

DISTRICT 1

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X Waiver of First Requested
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: July 13, 2004 (COW) (B of T) **Date:** July 22, 2004

TITLE: Special Assessment 213 (B)
West Road (Woodland to St. Charles)
Adoption of Ordinance

SUBMITTED BY: David A. Dratnol, P.E., Village Engineer *ADD*

BACKGROUND/POLICY IMPLICATIONS:

See Memo

FISCAL IMPACT/FUNDING SOURCE:

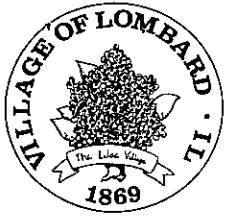
Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X *William T. Lichter* _____ Date *7/13/04*

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



InterOffice Memo

To: William T. Lichter, Village Manager
From: David A. Dratnol, P.E., Village Engineer *DD*
Date: July 13, 2004
Subject: SA 213 (B) – West Road (Woodland to St. Charles)
Adoption of Ordinance

This project involves the improvement of West Road from Woodland Avenue to St. Charles Road. Pending court confirmation, the project is tentatively scheduled to start construction in March/April of 2005.

On May 13, 2004 the Board of Local Improvements (BOLI) conducted a Public Hearing for Special Assessment 213 (B). At the meeting, the second resolution and recommendation of the ordinance were tabled. Additional information was requested from the Village Attorney concerning the breakdown of the costs related to the assessment.

Based on the additional information provided by the Village Attorney, on June 8, 2004 BOLI voted to approve the second resolution and forward the attached ordinance to the Village Board.

Please place this item on the Board of Trustees agenda for the meeting scheduled on July 22, 2004. Upon adoption of the ordinance, documents will be forward to Village Counsel.

cc: File ST-05-03

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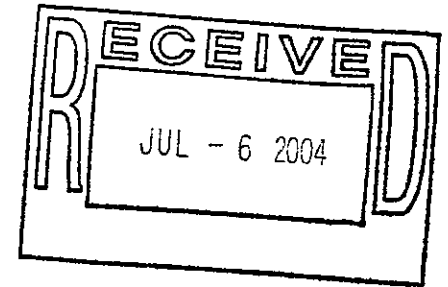
WRITER'S DIRECT DIAL

WRITER'S E-MAIL

312-984-6422

MEMORANDUM

TO: Ray Schwab, Civil Engineer
FROM: Tom Bayer, Village Attorney
DATE: July 1, 2004
SUBJECT: Special Assessment No. 213B - West Road, From Woodland Avenue to St. Charles Road



Enclosed please find the following revised documents relative to the above-captioned matter, for the July 22, 2004 Village Board meeting (Ordinance) and as approved at the June 10, 2004 Board of Local Improvements meeting (Second Resolution and Recommendation):

1. Second Resolution;
2. Recommendation; and
3. Ordinance.

Please provide me with copies of the fully executed Second Resolution and Recommendation now, and with two (2) certified copies of the Ordinance after it has been approved.

If there are any questions, please feel free to call.

TPB:cb

Enclosure

cc: William T. Lichter, Village Manager
John Burg, Acting Director of Public Works
David Dratnol, Village Engineer
(all w/out enclosures)

NO. _____

**SECOND RESOLUTION OF THE BOARD OF LOCAL
IMPROVEMENTS RECOMMENDING THE IMPROVING OF
WEST ROAD, FROM WOODLAND AVENUE TO ST. CHARLES ROAD
(SPECIAL ASSESSMENT NUMBER 213B)**

BE IT RESOLVED by the Board of Local Improvements of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: A public hearing was held by this Board on the 13th day of May, 2004, on the question of the necessity of the proposed improvement consisting of the paving and improving of West Road, from Woodland Avenue to St. Charles Road, including the installation of street lights and sidewalks at various locations, related watermain and sanitary sewer work and all appurtenant work, including all labor and materials, complete in place, all as described in the original Resolution adopted by this Board on April 8, 2004, and the Estimate of Cost of said improvement as attached hereto. All persons interested in said proposed improvement who desired to be heard were heard, and no sufficient reason or objection was given or made to the proposed improvement, and based on the proof submitted to this Board, this Board finds that good and sufficient notices of said public hearing were given and mailed as required by law.

SECTION 2: That it is, therefore, recommended that the Estimate of Cost, as attached to this Resolution, be approved, and that the Village proceed with such improvement in accordance with the plans and Estimate of Cost, and that this Board transmit to the governing body of the Village of Lombard its recommendation that the proposed improvement be made, together with an Ordinance therefor, as prescribed by law, and this Board hereby approves the proposed draft of an Ordinance attached hereto providing for such an improvement.

ADOPTED by the Board of Local Improvements of the VILLAGE OF LOMBARD,
ILLINOIS this 10th day of June, 2004, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 10th day of June, 2004.

President of the Board of Local
Improvements

ATTEST:

Secretary for the Board of
Local Improvements

**RECOMMENDATION IN REGARD TO THE IMPROVING
OF WEST ROAD, FROM WOODLAND AVENUE TO ST. CHARLES ROAD
(SPECIAL ASSESSMENT NUMBER 213B)**

TO: Board of Trustees of the Village of Lombard
DuPage County, Illinois

The Board of Local Improvements heretofore appointed and now serving in that capacity herewith submits a draft of an Ordinance for the improving of West Road, from Woodland Avenue to St. Charles Road, the installation of street lights and sidewalks at various locations and related sanitary sewer and watermain work, all as described in the accompanying Ordinance attached hereto and made a part hereof.

We submit herewith the Estimate of Cost thereof by the Engineer for the Board of Local Improvements.

We recommend the passage of the said Ordinance and the making of the said improvement, the costs thereof to be paid for by special assessment.

DATED this 10th day of June, 2004.

BOARD OF LOCAL IMPROVEMENTS

ORDINANCE NO. _____

**ORDINANCE PROVIDING FOR THE IMPROVING OF
WEST ROAD, FROM WOODLAND AVENUE TO ST. CHARLES ROAD
(SPECIAL ASSESSMENT NUMBER 213B)**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard,
DuPage County, Illinois, as follows:

SECTION 1: That a Local Improvement shall be made in the Village of Lombard, DuPage
County, Illinois, the nature, character, locality and description of which are as follows:

Pavement removal and replacement with a full-depth bituminous concrete pavement section: curb and gutter removal, sidewalk removal, earth excavation; and removal and disposal of unsuitable materials, porous granular embankment, sub-base granular material, combination concrete curb and gutter, portland cement concrete sidewalk, bituminous and concrete driveway replacement, water and sanitary sewer services, storm sewer and appurtenances for pavement drainage purposes, street lighting and parkway restoration;

Making a pavement twenty-eight feet (28') wide as measured between the back of curbs on and along:

West Road from a point approximately twenty-five feet (25') north of the center line of St. Charles Road, northerly a distance of one thousand five hundred sixty-nine feet (1,569') to a point approximately two feet (2') south of the centerline of Woodland Avenue;

including the installation of two foot (2') through seven foot (7') diameter pre-cast concrete drainage and utility structures with cast iron frames, grates and lids; twelve inch (12") through eighteen inch (18") reinforced concrete storm sewer; one inch (1") water service lines; six inch (6") sanitary sewer service replacement, sanitary service clean-outs; twelve inch (12") ductile iron water main; fire hydrants with auxiliary valve and valve box; domestic water service boxes and removals; corporation stops; water main fittings; drainage and utility structures to be removed and adjusted; concrete and corrugated metal pipe culvert removal; removal and replacement of Portland cement concrete driveway pavement; removal and replacement of bituminous driveway pavement having aggregate bases; backfilling with trench backfill of trenches under pavement area, driveways and sidewalks; removal of trees and shrubs designated to be removed; protection of existing trees within right-of-way which are not designated to be removed; removal and placement of Portland cement concrete sidewalk generally five feet (5') wide and

five inches (5") thick; street light fixtures and associated cable and controls, re-grading and replacement of four inches (4") of topsoil in the parkways and disturbed areas, including fertilizing and sodding such areas; construction of concrete curb six inches (6") high above a concrete gutter twelve inches (12") wide; construction of flexible pavement consisting of four inch (4") sub-base granular material, seven inches (7") bituminous base course, one and one-half inches (1.5") bituminous concrete binder course and a one and one-half inches (1.5") bituminous concrete surface course; and all other incidental and appurtenant work necessary to complete the improvement.

The construction of the proposed local improvement requires the taking or acquiring of the parcels of property described on Exhibit A attached hereto and made part hereof for right-of-way purposes.

SECTION 2: All materials of every kind and character to be used in the construction of this improvement will be first class quality, suitable for the purpose for which they are to be used, and subject to the inspection and approval of the Village of Lombard.

All work shall be constructed in a workmanlike manner.

The quantities and types of materials to be used are as set forth in the plans and specifications for the project and are incorporated herein by reference as if fully set forth herein and are approved.

All construction methods and materials used in construction of the improvements herein provided for shall conform with the requirements of the Standard Specifications for Road and Bridge Construction, issued by the State of Illinois Department of Transportation, adopted effective January 1, 2002, and the most recent edition of the Standard Specifications for Water and Sewer Main Construction in Illinois, published by the Illinois Society of Professional Engineers, copies of which are on file with the Village Clerk in the Village of Lombard.

SECTION 3: The quantities and types of materials to be used are as set forth in the Estimate of Cost, attached hereto and incorporated herein by reference.

SECTION 4: The Recommendation of the Board of Local Improvements, the Estimate of Cost thereof and the plans all hereto attached and/or incorporated herein by reference, be and the same are hereby approved.

SECTION 5: That said improvement shall be made and the cost thereof, which is estimated to be \$850,508.14 (exclusive of the cost of property acquisition), shall be paid for by special assessment in accordance with 65 ILCS 5/9-2-1 through 5/9-2-144, as supplemented by the Special Assessment Supplemental Bond and Procedures Act, 50 ILCS 460/1 through 460/60, which the Village hereby elects to be applicable to this Special Assessment. An amount not exceeding \$51,030.49 is hereby provided for to apply towards the payment of all lawful costs and expenses incurred in making, levying and collecting the assessment for said improvement.

SECTION 6: The aggregate amount herein ordered to be assessed and each individual assessment shall be divided into fifteen (15) installments which shall bear interest at the rate of nine percent (9%) per annum until paid, subject to reduction upon issuance of the special assessment bonds, all in the manner and in accordance with the provisions of 65 ILCS 5/9-2-1 through 5/9-2-144, as supplemented by the provisions of 50 ILCS 460/1 through 460/60.

SECTION 7: For the purposes of anticipating the collection of the installments of said assessment for said improvement, bonds and/or vouchers shall be issued payable out of said installments, bearing interest at the rate of not more than nine percent (9%) per annum, payable annually, and signed by the President of the Village and attested by the Village Clerk, under the corporate seal of the Village. The bonds shall be issued in accordance with, and shall in all respects conform to, the provisions of 65 ILCS 5/9-2-1 through 5/9-2-144, as supplemented by 50 ILCS 460/1 through 460/60.

SECTION 8: WILLIAM T. LICHTER, Village Manager for the Village of Lombard, is designated as the person to file a petition in the Circuit Court of DuPage County, Illinois, as provided by law in the name of the Village, praying that steps may be taken to levy a special assessment for said improvement in accordance with the provisions of this Ordinance and in the manner prescribed by law.

This Ordinance, having been previously published in pamphlet form, from June 11, 2004 to the date of its passage, in accordance with law, shall be in full force and effect from and after its passage and approval.

PASSED on first reading this _____ day of _____, 2004.

First reading waived by action of the Board of Trustees this 22nd day of July, 2004.

PASSED on second reading this 22nd day of July, 2004, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 22nd day of July, 2004.

WILLIAM J. MUELLER
Village President

ATTEST:

BARBARA A. JOHNSON
Deputy Village Clerk

EXHIBIT A

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 02 DEGREES 28 MINUTES 54 SECONDS EAST, 48.04 FEET (47.80 FEET RECORD) AS MEASURED ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 14 MINUTES 46 SECONDS WEST, 33.00 FEET ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 02 DEGREES 28 MINUTES 54 SECONDS EAST, 100.00 FEET ALONG A LINE PARALLEL TO THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 88 DEGREES 14 MINUTES 46 SECONDS EAST, 33.00 FEET ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 02 DEGREES 28 MINUTES 54 SECONDS WEST, 100.00 FEET ALONG THE EAST LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS;

P.I.N.: Pt. 06-07-102-020;

Common Address: 92 West Road, Lombard, Illinois 60148