

720 ILCS 5/11-14

720 ILCS 5/11-15

720 ILCS 5/11-16

720 ILCS 5/11-17

720 ILCS 5/11-19

720 ILCS 5/11-20.1

720 ILCS 5/11-21

720 ILCS 5/12-2

720 ILCS 5/12-6

720 ILCS 5/16-1

720 ILCS 5/24-1

720 ILCS 5/24-3

720 ILCS 5/24-3.1

720 ILCS 5/25-1

720 ILCS 5/28-3

720 ILCS 5/31-1

720 ILCS 5/31-4

720 ILCS 5/31-6

720 ILCS 5/31-7

720 ILCS 5/32-1

625 ILCS 5/11-501

625 ILCS 5/11-503

625 ILCS 5/6-103

Pursuant to the provisions hereinafter set forth, any applicant who has been convicted of the offenses enumerated herein may present evidence of rehabilitation which may negate any inferences drawn from evidence of conviction.

**24-2-3: APPLICATION; AFFIDAVIT; PHOTOGRAPHS GENERALLY:**

Any person desiring to secure a Village taxicab driver's license shall make application in writing therefore to the Village Clerk, upon a form to be provided by the Village Clerk. Such application shall set forth the name of the applicant, his residence and occupation, and shall be endorsed by at least two (2) responsible citizens who shall certify that the applicant is a person of good habits, honest, sober and industrious and a fit person to drive or operate a taxicab.

Along with such application, the applicant shall file an affidavit stating the applicant's full name, residence, places of residence during the previous five (5) years, age, sex, race, height, color of eyes and hair, place of birth, whether a citizen of the United States, places of previous employment, whether he has

ever been convicted of a felony or misdemeanor, whether he has previously been licensed as a driver or chauffeur and if so, whether his license has ever been revoked and for what cause, which affidavit shall be filed with the Village Clerk as a permanent record.

Such applicant shall be fingerprinted by the Police Department and shall also file with the application to the Village Clerk two (2) recent photographs of himself, of a size which may be easily attached to the license, one of which shall be attached to the license when issued, and the other shall be filed with the application in the office of the Village Clerk. The Police Chief shall perform a criminal history records check but may in the alternative, accept a report on an applicant if performed on behalf of another authorized State of Illinois law enforcement agency no more than ninety (90) days prior to the submission of the taxi driver license application to the Village, provided the Chief is able to confirm the completeness and authenticity of such criminal history records check report to the Chief's reasonable satisfaction.

If the Police Chief is able to obtain a preliminary criminal history records report which reasonably indicates that the applicant is of good moral character, the Chief in his or her discretion may authorize the Village Clerk to issue a temporary taxi driver permit pending completion of the full criminal history records check report and issuance of the regular annual license.

Such temporary permit may be voided immediately by the Police Chief upon disclosure of criminal history during the criminal history records check indicating applicant's lack of good moral character.

#### **24-2-4: INVESTIGATION AND EXAMINATION OF APPLICANTS; ISSUANCE OR REFUSAL OF LICENSE:**

The application, affidavit, fingerprints and photographs referred to in Section 24-2-3 of this Code shall be referred to the Chief of Police, who shall investigate the qualifications and the physical and mental condition of the applicant. Each applicant for a Village taxicab driver's license under the provisions of this Chapter shall be examined by the Chief of Police or some person by him designated, as to the applicant's knowledge of the provisions of this Chapter, the traffic regulations and the geography of the Village. If the results of the examinations be unsatisfactory, the applicant shall be refused a license. If the Chief of Police shall approve the application he shall endorse thereon such approval and return the same together with the affidavit and photographs to the Village Clerk, who shall forthwith issue such license.

**24-2-5: LICENSE ISSUANCE AND EXPIRATION DATE:**

Taxicab drivers' licenses shall be issued as of January 1 or as of the date of initial application in each and every year, and shall be valid to and including the thirty first day of December next succeeding.

**24-2-6: LICENSE FORM:**

Taxicab drivers' licenses shall be in such form as to contain the signature of the licensee and blank spaces upon which a record may be made of any arrest or of serious complaint against him. All taxicab drivers' licenses shall be numbered when issued.

**24-2-7: PHOTO TO BE ATTACHED; EXHIBITION OF LICENSE:**

The taxicab driver's license issued by the Village Clerk shall have attached thereto one of the photographs of the driver previously deposited with that office as provided in Section 24-2-3 of this Code, in such manner that it cannot be removed and another photograph substituted without detection. Each licensed driver shall, while operating a taxicab, display this license in a prominent place in the taxicab in plain view of all passengers while seated in the cab.

**24-2-8: LICENSE RENEWAL:**

The Village Clerk may renew a taxicab driver's license from year to year by appropriate endorsement thereon. A taxicab driver in applying for a renewal of his taxicab driver's license shall make an application upon a form to be furnished by the Village Clerk entitled "Application for Renewal of License," which shall be filled out with the full name and address of the, applicant, together with a statement of the date upon which his original license was granted and the number thereof.

**24-2-9: SUSPENSION AND REVOCATION GENERALLY:**

A taxicab driver's license may be suspended or revoked at any time for violation of the provisions of this Chapter or other cause after notice and hearing as provided in Chapter 8 of this Code. The Chief of Police may suspend such license for ten (10) days pending final action by the Board of Trustees. Any such suspension shall be noted on the license, together with a statement of the reasons therefore, and the driver shall be deprived of his license by the officer suspending or revoking such license. No driver whose license has been revoked shall again be licensed as a taxicab driver in the Village, unless upon presentation of reasons satisfactory to the Board of



Trustees. The Village Clerk shall notify the Police Department when any such license is revoked.

**24-2-10: DEFACING LICENSE:**

No holder of a taxicab driver's Village license shall deface, remove or obliterate any official entry made upon his taxicab driver's license.

**24-2-11: LICENSE RECORDS:**

There shall be kept in the office of the Village Clerk and the Police Department a complete record of each taxicab driver's Village license issued and of all renewals, suspensions or revocations thereof. The Village Clerk's record shall be kept on file with the original application of the driver for a license.

**24-2-12: DRIVERS TO REPORT CHANGES OF RESIDENCE:**

If the driving or criminal record, insurance coverage or residence of any person licensed as a taxicab driver under this Chapter shall change residence at any time while his license is in force, the driver shall forthwith immediately notify the Village Clerk.

**24-2-13: DISPOSITION OF MATERIAL LEFT IN TAXICABS:**

Whenever any package or article of baggage or goods of any kind shall be left in or on any taxicab, or shall be left in the custody of the driver thereof, the driver of the taxicab shall, upon the discovery of such package or article, forthwith deliver the same to the police station of the Village, unless such package or article shall be sooner delivered to the owner thereof, or upon the order of such owner.

**24-2-14: PARKING IN OR NEAR TAXICAB STANDS; USE OF TAXICAB STANDS:**

Only taxicabs in such numbers and of such kinds as are set forth on the required metal sign may remain at the stand while waiting for employment, and only in single file pointed in accordance with the traffic regulations. No taxicab standing at the head of any such line shall refuse to carry any orderly person applying for a taxicab who agrees to pay the proper fare, but this shall not prevent any person from electing any taxicab he may desire on the stand, whether it be at the head of the line or not. As the taxicabs leave the line with passengers those behind shall move up, and any taxicab seeking a space on the stand shall approach the same only from the rear of the stand and

shall stop as near as possible to the last cab already on the line. No taxicab shall stand at the curb within fifteen (15) feet of the entrance of any building adjacent to a taxicab stand located and designated by the Board of Trustees which distance shall be determined by measuring fifteen feet (15') on each side of the point of the curb opposite the middle of the entrance to the adjacent building. No private vehicle shall be permitted to stand or use the space in a public stand except to receive or to discharge passengers or merchandise.

**24-2-15: CRUISING STREETS PROHIBITED:**

It shall be unlawful for the driver of any taxicab to seek employment by repeatedly and persistently driving his taxicab about the same streets and/or locations in of the Village or otherwise interfering with the proper and orderly access to or egress from any theatre, hall, hotel, public resort, railway station, or other place of public gathering.

**SECTION THREE:** This Ordinance shall be in full force and effect and after its passage, approval and publication pursuant to law.

**ADOPTED** this 3rd day of January 2011, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

ATTEST:

\_\_\_\_\_  
David G. Pope  
Village President

\_\_\_\_\_  
Teresa Powell  
Village Clerk

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_,  
2011.

VILLAGE OF OAK PARK

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AGENDA ITEM COMMENTARY

**Item Title: An Ordinance Amending Chapter 24, Articles 1 and 2 of the Village Code Regarding Taxicabs**

**Resolution or Ordinance No.** \_\_\_\_\_

**Date of Board Action:**

January 3, 2011

**Village Clerk:**

*Teresa Powell*  
Teresa Powell

**Village Manager's Office:**

*[Signature]*

**Item History:**

The Office of the Village Clerk has identified several areas of taxicab regulation which are not addressed in the current Village Code. In order to better regulate taxicab and chauffeur licenses, this additional language is proposed to the Board of Trustees.

**Item Policy Commentary (Previous Board Review, History Key Points, Current Issue):**

The following changes are proposed:

1. Clarify language to indicate that the maximum age of taxicabs is eight years from date of manufacture (24-1-5C).
2. Provide for consequences for failure of taxicab inspection (24-1-5C and D).
3. Modify a portion of section 24-1-18 to provide for prepayment of fares under certain conditions.
4. Provide more detail regarding license, fare, complaint and other information for customers to be displayed in taxis and removal of language regarding hiring "by the hour" which are no longer offered by taxicab companies. (24-1-20).
5. Require acceptance of credit cards, prohibit use of cell phones and smoking in taxicabs (24-1-21, 22 and 23).
6. Explicitly state that it is unlawful to employ or permit an unlicensed person to drive a taxicab (24-2-1).
7. Clarify certain applicant requirements (24-2-2B and D).
8. Amend application requirements for chauffeur license to include fingerprinting by the Police Department (24-2-3 and 24-2-4) and clarify grounds for license denial.
9. Clearly state that all persons driving taxis must have a current valid license displayed (24-2-7).
10. Clarify notification requirements for change of address and insurance (24-2-12).

**Item Budget Commentary (If applicable, Account #; Balance; Cost of contract):**

No budget impact.

**Proposed Action:**

Adopt the ordinance.

**AN ORDINANCE AMENDING CHAPTER 24, ARTICLES 1  
AND 2 OF THE VILLAGE CODE  
REGARDING "TAXICABS"**

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Oak Park, County of Cook, State of Illinois, acting pursuant to its Home Rule powers as set forth in Article VII Section 6 of the Illinois Constitution (1970), as follows:

**SECTION ONE:** That Chapter 24, Article 1 of the Village Code entitled "Taxicabs" is hereby amended to read as follows:

**24-1-1: DEFINITIONS:**

The following words and phrases shall have the meanings, and are hereby defined, as follows:

**OWNER:** Every person having the use or control of one or more taxicabs as defined in this section.

**TAXICAB:** All public vehicles driven by mechanical power, used for the carriage of persons for hire, except those vehicles commonly known as buses.

**TAXIMETER:** A mechanical instrument or device by which the charge for hire of a taxicab is mechanically calculated, either for distance traveled or for waiting time, or for both, and upon which such charge shall be indicated by means of figures.

**24-1-2: POLICE AUTHORITY FOR INSPECTION AND LICENSE:**

The establishment of a mechanical inspection test for taxicabs, the licensing and inspecting of taxicabs in accordance with such test, the examining of applicants for licenses to drive such taxicabs, the licensing of drivers and enforcing of the provisions of this article shall be under the control of the Chief of Police.

**24-1-3: APPOINTMENT OF TAXICAB INSPECTORS:**

The Chief of Police shall have power to appoint from the Police Department

or from a public or private entity authorized by the Village, such taxicab inspectors as the Chief may deem necessary for the enforcement of the provisions of this chapter. Any employee of the Police Department shall serve as such as part of his or her police duties.

**24-1-4: TAXICAB LICENSE REQUIRED; TERM:**

No taxicab shall pick up passengers in the Village unless there shall first have been obtained therefor a taxicab license from the Village Clerk. Such taxicab license shall be issued annually January 1 in each and every year, and should be valid to and including December 31 next succeeding and shall be effective for such period of time unless sooner suspended or revoked.

**24-1-5: INSPECTIONS OF VEHICLES AS PREREQUISITE TO LICENSING:**

- A.** No vehicle shall be licensed as a taxicab, whether upon new application or renewal, unless it is ~~less than~~ **eight (8) years of age or less, measured from its year of manufacture**, and until it has been thoroughly and carefully inspected and examined and found to be in a thoroughly safe condition for the transportation of passengers, clean, fit, of good appearance and well painted.
- B.** It shall be the duty of the owner of each taxicab to submit to the Chief of Police each taxicab for inspection prior to the issuance of the license and at least annually thereafter, or at any time upon complaint.
- C.** Violations of the Motor Vehicle Code observed at the annual inspection but which do not prevent the issuance of a taxicab license, shall be cited on a warning ticket, issued to the owner of the affected taxicab, with a twenty-one (21) day grace period given for correction of the violation. The license and measures inspector, with the concurrence of the police department, may extend this grace period for fifteen (15) days further upon a request by the owner, demonstrating extraordinary circumstances.
- D.** A reinspection shall be made at the expiration of the aforesaid twenty- one (21) day grace period, or any extension thereof. The owner shall be issued a citation requiring his or her appearance in court for each violation uncorrected as of the reinspection date.

**24-1-6: BOND OR INSURANCE POLICY REQUIRED:**

No owner shall be licensed to operate a taxicab until he has complied with the State law pertaining to a surety bond or liability insurance coverage.

**24-1-7: APPLICATIONS AND ISSUANCE OF TAXICAB LICENSES:**

Applications for taxicab licenses shall be made to the Village Clerk by the owner thereof upon blank forms to be furnished by the Village Clerk, and such application shall contain the full name and address of the owner or operator, a list containing the class of the vehicles for which the license is desired, the length of time the vehicles have been in use, the number of persons each vehicle is capable of carrying, and the motor power thereof. Such application shall thereupon be referred by the Village Clerk to the Chief of Police. Upon approval of the application by the Chief of Police, he shall so endorse such application and file the same with the Village Clerk who shall, upon payment of the fee prescribed by Section 8-2-1 of this Code, issue the license, complying with Section 24-1-11 of this Code.

**24-1-8: PUBLIC CONVENIENCE AND NECESSITY; DECLARATION PREREQUISITE TO ISSUANCE OF TAXICAB LICENSE; EXCEPTIONS:**

No taxicab license shall be issued under this Article unless the Board of Trustees, after a hearing, shall by resolution declare and determine that public convenience and necessity require the proposed taxicab service for which application for a license is made; provided, that such declaration of public convenience and necessity shall not be necessary:

- A. For the licensing of the same number of taxicabs licensed for operation and operated by the applicant under the same name and colors, for which a license was issued previously, or the renewal of the license annually thereafter; or
- B. For the renewal of a license to the applicant for the number of taxicabs of the applicant, for which the Board of Trustees shall have at any time prior to the date of application for such renewal, made a declaration of public convenience and necessity.

**24-1-9: PUBLIC CONVENIENCE AND NECESSITY; GROUNDS FOR DETERMINATION:**

In determining whether public convenience and necessity require the licensing of such taxicabs for which application may be made, the Board of Trustees shall take into consideration whether the demands of public

convenience and necessity require such proposed or such additional taxicab service within the Village; the financial responsibility of the applicant; the number, kind and type of equipment; the schedule of maximum rates proposed to be charged; the color scheme to be used by the applicant; the increased traffic congestion and demand for increased parking spaces on the streets of the Village which may result; whether the safe use of the streets by the public, both vehicular and pedestrian, will be preserved by the granting of such additional license and such other relevant facts as the Board of Trustees may deem advisable or necessary.

#### **24-1-10: PUBLIC CONVENIENCE AND NECESSITY; HEARING AND PROCEDURE:**

If the Board of Trustees finds from the investigation and hearing that the public convenience and necessity justify the operation of the taxicab for which license is desired, it shall notify the applicant of its finding. Within sixty (60) days thereafter, the applicant shall furnish to the Board of Trustees any and all additional information which may be required, and if the Board of Trustees then finds that the applicant is the owner and bona fide operator of the vehicle for which the license is desired, and that such vehicle complies with all of the provisions of this Code and other ordinances of the Village, the license shall thereupon be issued to the applicant upon the payment of the proper license fee.

If the Board of Trustees finds from such investigation and hearing that the public convenience and necessity do not justify the operation of the vehicle for which the license is desired, it shall forthwith notify the applicant of such finding.

#### **24-1-11: REQUIREMENTS FOR TAXICAB CERTIFICATION DECALS:**

All taxicabs licensed by the Village Clerk as provided in Section 24-1-7 of this Code shall be issued annual decals which shall contain a number assigned to the taxicab, together with the date of the most recent inspection. Such decal shall contain a space upon which an entry shall be made of the date of inspection of the taxicab by the Chief of Police or an inspector appointed by him. License decals shall be of a distinctly different color each renewal period and shall be affixed to the lower passenger side of the rear windshield of each taxicab. There shall be a \$5 fee for the transfer of the decal to a new vehicle.

#### **24-1-12: REVOCATION OR SUSPENSION OF TAXICAB LICENSE:**

Any taxicab license shall be subject to suspension or revocation upon conviction of the holder thereof for any violation of this Chapter. The Board of

Trustees may at its discretion suspend or revoke a license granted upon any provision of this Chapter pending or in advance of the criminal prosecution of the licensee, after notice and hearing. There shall be no refund of the annual license fee.

**24-1-13: REGISTER OF LICENSED TAXICABS:**

The Village Clerk and Chief of Police shall keep a register of the name and address of each person owning or operating a taxicab licensed under this Chapter, together with the decal number and the description, make and necessary dimensions of such taxicab, with the date and complete record of inspections made of it. Such records shall be open to the inspection of the public at all reasonable times and shall be public records, extracts of which may be certified for use as evidence by the Village Clerk.

**24-1-14: DUTY OF OWNERS TO FURNISH SERVICE;  
ABANDONMENT OF SERVICE:**

The applicant shall operate his licensed vehicle or vehicles during each day of the licensed year to the extent reasonably necessary to meet the public demand of such service. Upon complete abandonment of such service for the period of ten (10) consecutive days by the owner or operator of such service, the Chief of Police upon hearing, after five (5) days' notice to such owner or operator, shall thereupon recommend to the Board of Trustees that the license of such owner or operator shall be revoked, covering all licensed vehicles of such owner or operator.

**24-1-15: TAXICAB COLORS AND NAME:**

No taxicab license shall be issued under the provisions of this Chapter to any person having the name or colors of his taxicab similar to that of any other person having a taxicab license within the corporate limits of the Village.

**24-1-16: CARRYING ADDITIONAL PASSENGERS:**

No driver of a taxicab licensed under this Chapter shall carry any person other than the first passenger first employing the taxicab without the consent of the first passenger.

**24-1-17: OVERCHARGING:**

No driver of any taxicab shall charge or attempt to charge any passenger a greater fare than that to which such driver is entitled under the provisions of this chapter.



**24-1-18: PREPAYMENT OF FARE MAY BE DEMANDED; DUTY OF DRIVERS TO CONVEY ORDERLY PERSONS:**

**A. The required prepayment of fares by taxicab drivers shall be prohibited except that Every driver of a taxicab shall have the right to demand payment of the legal fare in advance and may refuse employment unless so prepaid, under the following circumstances:**

**1. From any person seeking conveyance when that person:**

**a. Has failed to pay the posted or metered taxi fare after having been transported by such taxi to the requested destination on one or more occasions during the previous two (2) year period;**

**b. Appears to be under the influence of alcohol based upon objective indicators including but not limited to slurred speech, smell of alcohol on one's breath, bloodshot and/or glassy eyes and/or a lack of balance; and/or**

**c. Is unfamiliar to the driver and either does not exit from the address to which the driver was dispatched or exits from a public place.**

**B. Required prepaid fares and the reasons therefore, shall be reported by the driver to the company within 24 hours of each such occurrence and a written record of such prepayments, and reasons therefore, shall be maintained by the company for two (2) years and shall be made available to the Village for inspection upon request.**

**C. No driver of a taxicab shall otherwise refuse or neglect to convey any orderly person upon request anywhere in the Village unless previously engaged or unable to do so.**

**24-1-19: RECEIPT FOR FARE PAID:**

If demanded by the passenger, the driver in charge of a taxicab shall deliver to the person paying for the hiring of the same at the time of such payment, a receipt therefore in legible type or writing containing the name of the owner or operator, the Village decal number, or the driver's Village license number,

or the taximeter number and any items for which a charge is made, the total amount paid and the date of payment.

**24-1-20: SCHEDULE OF RATES OF FARES; RATE CARD REQUIRED:**

No person owning, operating, or controlling any taxicab within the limits of the Village shall charge rates not to exceed the following rates to be determined by the taximeter:

For the first $\frac{1}{11}$ mile or fraction thereof for 1 person	\$2 .30
For each succeeding $\frac{1}{11}$ mile or fraction thereof	0 .20
For each additional person over 12 years of age for the whole journey	0 .75
For each 32 seconds of waiting time or fraction thereof	0 .20

Waiting time shall include the time when the taxicab is not in motion, beginning with the arrival at the place to which it had been called, or the time consumed while standing at the direction of the passenger, or time consumed while standing because of conditions beyond control of the operator, but no charge shall be made for time lost for inefficiency of the taxicab or its operator, or time consumed by premature response to a call.

**Flat rate charges for a posted destination or distance shall not exceed the meter rate charge for such destination or distance.**

~~Where, with the consent of the licensee, any such taxicab is hired by the hour, the charge shall not exceed two dollars fifty cents (\$2.50) an hour for not to exceed four (4) passengers, and twenty five cents (\$0.25) an hour additional for each passenger in excess of four (4).~~

~~The rate to be charged for the use of a touring car having a seating capacity of five (5) passengers and carrying not more than four (4) passengers, shall not exceed three dollars (\$3.00) an hour, with an extra charge of fifty cents (\$0.50) an hour for each passenger in excess of four (4); and the rate to be charged for the use of a touring car having a seating capacity for more than five (5) passengers and carrying not more than six (6) passengers shall not exceed four dollars (\$4.00) an hour, with an extra charge of fifty cents (\$0.50) an hour for each passenger in excess of six (6).~~

Every taxicab operated under this chapter shall have a rate card setting forth

the authorized rates of fare displayed in ~~such a place as to be~~ the rear passenger compartment in plain view of all passengers. The rate card shall also contain a list of communities where straight meter rates apply, the cab number, the name of the cab owner, the name of the business or association to which the cab belongs and a telephone number at which complaints can be received.

A licensed taxicab company may provide for multiple passengers and shared rides, provided that the passengers are advised when ordering a cab that the ride will be shared. Group rates for shared rides will be established by the taxi company provided the rate for the group does not exceed the rate that would have been applicable under this section to one passenger multiplied by the number of persons in the group.

**24-1-21: CREDIT CARD PAYMENTS:**

Each vehicle shall be equipped to process credit card payments by passengers.

**24-1-22: NO SMOKING:**

It shall be unlawful for any person to smoke any tobacco at any time in any taxicab.

**24-1-23: CELLULAR TELEPHONES:**

Taxicab operators may not use cellular telephones while transporting passengers.

**SECTION TWO:** That Chapter 24, Article 2 of the Village Code entitled "Taxicabs Drivers; Village Licenses and Regulations" is hereby amended to read as follows:

**24-2-1: INDIVIDUAL LICENSE REQUIRED:**

Every person driving a taxicab must be licensed by the Village as a taxicab driver. It shall be unlawful to employ or otherwise permit to operate a taxicab, any person who does not have a current, valid taxicab driver's license.

**24-2-2: QUALIFICATIONS OF APPLICANTS:**

Each applicant for a taxicab driver's license must:

- A. Be of the age of eighteen (18) years or over;
- B. Be of sound **physique mental and physical condition** with good eyesight, and not subject to epilepsy, vertigo, heart trouble or any other infirmity of body or mind which might render such applicant unfit for the safe operation of a taxicab;
- C. Be able to read, write and speak the English language;
- D. Be clean in dress and person, **of good moral character** and not be addicted to the use of narcotics or intoxicating liquors. For purposes of this Section, convictions for a felony or any of the following misdemeanors may be considered as an indication of character and habits: (References are to the Illinois Compiled Statutes)

720 ILCS 5/12-12 et seq.

720 ILCS 5/11-6

720 ILCS 5/11-9

720 ILCS 5/11-14

720 ILCS 5/11-15

720 ILCS 5/11-16

720 ILCS 5/11-17

720 ILCS 5/11-19

720 ILCS 5/11-20.1

720 ILCS 5/11-21

720 ILCS 5/12-2

720 ILCS 5/12-6

720 ILCS 5/16-1

720 ILCS 5/24-1

720 ILCS 5/24-3

720 ILCS 5/24-3.1

720 ILCS 5/25-1

720 ILCS 5/28-3

720 ILCS 5/31-1

720 ILCS 5/31-4

720 ILCS 5/31-6

720 ILCS 5/31-7

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625 ILCS 5/11-501

625 ILCS 5/11-503

625 ILCS 5/6-103

Pursuant to the provisions hereinafter set forth, any applicant who has been convicted of the offenses enumerated herein may present evidence of rehabilitation which may negate any inferences drawn from evidence of conviction.

**24-2-3: APPLICATION; AFFIDAVIT; PHOTOGRAPHS GENERALLY:**

Any person desiring to secure a Village taxicab driver's license shall make application in writing therefore to the Village Clerk, upon a form to be provided by the Village Clerk. Such application shall set forth the name of the applicant, his residence and occupation, and shall be endorsed by at least two (2) responsible citizens who shall certify that the applicant is a person of good habits, honest, sober and industrious and a fit person to drive or operate a taxicab.

Along with such application, the applicant shall file an affidavit stating the applicant's full name, residence, places of residence during the previous five (5) years, age, sex, race, height, color of eyes and hair, place of birth, whether a citizen of the United States, places of previous employment, whether he has

ever been convicted of a felony or misdemeanor, whether he has previously been licensed as a driver or chauffeur and if so, whether his license has ever been revoked and for what cause, which affidavit shall be filed with the Village Clerk as a permanent record.

Such applicant **shall be fingerprinted by the Police Department and** shall also file with the application to the Village Clerk two (2) recent photographs of himself, of a size which may be easily attached to the license, one of which shall be attached to the license when issued, and the other shall be filed with the application in the office of the Village Clerk. **The Police Chief shall perform a criminal history records check but may in the alternative, accept a report on an applicant if performed on behalf of another authorized State of Illinois law enforcement agency no more than ninety (90) days prior to the submission of the taxi driver license application to the Village, provided the Chief is able to confirm the completeness and authenticity of such criminal history records check report to the Chief's reasonable satisfaction.**

**If the Police Chief is able to obtain a preliminary criminal history records report which reasonably indicates that the applicant is of good moral character, the Chief in his or her discretion may authorize the Village Clerk to issue a temporary taxi driver permit pending completion of the full criminal history records check report and issuance of the regular annual license.**

**Such temporary permit may be voided immediately by the Police Chief upon disclosure of criminal history during the criminal history records check indicating applicant's lack of good moral character.**

#### **24-2-4: INVESTIGATION AND EXAMINATION OF APPLICANTS; ISSUANCE OR REFUSAL OF LICENSE:**

The application, affidavit, **fingerprints** and photographs referred to in Section 24-2-3 of this Code shall be referred to the Chief of Police, who shall investigate the qualifications and the physical and mental condition of the applicant. Each applicant for a Village taxicab driver's license under the provisions of this Chapter shall be examined by the Chief of Police or some person by him designated, as to the applicant's knowledge of the provisions of this Chapter, the traffic regulations and the geography of the Village. If the results of the examinations be unsatisfactory, the applicant shall be refused a license. If the Chief of Police shall approve the application he shall endorse thereon such approval and return the same together with the affidavit and photographs to the Village Clerk, who shall forthwith issue such license.

#### **24-2-5: LICENSE ISSUANCE AND EXPIRATION DATE:**

Taxicab drivers' licenses shall be issued as of January 1 or as of the date of initial application in each and every year, and shall be valid to and including the thirty first day of December next succeeding.

#### **24-2-6: LICENSE FORM:**

Taxicab drivers' licenses shall be in such form as to contain the signature of the licensee and blank spaces upon which a record may be made of any arrest or serious complaint against him. All taxicab drivers' licenses shall be numbered when issued.

#### **24-2-7: PHOTO TO BE ATTACHED; EXHIBITION OF LICENSE:**

The taxicab driver's license issued by the Village Clerk shall have attached thereto one of the photographs of the driver previously deposited with that office as provided in Section 24-2-3 of this Code, in such manner that it cannot be removed and another photograph substituted without detection. Each licensed driver shall, while operating a taxicab, display this license in a prominent place in the taxicab in plain view of all passengers while seated in the cab.

#### **24-2-8: LICENSE RENEWAL:**

The Village Clerk may renew a taxicab driver's license from year to year by appropriate endorsement thereon. A taxicab driver in applying for a renewal of his taxicab driver's license shall make an application upon a form to be furnished by the Village Clerk entitled "Application for Renewal of License," which shall be filled out with the full name and address of the applicant, together with a statement of the date upon which his original license was granted and the number thereof.

#### **24-2-9: SUSPENSION AND REVOCATION GENERALLY:**

A taxicab driver's license may be suspended or revoked at any time for violation of the provisions of this Chapter or other cause after notice and hearing as provided in Chapter 8 of this Code. The Chief of Police may suspend such license for ten (10) days pending final action by the Board of Trustees. Any such suspension shall be noted on the license, together with a statement of the reasons therefore, and the driver shall be deprived of his license by the officer suspending or revoking such license. No driver whose license has been revoked shall again be licensed as a taxicab driver in the Village, unless upon presentation of reasons satisfactory to the Board of

Trustees. The Village Clerk shall notify the Police Department when any such license is revoked.

**24-2-10: DEFACING LICENSE:**

No holder of a taxicab driver's Village license shall deface, remove or obliterate any official entry made upon his taxicab driver's license.

**24-2-11: LICENSE RECORDS:**

There shall be kept in the office of the Village Clerk and the Police Department a complete record of each taxicab driver's Village license issued and of all renewals, suspensions or revocations thereof. The Village Clerk's record shall be kept on file with the original application of the driver for a license.

**24-2-12: DRIVERS TO REPORT CHANGES OF RESIDENCE:**

If the driving or criminal record, insurance coverage or residence of any person licensed as a taxicab driver under this Chapter shall change residence at any time while his license is in force, the driver shall forthwith immediately notify the Village Clerk.

**24-2-13: DISPOSITION OF MATERIAL LEFT IN TAXICABS:**

Whenever any package or article of baggage or goods of any kind shall be left in or on any taxicab, or shall be left in the custody of the driver thereof, the driver of the taxicab shall, upon the discovery of such package or article, forthwith deliver the same to the police station of the Village, unless such package or article shall be sooner delivered to the owner thereof, or upon the order of such owner.

**24-2-14: PARKING IN OR NEAR TAXICAB STANDS; USE OF TAXICAB STANDS:**

Only taxicabs in such numbers and of such kinds as are set forth on the required metal sign may remain at the stand while waiting for employment, and only in single file pointed in accordance with the traffic regulations. No taxicab standing at the head of any such line shall refuse to carry any orderly person applying for a taxicab who agrees to pay the proper fare, but this shall not prevent any person from electing any taxicab he may desire on the stand, whether it be at the head of the line or not. As the taxicabs leave the line with passengers those behind shall move up, and any taxicab seeking a space on the stand shall approach the same only from the rear of the stand and



shall stop as near as possible to the last cab already on the line. No taxicab shall stand at the curb within fifteen (15) feet of the entrance of any building adjacent to a taxicab stand located and designated by the Board of Trustees which distance shall be determined by measuring fifteen feet (15') on each side of the point of the curb opposite the middle of the entrance to the adjacent building. No private vehicle shall be permitted to stand or use the space in a public stand except to receive or to discharge passengers or merchandise.

**24-2-15: CRUISING STREETS PROHIBITED:**

It shall be unlawful for the driver of any taxicab to seek employment by repeatedly and persistently driving his taxicab about the same streets and/or locations in of the Village or otherwise interfering with the proper and orderly access to or egress from any theatre, hall, hotel, public resort, railway station, or other place of public gathering.

**SECTION THREE:** This Ordinance shall be in full force and effect and after its passage, approval and publication pursuant to law.

**ADOPTED** this 3rd day of January 2011, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

ATTEST:

\_\_\_\_\_  
David G. Pope  
Village President

\_\_\_\_\_  
Teresa Powell  
Village Clerk

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_,  
2011.

I

**VILLAGE OF OAK PARK  
AGENDA ITEM COMMENTARY**

**Item Title: (1) Resolution Authorizing the Execution of a Water Meter and Water Meter Parts Purchase Agreement with Northern Water Works Supply/Ferguson Water Works for the total amount not to exceed \$331,600 and Waiving the Village's Bid Process and (2) Resolution Authorizing the Execution of a Service Agreement with Northern Water Works in an amount not to exceed \$23,400 for Administrative Support for the Village's Water Meter Change Out Program in 2011.**

**Resolution or Ordinance No.:** \_\_\_\_\_

**Date of Board Action:** January 3, 2011

**Staff Review:**

**Public Works Director:**

  
\_\_\_\_\_  
**John P. Wielebnicki**

**Village Manager's Office:**

  
\_\_\_\_\_

**Item History (Previous Board Review, Related Action, History):**

In 2001, the Village began a water meter change out program by replacing meters that were originally installed in the 1980's. Since the beginning of the program, approximately three fourths of the water meters have been replaced, leaving approximately 2,700 meters left to be replaced.

The newer technology utilized in the new water meters allows the Village to read water meters faster and to provide more efficient meter readings and more accurate water bills. By completing the water meter change out program, the Village will have the option to bill for water monthly instead of quarterly. This will also improve the accounting of the water billed from the City of Chicago to the water billed to the residents of Oak Park.

Residents began being notified of water meter replacement the first week of December 2010, with the first appointments starting shortly thereafter. Residents utilized the online appointment scheduling and call center scheduling provided by Northern Water Works Supply. The number of notification letters sent out is controlled by the Village to maintain the proper workload on this project while balancing the needs of the Department's other work.

**Item Policy Commentary (Key Points, Recommendation, Background):**

This water meter purchase will be the second phase of the Department of Public Works' planned completion of the water meter change out program, which will occur over the next two (2) years. The timeline for completion includes continuing meter replacement in residential areas in the Southwest and Northwest sections of the Village, then proceeding to commercial

properties which will be completed in the middle of 2011. The remaining residential meters from Oak Park Avenue to Austin Boulevard will be completed by the end of 2012. The Department expects to complete the replacement of the older 1980's water meters in the Village to the current technology using in-house Water & Sewer Division staff. One Water & Sewer Worker will be assigned to this work with an anticipated average of 28 installations per week.

The proposed agreement also authorizes the purchase of meters and meter parts to replace equipment that has failed, as well as new water meters for new residential water service installations. These meters are paid for by the homeowner at the time of permit issuance through the Building & Property Standards Department.

The second agreement that is part of this item is a professional services agreement whereby Northern Water Works Supply will continue to provide administrative support services for the completion of the water meter change-out program. Under this agreement NWWWS will send out notices to customers of planned water meter replacements, schedule appointments with the customers, track and assign meters to specific service locations. During installation of the new meter, staff will scan the serial numbers of the new water meter and register head and automatically download that data to the Village's Finance Department. The Finance Department has approved of this method of data transfer. Staff anticipates that the electronic data transfer utilized in the new program will eliminate entry errors in meter numbers and readings.

Staff recommends waiving the bid process for these two contracts because Northern Water Works Supply/Ferguson Water Works is the only regional distributor of the Neptune water meters that the Village uses. Neptune is the manufacturer of the meters that were purchased to start the change-out. Neptune has served the water industry for 117 years starting in 1892 and is the leader in AMR (Automated Meter Reading) technology.

**Item Budget Commentary:**

This purchase and service agreement will be funded from the 2011 Water Fund Budget, in account #5040-43730-777-570707 and in the Sewer Fund budget, account #5050-43750-781-570707, which provides \$177,500 in each account for the next phase of the water meter change out program.

The total amount of the Purchase Price Agreement and Administrative Support Agreement for fiscal year 2011 will not exceed \$355,000.

The completion of the water meter change out program is recommended to be scheduled in the next two Fiscal years with a budget estimate of \$355,000 in FY 2011 and \$300,000 in FY 2012.

**Proposed Action: Approve the Resolutions.**

## RESOLUTION

### RESOLUTION AUTHORIZING THE EXECUTION OF A WATER METER AND WATER METER PARTS PURCHASE AGREEMENT WITH NORTHERN WATER WORKS SUPPLY/FERGUSON WATER WORKS FOR THE TOTAL AMOUNT NOT TO EXCEED \$331,600 WAIVING THE VILLAGE'S BID PROCESS

**BE IT RESOLVED** by the President and Board of Trustees of the Village of Oak Park, Cook County, State of Illinois, that the Village Manager is hereby authorized and directed to execute and Amended Water Meter and Water Meter Parts Purchase Agreement with Northern Water Works Supply/Ferguson Waterworks in DeKalb, IL, which amendment will increase the purchase authorization to \$331,600 for new water meters and water meter parts and equipment for the fiscal year 2011.

**BE IT FURTHER RESOLVED** that the Village's formal bidding process is waived with respect to this purchase.

**THIS RESOLUTION** shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 3<sup>rd</sup> day of January, 2011, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

**ADOPTED AND APPROVED** by me, this 3<sup>rd</sup> day of January, 2011.

---

David G. Pope  
Village President

ATTEST:

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Teresa Powell  
Village Clerk

## **Water Meter and Water Meter Parts Purchase Agreement**

This agreement is between the Village of Oak Park, 123 Madison Street, Oak Park, IL 60302 and Northern Water Works Supply/Ferguson Water Works, 1729 State Street, DeKalb, IL 60115.

**Whereas**, the Village of Oak Park Department of Public Works operates a water and sewer division that utilizes water meters and water meter parts and equipment; and

**Whereas**, the Village's water and sewer operations benefit from using a consistent meter brand and technology; and

**Whereas**, the Village utilizes Neptune brand water meters and meter parts in the operations of its water and sewer service; and

**Whereas**, Northern Water Works Supply/Ferguson Water Works is the Illinois regional supplier of Neptune water meters and water meter parts and equipment; and

**Whereas**, Northern Water Works has provided the Village with the attached price list for various water meter parts as specified on the list which is attached hereto.

Now therefore, the parties agree as follows:

1. Purchase Price

The Village agrees to accept Northern Water Works prices and agrees to purchase from Northern Water Works Supply/Ferguson Water Works such water meters, meter parts and related equipment listed on the price list as the Village from time to time finds necessary, at the rates set forth on the price list.

2. Equipment Warranties

Northern Water Works shall provide the following equipment warranties:

- a. Neptune Certificate of Warranty, Neptune T-10, HP Turbine, TRU/FLO® Compound Cold Water Meters.
- b. R900i™ MIU Warranty Statement.

- c. MRX920 Warranty
- d. ProRead™/E-Coder® Encoder Warranty Statement.
- e. CE5320B DAP Handheld
- f. ARB\_N\_SIGHT Mobile Software

3. Term

This agreement is valid for purchases from January 1, 2011 through December 31, 2011.

4. Contract Amount

The total amount of parts to be purchased pursuant to this agreement will not exceed \$331,600 for the 2011 contract year.

**Village of Oak Park**

**Northern Water Works Supply/  
Ferguson Water Works**

\_\_\_\_\_  
Thomas W. Barwin  
Village Manager

By: \_\_\_\_\_

\_\_\_\_\_  
Title

REVIEWED AND APPROVED  
AS TO FORM

DEC 17 2010  
  
LAW DEPARTMENT



# northern water works supply

FERGUSON WATERWORKS

May 13th, 2010

*\* Prices good for 2011*

Village of Oak Park  
201 South Boulevard Street  
Oak Park, IL 60302

Attention: Brian Jack

Subject: Oak Park Meter Change out

Dear: Brain Jack

We are pleased to offer the Village of Oak Park the following proposal, which covers our discussions of upgrading you to the Neptune Automatic Meter Reading System. The following is a pricing breakdown for that system.

## Oak Park Meter Change out Pricing Breakdown

<u>Quality</u>	<u>Description of Product</u>	<u>Unit Pricing</u>	<u>Total Price</u>
610	5/8 by 1/2 or 5/8 by 3/4 R900I Meter Complete	\$193.34	\$117,937.40
179	Full 3/4" R900I Meter Complete	\$227.15	\$40,659.85
214	1" R900I Meter Complete	\$278.77	\$59,656.78
93	1 1/2" R900I Meter Complete	\$451.37	\$41,977.41
63	2" R900I Meter Complete	\$613.70	\$38,663.10
5	3" Compound R900I Meter Complete	\$2,194.45	\$10,972.25
3	4" Compound R900I Meter Complete	\$2,902.78	\$8,708.34
1	6" Compound R900I Meter Complete	\$4,770.84	\$4,770.84
1210	5/8" R900I Register Only	\$133.34	\$161,341.40
7	3/4" R900I Register Only	\$133.34	\$933.38
35	2" R900I Register Only	\$133.34	\$4,666.90
1820	5/8" Non-Check UFR Kit	\$57.86	\$105,305.20
186	3/4" Non-Check UFR Coupling	\$52.00	\$9,672.00
2804	Back Office Management	\$18.00	\$50,472.00

17 First Avenue North  
Fargo, ND 58102  
701-293-5511  
Fax: 701-232-8129

1201 Airport Road  
Bismarck, ND 58501  
701-258-9700  
Fax: 701-258-1452

1694 91st Avenue NE  
Blaine, MN 55449  
763-560-5200  
Fax: 763-560-1799

331 4<sup>th</sup> Avenue South  
Sartell, MN 56377  
320-229-0125  
Fax: 320-229-0128

1720 State Street  
DeKalb, IL 60115-2617  
815-756-2800  
Fax: 815-756-2877

5555 Irish Lane  
Madison, WI 53711  
608-217-1770  
Fax: 608-271-5263

**An Equal Opportunity Employer**



# northern water works supply

FERGUSON WATERWORKS

Total \$655,736.85

Thank You,

T.J. Rodebaugh  
tjrodebaugh@nwws.biz  
Ferguson Waterworks Supply  
(815) 341-4772

---

1917 First Avenue North Fargo, ND 58102 701-293-5511 Fax: 701-232-8129	1201 Airport Road Bismarck, ND 58501 701-258-9700 Fax: 701-258-1452	1694 91st Avenue NE Blaine, MN 55449 763-560-5200 Fax: 763-560-1799	331 4 <sup>th</sup> Avenue South Sartell, MN 56377 320-229-0125 Fax: 320-229-0128	1720 State Street DeKalb, IL 60115-2617 815-756-2800 Fax: 815-756-2877	5555 Irish Lane Madison, WI 53711 608-217-1770 Fax: 608-271-5263
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**An Equal Opportunity Employer**



## RESOLUTION

**AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT WITH  
NORTHERN WATER WORKS SUPPLY IN AN AMOUNT NOT TO EXCEED  
\$23,400 FOR ADMINISTRATIVE SUPPORT FOR THE VILLAGE'S WATER  
METER CHANGE OUT PROGRAM IN 2011**

**BE IT RESOLVED** by the President and Board of Trustees of the Village of Oak Park, Cook County, State of Illinois, that the Village Manager is authorized and directed to execute a Service Agreement with Northern Water Works Supply in an Amount Not to Exceed \$23,400 for Administrative Support for the Village's Water Meter Change Out Program. The agreement will substantially conform to the Agreement attached as Exhibit A.

**THIS RESOLUTION** shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 3<sup>rd</sup> day of January, 2011, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

**ADOPTED AND APPROVED** by me this 3<sup>rd</sup> day of January, 2011.

---

David G. Pope  
Village President

ATTEST:

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Teresa Powell  
Village Clerk

**SERVICE AGREEMENT WITH NORTHERN WATER WORKS SUPPLY  
FOR ADMINISTRATIVE SUPPORT FOR THE VILLAGE OF OAK PARK'S WATER  
METER CHANGE OUT PROGRAM**

This Agreement is made and entered into on January 3<sup>rd</sup>, 2011 by and between the Village of Oak Park, 123 Madison St., Oak Park, IL (the Village) and Northern Water Works Supply/Ferguson Waterworks, (NWWS) 1720 State Street, DeKalb, IL 60115-2617 for administrative support services in connection with the installation of water meters in the Village of Oak Park.

**Whereas**, NWWS supplies water meters and water meter parts to the Village of Oak Park; and

**Whereas**, the Village of Oak Park plans to implement a water meter replacement project whereby large number of water meters will be replaced; and

**Whereas**, NWWS has offered to support the Village's water meter replacement project by providing customer notification services, meter replacement scheduling and meter tracking and identification services to the Village; and

**Whereas**, the Village finds it to be in its best interest to utilize these services in its water meter replacement project.

**Now Therefore**, the parties agree as follows:

**1. Scope of Services**

NWWS will provide the services identified in its "Back Office Solutions Benefits" document attached hereto as Exhibit A. In order to accomplish the services, NWWS will provide the Village with a hand held device on to which NWWS will upload the required data and from which the Village may download data into its MSI Water Meter billing software.

**2. Software Modifications**

The Village will be responsible for creating the interface between the NWWS hand held device and its MSI billing software. In this regard, NWWS agrees to cooperate fully with the Village

and any consultant retained by the Village to create the interface.

**3. Term**

This agreement will be valid for services performed from January 1, 2011 through December 31, 2011.

**4. Invoices and Payment**

The Village will pay NWWWS, at the rate of \$18/per meter installation in an amount not to exceed \$23,400 for this contract term.

Northern Water Works Supply will provide the Village with a detailed monthly invoice stating the number of meters installed. The Village will pay all uncontested parts of those invoices within 30 days of receipt thereof in accordance with the Illinois Local Government Prompt Payment Act.

**5. Termination**

This Agreement may be terminated, with or without cause, at any time by either party by providing 14 days prior written notice to the other. Upon the termination of this Agreement, the Village will pay for any services performed by Northern Water Works Supply to the satisfaction of the Village through the date of termination.

**6. Confidentiality**

NWWWS acknowledges that, in the course of delivering services to the Village, it will have access to valuable information of a confidential and proprietary nature relating to the Village's customers and technology. All written material, customer lists or other properties, tangible or intangible, arising out of or resulting from the performance of this Agreement, and all proprietary rights, including copyrights therein, are considered confidential and shall belong to the Village. NWWWS agrees that it shall not, without the written consent of Village, disclose to any person, other than an employee of the Village or a person to whom disclosure is reasonably necessary or appropriate in connection with the performance of the services for the Village, any confidential information it obtains with respect to any of the Village's customers, properties, or technology.


IN WITNESS WHEREOF, the parties hereto have executed this Agreement as indicated below.

**Northern Water Works Supply**

**Village of Oak Park**

\_\_\_\_\_  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Thomas W. Barwin  
Village Manager

REVIEWED AND APPROVED  
AS TO FORM  
DEC 17 2010  
  
LAW DEPARTMENT

## **Back Office Solution Benefits**

### **Customer Notifications**

- Notification of customers using a tested method to achieve 100% completion.
- Mailing campaign for project notification (including postage) up to (3) mailings per utility customer.
- Website access to scheduling tool to determine the number of letters a resident has received. (all notifications sent to customers are tracked by NWWWS)
- Field access to incomplete accounts for door knocking opportunities.

### **Call Center**

- Experienced and courteous call center staff dealing with only water meter installations.
- Ability to schedule appointments at a wide range of times.
- Scheduling of appointments via an 800 number or accessing a secured website.
- Bi-Lingual staffing

### **Data Integrity**

- Automated loading and unloading of daily meter install appointments and installation data.
- Error – free data inputs.
- Fully automated data entry from the meter back to the utility billing software with data verification checks along the way.
- In the field bar – code scanning of meter data.
- Customizable installation information captured with wireless handhelds.
- GPS coordinate capture.
- Ability to capture installation pictures.

### **Inventory Control**

- Tracking of received meter shipments by meter size and serial number.
- Assignment of meters to installers and tracking to installed location.

### **Project Management**

- Experience managing installers schedules to achieve the highest level of meter installs per day.
- Real- time management of installers schedules. Filtering of daily changes of the schedule to the installation team.
- Manage installers to work a flexible schedule to meet residents' needs without creating overtime.
- City Management can access a password protected section of the scheduling tool to check the progress of each section of town.
- Savings over traditional installation methods.
- 24/7 Support staff.
- Installer Mileage tracking tool.

Northern Water Works is very excited to enter into a partnership with the City of Moline. We believe that with our high level of customer service, attention to detail and proven experience in the management of water meter installation is a perfect fit for the needs of the City.

J

**VILLAGE OF OAK PARK**  
**AGENDA ITEM COMMENTARY**

**Item Title: Resolution Authorizing the Execution of a One Year Agreement with B. Haney & Sons, Inc. of Lombard, Illinois for 2011 Tree Trimming Services not to exceed \$135,000.00 and Motion to Direct Staff to Prepare the Necessary Budget Amendment.**

**Resolution or Ordinance No.:** \_\_\_\_\_

**Date of Board Action:** January 3, 2011

**Staff Review:**

**Public Works Director:**

  
\_\_\_\_\_  
**John P. Wielebnicki**

**Village Manager's Office:**

  
\_\_\_\_\_

**Item History (Previous Board Review, Related Action, History):**

Each year, the Village of Oak Park budgets for tree trimming in order to maintain good tree health, mitigate hazards in the public right-of-way from dead, weak, and interfering branches, and maintain clear sight lines and proper pedestrian and vehicular clearances. Since 1998, the Village has contracted for tree-pruning in conjunction with the in-house pruning program of the Forestry Division. The Village has been using the combination of trimming contractors and staff to prune parkway trees to the necessary specifications and bring the entire parkway tree population into a manageable trim cycle.

The Village's trimming program has operated on a four-year trim cycle since 2003. Since then, the entire Village has been pruned once and a second cycle was underway. The Village reduced the trimming program in 2010 to a six year cycle due to budgetary restrictions. Staff recommends returning to a four year trim cycle in order to reduce the high frequency of requests for trimming, proactively treat hazardous tree situations, and decrease the severity and cost of cycle pruning,

**Item Policy Commentary (Key Points, Recommendation, Background):**

The Village's tree trimming program, which includes both in-house crews and contractors, contains the following aspects:

- (1) All parkway trees of all sizes and species are trimmed;
- (2) The Forestry staff prunes all trees in their development stage (up to 10" diameter size class), and the contractor prunes all more established trees above 10" in diameter;
- (3) Return to a four-year trim cycle in 2011;
- (4) Securing a competent, responsive contractor for a three-year period at a pre-determined price, facilitating budgeting and ensuring proper, uniform trimming throughout the Village.

This plan continues to be the most cost effective, reasonable, and arboriculturally sound approach that combines the efforts of in-house labor with an annual pruning contract.

On September 24<sup>th</sup>, 2008, the Village issued an RFP for tree trimming. The RFP was written to allow two additional contract extension years, ensuring that uniform pruning will continue with an experienced, qualified contractor capable of following mandated specifications and meeting mandated time frames. 2011 will be the third year of the contract. Bid quantities were based on the updated "Canopy" Tree Inventory system, giving accurate quantities and scope of work to all potential bidders. The low bid for Tree Trimming Services was submitted by B. Haney and Sons of Lombard, Illinois.

The trim area for 2011 is represented by all of the section bound by Austin Boulevard to Harlem Avenue between North Avenue and Division Street and the area bound by Austin Boulevard and East Avenue between Roosevelt Road and I-290. As noted, the trim cycle is proposed to return to the four-year cycle.

Staff recommends that the Village execute the agreement with B. Haney & Son, Inc. for tree trimming services for the second option year of 2011, completing the three-year program as bid.

Annual cost increases to the contract are based on the latest published Consumer Price Index (CPI). As there was no positive increase in the CPI from 2010 to 2011, unit prices for 2011 will remain the same. The B. Haney company has done outstanding work for the Village, and was the primary trim contractor for the Village's last three-year trim contract, trimming over 10,000 trees over ten (10) inches in diameter. They have a long history of municipal work, have met all contractual qualifications, have the ability to complete all pruning according to specification, and submitted the lowest over all bid for each contract year.

**Item Budget Commentary:**

The 2011 annual budget reflects \$820,000.00 for all contracted tree services including tree trimming, tree removal, emergency assistance, and stump removal in account #1001-43800-741-530667, External Support. The tree trimming portion of that amount is \$100,000.00. A budget amendment in the amount of \$35,000.00 will be required to return to a four-year trim cycle making the proposed cost for this work at \$135,000.00.

**The cost for tree trimming services by B. Haney & Son, Inc. for 2011 shall not exceed \$135,000.00.**

**Proposed Action: Approve the Resolution and direct staff to prepare the necessary budget amendment.**

**RESOLUTION**

**AUTHORIZING THE EXECUTION OF A ONE YEAR AGREEMENT WITH B. HANEY & SONS, INC. OF LOMBARD, ILLINOIS FOR 2011 TREE TRIMMING SERVICES NOT TO EXCEED \$135,000.00 AND MOTION TO DIRECT STAFF TO PREPARE THE NECESSARY BUDGET AMENDMENT**

**BE IT RESOLVED** by the President and Board of Trustees of the Village of Oak Park, Cook County, State of Illinois, that the Village Manager is hereby authorized to execute an agreement with B. Haney & Son, Inc. of Lombard, Illinois for tree trimming services in the Village of Oak Park, for a one year period not to exceed \$135,000.00. Said contract shall conform substantially to the contract attached hereto as Exhibit A and made part hereof.

**THIS RESOLUTION** shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 3rd day of January, 2011, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

**ADOPTED AND APPROVED** by me, this 3<sup>rd</sup> day of January, 2011

---

David G. Pope  
Village President

ATTEST:

---

Teresa Powell  
Village Clerk

**PROPOSAL TABULATION SHEET**

Village of Oak Park

Tree Trimming Services 2009

CONTRACTOR	MBE	WBE	NON	UNIT COST 10' - 20'	UNIT COST 20' - 30'	UNIT COST OVER 30'	10' - 20'			20' - 30'			TOTAL	
							UNIT COST	QUANTITY	AMOUNT	UNIT COST	QUANTITY	AMOUNT		
B. Haney & Sons			X	\$ 27.00	\$ 62.00	\$ 92.00	\$ 58,131.00	\$ 47,492.00	\$ 28,796.00	\$ 134,419.00				\$ 134,419.00
Davis Tree & Landscaping			X	\$ 28.34	\$ 64.04	\$ 93.74	\$ 61,016.02	\$ 49,054.64	\$ 29,340.62	\$ 139,411.28				\$ 139,411.28
Winkler Tree Service			X	\$ 54.91	\$ 54.91	\$ 54.91	\$ 118,221.23	\$ 42,061.06	\$ 17,186.83	\$ 177,469.12				\$ 177,469.12
The Care of Trees			X	\$ 62.70	\$ 94.10	\$ 125.40	\$ 134,993.10	\$ 72,080.60	\$ 39,250.20	\$ 246,323.90				\$ 246,323.90
Kramer Tree Specialists, Inc.			X	\$ 47.50	\$ 88.50	\$ 135.00	\$ 102,267.50	\$ 67,791.00	\$ 42,255.00	\$ 212,313.50				\$ 212,313.50
Landscape Concepts Management			X	\$ 63.50	\$ 83.25	\$ 123.50	\$ 136,715.50	\$ 63,769.50	\$ 38,655.50	\$ 239,140.50				\$ 239,140.50
Autumn Tree			X	\$ 20.00	\$ 110.00	\$ 175.00	\$ 43,060.00	\$ 84,260.00	\$ 54,775.00	\$ 182,095.00				\$ 182,095.00





The Village of Oak Park  
Department of Public Works  
201 South Boulevard  
Oak Park, IL 60302

708.358.5700  
Fax 708.358.5711  
TTY 708.383.0048  
publicworks@oak-park.us

December 6, 2010

B. Haney & Sons, Inc.  
ATTN: David R. Haney  
2 N 700 Lombard Rd.  
Lombard, Illinois 60148-1201

**Re: Tree Trimming for the Village of Oak Park for 2011**

Dear Mr. Haney:

The Village of Oak Park is looking forward to working with B. Haney & Sons on the third year of the three-year tree trimming contract. Per the contract, B. Haney is entitled to an adjustment in unit pricing based upon 100% of the percentage of change of the latest published CPI (consumer price index) as compared to the index for the previous year. The index shall be the United States Department of Labor, Bureau of Labor Statistics, Revised Consumer Price Index for all Urban Wage Earners for Chicago, Illinois – Gary, Indiana – Kenosha, Wisconsin (all items, 1982-84 = 100). Included with this mailing is a copy of the index obtained from the Department of Labor website. Currently, the latest published index shows a no increase in this index, translating to unit costs for the 2011 Trim contract to be the same as the pricing for the 2010 contract.

- 10" to 20" in diameter - \$27.00 per tree
- 20.1" to 30" in diameter - \$62.00 per tree
- Over 30" in diameter - \$92.00 per tree

Additionally, as in last year's contract, the Village has implemented a six-year trim cycle as opposed to the previous four-year cycle. The Village understands that although this change will call for a modification to pruning technique, there will be no increase in unit prices for this contract year.

Questions regarding unit pricing can be directed to me directly at (708) 358-5700. By signing this letter, B. Haney and Sons agrees to these conditions.

Thank you, and once again the Village looks forward to working with B. Haney & Sons in 2011.

Sincerely,

Jim Semelka  
Urban Forestry Superintendent

---

David R. Haney

President, B. Haney and Sons

The CPI is based on prices of food, clothing, shelter, and fuels, transportation fares, charges for doctors' and dentists' services, drugs, and the other goods and services that people buy for day-to-day living. Each month, prices are collected in 87 urban areas across the country from about 4,000 housing units and approximately 25,000 retail establishments-- department stores, supermarkets, hospitals, filling stations, and other types of stores and service establishments. All taxes directly associated with the purchase and use of items are included in the index.

The index measures price changes from a designated reference date (1982-84) that equals 100.0. An increase of 16.5 percent, for example, is shown as 116.5. This change can also be expressed in dollars as follows: the price of a base period "market basket" of goods and services in the CPI has risen from \$10 in 1982-84 to \$11.65. For further details see the CPI home page on the Internet at [www.bls.gov/cpi](http://www.bls.gov/cpi) and the BLS Handbook of Methods, Chapter 17, The Consumer Price Index, available on the Internet at [www.bls.gov/opub/hom/homch17\\_a.htm](http://www.bls.gov/opub/hom/homch17_a.htm).

In calculating the index, price changes for the various items in each location are averaged together with weights that represent their importance in the spending of the appropriate population group. Local data are then combined to obtain a U.S. city average. Because the sample size of a local area is smaller, the local area index is subject to substantially more sampling and other measurement error than the national index. In addition, local indexes are not adjusted for seasonal influences. As a result, local area indexes show greater volatility than the national index, although their long-term trends are quite similar. **NOTE: Area indexes do not measure differences in the level of prices between cities; they only measure the average change in prices for each area since the base period.**

The Chicago-Gary-Kenosha, Ill.-Ind.-Wis. consolidated area covered in this release is comprised of Cook, DeKalb, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry, and Will Counties in Illinois; Lake and Porter Counties in Indiana; and Kenosha County in Wisconsin.

Information in this release will be made available to sensory impaired individuals upon request. Voice phone: 202-691-5200; TDD message referral phone number: 1-800-877-8339.

For personal assistance or further information on Consumer Price Indexes, as well as other Bureau products, contact the Chicago Information Office at (312) 353-1880 from 8:00 a.m. to 4:00 p.m. CT.

**Table 1. Consumer Price Index for All Urban Consumers (CPI-U): Indexes and percent changes for selected periods**

**Chicago-Gary-Kenosha, IL-IN-WI (1982-84=100 unless otherwise noted)**

Item and Group	Indexes			Percent change from-		
	Aug. 2010	Sep. 2010	Oct. 2010	Oct. 2009	Aug. 2010	Sep. 2010
<b>Expenditure category</b>						
<b>All items</b>	212.784	213.339	213.332	0.8	0.3	0.0
<b>All items (December 1967=100)</b>	635.709	637.368	637.346	-	-	-
<b>Food and beverages</b>	216.312	217.075	218.263	1.5	0.9	0.5
<b>Food</b>	214.913	215.739	216.962	1.6	1.0	0.6
<b>Food at home</b>	215.672	217.005	218.923	2.1	1.5	0.9
<b>Food away from home</b>	208.023	208.180	208.484	1.0	0.2	0.1
<b>Alcoholic beverages</b>	233.296	233.248	233.973	0.4	0.3	0.3
<b>Housing</b>	214.048	213.567	212.660	-0.8	-0.6	-0.4
<b>Shelter</b>	260.594	260.656	260.819	-0.9	0.1	0.1

Item and Group	Indexes			Percent change from-		
	Aug. 2010	Sep. 2010	Oct. 2010	Oct. 2009	Aug. 2010	Sep. 2010
Rent of primary residence <sup>(1)</sup>	271.424	271.824	272.291	0.6	0.3	0.2
Owners' equiv. rent of residences <sup>(1) (2)</sup>	265.944	266.098	266.395	-0.5	0.2	0.1
Owners' equiv. rent of primary residence <sup>(1)</sup> <sup>(2)</sup>	265.944	266.098	266.395	-0.5	0.2	0.1
Fuels and utilities	186.026	184.802	176.574	7.4	-5.1	-4.5
Household energy	164.635	163.269	154.029	6.7	-6.4	-5.7
Gas (piped) and electricity <sup>(1)</sup>	168.350	166.914	157.199	6.9	-6.6	-5.8
Electricity <sup>(1)</sup>	160.653	160.653	146.982	7.3	-8.5	-8.5
Utility (piped) gas service <sup>(1)</sup>	163.211	159.574	157.367	6.3	-3.6	-1.4
Household furnishings and operations	101.566	99.966	100.371	-7.5	-1.2	0.4
Apparel	88.581	93.687	93.381	-2.4	5.4	-0.3
Transportation	181.409	181.453	182.745	4.6	0.7	0.7
Private transportation	178.108	178.395	179.494	4.5	0.8	0.6
Motor fuel	250.288	252.210	255.073	12.5	1.9	1.1
Gasoline (all types)	248.383	250.283	252.918	12.3	1.8	1.1
Gasoline, unleaded regular <sup>(3)</sup>	244.490	246.787	248.979	12.5	1.8	0.9
Gasoline, unleaded midgrade <sup>(3) (4)</sup>	258.740	260.341	264.066	11.6	2.1	1.4
Gasoline, unleaded premium <sup>(3)</sup>	239.395	239.375	243.054	12.3	1.5	1.5
Medical care	410.442	412.070	413.018	4.6	0.6	0.2
Recreation <sup>(5)</sup>	111.794	111.209	111.644	-0.1	-0.1	0.4
Education and communication <sup>(5)</sup>	137.073	137.896	136.835	-0.6	-0.2	-0.8
Other goods and services	348.032	348.543	349.621	0.4	0.5	0.3
<b>Commodity and service group</b>						
All items	212.784	213.339	213.332	0.8	0.3	0.0
Commodities	163.004	164.166	164.742	0.6	1.1	0.4
Commodities less food & beverages	134.322	135.585	135.894	0.0	1.2	0.2
Nondurables less food & beverages	172.492	176.100	176.627	2.3	2.4	0.3
Durables	97.323	96.430	96.534	-3.6	-0.8	0.1
Services	259.970	259.906	259.313	0.9	-0.3	-0.2
<b>Special aggregate indexes</b>						
All items less medical care	204.252	204.763	204.720	0.5	0.2	0.0
All items less shelter	196.958	197.698	197.629	1.6	0.3	0.0
Commodities less food	138.226	139.464	139.786	0.0	1.1	0.2
Nondurables	195.665	198.039	198.878	1.9	1.6	0.4
Nondurables less food	176.945	180.369	180.910	2.2	2.2	0.3
Services less rent of shelter <sup>(2)</sup>	273.191	272.979	271.473	3.0	-0.6	-0.6
Services less medical care services	248.550	248.358	247.713	0.5	-0.3	-0.3

Item and Group	Indexes			Percent change from-		
	Aug. 2010	Sep. 2010	Oct. 2010	Oct. 2009	Aug. 2010	Sep. 2010
<b>Energy</b>	196.363	196.357	192.195	9.8	-2.1	-2.1
<b>All items less energy</b>	215.960	216.573	216.963	0.1	0.5	0.2
<b>All items less food and energy</b>	216.909	217.486	217.729	-0.2	0.4	0.1

## Footnotes

(1) This index series was calculated using a Laspeyres estimator. All other item stratum index series were calculated using a geometric means estimator.

(2) Index is on a December 1982=100 base.

(3) Special index based on a substantially smaller sample.

(4) Indexes on a December 1993=100 base.

(5) Indexes on a December 1997=100 base.

- Data not available

NOTE: Index applies to a month as a whole, not to any specific date.

**Last Modified Date:** November 17, 2010

**TOOLS**

Areas at a Glance  
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U.S. Bureau of Labor Statistics | Midwest Information Office, Suite 960, 230 South Dearborn Street, Chicago, IL 60604

[www.bls.gov/ro5](http://www.bls.gov/ro5) | Telephone: 1-312-353-1880 | [Contact Midwest Region \(R05\)](#)



**Contract**

1. THIS AGREEMENT is made and concluded on the 3<sup>rd</sup> day of January, 2011 by and between the Village of Oak Park acting by and through its President & Board of Trustees, and **B. Haney and Sons, Inc.**, 2 N 700 Lombard Rd., Lombard, Illinois 60148-1201, its executors, administrators, successors or assigns (hereinafter "Contractor".)
2. The following documents set forth the terms of this contract and are incorporated herein:
  - a. The Village of Oak Park's Notice to Contractors, Special Provisions and Plans for **08-106, Parkway Tree Trimming Services**
  - b. B. Haney and Sons, Inc's Proposal dated October 9, 2008
  - c. The Contract Bond
3. Contractor agrees, at its own proper cost and expense to do all the work, furnish all materials and all labor necessary to complete the work in accordance with the terms of this contract and the requirements of the Village Forester under it, in an amount not to exceed \$135,000.
4. Contractor affirms that the individual signing this contract is authorized to execute agreements on behalf the Contracting entity.
5. IN WITNESS WHEREOF, the parties have executed this contract on the date above mentioned.

Attest:

**Village of Oak Park**

\_\_\_\_\_  
**Teresa Powell, Village Clerk**  
(Seal)

By \_\_\_\_\_  
**Thomas W. Barwin,**  
**Village Manager**

REVIEWED AND APPROVED  
AS TO FORM

DEC 28 2010  
  
LAW DEPARTMENT

**B. Haney and Sons, Inc.**

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

Its: \_\_\_\_\_  
Title

**Exhibit A**



**Contract Bond**

**B. Haney and Sons**, 2 N 700 Lombard Rd., Lombard, Illinois 60148-1201, as PRINCIPAL, and

\_\_\_\_\_ as SURETY, are held and firmly bound unto the Village of Oak Park (hereafter referred to as "Village") in the penal sum of One Hundred Thirty Five Thousand Dollars **(\$135,000.00)** to be paid to the Village of Oak Park under the conditions of this instrument, for the payment of which we bind ourselves, our heirs, executors, administrators, successors, jointly.

WHEREAS, THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH that, the Principal has entered into a written contract with the Village acting through its awarding authority for the construction or performance of work, which contract is hereby referred to and made a part hereof, as if written herein at length, and whereby the Principal has promised and agreed to perform the work in accordance with the terms of the contract, and has promised to pay all sums of money due for any labor, materials, apparatus, fixtures or machinery furnished to the Principal for the purpose of performing such work and has further agreed to pay all direct and indirect damages to any person, firm, company, or corporation suffered or sustained on account of the performance of such work during the time thereof and until such work is completed and accepted; and has further agreed that this bond will inure to the benefit of any person, firm, company, or corporation, to whom any money may be due from the Principal, subcontractor or otherwise, for any such labor, materials, apparatus, fixtures or machinery so furnished and that suit may be maintained on such bond by any such person, firm, company, or corporation, for the recovery of any such money.

The term of this bond is for the initial term of the contract commencing January 10, 2011 and expiring on April 1, 2011, unless released by the Village prior thereto; however, the term of this bond may be renewed for an additional one-year period at the sole option of the Surety by the issuance of a continuation certificate executed by the Surety and the Principal. The liability of the Surety under this bond and all continuation certificates issued in connection therewith shall not be cumulative year to year or period to period and shall in no event exceed the amount set forth in this bond or in any additions, riders or endorsements properly executed by the Surety as supplements thereto. The Village's acceptance of this bond and reliance upon it as security constitutes its acknowledgment and agreement as to the terms under which it is offered and issued by the surety.

NOW THEREFORE, if the Principal shall well and truly perform the work in accordance with the terms of the contract, and shall pay all sums of money due or to become due for any labor, materials, apparatus, fixtures or machinery furnished to the Principal for the purpose of constructing such work, and shall commence and complete the work within the time prescribed in the contract, and shall pay and discharge all damages, direct and indirect, that may be suffered or sustained on account of such work during the time of performance thereof and until the work shall have been accepted, and shall hold the Village and its awarding authority harmless on account of any such damages and shall in all respects fully and faithfully comply with all the provisions, conditions, and requirements of the contract, then this obligation will be void; otherwise it will remain in full force and effect.

IN TESTIMONY WHEREOF, the PRINCIPAL and the SURETY have caused this instrument to be signed by their respective officers this \_\_\_\_\_ day of \_\_\_\_\_, **2011**.

PRINCIPAL

SURETY

\_\_\_\_\_  
(Company Name)

\_\_\_\_\_  
(Company Name)

By: \_\_\_\_\_  
(Signature & Title)

By: \_\_\_\_\_  
(Signature & Title)

(If PRINCIPAL is a joint venture of two or more contractors, the company names, seals and authorized signatures of each contractor must be affixed.)

STATE OF ILLINOIS,

COUNTY OF COOK

I, \_\_\_\_\_ a Notary Public in and for said county, do

hereby certify that \_\_\_\_\_, and

\_\_\_\_\_ (Insert names of individuals signing on behalf of PRINCIPAL & SURETY) personally known to me to be the same persons whose names are subscribed to the foregoing instrument on behalf of PRINCIPAL and SURETY, appeared before me this day in person and acknowledged respectively, that they signed, sealed, and delivered this instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notary seal this \_\_\_\_\_ day of \_\_\_\_\_, 2011

\_\_\_\_\_  
Notary Public

Approved this 3<sup>rd</sup> day of January, 2011.

VILLAGE OF OAK PARK

\_\_\_\_\_  
Thomas W. Barwin  
Village Manager

ATTEST

\_\_\_\_\_  
Teresa Powell  
Village Clerk

(Seal)

REVIEWED AND APPROVED  
AS TO FORM

DEC 28 2010

*Lawrence M. J...*  
LAW DEPARTMENT

L

**VILLAGE OF OAK PARK  
AGENDA ITEM COMMENTARY**

**Item Title: Resolution Authorizing Execution of a Contract with G.A. Paving Construction, Inc. of Oak Brook, IL for Snow Removal Services in 2011 in an amount not to Exceed \$65,000**

**Resolution or Ordinance No.:** \_\_\_\_\_

**Date of Board Action:** January 3, 2011

**Staff Review:**

**Public Works Director:**   
**John P. Wielebnicki**

**Village Manager's Office:** \_\_\_\_\_  


**Item History (Previous Board Review, Related Action, History):**

After adoption of the sidewalk snow removal ordinance in 2007, the Village has utilized contractors to remove snow from the public sidewalk for residents who are unable to because of age or disability.

Residents may sign up for this service by contacting the Department of Public Works. In the past, 30-50 residents have requested this service per event. So far this year approximately 30 residents have requested the service.

In this year as well as in past years, the Village has budgeted at \$15,000 for this service. The amount spent fluctuates each year due to the number of storms and the number of residents who have signed up for the program.

**Item Policy Commentary (Key Points, Recommendations, Background):**

The Department of Public Works advertised bids for sidewalk snow removal services for the 2010-2011 winter season. Bids were received from two area contractors on November 22, 2010. A bid summary is attached.

The base bid includes an hourly rate for sidewalk snow removal for the public sidewalks for those who are in need of assistance as noted above.

In addition, because of the reduction in the Department's staff over the last two years, the RFP requested alternate bids for assistance with Village snow removal services. One requested alternate was for sidewalk snow removal services for the 30 school crossing



intersections that the Department has historically shoveled. The second alternate requested an hourly rate for plowing and salting assistance of Village streets using contractor trucks.

G.A. Paving Construction, Inc. of Oak Brook, IL provided the low bid for the basic service as well as for both alternates.

The Village has used the services of G.A. Paving successfully in the past. G.A. was the Village's contractor for this service last year. They are also under a separate contract to plow the Village's parking lots this winter as they have done successfully in the past.

Staff recommends entering into an agreement with G.A. Paving for snow shoveling assistance for residents, as well as the two alternates of shoveling school cross walks and general snow removal back up services. Under the snow plan and the Village's existing collective bargaining agreements, personnel in the Teamsters union will provide snow removal and the contractor will only be called out when staff have been fully utilized.

**Item Budget Commentary (Key Points, Recommendation, Background):**

The FY 2011 the Streets Services Budget, External Support, account #1001-43740-765-530667 has \$15,000 for contractor snow removal of public sidewalks for residents who are unable to because of age or disability.

The same budget account has \$50,000 for contractor assistance for snow removal services.

**The proposed contract with G.A. Paving Construction, Inc. for snow removal services for 2011 will not exceed \$65,000.**

**Proposed Action:** Approve the Resolution

## RESOLUTION

### RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH G.A. PAVING CONSTRUCTION, INC. OF OAK BROOK, IL FOR SNOW REMOVAL SERVICES IN 2011 IN AN AMOUNT NOT TO EXCEED \$ 65,000

**BE IT RESOLVED** by the President and Board of Trustees of the Village of Oak Park, Cook County, State of Illinois, that the Village Manager is hereby authorized and directed to execute an agreement with G.A. Paving Construction, Inc. of Oak Brook, Illinois for snow removal services in the Village of Oak Park in 2011 in an amount not to exceed \$65,000. The contract shall conform substantially to the contract attached hereto as Exhibit A and made part hereof.

**THIS RESOLUTION** shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 3<sup>rd</sup> day of January, 2011, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

**ADOPTED AND APPROVED** by me, this 3<sup>rd</sup> day of January, 2011.

---

David G. Pope  
Village President

ATTEST:

---

Teresa Powell  
Village Clerk



**Contract**

1. THIS AGREEMENT is made and concluded on January 3, 2011 by and between the **Village of Oak Park**, 123 Madison St., Oak Park, IL 60302 acting by and through its Village Manager, and **G.A. Paving Construction, Inc.** 344 Trinity Lane, Oak Brook, Illinois 60523, its executors, administrators, successors or assigns (hereinafter "Contractor".)
  2. The following documents set forth the terms of this contract and are incorporated herein:
    - a. The Village of Oak Park's Notice to Bidders and Special Provisions for **2011 Sidewalk Snow Removal Services**;
    - b. G.A. Paving Construction, Inc. proposal dated November 22, 2010, including both alternates.
- Where the terms of the Proposal conflict with the terms set forth in the Village's Notice to Bidders, Special Provisions and Plans, the Village's Notice to Bidders, Special Provisions and Plans will control.
3. Contractor agrees, at its own proper cost and expense to do all the work, furnish all materials and all labor necessary to complete the work in accordance with the terms of this contract and the requirements of the Public Works Director under it.
  4. Contractor affirms that the individual signing this contract is authorized to execute agreements on behalf the Contracting entity.
  5. IN WITNESS WHEREOF, the parties have executed this contract on the date above mentioned.

Attest:

**Village of Oak Park**

\_\_\_\_\_  
**Teresa Powell**  
**Village Clerk**  
(Seal)

By \_\_\_\_\_  
**Thomas W. Barwin**  
**Village Manager**

**G.A. Paving Construction, Inc.**

REVIEWED AND APPROVED  
AS TO FORM

DEC 17 2010  
  
LAW DEPARTMENT

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

Its: \_\_\_\_\_  
Title

**2010 - 2011 Sidewalk Snow Removal  
Bid Opening November 22, 2010**

Item Description	G.A. Paving Construction, Inc.	Beverly Snow & Ice, Inc.
<b>Base Program:</b>		
Hourly Rate (per Manhour)	\$28.00	\$48.00
<b>Alternate A:</b>		
School Crosswalk Snow Shoveling		
Hourly Rate (per Manhour)	\$28.00	\$48.00
<b>Alternate B:</b>		
Back-up Plowing/Salting Assistance		
Hourly Rate (Truck & Driver)		
Pickup Truck with Plow	\$80.00	\$110.00
Dump Truck Salter with Plow	\$90.00	\$110.00

## Request for Proposals Village of Oak Park

The Village of Oak Park will receive proposals for sidewalk snow removal services at the Public Works Department, Monday through Friday, 8:30 a.m. to 3:00 p.m., at 201 South Boulevard, Oak Park, Illinois 60302. Proposals will be accepted until 3:00 p.m. on November 22, 2010.

### I. INTRODUCTION

#### A. Purpose & Goal

The goal of this RFP is to select a contractor to provide snow shoveling services for residents who request assistance from the Village, at the most effective cost.

#### B. Village Objectives

- To maintain the quality of life throughout the community which results from maintaining a clear pedestrian oriented, walkable community following winter snow storms.
- To provide assistance to residents who are unable to perform sidewalk snow removal.
- To assist residents who are unable to comply with the Village's sidewalk snow removal ordinance.

#### C. Project Description & General Scope of Services

BASE PROGRAM: The Village of Oak Park requires its residents to clear snow and ice from their sidewalks within 24 hours after the end of a snow fall. Recognizing that there are residents who are not able to remove snow without assistance, the Village has provided snow removal assistance to residents since 2007.

The Village provides a hotline phone number for registered residents to call at the end of a winter snow storm. Currently, there are approximately sixty (60) registered residents who may require assistance. The Village will compile the list of requests and fax or email it to the contractor. The contractor will remove the snow and ice from the public sidewalks at all listed locations within twenty-four (24) hours after the end of the snow storm.

The Village of Oak Park will communicate the availability of this service to its residents using some or all of the available local visual and print media including the local press, the local Village cable TV, Village newsletters, community meetings, etc.

During the past three winter seasons, there were an average of twenty-five (25) to thirty-five (35) locations listed for each winter snow storm.

ALTERNATE PROJECT A: The Village of Oak Park may request assistance for sidewalk snow and ice removal at thirty (30) crossing guard locations (approximately 120 corners) at school crosswalks throughout the Village. School crosswalks must be cleared no later than 7:00 a.m. on school days. Depending on the storm, the contractor may also be required to clear sidewalk snow and ice from school crosswalks before 2:30 p.m. on school days.

ALTERNATE PROJECT B: The Village of Oak Park may request assistance for back-up plowing and salting operations to clear snow and ice from residential streets and alleys. Contractor pricing should include driver, truck, plow and salt spreader (if available). If salting is required, Village salt will be used.

**D. Cost and Payment**

Contractors should propose a cost per man per hour.

The contractor will remove the snow from the sidewalks on the list and submit a list of the addresses completed on a daily or per storm basis.

The contractor will submit a monthly invoice to the Village detailing the addresses completed, hours worked and the rate. The Village will pay all undisputed portions of the invoices within 30 days of approval as stated in the Illinois Local Government Prompt Payment Act, 50 ILCS 505/4.

**II. RFP PROCEDURE**

A. Interested contractors should submit an original and 2 copies of their proposal to:

Karen Rozmus  
Village of Oak Park – Public Works Department  
201 South Boulevard  
Oak Park, IL 60302

by 3:00 p.m. on November 22, 2010. Questions on this RFP should be directed to Karen Rozmus at 708.358.5707 or by email at [Rozmus@oak-park.us](mailto:Rozmus@oak-park.us)

B. Required Submissions: At a minimum, the Proposal shall contain the following:

- Contractor will provide a general description, brief history and status of the Company. The selected vendor will have a stable operating history and ownership, preferably with the same ownership for five (5) years.
- *Firm's Experience:* The firm must have experience working with municipal governments and specifically in the area of sidewalk snow removal services. A summary of all similar projects or programs that includes the name and locations of the projects and other pertinent information should also be included.
- *References:* Provide a list of three (3) references from municipalities, counties, agencies or private entities with which you have worked. The list should include a specific contact name, address, phone number, and agency of employment. Each reference should include a brief description of the program or service provided.

C. Inspections/ Investigation of Contractor

The Village reserves the right to make any operational, equipment or financial inspections to determine the ability of any proposer to perform the services in this RFP.

D. Award of Contract

The Village will award a contract to the responsible Contractor whose proposal, conforming to the invitation for proposals is the most advantageous, considering cost of service, availability of service, response time and ability to meet the requirements of the Village Ordinance.

E. Consideration of Proposals:

No proposal will be accepted from or contract awarded to any person, firm or corporation that is in arrears or is in default to the Village of Oak Park upon any debt or contract, or that has defaulted, as surety or otherwise, upon any obligation to the Village, or failed to perform faithfully any previous contract with the Village.

III. TERMS AND CONDITIONS

A. Quality of Services:

The Village shall have a right to inspect the work performed on this project. Work that has been rejected by the Village of Oak Park or is not in accordance with the terms of the contract specifications shall be corrected by the contractor at no cost to the Village.

B. Term of Agreement

The services shall be provided for the 2010-2011 snow season.

C. Termination of Contract:

The Village reserves the right to terminate the whole or any part of any contract, upon written notice to the Contractor, in the event that sufficient funds to complete the contract are not appropriated by the Village of Oak Park in any subsequent year.

The Village further reserves the right to terminate the whole or any part of any contract, upon written notice to the Contractor, in case of default by the Contractor.

In the event of termination for default, the Village will select a replacement contractor to complete the services. In such event, the selected contractor will be responsible to reimburse the Village for any excess costs the Village incurred to complete the job with a replacement contractor.

D. Indemnification and Hold Harmless:

Contractor agrees to indemnify, save and hold harmless and defend the Village of Oak Park, its agents, servants and employees, and each of them against and hold it and them harmless from and against any and all claims, actions, causes of action, demands, rights, damages, costs, loss of service, expenses, compensation, court costs and attorneys' fees which it or they may accrue, directly or indirectly, from or on account of any and all known and unknown, foreseen and unforeseen, bodily and personal injuries to any person, or any death at any time resulting from such injury, or any damage to any property and the consequences thereof, which may arise or which may be alleged to have arisen out of or in connection with the work performed or to be performed in connection with the project which is the subject of this Request for Proposals.

E. Required Insurance

The selected contractor shall keep in force at all times during the performance of this contract insurance as required herein. The Contractor shall not commence work under the contract until all the required insurance has been obtained and until the Village has been furnished with Certificates of Insurance stating that such policies will not be canceled, transferred or terminated prior to written notice to the Village. All insurance shall be in form and substance and issued by companies satisfactory to the Village and shall be of the following kinds and with at least the following limits of coverage:

1. Worker's Compensation Insurance with amounts of coverage sufficient to provide for all compensation levels and amounts as mandated by the State of Illinois Worker's Compensation Statutes. The insurer shall agree to waive all rights of subrogation against the Village, its officers, employees and volunteers.
2. Commercial General Liability insurance at a minimum amount of \$1,000,000 per occurrence which policy names the Village of Oak Park as an additional insured with respect to the services to be provided by the contract awarded as a result of this RFP process. The Contractor shall notify its Commercial General Liability insurer of its duty to indemnify and hold the Village of Oak Park harmless as stated in this document.

RFP PACKAGE CONTENTS

- Appendix A: Village Street Map
- Appendix B: Village Sidewalk Snow Removal Ordinance
- Appendix C: Crosswalk locations and map
- Appendix D: Cost Worksheet(s)
- Appendix E: Contract





## APPENDIX B:

### ORDINANCE AMENDING CHAPTER 22, ARTICLE 4, OF THE VILLAGE CODE RELATING TO STREETS AND SIDEWALKS TO ADD A NEW SECTION 22-4-8 REQUIRING ADJACENT PROPERTY OWNERS TO REMOVE SNOW AND ICE FROM PUBLIC SIDEWALKS

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Oak Park, County of Cook, State of Illinois, that Chapter 22, Article 4, of the Village Code entitled "Streets and Sidewalks – Obstruction of and Encroachments Upon Public Ways" is hereby amended by adding a new Section 22-4-8 entitled "Persons Required to Remove Snow and Ice from Public Sidewalks Fronting and Abutting Parcels or Lots Owned, Occupied, Leased or Otherwise Controlled by Them Within the Village" which section shall read as follows:

#### **22-4-8 PERSONS REQUIRED TO REMOVE SNOW AND ICE FROM PUBLIC SIDEWALKS FRONTING OR ABUTTING PARCELS OR LOTS OWNED, OCCUPIED, LEASED OR OTHERWISE CONTROLLED BY THEM WITHIN THE VILLAGE**

- A. The owner, occupant, lessee or person otherwise legally in possession and/or control of any lot or parcel in the Village shall remove and clear away, or cause to be removed or cleared away, all snow and ice on the public sidewalk fronting or abutting any such lot or parcel.
- B. Snow and ice shall be removed within twenty-four (24) hours after the cessation of any fall of snow, sleet, or freezing rains; provided, however, in the event snow and ice on a sidewalk has become so hard that it cannot reasonably be removed without damaging the sidewalk, the person or entity charged with its removal, herein, shall, within the twenty-four (24) hour time period, cause a reasonable amount of sand, salt or other abrasive material to be placed upon the entire sidewalk in order to make pedestrian travel thereon reasonably safe; and as soon thereafter as weather permits, said person or entity shall effect the removal of snow and ice as provided herein.

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Oak Park, County of Cook, State of Illinois, as follows:

**THIS ORDINANCE** is executed pursuant to the home rule powers of the Village of Oak Park and shall be in full force and effect from and after its adoption, approval and publication as provided by law.

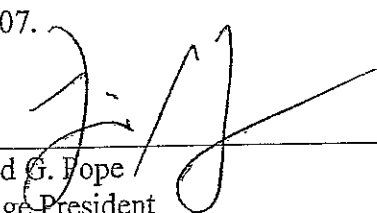
**ADOPTED** this 20<sup>th</sup> day of February 2007, pursuant to a roll call vote as follows:

**AYES:** Trustees Gockel, Johnson, Marsey and President Pope

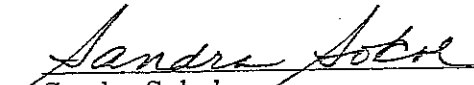
**NAYS:** None

**ABSENT:** Trustees Brady and Milstein

**APPROVED** this 20<sup>th</sup> day of February 2007.

  
\_\_\_\_\_  
David G. Pope  
Village President

**ATTEST:**

  
Sandra Sokol  
Village Clerk

## APPENDIX C:

### CROSSING GUARD LOCATIONS

#### SECTIONS 1 & 2:

1. Oak Park & Chicago
2. Kenilworth & Chicago
3. Kenilworth & Division
4. Kenilworth & Berkshire
5. Oak & Park & Greenfield
6. Oak Park & Division
7. Columbian & Division
8. Ridgeland & Lenox
9. Ridgeland & Augusta
10. Harvey & Augusta

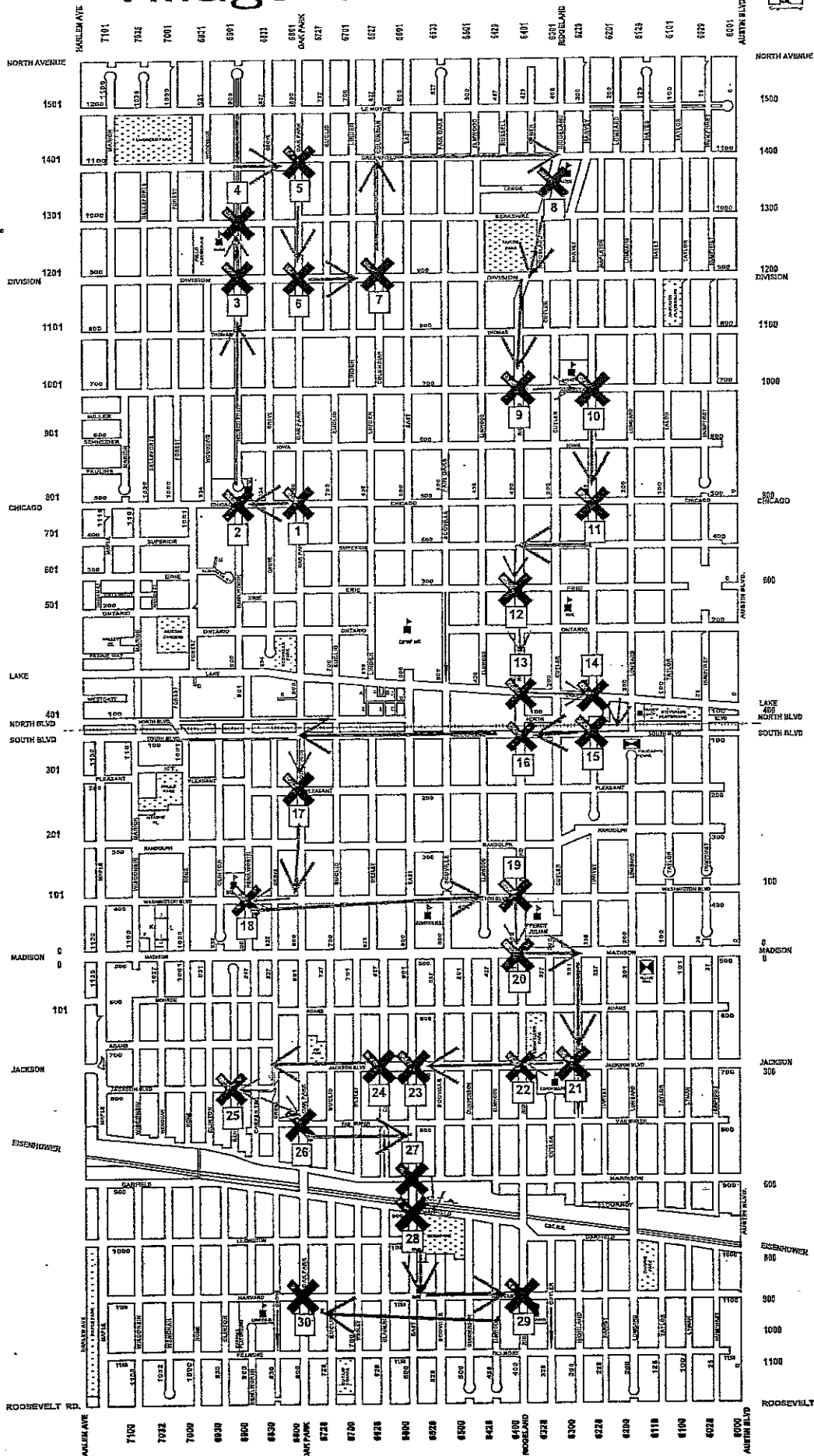
#### SECTIONS 3 & 4:

11. Chicago & Harvey
12. Erie & Ridgeland
13. Lake & Ridgeland
14. Lake & Harvey
15. South & Harvey
16. South & Ridgeland
17. Oak Park & Pleasant
18. Kenilworth & Washington
19. Ridgeland & Washington

#### SECTIONS 5 & 6:

20. Ridgeland & Madison
21. Jackson & Highland
22. Jackson & Ridgeland
23. Jackson & East
24. Jackson & Clarence
25. Jackson & Kenilworth
26. Oak Park & Van Buren
27. East & Harrison
28. East & Garfield
29. Harvard & Ridgeland
30. Harvard & Oak Park

# Village of Oak Park



Green Line w/ Arrow = Route Direction  
 X = School Crosswalk

Created: 12/04/06  
 Last Update: 10/28/09  
 U: Public\_Works/SNOW PLAN

**APPENDIX D:  
PRICE PROPOSAL**

Costs should be an hourly rate regardless of your method - either by hand or by machine.

**BASE PROGRAM: SIDEWALK SNOW SHOVELING SERVICES**

HOURLY RATE (PER MAN HOUR) \$ 28<sup>00</sup> per Hour

**ALTERNATE A: SCHOOL CROSSWALK SNOW SHOVELING SERVICES**

HOURLY RATE (PER MAN HOUR) \$ 28<sup>00</sup> per Hour

**ALTERNATE B: BACK-UP PLOWING AND/OR SALTING ASSISTANCE  
(Per Hour Price to include driver and equipment)**

EQUIPMENT DESCRIPTION	HOURLY RATE (Weekday)	HOURLY RATE (Weekend)
<u>(8) F-250 1 TON pickups</u>	<u>\$ 80<sup>00</sup></u>	<u>\$ 80<sup>00</sup></u>
<u>(8) C-4500 SALT TRUCKS WITH SNOW PLOWS</u>	<u>\$ 90<sup>00</sup></u>	<u>\$ 90<sup>00</sup></u>
<u>ALL TRUCKS HAVE TAILGATE SALTERS WITH TARPS</u>	<u>\$ _____</u>	<u>\$ _____</u>
<u>_____</u>	<u>\$ _____</u>	<u>\$ _____</u>
<u>_____</u>	<u>\$ _____</u>	<u>\$ _____</u>

Company Name G.A. PAVING CONSTRUCTION INC.  
 Address 344 TRINITY LN  
OAKBROOK, IL 60523  
 Contact Name George Angelillo  
 Phone 630-688-6193  
 Fax 630-789-6397  
 Email g.a. PAUNplow @ Comcast. Net

**Attachment I  
Compliance Affidavit**

I, George Angelillo, (Print Name) being first duly sworn on oath depose and state as follows:

1. I am the (title) PRES. of the Proposing Firm and am authorized to make the statements contained in this affidavit on behalf of the firm;
2. The Proposing Firm is organized as indicated on Attachment II, entitled "Organization of Proposing Firm," which Attachment is incorporated into this Affidavit as if fully set forth herein;
3. I have examined and carefully prepared this proposal based on the request and have verified the facts contained in the proposal in detail before submitting it;
4. I authorize the Village of Oak Park to verify the Firm's business references and credit at its option;
5. Neither the Proposing Firm nor its subsidiaries, parents, any member of the same unitary business group, any person with any ownership interest or distributive share of the bidding or contracting business entity in excess of 7.5%, or any entity owned or controlled by an executive employee, his or her spouse or minor children of the bidding or contracting business entity are barred from proposing on this project as a result of a violation of 720 ILCS 5/33E-3 or 33E-4 relating to bid rigging and bid rotating, or Section 2-6-12 of the Oak Park Village Code relating to "Proposing Requirements".
6. Neither the Proposing Firm nor its affiliates is barred from contracting with the Village of Oak Park because of any delinquency in the payment of any debt or tax owed to the Village except for those taxes which the Proposing Firm is contesting, in accordance with the procedures established by the appropriate revenue act, liability for the tax or the amount of the tax. I understand that making a false statement regarding delinquency in taxes is a Class A Misdemeanor and, in addition, voids the contract and allows the Village of Oak Park to recover all amounts paid to the Proposing Firm under the contract in civil action.
7. I am familiar with Section 13-3-2 through 13-3-4 of the Oak Park Village Code relating to Fair Employment Practices and understand the contents thereof; and state that the Proposing Firm is an "Equal Opportunity Employer" as defined by Section 2000(E) of Chapter 21, Title 42 of the United States Code Annotated and Federal Executive Orders #11246 and #11375 which are incorporated herein by reference. **Also complete the attached EEO Report or Submit an EEO-1.**
8. All statements made in this application are true and correct.

Name of Business: G.A. PAVING CONSTRUCTION INC.

By: [Signature]  
Signature

Printed Name George Angelillo

Its: PRES.  
Title

Bus. Address 344 TRINITY LN / OAKbrook, IL

AIR YARD) 123 N 23RD AVE  
BETHWOOD, IL 60104

60523

\_\_\_\_\_  
Telephone \_\_\_\_\_

Fax \_\_\_\_\_

Subscribed to and sworn  
before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 2010.

\_\_\_\_\_  
Notary Public



**Attachment II**  
**ORGANIZATION OF PROPOSING FIRM**  
(Complete Applicable Paragraph Below)

(a) Corporation: The Vendor is a corporation, which operates under the legal name of G.A. Paving Const. Inc. and is organized and existing in good standing under the laws of the State of IL. The full names of its Officers are:

President George Angelillo

Secretary DeBora Angelillo

Treasurer \_\_\_\_\_

The Name and Address of its Registered Agent is:

344 Trinity Ln / Oakbrook / IL / 60523

The corporation has a corporate seal. (In the event that this proposal is executed by a person other than the President, attach hereto a certified copy of that section of Corporate By-Laws or other authorization by the Corporation that permits the person to execute the offer for the corporation.)

(b) Partnership: The Vendor is a Partnership which operates under the name

\_\_\_\_\_

The following are the names, addresses and signatures of all partners:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature

\_\_\_\_\_

Signature

(Attach additional sheets if necessary.) If so, check here \_\_\_\_\_.

If the partnership does business under an assumed name, the assumed name is \_\_\_\_\_, which is registered with the Cook County Clerk and the partnership is otherwise in compliance with the Assumed Business Name Act, 805 ILCS 405/0.01, et.seq.

(c) Sole Proprietor: The Vendor is a Sole Proprietor. If the Vendor does business under an Assumed Name, the Assumed Name is \_\_\_\_\_

\_\_\_\_\_, which is registered with the Cook County Clerk. The Vendor is otherwise in compliance with the Assumed Business Name Act, 805 ILCS 405/0.01, et.seq.

(d) Affiliates: The name and address of any affiliated entity of the business, including a description of the affiliation: \_\_\_\_\_

The name and address of any affiliated person of the business entity, including a description of the affiliation.

---

Signature of Owner

VILLAGE OF OAK PARK  
E.E.O. REPORT

Please fill out this form completely. Failure to respond truthfully to any questions on this form, failure to complete the form or failure to cooperate fully with further inquiry by the Village of Oak Park will result in disqualification of this proposal. For assistance in completing this form, contact the Finance Department at 708-358-5470.

An EEO-1 Report may be submitted in lieu of this report

1. Vendor Name: G. A PAVING CONST. INC

2. Check here if your firm is:

- MBE
- WBE
- DBE
- None of the above

3. What is the size of the firm's current stable work force?

- 12 Number of full-time employees
- 8 Number of part-time employees

4. Similar information will be requested of all subcontractors working on this contract. Forms will be furnished to the lowest responsible bidder with the notice of contract award, and these forms must be completed and submitted to the Village before the execution of the contract by the Village.

EEO REPORT

Please fill out this form completely. Failure to respond truthfully to any questions on this form, or failure to cooperate fully with further inquiry by the Village of Oak Park will result in disqualification of this proposal. An incomplete form will disqualify your proposal. For assistance in completing this form, contact the Purchasing Department at 708-358-5471.

An EEO-1 Report may be submitted in lieu of this report \_\_\_\_\_

Vendor Name G.A.  
 Total Employees 20

Job Categories	Total Employees	Males			Females			Total Minorities	
		Black	Hispanic	American Indian & Alaskan Native	Asian & Pacific Islander	Black	Hispanic		American Indian & Alaskan Native
Officials & Managers									
Professionals									
Technicians									
Sales Workers									
Office & Clerical									
Semi-Skilled			1						
Laborers	20	4	6						10
Service Workers									
TOTAL	20	4	6						
Management Trainees									
Apprentices									

This completed and notarized report must accompany your bid. It should be attached to your Affidavit of Compliance. Failure to include it with your bid will be disqualify you from consideration.

George Angelillo, being first duly sworn, deposes and says that he/she is the Pres  
(Name of Person Making Affidavit) (Title or Officer)

of G.A. PAULING CO and that the above EEO Report information is true and accurate and is submitted with the intent that it

be relied upon. Subscribed and sworn to before me this 10 day of Nov, 2010.

[Signature]  
(Signature) Nov-10-2010  
(Date)

AFFIDAVIT OF M/WBE STATUS

I am the \_\_\_\_\_ of \_\_\_\_\_  
(title) (name of firm)

and have authority to execute this affidavit on behalf of this firm. I do hereby certify that:

1. This firm is a

- Minority Business Enterprise (MBE) (A firm that is at least 51% owned, managed and controlled by a Minority.)
- Women's Business Enterprise (WBE) (A firm that is at least 51% owned, managed and controlled by a Woman.)
- Owned by a person with a disability (DBE) (A firm that is at least 51% owned by a person with a disability)

2. COPIES OF ALL MBE, WBE and DBE CERTIFICATIONS HAVE BEEN ATTACHED.

3. The following information will be provided upon written request directly to the Village of Oak Park.

- a) Actual work performed on any project and the payment thereof.
- b) Any proposed changes in the status of the firm that would render this affidavit null and void.
- c) Further verification of the indicated status.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Corporate Seal (where appropriate)

Subscribed and sworn to by me

on this \_\_\_\_\_ day of

\_\_\_\_\_, 2010

\_\_\_\_\_  
Notary Public

M

VILLAGE OF OAK PARK  
AGENDA ITEM COMMENTARY

Item Title: Resolution Authorizing the Use of Motor Fuel Tax Funds for Maintenance of Streets in the Village of Oak Park for Fiscal Year 2011

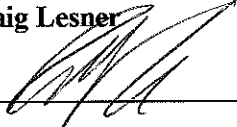
Resolution or Ordinance No. \_\_\_\_\_

Date of Board Action: January 3, 2011

Staff Review:

Public Works Director:   
John P. Wielebnicki

Chief Financial Officer: \_\_\_\_\_  
Craig Lesner

Village Manager's Office: \_\_\_\_\_  


**Item History (Previous Board Review, Related Action, History):**

The Village receives a monthly distribution of Motor Fuel Tax funds from the Illinois Department of Transportation (IDOT). The Illinois Highway Code requires that each municipality receiving Motor Fuel Tax (MFT) funds use those funds for the limited purposes described in the Highway Code. Those approved uses generally relate to the costs of labor and materials for construction and maintenance of the public right of way. The Village is required to pass a resolution which obligates its share of Motor Fuel Tax Funds to one or more of the approved purposes set forth in the Code.

IDOT is charged with supervising and approving the Village's expenditure of MFT funds. IDOT will review the resolution and indicate their approval by signing it and returning it to the Village.

**Item Policy Commentary (Key Points, Recommendation, Background):**

The attached "Municipal Estimate of Maintenance Costs" itemizes approved uses of \$1,400,000 in Motor Fuel Tax funds. The Village expects to receive \$1,320,505 in MFT funds in Fiscal Year 2011. Staff recommends using the funds for the purchase of salt and for salaries and overtime related to public works operations in the public right of way as described more fully on the attachment.

Staff is recommending approval of the Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code.

Exhibit A: Attached: Permissible uses of the Illinois Motor Fuel Tax Fund for Municipalities.

**Item Budget Commentary:**

Revenue in the amount of \$1,320,505 is in the budget for 2011.

**Proposed Action: Approve the Resolution**



BE IT RESOLVED, by the PRESIDENT AND THE BOARD OF TRUSTEES of the  
(Council or President and Board of Trustees)  
VILLAGE OAK PARK of OAK PARK, Illinois, that there is hereby  
(City, Town or Village) (Name)  
appropriated the sum of \$1,400,000.00 of Motor Fuel Tax funds for the purpose of maintaining  
streets and highways under the applicable provisions of the Illinois Highway Code from January 1, 2011  
(Date)  
to December 31, 2011  
(Date)

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Schaumburg, Illinois.

I, Teresa Powell Clerk in and for the Village  
(City, Town or Village)  
of Oak Park, County of Cook

hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by  
the PRESIDENT AND BOARD OF TRUSTEES at a meeting on January 3, 2011  
(Council or President and Board of Trustees) Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_

(SEAL) \_\_\_\_\_ Clerk  
(City, Town or Village)

**Approved**  
\_\_\_\_\_  
Date  
Department of Transportation  
\_\_\_\_\_  
Regional Engineer





Period from 01/01/2011 to 12/31/2011 Section Number 10 - 00000 - 00 - GM  
Municipality Village of Oak Park

**Estimated Cost of Maintenance Operations**

Maintenance Operation (No. - Description)	Group (I,II,III,IV)	For Group I, II, or III (Material, Equipment or Labor)					Operation Cost
		Item	Unit	Quantity	Unit Price	Cost	
Street Light Maint	IIA	In House Day Labor	hrs	4160	35.90	\$149,344.00	149,344.00
	I	Electricity					85,000.00
Tree Trim and Removal	IIA	In House Day Labor	hrs	12348	31.50	\$388,962.00	388,962.00
Snow Removal	IIA	In House Day Labor reg	hrs	2880	25.13	\$72,374.40	72,374.40
	IIB	In House Day Labor ot	hrs	2315	39.77	\$92,067.55	92,067.55
	IIB	CaCl State Contract	gal	33000	0.54	\$17,820.00	17,820.00
	IIB	Salt State Contract	ton	4800	62.51	\$300,048.00	300,048.00
Pot Hole Patching	IIB	Cold Patch	ton	76	80.00	\$6,080.00	6,080.00
	IIB	UPM	ton	300	115.00	\$34,500.00	34,500.00
Pavement Repair	IIA	In House Day Labor	hrs	8050	25.32	\$203,826.00	203,826.00
Pavement Marking	IIB	Thermoplastic Pavement Marking State Contract					50,000.00
<b>Total Day Labor Costs</b>						<b>\$1,115,677.</b>	
<b>Total Estimated Maintenance Operation Cost</b>							<b>\$1,400,021.9</b>
Preliminary Engineering							
Engineering Inspection							
Material Testing							
<b>Total Estimated Engineering Cost</b>							
<b>Total Estimated Maintenance Cost</b>							<b>\$1,400,021.9</b>

Submitted: \_\_\_\_\_ Date \_\_\_\_\_ Approved: \_\_\_\_\_ Date \_\_\_\_\_  
By: John P. Welelmich Director of Public Works \_\_\_\_\_  
Municipal Official Title Regional Engineer

REVIEWED AND APPROVED  
Submit Four (4) Copies to Regional Engineer

DEC 28 2011  
[Signature]  
LAW DEPARTMENT

**PERMISSIBLE USES OF THE ILLINOIS MOTOR FUEL TAX FUND FOR COUNTIES**

WORK ITEM	REFERENCE
<p>Construction and Maintenance of:</p> <ul style="list-style-type: none"> <li>• County Highways, State Highways, and County Unit Roads</li> <li>• Bicycle Signs/Markings, Paths (counties over 500,000 population)</li> <li>• County Garages</li> <li>• Grade Separations and Approaches</li> <li>• Non-dedicated Subdivision Roads established before July 23, 1959</li> <li>• Office Space (Counties over 1,000,000 population)</li> </ul> <p>Allotment of Funds for:</p> <ul style="list-style-type: none"> <li>• Local Mass Transit Districts</li> <li>• Engineering Investigations</li> <li>• Retirement of Indebtedness</li> <li>• Matching Federal-aid Projects or Projects Eligible for Federal-aid</li> <li>• Paying Bonds for Superhighways</li> <li>• Payment of Principal and Interest on Road Bonds</li> <li>• Circuit Court or Highway Related Department (Counties over 1,000,000 population)</li> </ul>	<p>605 ILCS 5/5-701.1, 701.2, 701.3, 701.7 &amp; 701.17</p> <p>605 ILCS 5/5-701.13</p> <p>605 ILCS 5/5-701.9</p> <p>605 ILCS 5/5-701.14</p> <p>605 ILCS 5/5-701.15</p> <p>605 ILCS 5/5-701.10</p> <p>605 ILCS 5/5-701.8</p> <p>605 ILCS 5/5-701.6</p> <p>605 ILCS 5/5-701.4</p> <p>605 ILCS 5/5-701.7</p> <p>605 ILCS 5/5-701.5</p> <p>605 ILCS 5/5-701.11 &amp; 701.16</p> <p>605 ILCS 5/5-701.9 &amp; 701.12</p>
<p>Although the Statutes do not explicitly state that MFT funds can be used for the work items below, IDOT has determined that the costs for these items are eligible if they are related to MFT maintenance or construction.</p>	
<ul style="list-style-type: none"> <li>• Right-of-Way</li> <li>• Salt Storage Facilities</li> <li>• Storm Sewers</li> <li>• Traffic Control Devices</li> <li>• Sidewalks and Curb Ramps</li> <li>• Salary and Expenses of County Engineer</li> <li>• Wages or Salaries</li> <li>• Equipment Operating Costs</li> <li>• Holidays, Vacation, and Sick Leave</li> <li>• Tree Trimming and Tree Removal</li> <li>• Workers' Compensation Insurance Premiums</li> <li>• Retirement Fund and Social Security Fund</li> <li>• Miscellaneous Expenses in Connection with Bond Issue</li> <li>• Improvements</li> <li>• Railroad Signal Protection and Crossing Work</li> <li>• Utility Adjustments</li> <li>• Health, Hospitalization, and Life Insurance</li> <li>• Engineering Services</li> </ul>	<p>BLRS Man. Sect. 4-3.03(b)</p> <p>BLRS Man. Sect. 4-3.03(b)</p> <p>BLRS Man. Sect. 4-3.03(b)</p> <p>BLRS Man. Sect. 4-3.03(b)</p> <p>BLRS Man. Sect. 4-3.03(b)</p> <p>BLRS Man. Sect. 4-3.03(c)</p> <p>BLRS Man. Sect. 4-3.03(c)</p> <p>BLRS Man. Sect. 4-3.03(b)</p> <p>BLRS Man. Sect. 4-3.03(c)</p> <p>BLRS Man. Sect. 14-1.03(i)</p> <p>BLRS Man. Sect. 4-3.03(c)</p> <p>BLRS Man. Sect. 4-3.03(c)</p> <p>BLRS Man. Sect. 4-4.02</p> <p>BLRS Man. Chapter 40</p> <p>BLRS Man. Sect. 4-3.03(b)</p> <p>BLRS Man. Sect. 4-3.03(c)</p> <p>BLRS Man. Sect. 4-3.02(e)</p>

Note: All uses of Motor Fuel Tax are subject to the provisions and limitations reflected in the *BLRS Manual* and the State Statutes.

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**VILLAGE OF OAK PARK  
AGENDA ITEM COMMENTARY**

**Item Title:** Resolution Authorizing Execution of an Intergovernmental Agreement between Village of Oak Park and Village of River Forest for Environmental Health Services - 2011

**Resolution or Ordinance No.** \_\_\_\_\_  
**Date of Board Action**            **January 3, 2011**

**Staff Review:**

Department Manager or Designee    Margaret Provost-Pyle  
Margaret Provost-Pyle, Director of Public Health

Village Manager's Office            [Signature]

**Item History (Previous Board Review, Related Action, History):**  
In 1988, the Village Board of Trustees approved Resolution Number 12-33 authorizing the Village President to enter into an Intergovernmental Agreement with the Village of River Forest for provision of Environmental Health Services. From 1989 to the present, the Village Board has annually renewed this Intergovernmental Agreement. These services include regular inspection of 42 food establishments; investigation of all environmental nuisance complaints; solid waste and rodent complaints; general sanitation in public facilities, and surveillance of day care facilities.

**Item Policy Commentary (Key Points, Recommendation, Background):**  
The provision of services under this Intergovernmental Agreement has proven efficient and cost effective for both governmental bodies. The fee from River Forest covers direct costs of providing the services and contributes to indirect costs.

**Item Budget Commentary:**  
The Village of Oak Park will receive \$33,000.00 from the Village of River Forest in 2011 for providing Environmental Health Services as set forth in the Intergovernmental Agreement. These funds will offset the personnel and operational costs associated with the services in the agreement.

**Proposed Action:** Approve the Resolution.

**RESOLUTION**

**AUTHORIZING EXECUTION  
OF AGREEMENT FOR INTERGOVERNMENTAL COOPERATION BETWEEN  
VILLAGE OF OAK PARK AND VILLAGE OF RIVER FOREST FOR  
ENVIRONMENTAL HEALTH SERVICES - 2011**

**BE IT RESOLVED** by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, that the Village President and Village Clerk are hereby authorized and directed to execute an agreement for intergovernmental cooperation with regard to the provisions of environmental health services in 2011 by the Village of Oak Park to the Village of River Forest at a cost of \$33,000. Said agreement shall conform substantially to the agreement hereto and made a part thereof.

**THIS RESOLUTION** shall be in full force and effect from and after its adoption and approval as provided by law.

**ADOPTED** this 3<sup>rd</sup> day of January, 2011, pursuant to roll call vote as follows:

**AYES:**

**NAYS:**

**ABSENT:**

**APPROVED** by me this 3<sup>rd</sup> day of January, 2011

\_\_\_\_\_  
David Pope, Village President

**ATTEST:**

\_\_\_\_\_  
Teresa Powell  
Village Clerk

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE VILLAGE OF OAK PARK AND THE VILLAGE OF RIVER FOREST  
FOR ENVIRONMENTAL HEALTH SERVICES**

The parties to this Agreement are the Village of River Forest, a municipal corporation organized in accordance with the laws of the State of Illinois, and the Village of Oak Park, a municipal corporation organized in accordance with the laws of the State of Illinois.

**WHEREAS**, River Forest and Oak Park are contiguous communities which interact on many levels for the mutual benefit of each; and

**WHEREAS**, River Forest and Oak Park have similar public health concerns, which transcend geographic boundaries such that an increase in the overall public health of either community will have a positive impact on both communities; and

**WHEREAS**, Oak Park employs trained and qualified environmental health inspectors and River Forest does not; and

**WHEREAS**, Article VII, Section 10 of the Constitution of the State of Illinois (1970) and the Intergovernmental Cooperation Act authorize and encourage the type of intergovernmental cooperation anticipated by this Agreement; and

**WHEREAS**, the intergovernmental cooperation contemplated by this agreement will produce economies for both communities in that River Forest will not be required to employ environmental health staff and Oak Park will be able to offset some of the administrative costs presently associated with the maintenance of its full service Health Department.

THEREFORE, the parties agree as follows:

**I. Term of the Agreement**

This Agreement shall commence on January 1, 2011, or as soon thereafter as it is duly approved and executed by the corporate authorities of each Village. The agreement shall terminate on December 31, 2011 unless terminated earlier in accordance with the terms of this agreement.

**II. Services**

The Services to be provided are those detailed on the attached Exhibit A.

**III. Supervision and Scheduling**

The Director of Public Health for the Village of Oak Park, or his or her designee, shall be solely responsible for supervising the services provided, including scheduling the services.

#### **IV. Scope of Authority**

The Oak Park Health Department staff, in consultation with the River Forest Health Commissioner, shall have final authority with regard to all professional public health related decisions within the Village of River Forest.

The River Forest Village Administrator (hereinafter referred to as the "Administrator") shall have final authority with regard to all general administrative decisions made under the terms of this agreement which do not require the exercise of independent judgment by a public health professional.

Any citations issued as a result of the inspections will be prosecuted in the same manner as are other River Forest local ordinance violations.

#### **V. Billing and Payment**

The Village or River Forest shall pay to the Village of Oak Park \$33,000.00 for the one year term of this agreement. Payments shall be made in equal monthly installments of \$2,750.00 per month. Payment is due by the 15<sup>th</sup> of each month.

#### **VI. Reporting**

In addition to maintaining reports and records as required in the scope of services, Oak Park will provide a statistical written report to River Forest demonstrating the services provided on a quarterly basis.

#### **VII. Personnel**

The Village of Oak Park will provide adequate, professional public health personnel who are properly trained and qualified to perform the services. The Oak Park employees who provide services under this agreement shall remain employees of the Village of Oak Park. Regardless of the level of service provided to River Forest, Oak Park employees shall not be considered employed by River Forest and shall not be entitled to any of the rights, duties, benefits and privileges associated with being employed by River Forest.

#### **VIII. Working Nature of Agreement**

The parties recognize the working nature of the services to be provided by this agreement and use their best efforts to resolve any differences.

#### **IX. Support Services**

River Forest will provide Oak Park employees with whatever staff support and assistance are reasonably required to fulfill the terms of this Agreement.

River Forest will provide Oak Park personnel with River Forest identification tags and badges, stationery, envelopes, telephone service, a desk and enclosed office space as are necessary to provide the services and at no charge to Oak Park.

Oak Park will provide its own clerical support, copy service, postage and mailing, transportation and most telephone service.

**X. Indemnification**

The Village of River Forest will defend, indemnify and hold and save harmless the Village of Oak Park and its employees from and against any and all lawsuits, claims or demands of any kind except workers compensation claims made by Oak Park employees, made as a result of or arising out of the services provided by this agreement, including but not limited to claims for bodily injury or illness, property damage, loss of business, economic harm, compensatory or consequential damages, to the fullest extent allowed by law.

**XI. Insurance**

The Village of River Forest will maintain in full force and effect for the duration of this Agreement, errors and omissions and general liability insurance, or self insurance through the Intergovernmental Risk Management (IRMA), in an amount not less than \$1 million per occurrence for any and all claims, demands, losses or judgments arising out of or incurred in connection with any of the services provided by Oak Park pursuant to this Agreement.

**XII. Additional Services**

River Forest may request additional public health services outside of this Agreement. Oak Park may provide those services or not, entirely within its discretion. If additional services are provided, they will be billed on a straight time and material basis. Oak Park will bill River Forest on a monthly basis for any such services.

**XIII. Termination**

Either party may terminate this Agreement by providing the other party with thirty (30) days written notice of its intent to terminate the Agreement. The Village of Oak Park reserves the right to terminate the services immediately if at any time it becomes unable, due to staff reductions or otherwise, to meet the demand for environmental health services in both communities.

**XIV. Notices**

All notices to the Village of River Forest shall be sent to the Village Administrator, located at 400 Park Avenue, River Forest, IL 60305 and all notices to the Village of Oak Park shall be sent to the Director of Public Health, located at 123 Madison Street, Oak Park, IL 60302.

IN WITNESS WHEREOF, the Parties, pursuant to proper and necessary authority, have executed this Agreement this \_\_\_\_ day of January, 2011.

**VILLAGE OF RIVER FOREST**

**VILLAGE OF OAK PARK**

By: \_\_\_\_\_  
Village President

By: \_\_\_\_\_  
Thomas W. Barwin, Village Manager

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

REVIEWED AND APPROVED  
AS TO FORM

DEC 28 2010

  
LAW DEPARTMENT

**EXHIBIT A  
TO OAK PARK/ RIVER FOREST ENVIRONMENTAL HEALTH SERVICES  
AGREEMENT.**

The Village of Oak Park will provide the following Environmental Health Services to the Village of River Forest.

**A. FOOD PROTECTION PROGRAM**

The Oak Park Department of Public Health shall administer a comprehensive Food Protection Program in conformance with the River Forest Village Code and all applicable Illinois Department of Public Health standards for Food Protection.

1. Oak Park personnel will inspect all River Forest Food Establishments.
2. Oak Park personnel will assess each restaurant's risks of causing foodborne illness and rate it either high risk, medium risk or low risk based upon the assessment. Oak Park will verify each establishment's classification on an annual basis. Oak Park will inspect all food establishments at least as often as prescribed by the following schedule:
  - High-risk food establishments shall receive a minimum of three (3) inspections per year.
  - Medium risk food establishments shall receive a minimum of two- (2) inspection per year.
  - Low risk food establishments shall receive a minimum of two (2) inspections per year.
3. Oak Park personnel will establish and maintain a current listing of all River Forest food establishments and retail food stores as defined in the Illinois Food Service Sanitation and Retail Food Store Sanitation Codes.
4. Oak Park will document its inspection activities and maintain the records in a manner available for review by the Village of River Forest upon request.
5. Oak Park will provide safe and sanitary food handling education for food establishment owners, managers and personnel.
6. Oak Park will inspect and monitor all food service establishments to determine whether they are operated under the supervision of a manager who has been trained and certified in accordance with the requirements of 77 IL Admin Code Section 750.540 (the Food Service Sanitation Code.)
7. Oak Park will perform plan review and pre-operation inspections as requested and when appropriate for new and extensively remodeled food establishments.



8. Oak Park will perform follow-up inspections, consultations and code enforcement actions as necessary to ensure correction of deficiencies and violations of codes.
9. Oak Park will review the Food and Food Establishment Code for consistency with State standards and will identify any variances.
10. Oak Park will monitor, identify and record reported cases of foodborne illness. Oak Park will maintain records of foodborne illness outbreaks to detect sources of contamination and to establish factors that contribute to foodborne illness outbreaks. Oak Park will recommend preventive and control measures and recommend appropriate action to prevent further spread of disease.
11. Oak Park will identify adulterated or potentially hazardous foods at Food Establishments. Oak Park will order the destruction, disposal or embargo of adulterated or potentially hazardous foods.
12. Oak Park will notify Food Establishments of any applicable food recalls.
13. Oak Park will respond to reports of food complaints, and to events such as fire, natural disaster, and other occurrences which may compromise food safety and take appropriate action with regard to any unsafe or unsanitary food.

**B. NUISANCE ABATEMENT PROGRAM**

1. Oak Park will administer an Environmental Nuisance Program in accordance with the River Forest Village Code and all applicable state laws.
2. Oak Park will review established policies and procedures and make recommendations for the effective and efficient administration of an Environmental Nuisance Program.
3. Oak Park will respond to all environmental nuisance complaints pertaining to solid waste control, rodent and insect vectors, noise and odors within one business day of receipt of a complaint.
4. Oak Park will perform follow-up inspections, consultations and code enforcement actions as necessary to ensure correction of deficiencies and violations of codes.
5. Oak Park will inspect sanitary conditions at swimming pools, nursing homes, day care centers, pet stores, barber and beauty shops on a complaint basis.

**C. COMMUNITY HEALTH SERVICES**

1. Oak Park shall inspect DCFS licensed child care centers in accordance with the provisions of Chapter 8, Child Day Care Facilities of the River Forest Municipal Code

which incorporates by reference the Illinois Department of Children and Family Services, Licensing Standards for Day Care Centers, part 407.

2. Oak Park shall provide information to all licensed child day care facilities concerning DCFS licensing standards, control of communicable diseases, and requirements for reporting such diseases to the Health Department within 24 hours of occurrence.

3. Oak Park shall investigate childcare facilities upon receipt of complaints and notification of events which may compromise the health and safety of children.

3. Oak Park shall perform plan reviews and pre-operational inspections when appropriate for new and extensively remodeled childcare facilities.

4. Oak Park will conduct follow-up inspections, consultations, and code enforcement actions as necessary to ensure correction of deficiencies and violations of code.

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**VILLAGE OF OAK PARK**  
**AGENDA ITEM COMMENTARY**

**Item Title: Resolution Authorizing the Execution of a One-Year Agreement with B. Haney & Sons Inc of Lombard, Il for 2011 Tree Removal and Emergency Services, not to exceed \$500,000.00.**

**Resolution or Ordinance No.:** \_\_\_\_\_

**Date of Board Action:** January 3, 2011

**Staff Review:**

**Public Works Director:**

  
\_\_\_\_\_  
**John P. Wielebnicki**

**Village Manager's Office:**

  
\_\_\_\_\_

**Item History (Previous Board Review, Related Action, History):**

Each year, the Village of Oak Park removes parkway trees throughout the Village primarily due to disease, insect infestation, and hazardous tree conditions. The Village issued a request for proposals for Tree Removal in the Fall of 2008. On January 5<sup>th</sup>, 2009, the Village approved an Agreement with B. Haney and Sons. The Agreement allowed the Village the right to renew for two additional one-year terms. 2011 is the second extension year.

By contracting a majority of tree removal operations, the Forestry Division can concentrate on aspects of Forestry better suited to in-house crews such as request trimming and emergency work, as well as participating in tree removal. Contracting tree removal minimizes hauling and disposal costs and allows an early start on the important task of maintenance tree trimming. A more timely and extended tree trimming period in turn reduces the number of trees lost to disease and damage.

In 2010, contracted tree removal and emergency assistance costs totaled over \$400,000.00 for the removal of approximately 190 diseased Elms and 75 hazard and Emerald Ash Borer-infested trees, as well as Village-wide cleanup following several major storms. As the average diameter of Elm removals is continually increasing and the severity of Dutch Elm disease and anticipated Emerald Ash Borer losses are very unpredictable, the 2011 budget anticipates higher costs for contractual services than in 2010.

**Item Policy Commentary (Key Points, Recommendation, Background):**

Use of contractors for tree removal eliminates in-house costs for waste wood hauling, chip disposal, vehicle usage, fuel, and dumping fees. Tree removal contracts also assist the Village in the following manner:

- (1) Reduces Dutch Elm Disease loss by allowing in-house expertise to survey, identify, and mark Elms for removal more efficiently.

- (2) Reduces liability by allowing contractor to remove larger trees and in-house crews to concentrate on removal of smaller hazardous trees in a more efficient manner.
- (3) Enhances Village Staff customer service by enabling crews to respond to trim and other requests in less time.

B. Haney and Sons of Lombard, IL completed the second year of the contract in 2010. B. Haney has a history of excellent performance in contractual tree removal operations for the Village, is very familiar with working conditions in Oak Park, and has provided excellent emergency and storm damage assistance in the past. Annual cost increases to the contract are based on the latest published Consumer Price Index (CPI). There was no increase in the past year; therefore unit prices will remain the same.

**Item Budget Commentary:**

The FY 2011 budget provides a total of \$820,000.00 in account #1001-43800-741-530667 for External Support. For this contract it is estimated at \$500,000.00 which includes an estimate for tree removal of \$400,000.00 for regular parkway disease and hazard tree removal, and \$100,000.00 for emergency assistance services

**If awarded, the contract with B. Haney & Sons, Inc. for Tree Removal and Emergency Assistance Services for 2011 shall not exceed \$500,000.00.**

**Proposed Action: Approve the resolution.**

## RESOLUTION

### RESOLUTION AUTHORIZING THE EXECUTION OF A ONE YEAR AGREEMENT WITH B. HANEY & SONS OF LOMBARD, ILLINOIS FOR 2011 TREE REMOVAL AND EMERGENCY SERVICES NOT TO EXCEED \$ 500,000.00.

**BE IT RESOLVED** by the President and Board of Trustees of the Village of Oak Park, Cook County, State of Illinois, that the Village Manager is hereby authorized to execute an agreement with B. Haney & Sons, Inc. of Lombard, Illinois for tree removal and emergency assistance services in the Village of Oak Park in 2011 in an amount not to exceed \$500,000.00. Said contract shall conform substantially to the contract attached hereto as Exhibit A and made part hereof.

**THIS RESOLUTION** shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 3rd day of January, 2011, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

**ADOPTED AND APPROVED** by me, this 3rd day of January, 2011.

---

David G. Pope  
Village President

ATTEST:

---

Teresa Powell  
Village Clerk



**Contract**

1. THIS AGREEMENT is made and concluded on the 3<sup>rd</sup> day of January, 2011 by and between the Village of Oak Park acting by and through its President & Board of Trustees, and **B. Haney and Sons, Inc.**, 2 N 700 Lombard Rd., Lombard, Illinois 60148-1201, its executors, administrators, successors or assigns (hereinafter "Contractor".)
2. The following documents set forth the terms of this contract and are incorporated herein:
  - a. The Village of Oak Park's Notice to Contractors, Special Provisions and Plans for **08-104, Parkway Tree Removal and Emergency Assistance**
  - b. B. Haney and Sons, Inc's Proposal dated October 9, 2008
  - c. The Contract Bond
3. Contractor agrees, at its own proper cost and expense to do all the work, furnish all materials and all labor necessary to complete the work in accordance with the terms of this contract and the requirements of the Village Forester under it.
4. Contractor affirms that the individual signing this contract is authorized to execute agreements on behalf the Contracting entity.
5. IN WITNESS WHEREOF, the parties have executed this contract on the date above mentioned.

Attest:

**Village of Oak Park**

\_\_\_\_\_  
**Teresa Powell, Village Clerk**  
(Seal)

By \_\_\_\_\_  
**Thomas W. Barwin,**  
**Village Manager**

**B. Haney and Sons, Inc.**

REVIEWED AND APPROVED  
AS TO FORM

DEC 17 2010  
  
LAW DEPARTMENT

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

Its: \_\_\_\_\_  
Title



## Contract Bond

**B. Haney and Sons**, 2 N 700 Lombard Rd., Lombard, Illinois 60148-1201, as PRINCIPAL, and

\_\_\_\_\_ as SURETY, are held and firmly bound unto the Village of Oak Park (hereafter referred to as "Village") in the penal sum of Five Hundred Thousand Dollars (**\$500,000.00**) to be paid to the Village of Oak Park under the conditions of this instrument, for the payment of which we bind ourselves, our heirs, executors, administrators, successors, jointly.

WHEREAS, THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH that, the Principal has entered into a written contract with the Village acting through its awarding authority for the construction or performance of work, which contract is hereby referred to and made a part hereof, as if written herein at length, and whereby the Principal has promised and agreed to perform the work in accordance with the terms of the contract, and has promised to pay all sums of money due for any labor, materials, apparatus, fixtures or machinery furnished to the Principal for the purpose of performing such work and has further agreed to pay all direct and indirect damages to any person, firm, company, or corporation suffered or sustained on account of the performance of such work during the time thereof and until such work is completed and accepted; and has further agreed that this bond will inure to the benefit of any person, firm, company, or corporation, to whom any money may be due from the Principal, subcontractor or otherwise, for any such labor, materials, apparatus, fixtures or machinery so furnished and that suit may be maintained on such bond by any such person, firm, company, or corporation, for the recovery of any such money.

The term of this bond is for the initial term of the contract commencing January 4, 2011 to December 31, 2011, unless released by the Village prior thereto; however, the term of this bond may be renewed for an additional one-year period at the sole option of the Surety by the issuance of a continuation certificate executed by the Surety and the Principal. The liability of the Surety under this bond and all continuation certificates issued in connection therewith shall not be cumulative year to year or period to period and shall in no event exceed the amount set forth in this bond or in any additions, riders or endorsements properly executed by the Surety as supplements thereto. The Village's acceptance of this bond and reliance upon it as security constitutes its acknowledgment and agreement as to the terms under which it is offered and issued by the surety.

NOW THEREFORE, if the Principal shall well and truly perform the work in accordance with the terms of the contract, and shall pay all sums of money due or to become due for any labor, materials, apparatus, fixtures or machinery furnished to the Principal for the purpose of constructing such work, and shall commence and complete the work within the time prescribed in the contract, and shall pay and discharge all damages, direct and indirect, that may be suffered or sustained on account of such work during the time of performance thereof and until the work shall have been accepted, and shall hold the Village and its awarding authority harmless on account of any such damages and shall in all respects fully and faithfully comply with all the provisions, conditions, and requirements of the contract, then this obligation will be void; otherwise it will remain in full force and effect.

IN TESTIMONY WHEREOF, the PRINCIPAL and the SURETY have caused this instrument to be signed by their respective officers this \_\_\_\_\_ day of \_\_\_\_\_ **2011**.

PRINCIPAL

SURETY

\_\_\_\_\_  
(Company Name)

\_\_\_\_\_  
(Company Name)

By: \_\_\_\_\_  
(Signature & Title)

By: \_\_\_\_\_  
(Signature & Title)

(If PRINCIPAL is a joint venture of two or more contractors, the company names, seals and authorized signatures of each contractor must be affixed.)

STATE OF ILLINOIS,

COUNTY OF COOK

I, \_\_\_\_\_ a Notary Public in and for said county, do

hereby certify that \_\_\_\_\_, and

\_\_\_\_\_ (Insert names of individuals signing on behalf of PRINCIPAL & SURETY) personally known to me to be the same persons whose names are subscribed to the foregoing instrument on behalf of PRINCIPAL and SURETY, appeared before me this day in person and acknowledged respectively, that they signed, sealed, and delivered this instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notary seal this \_\_\_\_\_ day of \_\_\_\_\_, 2011

\_\_\_\_\_  
Notary Public

Approved this 3<sup>rd</sup> day of January, 2011.

VILLAGE OF OAK PARK

\_\_\_\_\_  
Thomas W. Barwin  
Village Manager

REVIEWED AND APPROVED  
AS TO FORM

DEC 17 2010

*[Signature]*  
LAW DEPARTMENT

ATTEST

\_\_\_\_\_  
Teresa Powell  
Village Clerk

(Seal)



PROPOSAL TABULATION SHEET									
Village of Oak Park									
Tree Removal Services 2009									
CONTRACTOR	MBE	WBE	NON	UNIT COST UNDER 30"	UNIT COST OVER 30"	UNIT COST UNDER 30"	UNIT COST OVER 30"	NOTES Under	TOTAL
Winkler Tree Service			X	\$ 38.25	\$ 38.25	\$ 120,487.50	\$ 150,207.75		\$ 270,695.25
B. Haney & Son			X	\$ 32.47	\$ 40.40	\$ 102,280.50	\$ 158,650.80		\$ 260,931.30
Kramer Tree Service			X	\$ 54.00	\$ 70.00	\$ 170,100.00	\$ 274,890.00		\$ 444,990.00
Sinnott Tree Service, Inc.			X	\$ 41.27	\$ 46.60	\$ 130,000.50	\$ 182,998.20		\$ 312,998.70
Autumn Tree Care		X		\$ 75.00	\$ 75.00	\$ 236,250.00	\$ 294,525.00		\$ 530,775.00
Landscape Concepts Management			X	\$ 52.60	\$ 77.72	\$ 165,690.00	\$ 305,206.44		\$ 470,896.44



The Village of Oak Park  
 Department of Public Works  
 201 South Boulevard  
 Oak Park, IL 60202

708.358.5700  
 Fax 708.358.5711  
 TTY 708.363.0048  
 publicworks@oak-park.us

December 6, 2010

B. Haney & Sons, Inc.  
 ATTN: David R. Haney  
 2 N 700 Lombard Rd.  
 Lombard, Illinois 60148-1201

**Re: Tree Removal for the Village of Oak Park for 2011**

Dear Mr. Haney:

The Village of Oak Park is looking forward to working with B. Haney & Sons on the third year of the three-year tree removal contract. Per the contract, B. Haney is entitled to an adjustment in unit pricing based upon 100% of the percentage of change of the latest published CPI (consumer price index) as compared to the index for the previous year. The index shall be the United States Department of Labor, Bureau of Labor Statistics, Revised Consumer Price Index for all Urban Wage Earners for Chicago, Illinois – Gary, Indiana – Kenosha, Wisconsin (all items, 1982-84 = 100). Included with this mailing is a copy of the index obtained from the Department of Labor website. Currently, the latest published index shows a no increase in this index, translating to unit costs for the 2011 Removal contract to be the same as the pricing for the 2010 contract.

- Under 30" in diameter - \$32.47 per diameter inch
- Over 30" in diameter - \$40.40 per diameter inch

Questions regarding unit pricing can be directed to me directly at (708) 358-5700. By signing this letter, B. Haney and Sons agrees to these conditions.

Thank you, and once again the Village looks forward to working with B. Haney & Sons in 2011.

Sincerely,

Jim Semelka  
 Urban Forestry Superintendent

David R. Haney  
 President, B. Haney and Sons

The CPI is based on prices of food, clothing, shelter, and fuels, transportation fares, charges for doctors' and dentists' services, drugs, and the other goods and services that people buy for day-to-day living. Each month, prices are collected in 87 urban areas across the country from about 4,000 housing units and approximately 25,000 retail establishments-- department stores, supermarkets, hospitals, filling stations, and other types of stores and service establishments. All taxes directly associated with the purchase and use of items are included in the index.

The index measures price changes from a designated reference date (1982-84) that equals 100.0. An increase of 16.5 percent, for example, is shown as 116.5. This change can also be expressed in dollars as follows: the price of a base period "market basket" of goods and services in the CPI has risen from \$10 in 1982-84 to \$11.65. For further details see the CPI home page on the Internet at [www.bls.gov/cpi](http://www.bls.gov/cpi) and the BLS Handbook of Methods, Chapter 17, The Consumer Price Index, available on the Internet at [www.bls.gov/opus/hom/homch17\\_a.htm](http://www.bls.gov/opus/hom/homch17_a.htm).

In calculating the index, price changes for the various items in each location are averaged together with weights that represent their importance in the spending of the appropriate population group. Local data are then combined to obtain a U.S. city average. Because the sample size of a local area is smaller, the local area index is subject to substantially more sampling and other measurement error than the national index. In addition, local indexes are not adjusted for seasonal influences. As a result, local area indexes show greater volatility than the national index, although their long-term trends are quite similar. NOTE: **Area indexes do not measure differences in the level of prices between cities; they only measure the average change in prices for each area since the base period.**

The Chicago-Gary-Kenosha, Ill.-Ind.-Wis. consolidated area covered in this release is comprised of Cook, DeKalb, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry, and Will Counties in Illinois; Lake and Porter Counties in Indiana; and Kenosha County in Wisconsin.

Information in this release will be made available to sensory impaired individuals upon request. Voice phone: 202-691-5200; TDD message referral phone number: 1-800-877-8339.

For personal assistance or further information on Consumer Price Indexes, as well as other Bureau products, contact the Chicago Information Office at (312) 353-1880 from 8:00 a.m. to 4:00 p.m. CT.

**Table 1. Consumer Price Index for All Urban Consumers (CPI-U): Indexes and percent changes for selected periods**

**Chicago-Gary-Kenosha, IL-IN-WI (1982-84=100 unless otherwise noted)**

Item and Group	Indexes			Percent change from-		
	Aug. 2010	Sep. 2010	Oct. 2010	Oct. 2009	Aug. 2010	Sep. 2010
<b>Expenditure category</b>						
<b>All items</b>	212.784	213.339	213.332	0.8	0.3	0.0
<b>All items (December 1967=100)</b>	635.709	637.368	637.346	-	-	-
<b>Food and beverages</b>	216.312	217.075	218.263	1.5	0.9	0.5
<b>Food</b>	214.913	215.739	216.962	1.6	1.0	0.6
<b>Food at home</b>	215.672	217.005	218.923	2.1	1.5	0.9
<b>Food away from home</b>	208.023	208.180	208.484	1.0	0.2	0.1
<b>Alcoholic beverages</b>	233.296	233.248	233.973	0.4	0.3	0.3
<b>Housing</b>	214.048	213.567	212.660	-0.8	-0.6	-0.4
<b>Shelter</b>	260.594	260.656	260.819	-0.9	0.1	0.1

Item and Group	Indexes			Percent change from-		
	Aug. 2010	Sep. 2010	Oct. 2010	Oct. 2009	Aug. 2010	Sep. 2010
Rent of primary residence <sup>(1)</sup>	271.424	271.824	272.291	0.6	0.3	0.2
Owners' equiv. rent of residences <sup>(1) (2)</sup>	265.944	266.098	266.395	-0.5	0.2	0.1
Owners' equiv. rent of primary residence <sup>(1) (2)</sup>	265.944	266.098	266.395	-0.5	0.2	0.1
Fuels and utilities	186.026	184.802	176.574	7.4	-5.1	-4.5
Household energy	164.635	163.269	154.029	6.7	-6.4	-5.7
Gas (piped) and electricity <sup>(1)</sup>	168.350	166.914	157.199	6.9	-6.6	-5.8
Electricity <sup>(1)</sup>	160.653	160.653	146.982	7.3	-8.5	-8.5
Utility (piped) gas service <sup>(1)</sup>	163.211	159.574	157.367	6.3	-3.6	-1.4
Household furnishings and operations	101.566	99.966	100.371	-7.5	-1.2	0.4
Apparel	88.581	93.687	93.381	-2.4	5.4	-0.3
Transportation	181.409	181.453	182.745	4.6	0.7	0.7
Private transportation	178.108	178.395	179.494	4.5	0.8	0.6
Motor fuel	250.288	252.210	255.073	12.5	1.9	1.1
Gasoline (all types)	248.383	250.283	252.918	12.3	1.8	1.1
Gasoline, unleaded regular <sup>(3)</sup>	244.490	246.787	248.979	12.5	1.8	0.9
Gasoline, unleaded midgrade <sup>(3) (4)</sup>	258.740	260.341	264.066	11.6	2.1	1.4
Gasoline, unleaded premium <sup>(3)</sup>	239.395	239.375	243.054	12.3	1.5	1.5
Medical care	410.442	412.070	413.018	4.6	0.6	0.2
Recreation <sup>(5)</sup>	111.794	111.209	111.644	-0.1	-0.1	0.4
Education and communication <sup>(5)</sup>	137.073	137.896	136.835	-0.6	-0.2	-0.8
Other goods and services	348.032	348.543	349.621	0.4	0.5	0.3
<b>Commodity and service group</b>						
All items	212.784	213.339	213.332	0.8	0.3	0.0
Commodities	163.004	164.166	164.742	0.6	1.1	0.4
Commodities less food & beverages	134.322	135.585	135.894	0.0	1.2	0.2
Nondurables less food & beverages	172.492	176.100	176.627	2.3	2.4	0.3
Durables	97.323	96.430	96.534	-3.6	-0.8	0.1
Services	259.970	259.906	259.313	0.9	-0.3	-0.2
<b>Special aggregate indexes</b>						
All items less medical care	204.252	204.763	204.720	0.5	0.2	0.0
All items less shelter	196.958	197.698	197.629	1.6	0.3	0.0
Commodities less food	138.226	139.464	139.786	0.0	1.1	0.2
Nondurables	195.665	198.039	198.878	1.9	1.6	0.4
Nondurables less food	176.945	180.369	180.910	2.2	2.2	0.3
Services less rent of shelter <sup>(2)</sup>	273.191	272.979	271.473	3.0	-0.6	-0.6
Services less medical care services	248.550	248.358	247.713	0.5	-0.3	-0.3

Item and Group	Indexes			Percent change from-		
	Aug. 2010	Sep. 2010	Oct. 2010	Oct. 2009	Aug. 2010	Sep. 2010
<b>Energy</b>	196.363	196.357	192.195	9.8	-2.1	-2.1
<b>All items less energy</b>	215.960	216.573	216.963	0.1	0.5	0.2
<b>All items less food and energy</b>	216.909	217.486	217.729	-0.2	0.4	0.1

Footnotes

(1) This index series was calculated using a Laspeyres estimator. All other item stratum index series were calculated using a geometric means estimator.

(2) Index is on a December 1982=100 base.

(3) Special index based on a substantially smaller sample.

(4) Indexes on a December 1993=100 base.

(5) Indexes on a December 1997=100 base.

- Data not available

NOTE: Index applies to a month as a whole, not to any specific date.

**Last Modified Date:** November 17, 2010

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**VILLAGE OF OAK PARK**  
**AGENDA ITEM COMMENTARY**

**Item Title:** Resolution Authorizing Execution of Subordination of Lien  
For 405-07 Washington Boulevard MSA 1002-G

**Resolution or Ordinance Number**

**Date of Board Action**

January 3, 2011


**Staff Review:**

Housing Programs Manager



Tamara Grossman

Village Manager's Office

  
Signature

**ITEM HISTORY (PREVIOUS BOARD REVIEW, RELATED ACTION, HISTORY)**

The Community Planning Housing Programs Division administers the Multi-Family Housing Incentives Program (a/k/a DAP), which was established by Ordinance in 1984. The Multi-Family Housing Incentives Program is a program of grants and loans for owners of multi-family buildings with four or more units. The purpose of the program is to allow owners to upgrade the physical condition of multi-family buildings, and to expand the housing choices of renters to encourage diversity. To accomplish these purposes, the Village awards eligible property owners a grant and/or loan, and in return, the owners enter into a Marketing Services Agreement which requires the owner to market the building's rental units with the Oak Park Housing Center.

The Village records Multi-Family Housing Incentives grants as a forgivable mortgage lien against the property, with the purchase mortgage having priority over the Village's lien. When the grant term expires the mortgage is released. We record the grant as a mortgage so that we have an enforcement mechanism should the owner not comply with the Marketing Services Agreement. If an owner does not fully cooperate with the Marketing Services Agreement, one option would be to cancel the grant and seek reimbursement.

During the grant term, a building owner may seek to refinance their purchase mortgage. When a property is refinanced, the original purchase loan is paid off and the mortgage lien released. Ordinarily, this would mean that the next lien recorded against the property, the Village's lien, would take first priority. However, lenders will not refinance a principal mortgage unless their new mortgage lien has first priority against the title. In this situation, the lender and the property owner request that the Village agree to subordinate its lien so that it remains in second place against the title.

**ITEM POLICY COMMENTARY (KEY POINTS, RECOMMENDATION, BACKGROUND)**

On May 17, 2010, the Village awarded the owner of 405-07 Washington Boulevard a Multi-Family Incentives Program grant in the amount of \$10,000 and the Marketing Service Agreement expires on May 17, 2015.

The owners are refinancing their first mortgage for a new \$514,500 mortgage, and request that the Village subordinate its loan to the new mortgage. The property is appraised at \$735,000.00. The new first mortgage of \$514,500.00 and the Village mortgage of \$10,000.00 equal total debt of \$524,500.00, leaving 28.57% equity in the property.

Attached is a Resolution and Subordination of Lien. Also included is the Village Sign-off Sheet confirming that the owner is up to date with municipal obligations, i.e., business license, taxes, water billing and Community Relations reports.

**ITEM BUDGET COMMENTARY**

There is no impact on the General Fund. Staff time to prepare the subordination and assignment are the only cost to the Village.

**PROPOSED ACTION**

Approve the Resolution.

**RESOLUTION AUTHORIZING SUBORDINATION  
OF LIEN ON PROPERTY LOCATED AT  
405-07 WASHINGTON BOULEVARD**

**Whereas**, the Village of Oak Park's Multi-Family Housing Incentives Program authorizes the Village to make matching grants to owners of multi-family apartment buildings for the purposes of rehabilitating the property. In return, grant recipients are required to enter into a Marketing Services Agreement which requires that the units be marketed through the Oak Park Regional Housing Center to encourage racial diversity among residents; and

**Whereas**, Multi-Family Housing Incentives Grants are supported by an Installment Note and a forgivable Mortgage which is recorded against the property to insure that the terms of the Marketing Services Agreement are followed; and

**Whereas**, the Village awarded a Ten Thousand Dollars (\$10,000.00) Multi-Family Housing Incentives Grant to GP 405 LLC as owner of a 12 unit multifamily building located at 405-07 Washington Boulevard; and

**Whereas**, GP 405 LLC entered into an Installment Note for \$10,000.00 dated May 17, 2010; and

**Whereas**, GP 405 LLC entered into Marketing Services Agreement MSA-1002-G with the Village, which expires on May 17, 2015; and

**Whereas**, the Mortgage supporting the Village's Multi-Family Housing Incentives Grant was recorded against the subject property with the Cook County Recorder of Deeds as Document # 1019348069; and

**Whereas**, the Village's mortgage was a second mortgage against the property at the time it was recorded; and

**Whereas**, GP 405 LLC desires to refinance the first mortgage on the property; and

**Whereas**, GP 405 LLC has applied for and been conditionally approved for a mortgage by JP Morgan Chase Bank, N.A. conditioned on the mortgage being the first lien on the property; and

**Whereas**, it is in the best interests of the Village to enter into a Subordination of Lien for the purpose of allowing the JP Morgan Chase Bank, N.A. new first mortgage to be the first lien on the property, provided GP 405 LLC continue to rehabilitate it in accordance with the terms of the original grant, Installment Note and Marketing Services Agreement.



**NOW THEREFORE, BE IT RESOLVED** by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, as follows:

**SECTION 1: FINDINGS**

The foregoing recitals are incorporated herein as findings of fact.

**SECTION 2:**

The Village Manager is authorized and directed to execute a Subordination of Lien for the purposes set forth in the Findings. Said Subordination shall conform substantially to the Subordination attached hereto as Exhibit A.

**SECTION 3:**

The Village Manager is authorized and directed to endorse the Village's Installment Note for the subject property with the following recital: "This Note in the amount of \$10,000.00 is secured by a Mortgage with is junior and subordinate to the lien of that certain Mortgage document dated \_\_\_\_\_ from JP Morgan Chase Bank, N.A.

**SECTION 4:**

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

ADOPTED this 3rd day of January, 2011 pursuant to a roll call vote as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED by me this 3rd day of January, 2011.

\_\_\_\_\_  
David G. Pope  
Village President

Attest:

\_\_\_\_\_  
Teresa Powell  
Village Clerk

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**VILLAGE OF OAK PARK**  
**CITIZEN ADVISORY BOARD AND COMMISSION**

**AGENDA ITEM COMMENTARY**

**Item Title: Ordinance Authorizing Amendment of Section 7-9-8F of the Village Code Designating 308 N. Oak Park and 633 N. East as Oak Park Historic Landmarks as Reviewed at the November 22, 2010 Village Board Meeting.**

**Ordinance No:** \_\_\_\_\_  
**Date of Board Action: January 3, 2011**

**Submitted by: Christina Morris, Chairperson**  
**Oak Park Historic Preservation Commission**

**Department Liaison:** Douglas V. Varga  
**Village Manager's Office:** \_\_\_\_\_

**Commission Issue Processing:**

The Historic Preservation Ordinance, adopted by the Village Board in 1994, enables the Historic Preservation Commission to recommend, and the Village Board to adopt by Ordinance, local landmarks within the Village. The property must meet one or more of 8 criteria for designation as listed in the ordinance. The ordinance calls for the Commission to hold a public hearing and then forward a recommendation in the form of a Resolution to the Village Board. Upon receipt of the Resolution and nomination report, the Village Board has 30 days in which to designate or reject the nomination by simple majority. Upon approval, the Board shall enact an ordinance designating the landmark.

- A. Property owner consent to designations approved: Dec. 19, 2009 and August 18, 2010
- B. Nominations for Landmark status submitted: August 23 and August 18, 2010
- C. HPC preliminary determination of eligibility: September 9, 2010
- D. HPC public hearing: November 11, 2010
- E. HPC approved Resolutions and Findings of Fact: November 11, 2010
- F. Village Board accepted Findings of Fact and Resolutions from HPC: Nov. 22, 2010

**Item History:**

On August 23, 2010 the Historic Preservation Commission received a completed Oak Park Historic Landmark nomination form for the property at 308 N. Oak Park Avenue. On August 18, 2010 the Historic Preservation Commission received a completed Oak Park Historic Landmark nomination form for the property at 633 N. East Avenue. The Historic Preservation Commission conducted a preliminary determination of eligibility for both properties on September 9, 2010 which determined that they met one or more of the criteria for designation contained in the Historic Preservation Ordinance.

The Historic Preservation Commission conducted the required Public Hearing for both properties on November 11, 2010. Legal Notice of both Public Hearings was published in the Wednesday Journal and hearing notices were mailed to Village property owners within 250 feet of the sites.

The Historic Preservation Commission approved both nominations as the Findings of Fact and recommended approval of both properties as Oak Park Historic Landmarks as is mandated in the Historic Preservation Ordinance.

**Item Policy Commentary:**

The property at 308 N. Oak Park Avenue is known as the *Rutherford-Dodge House*. The two story wood frame house was constructed ca. 1872-1882 in the Italianate style. The property is significant for its architecture and for its association with architectural heritage of the Village. The property meets the following criteria under section 7-9-5 of the Historic Preservation Ordinance "Criteria for Designation of Historic Landmarks and Interior Historic Landmarks":

1. Significance as an example of the architectural, cultural, economic, historic or social development or heritage of the Village of Oak Park, the State or the United States.
5. Embodiment of those distinguishing characteristics of a significant architectural style.

The property at 633 N. East Avenue is known as the *Vernon W. Skiff House*. The two story brick house was constructed in 1909 in a Prairie School design. The property is significant for its architecture, for architects Nimmons & Fellows, and for its association with the Skiff family. The property meets the following criteria under section 7-9-5 of the Historic Preservation Ordinance "Criteria for Designation of Historic Landmarks and Interior Historic Landmarks":

1. Significance as an example of the architectural, cultural, economic, historic or social development or heritage of the Village of Oak Park, the State or the United States.
3. Identification with a person or persons who significantly contributed to the architectural, cultural, economic, historic or social heritage, or other aspect, of the Village of Oak Park, the State, or the United States.
5. Embodiment of those distinguishing characteristics of a significant architectural style.
6. Identification as the work of an architect whose individual work is significant in the development of the Village of Oak Park, the State, or the United States.

**Staff Commentary:**

On November 22, 2010 the Village Board accepted the Historic Preservation Commission's resolutions and recommendations and directed staff to prepare the necessary ordinance. Village staff recommends adoption of the ordinance designating 308 N. Oak Park and 633 N. East as Oak Park Historic Landmarks.

**Item Budget Commentary:**

The amount of \$500 has been budgeted for a bronze plaque. The current remaining 2010 balance is \$5,750.

**Proposed Action:**

Move to adopt the ordinance designating 308 N. Oak Park and 633 N. East as Oak Park Historic Landmarks.

Ordinance designating Oak Park Historic Landmarks

**ORDINANCE AUTHORIZING AMENDMENT OF SECTION 7-9-8F  
OF THE VILLAGE CODE RELATING TO HISTORIC LANDMARKS**

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Oak Park, County of Cook, State of Illinois, in accordance with the Home Rule Powers granted to it under Article VII, Section 6 of the Constitution of the State of Illinois (1970), as amended, as follows:

**SECTION 1:** That the Village Board approves and adopts the findings and recommendations of the Historic Preservation Commission set forth in its Resolution attached hereto as Exhibit A.

**SECTION 2:** That Section 7-9-8F of the Village Code entitled "Designation of Historic Landmarks and Interior Historic Landmarks" is hereby amended to read as follows:

**7-9-8: DESIGNATION OF HISTORIC LANDMARKS AND INTERIOR HISTORIC  
LANDMARKS:**

F. The following properties and/or improvements have been designated as Oak Park Historic Landmarks (including Interior Landmarks) pursuant to this Article:

1. Frank Lloyd Wright Home & Studio  
428 Forest and 951 Chicago Avenue  
Interior, Exterior and Improvements
2. John Farson Home  
217 Home Avenue  
Exterior, Walk and Fence
3. Pilgrim Congregational Church  
460 Lake Street  
Exterior
4. Unity Temple  
875 Lake Street  
Interior and Exterior
5. Ernest Hemingway Birthplace Home  
339 N. Oak Park Avenue  
Interior and Exterior

6. The Plaza Hotel  
123 S. Marion Street  
Exterior
7. The Plaza Hotel  
123 S. Marion Street  
Interior  
The lobby or foyer area including: the four-story atrium with a turned spindle latticework stairway, the ornamental stained and beveled glass door surround between the foyer of the original building and the former dining area in the addition, and the two (2) brick archways leading off from the foyer area. (Ord. 1998-0-14, 3-16-98)
8. The Hills-DeCaro House  
313 Forest Avenue  
Exterior
9. The Rollin Furbeck House  
515 Fair Oaks Avenue  
Exterior
10. The Harry S. Adams House  
710 Augusta Street  
Exterior – House and Coach House
11. The George Furbeck House  
223 N. Euclid Avenue  
Exterior
12. The Thomas Gale House  
1027 Chicago Avenue  
Exterior
13. The Oak Park and River Forest Day Nursery  
1139 Randolph Street  
Exterior
14. Charles Roberts House  
321 N. Euclid Avenue  
Exterior – House and Garage
15. Roberts Building  
300-304 N. Grove Avenue/818 Erie Street  
Exterior
16. Odd Fellows Hall  
812-818 Harrison Street  
Exterior

17. The Albert and Kittie Ernst House  
1023 Wenonah Avenue  
Exterior
18. Oak Park Conservatory  
615 Garfield Street  
Exterior – Original Structure
19. Park Grove and Park View Manor  
173-181 N. Grove Avenue  
Exterior
20. Bishop Quarter School Addition  
605 Lake Street  
Exterior
21. C. A. Sharpe House (Cheney Mansion)  
220 N. Euclid Avenue  
Exterior – House, Greenhouse, Coach House, Fence
22. Andreas Brisch House  
701 S. East Avenue  
Exterior
23. Harold C. Lewis House  
950 Columbian Avenue  
Exterior
24. George and James Tough House  
1045 Wesley Avenue  
Exterior – House and Garage
25. Poley Building  
408-410 S. Austin Blvd.  
Exterior
26. Margaret Morse House  
1036 Fair Oaks Avenue  
Exterior
27. Albert Schneider House  
553 N. Marion Street  
Exterior
28. Dorothy Manor Apartments  
424-426 S. Austin Blvd.  
Exterior
29. Maze Branch Library  
845 Gunderson Avenue  
Exterior, Interior (Main Floor, Foyer)

30. First United Methodist Church  
324 N. Oak Park Avenue  
Exterior
31. Howard Jenkins House  
500 Linden Avenue  
Exterior – House and Garage
32. Dr. Harry Bernhardt Cottage  
705 S. East Avenue  
Exterior – House and Garage
33. Charles W. Eils House  
625 S. Oak Park Avenue  
Exterior – House and Garage
34. Boulevard Arcade Building  
1033 South Boulevard  
Exterior
35. Cicero Fire House No. 2  
129 Lake Street  
Exterior
36. Gustaf and Fride Benson House  
1139 Woodbine Avenue  
Exterior – House and Garage
37. Robert Parker House  
1019 Chicago Avenue  
Exterior
38. Linden Apartments  
175-181 Linden Avenue/643-645 Ontario Street  
Exterior – Building and Garage
39. Charles Schwerin House  
639 Fair Oaks Avenue  
Exterior – House and Garage
40. Edward and Caroline McCready House  
231 N. Euclid Avenue  
Exterior – House, Garage, and Retaining Wall
41. Russell Wallace House  
178 N. Euclid Avenue  
Exterior – House and Garage

- 42. Charles S. Castle House  
647 Linden Avenue  
Exterior – House and Garage
- 43. Joseph D. Everett House  
228 Forest Avenue  
Exterior
- 44. Chester Flitcraft House  
845 Chicago Avenue  
Exterior
- 45. Paul Blatchford House No. 1  
250 Forest Avenue  
Exterior
- 46. William A. Douglass House  
317 N. Kenilworth Avenue  
Exterior, Coach House
- 47. Nineteenth Century Club  
178 Forest Avenue  
Exterior
- 48. **Rutherford-Dodge House**  
**308 N. Oak Park Avenue**  
**Exterior**
- 49. **Vernon W. Skiff House**  
**633 N. East Avenue**  
**Exterior, Coach House, Fence**

**SECTION 3:** THIS ORDINANCE shall be in full force and effect from and after its adoption and publication in accordance with law.

ADOPTED this 3<sup>rd</sup> day of January 2011, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this 3<sup>rd</sup> day of January 2011.

---

David G. Pope  
Village President

ATTEST:



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Teresa Powell  
Village Clerk

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# VILLAGE OF OAK PARK

## CITIZEN ADVISORY BOARD AND COMMISSION RECOMMENDATION

### AGENDA ITEM COMMENTARY

**Item Title:** Motion to Approve Parking Restriction Changes on the Northwest Corner of Randolph Street and East Avenue and Direct Staff to Prepare an Amendment to Resolution 1995-R-152

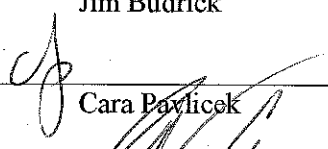
**Resolution or Ordinance No.** \_\_\_\_\_

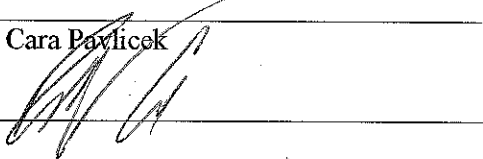
**Date of Board Action** January 3, 2011

**Submitted by:** Paul Aeschleman, Chairperson of the Transportation Commission

**Staff Review:**

**Village Engineer** \_\_\_\_\_  
Jim Budrick

**Interim Parking Manager**  \_\_\_\_\_  
Cara Pavlicek

**Village Manager's Office** \_\_\_\_\_  


**Citizen Advisory Board or Commission Issue Processing (Dates of Related Commission Meetings):**

Transportation Commission Meetings  
August 9, 2010 and August 23, 2010

**Item Policy Commentary (Previous Board Review, History Key Points, Current Issue, Commission Recommendation):**

A petition was submitted by Randolph Crossing Condominium Association on behalf of the residents at the corner of 608-610 Randolph Street and 241-245 S. East Avenue for relief from existing daytime restrictions. Currently the spaces in front of the building allow for overnight on-street parking "Permit Y5 Parking Only 10pm-6am" and "No Parking 8-10am Monday-Friday" daytime restrictions.

The petition was discussed at the August 9, 2010 and August 23, 2010 Transportation Commission meetings. Commissioners heard from residents on of the building, residents on the block, as well as a representative of the church across the street from the building.

Residents presented their concerns regarding daytime restrictions adversely affecting the quality of life for the many residents of the building that are home during the day.

The commissioners approved current "No Parking 8-10am Monday-Friday" restrictions be replaced by:  
"No Parking 8-10am Tuesday" in the 608-610 Randolph Street spaces, and  
"No Parking 8-10am Wednesday" in the 241-245 S. East Avenue spaces.

Attachments – Exhibit A: Existing area parking restrictions and Exhibit B: Resolution 1995-R-152.

# VILLAGE OF OAK PARK

## CITIZEN ADVISORY BOARD AND COMMISSION RECOMMENDATION

### AGENDA ITEM COMMENTARY

**Transportation Commission Recommendations That Require Board Action:**

The commissioners approved current "No Parking 8-10am Monday-Friday" restrictions be replaced by:  
"No Parking 8-10am Tuesday" in the 608-610 Randolph Street spaces, and  
"No Parking 8-10am Wednesday" in the 241-245 S. East Avenue spaces.

**Item Budget Commentary (Account #, Balance, Cost of Contract):**

As recommended by the Transportation Commission, staff estimates the following approximated cost associated with parking restrictions changes would be \$400 for signage changes

Funds for this work would come from the \$25,000 budgeted in FY2010 under account 5060-43770-786-560634 (Parking Fund, On-Street Parking Program, Sign Replacement.) This account has a current balance of \$16,891.

**Proposed Staff Action (if different):**

Staff agrees with all recommended changes.

**Proposed Action:**

Approve the motion.

**Exhibits Included in this Agenda Item Commentary Are:**

- Exhibit A: Existing area parking restrictions
- Exhibit B: Resolution 1995-R-152

**RESOLUTION AUTHORIZING ON-STREET, OVERNIGHT PERMIT PARKING  
IN EXTENDED AREA 5, LOCATED ON THE NORTHWEST CORNER  
OF RANDOLPH STREET AND EAST AVENUE**

**ORIGINAL**

**BE IT RESOLVED** by the President and Board of Trustees of the Village of Oak Park, County of Cook, State of Illinois as follows:

**SECTION 1:** The President and Board of Trustees of the Village of Oak Park adopted Ordinance 1995-0-68 on September 18, 1995, authorizing the establishment of on-street overnight permit parking along street frontages adjacent to non conforming multiple-family structures within five hundred feet of the R-7 zoned district and designating the street frontage on the northwest corner of Randolph Street and East Avenue, adjacent to the non conforming multiple-family structure at that location, as an extension of on-street overnight permit parking Area 5.

**SECTION 2. FINDINGS:** The President and Board of Trustees of the Village of Oak Park find as follows:

1. That residents of the neighborhood surrounding the non conforming multiple-family structure located on the northwest corner of Randolph Street and East Avenue were notified by mail that a hearing would be conducted on the establishment of on-street overnight permit parking in that area, as a part of the regular Village Board meeting, on Monday evening, October 2, 1995, beginning at 7:30 p.m. in the Village Hall Council Chambers, located in the Village Hall at Lombard Avenue and Madison Street within the Village of Oak Park;
2. That a hearing was conducted at the Village Board meeting on October 2, 1995, at the Oak Park Village Hall;
3. That a severe off-street parking shortage exists for extended Area 5;
4. That once the 100 year old multiple-family structure, located on the northwest corner of Randolph Street and East Avenue, is rehabilitated, the demand for overnight off-street parking will far exceed availability in this area in that, like so many older multiple-family structures, no off-street parking exists to service the building which will contain 12 dwelling units;
5. That no alternative solution to on-street permit parking exists at the present time for

this area;

6. That the overnight parking ban has been diligently enforced by the Police in these areas, but a parking problem still exists;

7. That the adoption of on-street overnight permit parking in this area will improve policing by eliminating unidentifiable, illegal parkers and replacing them with easily identifiable permitted vehicles;

8. That street maintenance operations will be improved by shifting street maintenance operations in the area from overnight street maintenance, which is presently hindered by vehicles parked on the street, to 8 to 10 A.M. street maintenance, establishing and enforcing a parking prohibition for vehicles on the street during these times; and

9. That it is in the best interests of this area and of the Village in general that on-street overnight permit parking be instituted in this area.

**SECTION 3:** On-street overnight permit parking is hereby established for extended Area 5 in accordance with Ordinance 1994-0-60, as amended by Ordinance 1995-0-68, and as set forth on the map attached hereto as Exhibit "A" and made a part hereof.

**THIS RESOLUTION** shall be in full force and effect from and after its adoption and approval as provided by law.

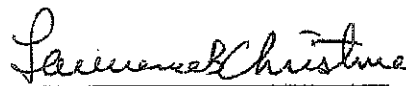
**ADOPTED** this 2nd day of October, 1995, pursuant to a roll call vote as follows:

**AYES:** Trustees Abraham, Fillmore, Pospisil, Rakstang, Raphael and Troelstrup and President Christmas


**NAYS:** None

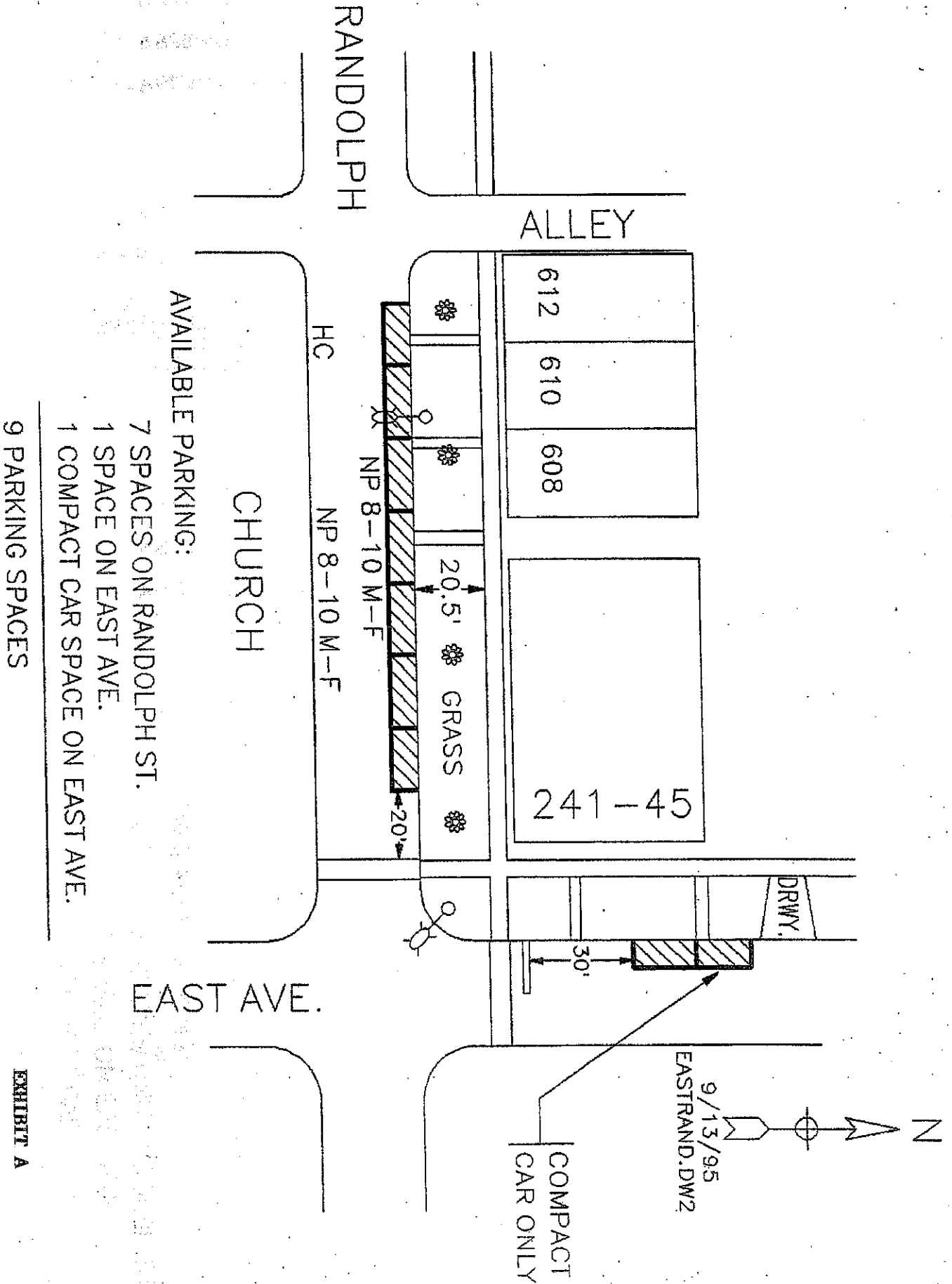
**ABSENT:** None

**APPROVED** by me this 2nd day of October, 1995.

  
 Lawrence B. Christmas  
 Village President

**ATTEST:**

  
 Sandra Sokol  
 Village Clerk



H

**VILLAGE OF OAK PARK**  
**AGENDA ITEM COMMENTARY**

**Item Title:** Motion To Direct Staff To Prepare an Ordinance Providing For The Submission To The Electors of the Village of Oak Park, Cook County, the Question Whether the Village Should Have the Authority and Option Under Public Act 096-0176 to Arrange for the Supply of Electricity For its Residential and Small Commercial Retail Customers Who Have Not Opted Out of Such Program

**Resolution or Ordinance No.** \_\_\_\_\_

**Date of Board Action:** *January 3, 2011*

**Staff Review:** K.C. Poulos, Sustainability Manager \_\_\_\_\_

**Village Manager's Office:** \_\_\_\_\_ 

**Item History (Previous Board Review, Related Action, History):**

The State of Illinois recently passed Public Act 96-0176, which allows Illinois municipalities to bid to acquire blocks of electric power on behalf of residents and small commercial retail users in an opt-out process. Known as Community Choice Aggregation (CCA), the goal of these programs is to allow local governments to offer their residents the option of obtaining a cheaper energy supply, and possibly offer a cleaner energy supply. Currently, Oak Park residents and small businesses receive their electricity through Com Ed at a set rate.

Under Community Choice Aggregation, the Village would bid for competing electric rates on behalf of its residents and small commercial retail users. Residents would still receive their electricity through the Com Ed delivery system and would also continue to receive customer service, such as billing and outage response, through Com Ed.

**Item Policy Commentary (Key Points, Current Issue, Recommendation):**

The Community Choice Aggregation program is most successful when it is done on an "opt-out" basis. An opt-out program includes all residents and small commercial retail users who do not affirmatively elect not to participate. By aggregating the majority of residential and small commercial electricity accounts, the Village of Oak Park can bid to acquire a cheaper energy supply which will result in lower electricity bills.

In order for the Village to have the authority and option to bid for electricity on behalf of its residents and small commercial retail electric users on an opt-out basis, the Village must place a binding referendum on the April 5, 2011 ballot. The referendum will ask the voters whether the Village shall have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program.

The referendum gives the Village the authority to go forward with the bidding process, but does not require the Village to accept any bids or to enter into an alternative energy supply agreement. The Village will draft an RFP specifying the energy mix and cost savings goals determined by the Village. If the bidding results in rates unfavorable to the residents, there will be no obligation to go forward. On the other hand, if a favorable bid is obtained, the

Village may chose to accept the bid for a set time period, usually one to two years.

The referendum contemplates an "opt-out" plan which captures Oak Park's entire residential and small commercial population and allows the Village to obtain a lower bid (the more participants, the lower the bid). Those residents or small commercial retailers that do not want to participate simply request to be removed from the aggregation. The "opt-out" plan is preferable to an "opt-in" plan which requires residents to proactively sign up for the program.

The process to adopt Community Choice Aggregation requires the Board to adopt an ordinance to place the aggregation referendum on the April 5, 2011 ballot. This ordinance must be adopted no later than January 18, 2011. The Village Clerk must certify the referendum to the Cook County Clerk by February 3, 2011 for placement on the April 5, 2011 ballot. Thereafter, staff will conduct community education and outreach efforts, using public meetings, press releases, water bill inserts, social media and any other resources available.

Thereafter, if the April 5, 2011 referendum passes, the Village must hold at least two public hearings to create the aggregation plan. Once created, staff will develop and issue an RFP to select a third party energy supplier. The energy supplier will work to obtain the desired power supply, and if successful, lock in that rate. At this point, residential and small commercial retail accounts will be notified of the rate and have the chance to opt-out of the program. Those that remain in the program will continue to receive one bill from ComEd, with the new rate reflected on the bill.

This initiative supports Village Board sustainability goals by offering Oak Park residents and small businesses the opportunity to obtain a cheaper and possibly a cleaner power supply. In addition, Illinois law, ICC regulations and the current energy market are currently well suited for obtaining a cheaper rate. Several Illinois municipalities are currently considering combining efforts with NIMEC, an energy consultant, to go to bid to secure lower pricing than their current plan. In addition, cities like Crest Hill, Darien, Elburn, Erie, Fox River Grove, Fulton, Glenwood, Mt. Morris, North Chicago and Wood Dale have passed community aggregation ordinances for an April 2011 referendum. Other cities currently considering aggregation include: DeKalb, Evanston, Grayslake, Harvard, Hazel Crest, Lincolnwood, Morris, Nora, Oak Brook, Ogle County, Orland Park, Oregon, Polo, Sugar Grove and Tinley Park.

**Item Budget Commentary: (Account #; Balance; Cost of contract)**

Costs associated with passing this ordinance and placing the referendum on the April 2011 ballot will be limited to staff time and materials associated with community outreach and education.

**Proposed Action:** Approve the motion directing staff to prepare an ordinance providing for the submission to the electors of the Village of Oak Park, Cook County, the question whether the Village should have the authority and option under Public Act 096-0176 to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program.



**DRAFT**

**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE VILLAGE OF OAK PARK, COOK COUNTY, THE QUESTION WHETHER THE VILLAGE SHOULD HAVE THE AUTHORITY UNDER PUBLIC ACT 096-0176 TO ARRANGE FOR THE SUPPLY OF ELECTRICITY FOR ITS RESIDENTIAL AND SMALL COMMERCIAL RETAIL CUSTOMERS WHO HAVE NOT OPTED OUT OF SUCH PROGRAM**

**Recitals**

**Whereas**, the Illinois Power Agency Act, 20 ILCS 3855, was recently amended to add Section 1-92 entitled, "Aggregation of Electrical Load by Municipalities and Counties" (hereinafter referred to as the "Act"); and

**Whereas**, the Act allows a municipality to operate an electrical aggregation program on behalf of its residents and small commercial retail customers on either an opt-in or an opt-out basis; and

**Whereas**, under the Act, if the Village seeks to operate an electrical aggregation program as an opt-out program for its residential and small commercial retail electric customers, then prior to the adoption of an ordinance establishing the electrical aggregation program, the Village must first submit a referendum to its residents to determine whether or not the Village should have the authority to arrange for electricity for its residential and small commercial customers on an opt-out basis; and

**Whereas**, if the majority of the electors voting on the question vote in the affirmative, then the Village Board of Trustees may implement an opt-out electrical aggregation program for residential and small commercial retail customers; and

**Whereas**, the Board of Trustees has determined that it is in the best interest of the Village of Oak Park to operate an electricity aggregation program under the Act as an opt-out program and to submit the question to the electors in a referendum pursuant to the Act.

**NOW THEREFORE**, Be It Ordained by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, as follows:

**Section One**: The Board of Trustees of the Village of Oak Park finds that the recitals set forth above are true and correct and include the recitals in the Ordinance.

**Section Two**: The Board of Trustees further finds and determines that it is in the best interests of the Village of Oak Park to operate an electrical aggregation program for Oak Park residential and small business customers under the Act as an opt-out program.

Section Three: The Village Clerk is directed to certify and submit the following question to the Cook County Clerk on or before February 3, 2011, to be placed on the ballot for the consolidated election to be held on April 5, 2011:

Shall the Village of Oak Park have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program?	YES
	NO

Section Four: In the event such question is approved by a majority of the electors voting on the question at the consolidated election on April 5, 2011, the Board of Trustees may solicit bids and enter into a service agreement to facilitate, for residential and small commercial retail customers, the sale and purchase of electricity and related services and equipment in accordance with the requirements of 20 ILCS 3855/1-92 of the Illinois Compiled Statutes. The aggregation will occur on an opt-out basis, without the prior affirmative consent of each person owning, occupying, controlling, or using an electric load center proposed to be aggregated.

Section Five: This ordinance shall be in full force and effect from and after its passage and approval as required by law.

**ADOPTED** this 18th day of January, 2011, pursuant to a roll call vote as follows:

**AYES:**

**NAYS:**

**ABSENT:**

**APPROVED** by me this 18<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
David G. Pope  
Village President

ATTEST:

\_\_\_\_\_  
Teresa Powell  
Village Clerk

## Community Choice Aggregation Questions

### Board Level Questions:

**Why is this initiative being proposed now?** Third-party energy supply is an option that has been available to large commercial and industrial electric users for years. Of those accounts, 75.3 % use third-party suppliers which demonstrates that the market is working for three fourths of the customers. Residential and small businesses make up over 3.7 million customers but only a very small percentage of those customers use a third-party energy supplier.

On August 10, 2009, Public Act 96-0176 amended the Illinois Power Agency Act by providing for the aggregation of electrical load by municipalities and counties. It allows municipal corporate authorities or county boards to adopt an ordinance under which it may aggregate residential and small commercial retail electrical loads located within their jurisdiction and solicit bids to enter service agreements for the sale and purchase of electricity.

Community Choice Aggregation (CCA) is an attempt to bring savings to the residential and small commercial customers. This is maximized by aggregating the loads together in an opt-out program for economies of scale; however, an opt-out community aggregation can only happen with the passage of a referendum. The Village has the opportunity to put the question to the voters at the April, 2011 election. The next opportunity to place a referendum on the ballot will not be until the February 2012 primary election. Waiting for the February 2012 election would mean delaying the opportunity to provide residents and small businesses with a cheaper and possibly cleaner alternative to the current power supply.

**What will be the cost to the village?** Village costs would be minimal and associated with staff time and education and media materials. The energy consultants working with the village will be paid by the third-party supplier that is selected through the bidding process.

**What amount of staff time is contemplated?** Village staff will work extensively to communicate and educate residents and small businesses about Community Choice Aggregation, as well as work closely with energy consultants to create the aggregation plan, RFP and bidding process. Once a winning bid is selected, staff time is reduced, and would include periodic review and maintenance of the program, responding to residential and small commercial retail owner questions and monitoring the local energy industry for trends in aggregation to prepare for the next RFP and bidding process.

**What affect do Smart Meters and real-time pricing have on CCA?** The Village of Oak Park is the only municipality pursuing aggregation with smart meters installed for every electric customer. This gives our residents and businesses a huge advantage

because smart meters provide customers the opportunity to understand their energy use in real time. Real-time energy use information has been shown to reduce energy use by 10% in households, so Oak Park electric customers have the chance to save even more than typical community aggregation participants. One caveat: those customers that have signed up for real-time pricing may not participate in CCA, but the percentage of residents and small commercial retail accounts on real-time pricing is low and the energy savings realized through that program are similar or better than those that can be realized in a CCA program.

**How transparent will this process be for residents and small commercial retail?**

Residents and small businesses will also have access to information about the referendum and CCA program through local media coverage, informational meetings, social networking outlets and direct mail. Once the referendum passes, the Village will host two public hearings prior to the adoption of a plan. During the bidding and purchasing process, public announcements will be made to keep the community informed.

**What other communities have done this and how have they fared?** Marin County, California aggregated accounts from eight communities with an 23% opt-out rate, and was able to offer "light green" power that was cheaper than their current rate with 25% carbon-free energy, and "deep green" power that was slightly more expensive but offered 75% carbon-free energy. Marin County found that many customers were willing to pay the deep green premium for the higher carbon free power supply.

The City of San Francisco and the County of San Francisco are preparing to sign a contract to commence their aggregation program based on the success of the Marin County aggregation. Berkeley, California is also reconsidering aggregation based on the proof of concept seen in Marin County. The issues faced by California cities; namely, the need to create an energy authority, the significant start-up costs related to that, and the risks associated with the need to build generation plants do not exist in Illinois Community Choice Aggregation.

The 2005 Ohio Commission report cited city aggregation as the greatest single success in retail competition, despite the Ohio Rate Stabilization Plan which limited aggregation savings and limited competition among suppliers. The report stated that \$94 million in electricity costs were saved from 2001 to 2005, and that average household savings ranged from 2 to 10 percent. The opt-out rate across Ohio was in the single digits. Note that Illinois law does not have a rate stabilization plan which means a more open market atmosphere.

In addition, there are several factors that allow northern Illinois aggregators to realize lower prices than in Ohio or California, including:

- a. ComEd electric supply contracts are assigned to them by the Illinois Power Agency, a state agency responsible for the procurement of all utility electric supply. Some of these contracts were negotiated several

years ago when energy markets peaked like in 2008. As a result, the utility electric rates may lag the current market which points to lower costs than in previous years;

- b. A more certain aggregate load profile;
- c. There are several qualified electric suppliers who will be aggressively competing to serve the Village's electric supply needs. This competition will lead to innovation, efficiencies and lower costs to the consumer; and,
- d. The Illinois Commerce Commission (ICC) supports residential aggregation and is actively creating a favorable environment for a competitive market in this area.

Several Illinois municipalities are currently considering combining efforts with NIMEC and Rock River Energy Services, Illinois licensed energy consultants, to aggregate in an opt-out process and bid to secure lower pricing than their current rates. In addition, cities like Crest Hill, Darien, Elburn, Erie, Fox River Grove, Glenwood, Mt. Morris, North Chicago and Wood Dale have passed their ordinances for this Spring Ballot. Fulton already passed their referendum in the fall election. They were the first community in Illinois to do so. Other cities considering aggregation include: DeKalb, Evanston, Grayslake, Harvard, Hazel Crest, Lincolnwood, Morris, Nora, Oak Brook, Ogle County, Orland Park, Oregon, Polo, Sugar Grove and Tinley Park.

### **Customer Concerns:**

**Will my electric bill increase? If the bid comes back higher than current prices, what happens?** The goal of this program is to decrease energy bills while possibly buying a cleaner energy supply. Electric bills will not increase as a result of this program. If the bids are higher than what is being currently paid, then staff will not recommend that the Board accept the bids. The recommendation would be to do nothing and keep the current energy supply. The referendum is simply a "license to fish" and in no way obligates the village to accept a bid.

**If I want to opt out, how do I do that?** With Community Choice Aggregation, customers have the opportunity to obtain a cheaper power supply rate. Customers will have a few chances to opt-out of the aggregation program, but must do so before the Village service begins. Customers will receive notice to let them know of the opt-out period, who to contact and how they must communicate their intention to opt out. The ICC has yet to determine the course of action to be taken if a customer who opted out, decides to rejoin the CCA at a later date. The ICC also has not determined whether new customers will be automatically added to the aggregation with notice of the ability to opt out.

**I'm an apartment dweller and use very little electricity - will I see a savings?** All users, including small users may realize a savings because the current energy supply cost is not competitive. By going out to bid as a whole, the community of residential and small business customers may be able to obtain a cheaper energy supply rate.

**Will I get a separate bill?** No, the energy supply charge is already on ComEd bills and will remain there. The bill format will most likely remain the same as it does today. The ComEd customer will receive the bill via mail or electronically and will remit payment in the same current manner.

**What does "small commercial retail" mean?** The definition is currently being defined by the state legislature and the ICC. The ICC is contemplating utility proposals of a definition for small commercial retail as one with a maximum monthly electric load of 100 KW. A typical McDonald's demand is 50 KW so the definition will likely encompass most retail businesses in Oak Park.

### Aggregation Process Questions

**Who in the Village will manage the billing, collecting and the data for the opt-out process?** *No Village staff will be involved in these processes.* ComEd will manage the billing and collecting. The Village has no financial exposure for bad debt. The supplier and/or ComEd will hold all non-collectible risk. Recent ICC proceedings have addressed this concern through a program called Purchase of Receivables.

**Where will the data come from to determine how much electricity will be needed?** The aggregate load data will come from ComEd. All account specific information remains private.

**How long is the purchase contract?** This is up to the Board and would be based on what the community goals are. One, two and three year terms are normal, but for a first bid, a one year timeframe is recommended. This will be negotiated with the suppliers.

**Who manages the RFP and bidding processes?** Village staff would work with energy consultants to create and send out the RFP to energy suppliers. Village staff and energy consultants would analyze the bids and recommend a bid to the Board for approval.

**If aggregation means lower energy costs for customers, won't ComEd simply increase charges on the distribution side to protect its profit margin?** ComEd owns the distribution system only, and so does not realize profits or losses from the sale of energy. ComEd has worked for several years with large commercial and industrial customers who have switched to third-party energy suppliers, and remains supportive of other customers who switch to third-party suppliers, such as CCAs. In other words, there will be no impact on distribution rates. Per ICC regulations, ComEd cannot introduce any separate distribution fees on cities that aggregate.

**What about the challenges faced in other states regarding aggregation – will the same problems exist in Illinois?** Over the past several years, utility commissioners have exchanged best practices and lessons learned on a national level, and the ICC

was part of that process. As a result, the Illinois statute and ICC regulations reflect that evolution in aggregation programming. In addition, the energy consultants that have advised staff on community aggregation continue to work with the Illinois Power Agency and the Illinois Commerce Commission to adopt rules which avoid many of the challenges experienced in earlier aggregation programs.

R

# VILLAGE OF OAK PARK

## CITIZEN ADVISORY BOARD AND COMMISSION RECOMMENDATION

### AGENDA ITEM COMMENTARY

**Item Title:** Motion to Approve Parking Restriction Changes on the 700 Block of East Avenue as recommended by the Transportation Commission and the 700 Blocks of Scoville and Clarence as Additionally Recommended by Staff and Direct Staff to Prepare the Necessary Ordinances

**Resolution or Ordinance No.** \_\_\_\_\_

**Date of Board Action** January 3, 2011

**Submitted by:** Paul Aeschleman, Chairperson of the Transportation Commission

**Staff Review:**

**Village Engineer**

\_\_\_\_\_  
Jim Budrick

**Interim Parking Manager**

\_\_\_\_\_  
Cara Pavlicek

**Village Manager's Office**

\_\_\_\_\_  


**Citizen Advisory Board or Commission Issue Processing (Dates of Related Commission Meetings):**

Transportation Commission Meetings  
November 22, 2010

**Item Policy Commentary (Previous Board Review, History Key Points, Current Issue, Commission Recommendation):**

A petition was submitted by residents representing 62% of the frontage properties on the 700 block of East requesting the establishment of daytime "2 hour 8 a.m. – 12 p.m. Monday – Friday" restrictions on their block.

The petition was discussed at the November 22, 2010 Transportation Commission meeting:

- Commissioners heard from residents on the 700 block of South East Avenue as well as from other residents in the area. Residents presented their concerns regarding daytime student parking and commuter parking in front of their homes and how the implementation of restrictions on one block would shift the problem to the parallel blocks.
- Fenwick High School, represented by Dr. Gerald Lordan, advised the school has no opposition to the requested restrictions.
- The Commissioners discussed staff's May 2010 parking occupancy survey as well as an August 20, 2010 memo from Fire Chief Tom Ebsen on the public safety aspect of having the street filled with parking cars when emergency vehicles pass on their way to and from Fire Station 3 located at 900 South East Avenue.

The Commissioners approved the residents' petition for establishment of daytime "2 hour 8 a.m. – 12 p.m. Monday – Friday" restrictions on their block of 700 South East Avenue. Attached are Exhibit A (a map of the area), Exhibit B (a map of Fenwick student parking) and Exhibit C (parking occupancy survey).



# VILLAGE OF OAK PARK

## CITIZEN ADVISORY BOARD AND COMMISSION RECOMMENDATION

### AGENDA ITEM COMMENTARY

**Transportation Commission Recommendations That Require Board Action:**

On November 22, 2010, the Commission recommended the establishment of daytime "2 hour 8 a.m. – 12 p.m. Monday – Friday" restrictions on the block of 700 South East Avenue.

Staff agrees with this recommendation and additionally recommends extended this same daytime restriction to the adjacent blocks of 700 Scoville and 700 Clarence.

The Transportation Commission considered the option of implementing daytime "2 hour 8 a.m. – 12 p.m. Monday – Friday" restrictions on their block of 700 Clarence, East, Scoville, Gunderson and Elmwood, but the motion failed 5 nays to 2 ayes. No other motions were considered by the Commission.

**Item Budget Commentary (Account #, Balance, Cost of Contract):**

As recommended by the Transportation Commission, staff estimates the approximated cost associated with parking restrictions would be \$600 for signage changes. The FY 2011 budget provides \$42,000 for signage changes in the Parking Fund in account no. 5060-43770-560634.

**Proposed Staff Action (if different):**

Staff agrees with the recommendation of the Transportation Commission and additionally recommends extended this same daytime restriction to the adjacent blocks of 700 Scoville and 700 Clarence.

The May 2010 occupancy survey showed a high number of vehicles parking on all three blocks of 700 South East, Scoville and Clarence. Staff also notes that Fenwick students have purchase all 250 available student parking permits during this school year as well as last school year. Staff would addition proposed a review of the parking situation in the area before the end of the current school year to review the impact of the changes.

**Proposed Action**

Approve the motion to accept the recommendation of both the Commission and staff.

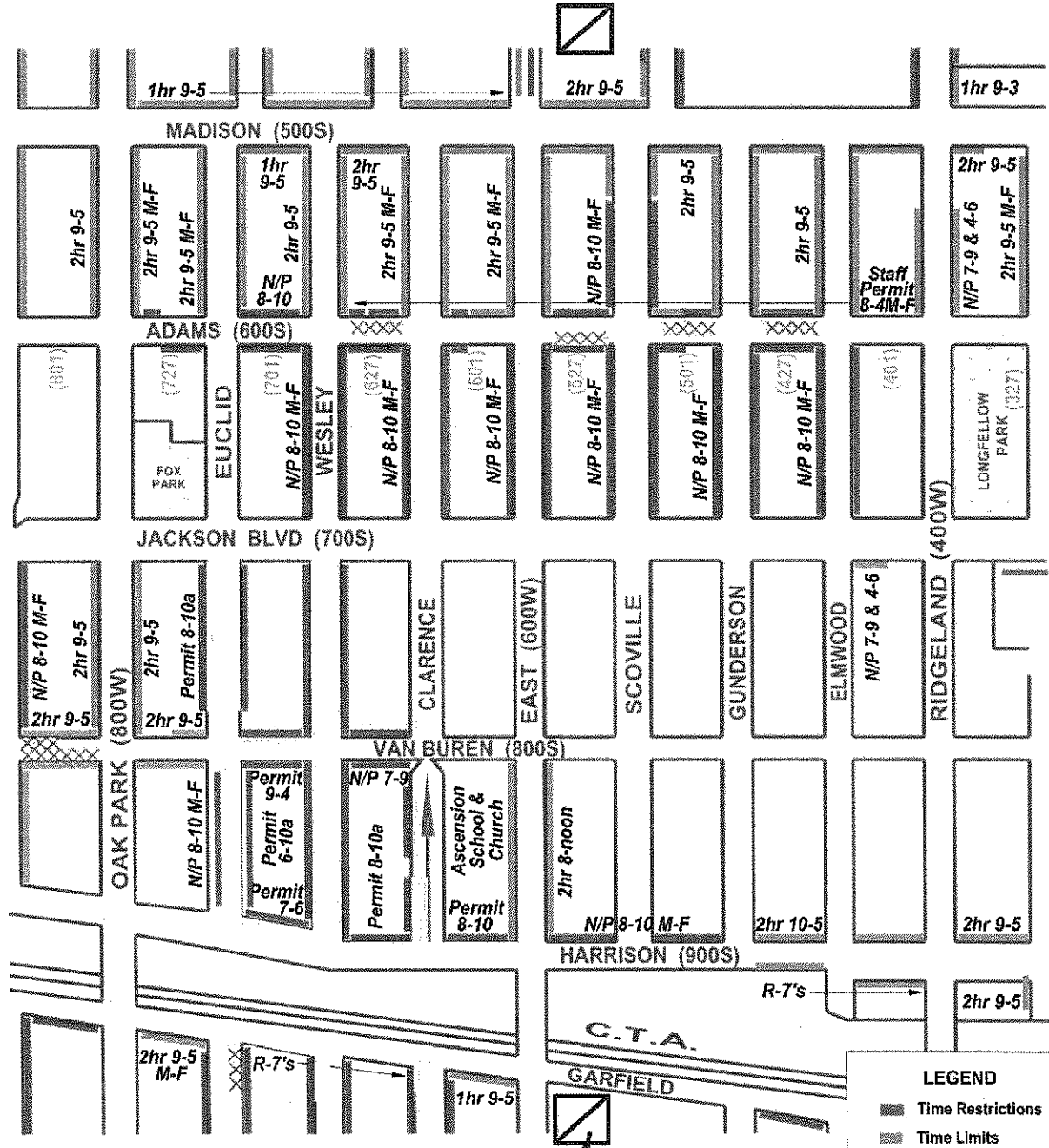
**Exhibits Included in this Agenda Item Commentary Are:**

Exhibit A – map of the area

Exhibit B – map of Fenwick student parking

Exhibit C – parking occupancy survey

Fenwick H.S.



East Avenue is 30 feet wide



Engineering Division

Scale: 1" = Ft.  
By: MJK Date: 11/17/10

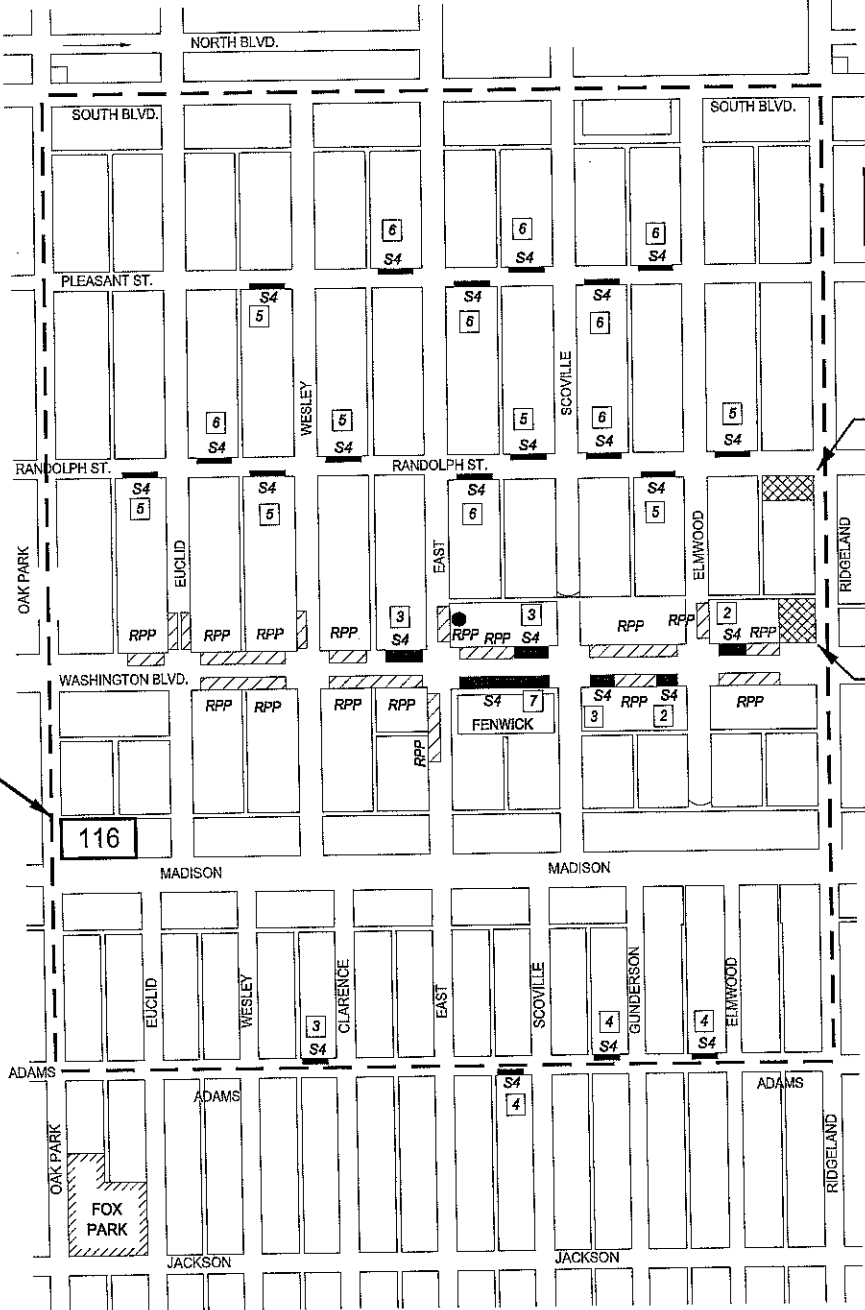
EXISTING DAY TIME PARKING RESTRICTIONS  
IN THE AREA BOUNDED BY  
MADISON - RIDGELAND - HARRISON - OAK PARK

Exhibit B

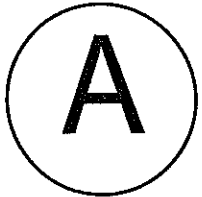
INTERCULTURA MONTESSORI SCHOOL @ 301 SOUTH RIDGELAND

OUR LADY IMMACULATE ACADEMY SCHOOL @ 410 WASHINGTON BLVD.

FENWICK H.S. STUDENTS PARKING IN VOP LOT # 116



- = S4 = STUDENT PERMIT PARKING 8AM-4PM
- = RPP = RESIDENT ONLY PERMIT PARKING 8AM - 4PM MONDAY - FRIDAY  
= FRONT DOOR OF HOUSE
- = NUMBER OF "S4" SPACES PER AREA  
THIS NUMBER IS 90% OF THE TOTAL AVAILABLE "S4" SPACES
- = BORDER OF FENWICK HIGH SCHOOL AREA  
INCLUDES BOTH SIDES OF ADAMS STREET AND BOTH SIDES OF SOUTH BOULEVARD



VOP Engineering

Scale: 1" = Ft.  
 By: MJK Date: 11/17/10  
 Filename: Parking Around Fenwick HS 18 as amended.dc

STUDENT AND RESIDENT PERMIT PARKING AROUND FENWICK H.S. AS AMENDED TO SHOW 'S4' STUDENT PERMIT PARKING ZONES AND VOP LOT # 116 AS OF JULY 2010

U:\Parking\_Traffic\Permit Parking\Fenwick High School Area\Parking Around Fenwick HS 18 as amended.dc

<b>Parking Occupancy Survey - Counts are for Occupied Spaces</b>
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8:30 a.m. - 9:00 a.m.	Thursday May 13, 2010	Friday May 14, 2010	Monday May 17, 2010	Wednesday May 19, 2010
<b>Clarence (Jackson to Van Buren)</b>				
east side	7	9	13	10
west side	9	9	10	15
<b>East (Jackson to Van Buren)</b>				
east side	18	15	16	23
west side	24	22	23	21
<b>Scoville (Jackson to Van Buren)</b>				
east side	10	15	12	18
west side	10	15	18	17
<b>Scoville (Van Buren to Harrison)</b>				
east side	5	6	9	8
west side	6	9	8	9
<b>Gunderson (Jackson to Van Buren)</b>				
east side	3	5	2	3
west side	5	3	3	5
<b>Gunderson (Van Buren to Harrison)</b>				
east side	2	2	7	3
west side	2	3	1	2
<b>Elmwood (Jackson to Van Buren)</b>				
east side	7	3	2	8
west side	3	3	3	3
<b>Elmwood (Van Buren to Harrison)</b>				
east side	7	5	3	5
west side	1	8	4	5

R & S

**Draft Minutes of Meeting  
Transportation Commission  
Monday, November 22 - 7:00 PM  
Council Chambers - Village Hall**

Call to Order and Roll Call Chair Aeschleman called the meeting to order at 7:03PM.

Present: Chair Paul Aeschleman, John Dagnon, Beth Marek, Jack Chalabian II, John Abbott, Charles Frangos, Laszlo Medgyesy

Excused: None

Absent: None

Staff Present: Delia Tamas, Jim Budrick, Cara Pavlicek, John Kloak

Non-Agenda Public Comment:

Christine Portnoff, resident at Jackson and Scoville spoke about high level of noise from cars driving down Jackson. Radios are blaring and vibrations coming from cars is highly annoying. She wishes something could be done to improve the conditions.

Francisco Cotto, resident from 300 North Grove spoke about the problems the new 2 hour parking restrictions are creating for himself and neighbors. He would like to see the Commission reconsider the changes made.

Approval Of Tonight's Meeting

Commissioner Abbott motioned to approve tonight's agenda as presented. Commissioner Marek seconded the motion. The motion was approved by a 7 to 0 voice vote.

Approval Of Draft Minutes From Previous Meetings

Commissioner Dagnon motioned to approve the October 25, 2010 Transportation Commission meeting minutes as submitted and Commissioner Frangos seconded the motion. The motion was approved by a 7 to 0 voice vote.

Agenda Item 5 – Review of Petition for Parking Restrictions on the 700 Block of South East Avenue as Well as on Select Adjacent 700 Blocks.

Parking Services Assistant Manager Delia Tamas reviewed the staff memorandum and gave background information on the petition and the data and information collected by staff.

Chair Aeschleman commented on the Madison and East Area Wide Study recently completed and the six month review planned for mid 2011. He had questioned the

recommendation made by the Commission to have a Village process whereby changes to restrictions on individual blocks could be handled administratively.

Jim Budrick indicated that the intent was to move in that direction, however, given the outreaching effects of the petition presented, it was in the Village's best interest to widen the discussion to several blocks.

Chair Aeschleman opened the floor to comments from the neighbors.

Christine Portnoff, a resident of the 700 block of Scoville indicated that they submitted a petition 2 years ago asking for similar relief and it was denied. They still have a number of Fenwick students parking on the street everyday and if East Avenue is restricted the students will move to Scoville.

Chris Donovan, a resident of the 700 block of Elmwood stated the problem is the same as 2 years ago. The residents are burdened with students parking in the neighborhood. The problem should be given back to Fenwick to help find solutions.

Tammy Coty, a resident of 700 East Avenue indicated that they have been trying to get restrictions for the past 11 years. They don't understand the reluctance to deal with the issue. Not only are students parking on the street, they see parents of students also parking and walking to the El.

Charlain McAnary, also from 700 East stated that cars are parked solid down the street and Fire trucks have a difficult time getting through.

Suzanne Pawliz, a resident of 700 Clarence says she has complained about parking for years. Not only can't residents park on the street, but also they have to clean up after the student who litter their block.

Karen Brandt of the 700 block of East stated that the young people simply do not respect the residents of the block and are taking advantage.

Jerry Lordan of Fenwick indicated that in 1998 the residents of the 600 Block of East asked for similar relief from student parking. Fenwick did not oppose the restrictions and similarly they do not oppose the restrictions being sought at this time. He did a quick one day survey and found a number of cars parking on both 700 East and Scoville. He also noted almost an equal number of empty spaces in the lot Fenwick leased from the Village at Oak Park and Madison. If more permits were made available a number of the cars would likely move. Finally he mentioned the new State Law for young drivers prevents students from car pooling.

Michael Mellman, a resident of 700 Scoville indicated he would like to see some action taken on this issue.

Chair Aeschleman closed the floor to public comment and called for discussion amongst the Commissioners.

Commissioner Dagnon asked the audience questions about the litter and inconvenience. The response was that guests, service companies and having the ability to park close to their own homes should be fundamental.

Commissioner Abbott wanted more information on the public safety aspect of having the street filled with parked cars. Assistant Parking Manager Tamas mentioned that the Fire Chief had responded to this back in August. She handed out copies of the memo previously submitted.

Commissioner Chalabian questioned what happens on non-school days. The response from the audience was there is summer school parking as well as weekend parking from Ascension Church.

Commissioner Chalabian indicated that the Commission should focus on the safety aspect. He feels the restrictions that exist north of Jackson should also exist south of Jackson.

Chair Aeschleman pointed out that the Commission has basically 4 options to consider which were outlined by staff.

Commissioner Marek stated that cars will simply move block to block as restrictions are put in place.

Commissioner Abbott questioned the reasons behind the 2 hour parking in the 800 block of East. The response was it was due to parking by Ascension for funerals and other church functions.

Chair Aeschleman suggested that an alternating sides restriction similar to 500 North Fair Oaks, where OPRF high school parking is a problem, should also be used here.

Commissioner Medgyesy indicated he had concerns about parking being available in other areas should restrictions be added.

Assistant Parking Manager Tamas indicated space was available along South Boulevard north of Fenwick.

Chair Aeschleman indicated that additional permit parking along Adams is an option if additional spaces are needed.

Chair Aeschleman also stated that the Commission could table this issue until the 6 month review of the Madison / East area wide parking study is taken up next year.

Commissioner Abbott made a motion to approve option "C" made by staff which consists of adding 2 Hour Parking from 8 am to 12 noon on 700 blocks of Clarence, East, Scoville, Gunderson and Elmwood. The motion was seconded by Commissioner Frangos.

AYES: Abbott and Frangos

NAYES: Dagnon, Marek, Medgyesy, and Aeschleman

ABSTENTIONS: Chalabian

The motion failed 5 to 2.

Commissioner Medgyesy then motioned to approve option "B" made by staff which consisted of adding 2 Hour Parking 8 am to 12 noon only on the 700 block of South East. The motion was seconded by Commissioner Dagnon.

AYES: Medgyesy, Dagnon, Abbott and Frangos

NAYES: Chalabian, Marek and Aeschleman

The motion passed 4 to 3.

Agenda Item 6 – Petition to Upgrade the Division and Hayes Intersection to All-Way Stop Sign Traffic Controls.

Transportation Engineer John Kloak reviewed the staff memorandum and gave background information on the petition and the data and information collected by staff. He presented the Crash data, speed and volume and condition diagram drawn for the intersection. Mr. Kloak then proceeded to read the additional testimony received after the agenda was prepared.

Chair Aeschleman asked about the roadway type and standards used for traffic controls at this type of intersection.

Jim Budrick responded that Division Street is considered an Arterial Roadway and is also a Federal Aide Urban Highway whereby the Village receives federal funds for improvements made to the road. The Manual of Uniform Traffic Control Devices is what is used to determine the Warrants for additional traffic control devices. Based on the data collected this intersection does not meet the warrants for an all-way stop control.

Commissioner Chalabian asked about the existing crosswalk markings. Mr. Kloak indicated that a marked crosswalk exists on the east leg of the intersection in line with Anderson Park which is on the southeast corner of the intersection. Both advance and pedestrian crossing signage is in place at the intersection.



Commissioner Abbott asked about the new State Law concerning crosswalks and the treatment of violations. Officer \_\_\_\_\_ from the Oak Park Police Department responded that citations are issued for infractions of the new law and they are treated in court similar to other moving violations.

Chair Aeschleman opened the floor to comments from the neighbors.

Don Anderson of the 900 block of North Taylor testified that the problem is with crossing to the park. There is a low number of people making the crossing. He is concerned that the stop sign will have affects on surrounding residents in the way of increased congestion and pollution. There will be unintended consequences for neighboring blocks like his.

Anna Bramfeld of the 900 block of Hayes stated she is in favor of the new stop signs. In her 13 years as an area resident she has witnessed a number of near misses. Her house has been hit by vehicles twice. She feels that drivers drift off the street in this area. The stretch of Division between Austin and Ridgeland is too long without a stop.

Dave Dallay of 900 Hayes block lives near the intersection. He agrees that the stretch of Division between Austin and Ridgeland is too long. He pointed out that the Village was quick to respond the concerns near another park on Division. He has only heard three counter proposals to the request for stop signs. He feels that roughly 80-90% of the area is in favor of the added stop signs.

Rocio Munoz also from 900 Hayes pointed out that a pedestrian encounter with a vehicle would be fatal. She, her family and neighbors want to enjoy the park and feel the stop sign would greatly help. She was involved in a near miss at the intersection and was the one to take up the petition process.

Gabriele Dunbar, an 11 year old from Hayes, pointed out that families are missing out using the park. It is difficult enough for adults to cross the street let alone children and elderly. He feels that stop signs would make the corner safer.

Chair Aeschleman closed the floor to public comment and called for discussion amongst the Commissioners.

Commissioner Chalabian quickly made a motion to install all-way stop signs at the intersection. The motion was seconded by Commissioner Abbott.

Commissioner Frangos asked about the issue of reducing the speed limit along Division.

Chair Aeschleman pointed out that this was a recommendation that was made when dealing with Division and Woodbine. The Board had directed the Commission to look at speed limits throughout the Village and that, in fact, the next agenda item was dealing with exactly that issue. There being no further discussion he then proceeded to call for the vote.

AYES: Chalabian, Abbott, Frangos and Marek

NAYES: Medgyesy, Dagnon, and Aeschleman

The motion passed 4 to 3.

#### Agenda Item 7 – Continued Discussion of Park Zone Speed Limits and Speed Limits Throughout the Village

John Kloak presented the map outlining the speed limits along the major streets in and around the Village.

Chair Aeschleman spoke about posted speed limits and their need to be consistent with adjoining communities having similar streets

A discussion of the various major streets and their speed limits relative the neighboring communities took place.

Commissioner Abbott moved to recommend to the Village Board that the speed limits on Division Street, Chicago Avenue, Lake Street between Forest Avenue and Ridgeland Avenue, and Oak Park Avenue be changed to 25 MPH to match the adjacent suburban communities. The motion was seconded by Commissioner Marek.

AYES: Abbott, Marek, Chalabian, Medgyesy, Frangos and Aeschleman

NAYES: Dagnon

The motion passed 6 to 1

#### Agenda Item 7 – Continued Discussion Regarding Creation of Speed table Policies

John Kloak reviewed the speed data collected over the past several years. Statistical analysis of the data in the way of Average and 85<sup>th</sup> Percentile was calculated.

The Commissioners briefly discussed the issue and the consensus was to have staff draft a policy using this information and bring back to the Commission in January, 2011 for discussion.

Adjournment:

There being no other business, it was moved and seconded to adjourn. The motion was approved unanimously by voice vote. The meeting was adjourned at 9:40 PM.

Respectfully submitted,

Jim Budrick  
Village Engineer