VILLAGE OF HINSDALE ENVIRONMENT AND PUBLIC SERVICES COMMITTEE MINUTES TUESDAY, MARCH 13, 2012

Chairman Laura LaPlaca called the meeting of the Environment and Public Services Committee to order at 7:35 P.M., Tuesday March 13, 2012, in Memorial Hall of the Memorial Building, 19 East Chicago Avenue, Hinsdale, IL.

PRESENT:

Chairman Laura LaPlaca, Trustee Doug Geoga, Trustee Bob

Saigh

ABSENT:

Trustee William Haarlow

ALSO PRESENT: Dave Cook, Village Manager; George Franco, Director of Public Services; Dan Deeter, Village Engineer; Tom Bueser, Deputy Director of Public Services; John Finnell, Village Forester.

Approval of Minutes - February 13, 2012

The EPS Committee reviewed the minutes from the February 13, 2012 meeting. Trustee Saigh motioned for approval of the February 13, 2012 minutes. Chairman LaPlaca seconded. Chairman LaPlaca and Trustee Saigh voted Aye. Trustee Geoga abstained.

Public Services Monthly Report

Mr. Franco updated the committee on the status of the Public Service Department. He highlighted the savings in road salt and overtime that the Village has experienced due to the mild winter.

<u>Decorative Street Lamp Options for LED Conversion (Discussion Item).</u> Chairman LaPlaca introduced this agenda item. Mr. Franco discussed the pilot programs proposed by the staff in the Central Business District. After some discussion, the committee directed staff to implement option #1 – replace the bulbs in seven current lamps with LED bulbs.

Recommend Waiving the Competitive Bid Requirement and Approve the Proposal for the Services of Mosquito Abatement Service to Clark Mosquito Control for FY 2012-12 in the Amount of \$55,496. At the committee's direction in February, staff develop a yearly renewable contract for the next three years. Chairman LaPlaca explained that there were only two companies offering the Mosquito Abatement services. The other company was located in Little Rock, AR. Since we have received good service from the only supplier in the area, staff was recommending waiving the competitive bid requirement. Trustee Saigh motioned to approve. Trustee Geoga seconded. The motion passed unanimously.

Emerald Ash Borer (EAB) Treatment. Chairman LaPlaca introduced this agenda item. Mr. Franco and Mr. Finnell updated the committee on their recommended treatment for ash trees throughout the community. Mr. Finnell reviewed the ash inventory on public property and divided the 1,550 trees into three categories – 103 in excellent condition, 891 in good condition, and 556 in fair or poor condition. Staff's recommendation is to treat all 103 trees in excellent condition and treat +/-180 trees in good condition at a total cost of \$17,127.50. After some discussion, the committee approved the proposed treatment plan. The committee directed staff to bring to the committee's attention any other trees in the "good" category that may be later identified as candidates for the EAB treatment this year.

Engineering Monthly Report

Mr. Deeter updated committee on the status of Veeck Park restoration, Oak Street Bridge replacement, 2011 Resurfacing Project, the Chestnut Street Project, 2012 Resurfacing and Reconstruction Projects, and the 2013 Resurfacing and Reconstruction Projects. Chairman LaPlaca introduced this agenda item. Mr. Deeter provided further information and answered trustees' questions. Trustee Saigh motioned to approve. Trustee Geoga seconded. The motion passed unanimously.

Approve the Request from Martam Construction, Inc. to Change the Chestnut Street Project's daily start time from 8:00 AM to 7:00 AM during Phase 2 – 4. Chairman LaPlaca introduced this agenda item. Mr. Deeter confirmed that there we no resident comments against the early start time and that the earlier start time would allow Martam to complete the project 30-days early. Trustee Saigh motioned to approve. Trustee Geoga seconded. The motion passed unanimously.

Approve a Resolution for the Chestnut Street Construction Contract Change Order Number 3 in the amount of \$17,355.82 to Martam Construction, Inc. Chairman LaPlaca introduced this agenda item. Mr. Deeter noted that these changes occurred during Phase 1. Trustee Geoga motioned to approve. Trustee Saigh seconded. The motion passed unanimously.

Award the Engineering Services for the Construction Observation of the 2012 Road Reconstruction Project to J.J. Benes and Associates, Inc. in the amount not to exceed \$194,406.00. Chairman LaPlaca introduced this agenda item. Mr. Deeter stated that it is normally staff's preference to retain the same consultant in the design and construction observation positions. However, when a capable consultant provides a +/-\$85,000 savings over the design consultant, staff recommends the lower cost, capable consultant. Trustee Geoga motioned to approve. Trustee Saigh seconded. The motion passed unanimously.

Award the Engineering Services for Construction Observation of the 2012 Road Resurfacing Project to J.J. Benes and Associates, Inc. in the amount not to exceed \$42,379.00. Chairman LaPlaca introduced this agenda item. Mr. Deeter

noted that in June 2011, the Board approved J.J. Benes & Associates for the design phase of the 2012 resurfacing program. Since they have provided good performance to the village, it is staff's preference and recommendation to retain the same consultant during the construction observation process. After some discussion, Trustee Saigh motioned to approve. Trustee Geoga seconded. The motion passed unanimously.

Approve A Resolution for Maintenance of Streets and Highways by Municipalities under the Illinois Highway Code. Chairman LaPlaca introduced this agenda item noting the resolution approves the annual 50/50 sidewalk funds. Mr. Deeter provided further information and answered trustees' questions. Trustee Geoga motioned to approve. Trustee Saigh seconded. The motion passed unanimously.

Approve the Removal and Replacement of 60 hp Pump Motor and Cleaning and Inspection of Pump Assembly to Municipal Well and Pump in the Amount of \$12,910. Chairman LaPlaca introduced this agenda item. Mr. Franco provided further information and answered the committee's questions. Trustee Saigh motioned to approve. Trustee Geoga seconded. The motion passed unanimously.

Approve Awarding Bid #1511, Filter Media Removal and Replacement to Layne Christensen Company in the Amount of \$53,793. Chairman LaPlaca introduced this agenda item. Mr. Franco provided further information and answered the committee's questions. Trustee Geoga motioned to approve. Trustee Saigh seconded. The motion passed unanimously.

Adjournment

With no further issues to be brought before the Committee, Trustee Saigh moved to adjourn. Trustee Geoga seconded. Motion carried and the meeting was adjourned at 8:42 P.M.

Respectfully submitted,

Dan Deeter Village Engineer

TO: CHAIRMAN LA PLACA AND THE EPS COMMITTEE

FROM: GEORGE FRANCO

SUBJECT: PUBLIC SERVICES MONTHLY REPORT-MARCH 2012

Date: 4/3/12

The Public Services Department has been preparing for the arrival of the spring season. Parkway restoration has begun throughout town with crews placing black dirt and seed to areas of winter plow damage and water main breaks. Permanent asphalt repairs from water main breaks during the winter will begin in April, while most concrete repairs from water main breaks were completed in March. With the arrival of more seasonal temperatures, the Community Swimming Pool has received much needed attention during the month of April, with Public Service crews draining, removing debris, completing tile repairs, and power washing the lap and dive pools. Crews are currently preparing the filters and heaters for the upcoming season and doing touch up painting to railings and diving board pedestals. Contractual crews started work on April 3rd to complete lap pool painting repairs, welding repairs to the lap pool stainless steel gutters, and repair to the high dive platform prior to the filling of the pools. Crews will tentatively begin filling the two pools by the week of May 1st. Public Service crews have completed the layout and striping maintenance of 39 athletic fields for soccer, lacrosse, and baseball events, with crews now focusing on placement of goals and net repair if needed. The Public Services department has been involved in other projects, which include:

- The repair of 3 catch basins structures which failed over the winter season as well as the cleaning of 127 basins.
- Conducted the prescribed prairie burns on Jackson Street and Charleston Road.

- The repair of brick street locations at 6th and Elm and the 200 block of East 1st Street.
- The pruning of 30 trees with a diameter of 10 inched or less. A total of 462 trees have been pruned to date over the winter season.
- Village staff opened the parkland buildings for the season, making repairs as necessary. Crews have also started the weekend refuse removal from parklands.
- The start of the first stage of the ash treatment program with 303 trees to be treated.
- Public Services staff reviewed and commented on eight tree preservation plans submitted for building/demolition permits.

The Public Services department will be targeting the following tasks in April:

- The removal and restoration of approximately 64 tree stumps located in Village parkways and parklands.
- The restoration of approximately 12 asphalt water main break and basin repair locations.
- The continuation of repairs and maintenance for the opening of the Community Pool.
- The commencement and completion of contract #1511 for the removal and replacement of filter media located at the water plant.
- The removal and replacement of the 60 HP motor located at the water plant.

Cc: Dave Cook, President Cauley, and Board of Trustees

PUBLIC SERVICE MONTHLY REPORT FOR MARCH 2012.00 **ROADWAY** 6.00 SIGNS 5.00 POSTS 18.00 SIGNS REPAIRED 12.00 TONS OF COLD MIX USED FOR POTHOLES 0.00 TONS OF HOT MIX 0.00 TONS OF GRAVEL FOR ALLEYS ACT, 0.00 WHITE PAINT 0.00 YELLOW PAINT 142.50 MAN HOURS BASIN TOP CLEANING 37.50 MAN HOURS ALLEY GRADING 0.00 MAN HOURS ALLEY TRIMMING 0.00 YARD OF CONCRETE SNOW / ICE 0.00 Times crews where called out for snow and ice. 0.00 Tons of road salt used 0.00 Tons of sand used 0.00 Tons of salt + calcium for walks, ramps, stairs and train platforms. TREE MAINT 61.00 TREES TRIMMED BY VILLAGE STAFF 18.00 TREES REMOVED BY VILLAGE STAFF 0.00 ELM TREES DETECTED BY STAFF Pub., Private 0.00 ELM TREES REMOVED BY STAFF 0.00 ELM TREES THAT HAVE HAD AMPUTATED LIMBS 0.00 TREE STUMPS REMOVED BY STAFF 0.00 TREES PLANTED BY STAFF 0.00 TREES TRIMMED BY CONTRACTOR(to date) 0.00 NON ELMS REMOVED BY CONTRACTOR 0.00 ELMS REMOVED BY CONTRACTOR 5.00 ASH TREES REMOVED DUE TO EAB 23 Total since 2/11 **EQUIP MAINT** 16.00 SCHEDULED MAINT 29.00 UNSCHEDULED REPAIRS **WATER OPERATIONS** 58357.00 GALLON OF WATER PUMPED TO DISTRIBUTION SYSTEM 62305.00 PUMPED IN MARCH 2011 0.00 FEET OF SEWER LINES CLEANED 0.00 FEET OF SEWER LINE TELEVISED 2.00 SEWER BACKUP INVESTIGATIONS 3.00 BASINS REPAIRED 0.00 BASINS REBUILT 127.00 BASINS CLEAN FROM DEBRIS INSIDE 171.00 METER READINGS

0.00 WATER METERS REPAIRED 80.00 WATER METERS INSTALLED

- 1.00 HYDRANTS REPAIRED
- 1.00 HYDRANTS FLUSHED
- 0.00 WATER MAINS REPAIRED
- 2.00 SEWER SERVICE LOCATED
- 313.00 JULIE LOCATE REQUEST
 - 7.00 WATER CONNECT OR DISCONNECT INSPECTIONS
 - 1.00 VALVES EXERCISED
 - 2.00 VALVES REPAIRED
- 72.00 WATER METERS REMOVED
- 0.00 SEWER CONNECT INSPECTIONS
- 0.00 FOUNTAINS SERVICED

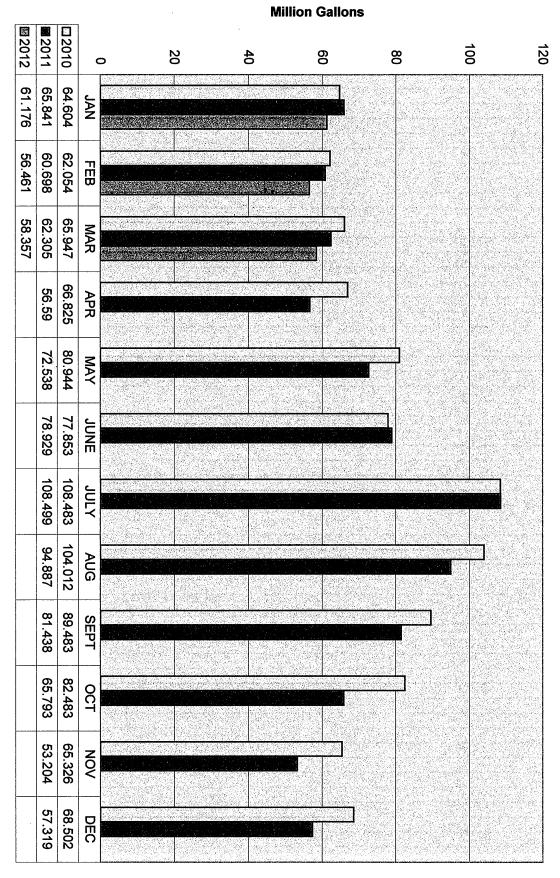
PARKS MAINTENANCE

Parks maintenance crews have been keeping up with general maintenance which includes garbage and litter pick-up, cleaning of the restrooms. Athletic field striping has been completed with repairs and placement of soccer goals and other athletic equipment currently being completed. Crews completed the prescribed prarie burns on Jackson St. and Charleston Road. The interior of the Burns fieldhouse has been painted and all parkland bathrooms have been opened for the season.

BUILDING MANTENANCE

Building maintenance crews have been monitoring and servicing heating systems in Village owned buildings, while also starting up all air conditioning chillers due to the early mild weather. Service calls have been completed at the following locations: KLM ballroom large light fixture and installation of a new water pump on the ice maker at the Lodge, Brush Hill station exterior light replacement as well as painting of the interior of the station, Veterans room of Memorial Hall wall repairs have been completed, Water service turned on in all parkland buildings, and all clocks/timers have been re-set in Village owned buildings due to the time change.

MONTHLY PUMPAGE



VILLAGE OF HINSDALE - IL 0434520

MONTHLY REPORT

Month: March, 2012

			Finished	Water			
Day	Dist	Free CL ₂	Turbidity	Fluoride	ЦО Тетр	Air Temp	Total
	x1000		Avg (NTU)	Avg (mg/l)	Average	Average	Precip
1	1834	0.79	0.03	1.12	39	44	0.00
2	1858	0.81	0.01	1.09	40	40	0.00
3	1826	0.93	0.02	1.09	40	32	0.00
4	1830				39		0.00
5	1931	0.83	0.02	1.06	39	35	0.00
6	1944	0.84	0.03	1.09	39	61	0.00
7	1865	0.89	0.03	1.11	40	50	0.00
8	1813	0.87	0.03	1.09	41	48	0.00
9	1873	0.87	0.02	1.12	41	40	0.00
10	1868	0.89	0.02	1.08	41	60	0.00
11	1732				41		0.00
12	2004	0.84	0.03	1.06	41	60	0.00
13	1928	0.83	0.02	1.13	42	50	0.00
14	2023	0.84	0.03	1.13	43	70	0.00
15	2014	0.91	0.03	1.09	44	60	0.00
16	2012	0.86	0.03	1.08	44	60	0.00
17	1973	0.84	0.02	1.06	45	70	0.00
18	1955		_		46		0.00
19	2110	0.83	0.02	1.03	47	70	0.00
20	1980	0.81	0.02	1.05	47	75	0.00
21	2004	0.84	0.02	1.07	48	72	0.00
22	2031	0.86	0.02	1.05	48	83	0.00
23	1905	0.88	0.03	0.99	49	60	0.00
24	1768	0.87	0.03	1.02	49		0.00
25	1709				49		0.00
26	1703	0.84	0.03	1.05	49	62	0,00
27	1704	0.87	0.03	1.07	49	66	0.00
28	1840	0.83	0.03	1.08	50	70	0.00
29	1764	0.86	0.03	1.07	50	70	0.00
30	1773	0.86	0.03	1.07	50	60	0.00
31	1783	0.85	0.03	1.03	50	56	0.00

Day	Dist x1000		Turbidity Avg (NTU)		<i>4</i>	Air Temp Average	Total Precip
Sum:	58357						0.00
Avg:	1882	0.85	0.03	1.07	45	59	0.00
Мах:	2110	0.93	0.03	1.13	50	83	0.00
Min:	1703	0.79	0.01	0.99	39	32	0.00

Reported By: Mark Pelhoushi

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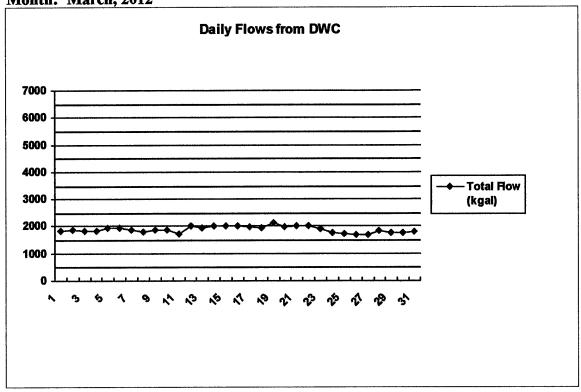
		- Flow -		-CI. Residual -	idual	Turbidity	Fluoride	HO Temp	Air Temp	Total
,	Valve 1	Valve 2	Total	Analyzer	Lab	Average		Average	Average	Precip
Day	(kgal)	(kgal)	(kgal)	(mdd)	(mdd)	(NTU)	(mdd)	(F)	(F)	(in)
1	1834	0	1834	080	0.79	0.03	1.12	39	44	0.00
7	1858	0	1858	0.81	0.81	0.01	1.09	40	4	00.00
m	1826	0	1826	0.80	0.93	0.02	1.09	40	32	0.00
4	1830	0	1830	0.80				39		0.00
ν.	1931	0	1931	0.78	0.83	0.02	1.06	39	35	0.00
9	1944	0	1944	0.79	0.84	0.03	1.09	39	61	0.00
7	1865	0	1865	0.76	0.89	0.03	1.11	40	50	0.00
· 00	1813	0	1813	0.75	0.87	0.03	1.09	41	48	0.00
6	1873	0	1873	0.79	0.87	0.02	1.12	41	9	0.00
10	1868	0	1868	08.0	0.89	0.02	1.08	41	8	0.00
11	1732	0	1732	0.81				41		00.0
12	2004	0	2004	0.83	0.84	0.03	1.06	41	8	00.00
13	634	1294	1928	0.82	0.83	0.02	1.13	42	50	0.00
14	0	2023	2023	0.81	0.84	0.03	1.13	43	29	0.00
15	0	2014	2014	0.86	0.91	0.03	1.09	4	8	0.00
16	0	2012	2012	0.85	98.0	0.03	1.08	4	99	0.00
17	0	1973	1973	06.0	0.84	0.05	1.06	45	8	0.00
18	0	1955	1955	0.92				4		0.00
19	0	2110	2110	0.93	0.83	0.02	1.03	47	8	0.00
20	0	1980	1980	0.95	0.81	0.05	1.05	47	75	0.00
21	0	2004	2004	0.97	0.84	0.02	1.07	48	72	0.00
22	0	2031	2031	1.00	98.0	0.02	1.05	48	83	0.00
23	0	1905	1905	0.92	0.88	0.03	0.99	49	9	0.00
24	0	1768	1768	98.0	0.87	0.03	1.02	49		0.00
25	0	1709	1709	0.89				49		0.00
26	0	1703	1703	0.93	0.84	0.03	1.05	49	62	0.00
27	0	1704	1704	0.94	0.87	0.03	1.07	49	8	00.0
28	-	1839	1840	0.97	0.83	0.03	1.08	50	8	0.00
29	0	1764	1764	1.01	98.0	0.03	1.07	50	8	0.00
30	0	1773	1773	0.98	0.86	0.03	1.07	20	8	0.00
31	0	1783	1783	1.05	0.85	0.03	1.03	50	56	0.00
Sum:	23013	35344	58357							00.00
Avg:	742	1140	1882	0.87	0.85	0.03	1.07	45	59	0.00
Max:	2004	2110	2110	1.05	0.93	0.03	1.13	92	8	0.00

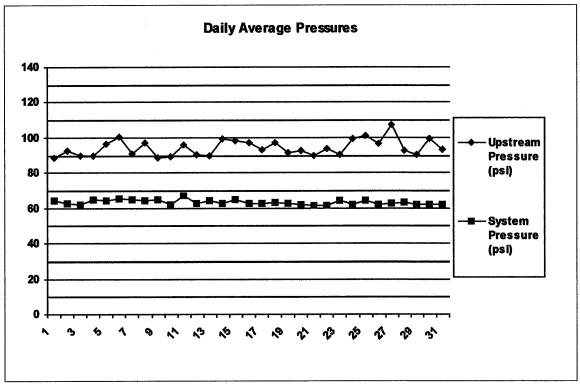
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	Flow		Tank Levels -		Pressures	ıres		- Pump Run Times -	es
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	(Kgal)	(ES)	(M)		(nsd)	(bsa)	(nr)	(nr)	(nr)
-	1834	9.06	9.5	16.6	93.1	63.6	0.0	0.0	4.5
7	1858	91.0	9.4	16.5	93.9	63.8	0.0	0.0	4.6
3	1826	90.9	9.4	16.5	93.5	63.8	0.0	0.0	5.4
4	1830	90.3	9.4	16.5	93.2	63.6	0.0	0.0	4.9
5	1931	90.6	9.2	16.4	93.3	63.7	0.0	0.0	4.7
9	1944	8.06	9.2	16.3	93.5	63.8	0.0	0.0	3.8
7	1865	90.9	9.5	16.6	93.5	63.8	0.0	0.0	3.9
∞	1813	90.5	9.6	16.7	93.0	63.5	0.0	0.0	3.9
6	1873	90.9	9.3	16.5	93.7	63.9	0.0	0.0	4.9
10	1868	91.0	9.2	16.3	93.7	63.8	0.0	0.0	5.5
11	1732	90.0	0.6	16.1	93.9	63.6	0.0	0.0	10.0
12	2004	90.6	9.4	16.4	94.5	63.7	0.0	0.0	4.1
13	1928	91.1	9.4	16.5	92.5	63.9	0.0	0.0	4.9
14	2023	91.2	9.4	16.5	93.5	63.9	0.0	0.0	4.7
15	2014	91.1	9.3	16.5	93.8	63.8	0.0	0.0	4.8
16	2012	6.06	9.4	16.5	93.8	63.7	0.0	0.0	4.7
17	1973	91.1	9.4	16.5	94.9	64.0	0.0	0.0	5.4
18	1955	90.3	9.5	16.6	94.2	63.7	0.0	0.0	5.0
19	2110	7.06	9.5	16.6	93.9	63.8	0.0	0.0	4.3
20	1980	91.0	9.5	16.6	93.4	63.9	0.0	0.0	6.9
21	2004	6.06	9.3	16.4	94.7	63.8	0.0	0.0	7.3
22	2031	8.06	9.2	16.3	92.8	63.8	0.0	0.0	5.4
23	1905	91.0	9.4	16.5	93.8	63.7	0.0	0.0	4.4
24	1768	91.0	9.6	16.7	93.9	63.6	0.0	0.0	0.9
25	1709	91.1	9.6	16.7	94.4	63.6	0.0	0.0	3.8
26	1703	91.1	9.5	16.6	94.2	63.6	0.0	0.0	4.6
27	1704	8.06	9.2	16.3	94.8	63.5	0.0	0.0	4.7
28	1840	90.7	9.2	16.3	95.8	63.5	0.0	0.0	4.3
29	1764	90.7	9.0	16.1	94.8	63.7	0.0	0.0	4.9
30	1773	90.5	9.4	16.4	92.9	63.5	0.0	0.0	9.9
31	1783	6.06	9.5	16.6	93.3	63.7	0.0	0.0	4.5
Sum:	58357						0.0	0.0	157.4
Avg:	1882	90.8	9.4	16.5	93.8	63.7	0.0	0.0	5.1
Max:	2110	91.2	9.6	16.7	95.8	64.0	0.0	0.0	10.0

VILLAGE OF HINSDALE, SYSTEM TRENDS

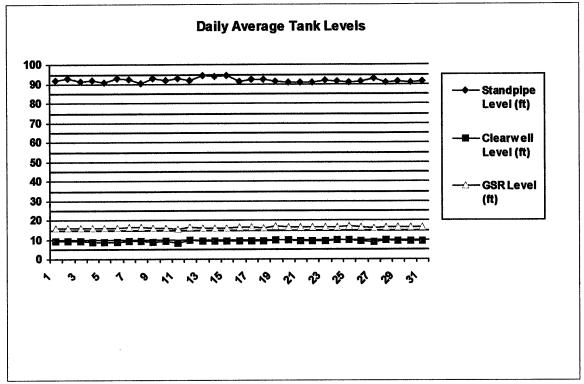


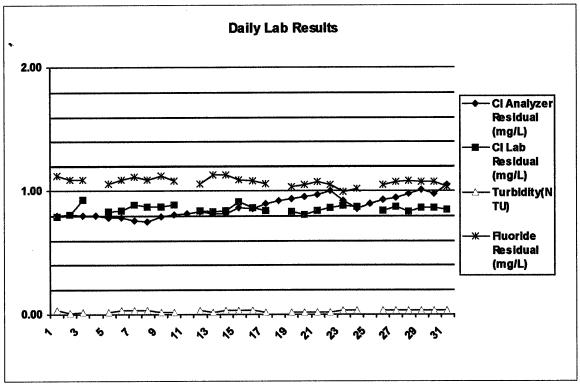




VILLAGE OF HINSDALE, SYSTEM TRENDS

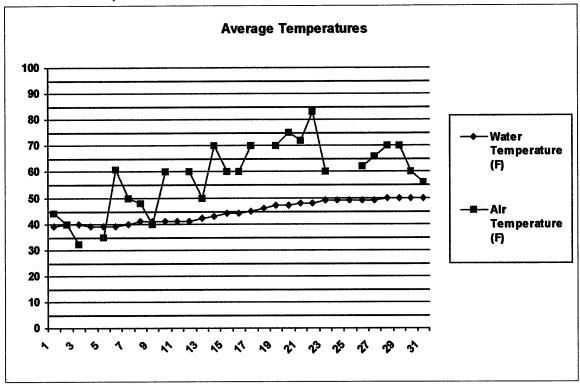
Month: March, 2012





VILLAGE OF HINSDALE, SYSTEM TRENDS

Month: March, 2012



MONTHLY REPORT FOR March, 2012

# of Bacteria samples	<u>25</u>
# of field chlorine	<u>21</u>
# of field turbidities	<u>21</u>
# of lab chlorine	<u>27</u>
# of lab turbidities	<u>27</u>
# of lab pH	<u>27</u>
# of lab fluoride	<u>27</u>
# of precipitation readings	<u>0</u>
# of temperature readings(air)	<u>26</u>
<pre># of temperature readings(water)</pre>	<u>31</u>
# of DBP samples	0
# of Pumps serviced	<u>7</u>
# of Special Well Samples	<u>0</u>

High Service and Well Pump Maintenance March 2012

High Service Pump Motors

High Service Pump Motor #1- Check oil and lubricate grease fittings
High Service Pump Motor #2- Check oil and lubricate grease fittings
High Service Pump Motor #3- Check oil and lubricate grease fittings
High Service Pump Motor #4- Check oil and lubricate grease fittings

Well Pump Motors

Well #2 Pump Motor- Check oil, grease fittings, and run for Bacteria Samples.

Well #5 Pump Motor- Check oil, grease fittings, and run for Bacteria Samples.

Well #8 Pump Motor- Check oil, grease fittings, and run for Office Park Chillers and Bacteria Samples.

Well #10 Pump Motor- Electric service repair well not operational.

TO: CHAIRMAN LAPLACA AND THE EPS COMMITTEE

FROM: GEORGE FRANCO

SUBJECT: RESIDENT REQUESTED TREE REMOVAL FROM VIILAGE PROPERTY POLICY

DATE: 04/5/12

During the February EPS meeting, Committee as their function as the "Tree Board" has adopted a policy to guide staff in future decisions pertaining to tree removals from Village property requested by residents which fall outside the authority of the Village Forester. After review of the policy by Village counsel, it has been recommended that the policy be amended to the existing ordinance.

The Village Code, Section 7-2-2(B), contains provisions for the replacement of Village trees for any person who cuts down a tree in any public area *without a permit*. This section includes replacement options, guarantee of health, timeline of replacement, and reimbursement to the Village.

The Village policy adopted by the EPS Committee contains provisions for the replacement ratio of Village tree(s) for any resident who appeals for tree removal to "Tree Board" and that appeal is approved. This policy includes replacement planting ratios, planting guidelines, guarantee of health, and if agreed upon by the Tree Board, the option to pay for replacement inches in lieu of trees.

Attached is the EPS policy statement and review comments by Village counsel. If Committee concurs, staff will draft the amendment of the existing ordinance for the May EPS meeting.

Environment and Public Services Committee Policy Statement

February 17, 2012

The EPS committee per their function as the Village's "Tree Board" -has adopted the following policy in order to guide future staff decisions in the aspect of tree removals_from Village property requested by residents that fall outside the authority of the Village Forester.

<u>History:</u> Public trees are removed because they are dead or declining (including decay and loss of structural stability), or have been damaged by storms or lightning. Village ordinance requires the removal of trees that have contracted Dutch elm disease and Emerald Ash Borer (Title 4, Chapter 5 of the Village Code). Some trees are also lost to vandalism, car accidents, and construction activities.

Trees are not removed when residents do not approve of the tree or if Staff does not agree that the tree is a nuisance. Such minor problems not justifying tree removal may include leaf drop, small twig drop, flowers, fruits or nuts, sap, insects or other wildlife. Trees are typically not removed to accommodate construction, location and/or utility issues.

The Village Forester, through the administration of the Director of Public Services, is responsible in determining if a tree is in a condition that would require removal or if there is a tree care practice that would mitigate the issue.

Residents are able to appeal to the Tree Board if the decision of the Village Forester is unfavorable.

<u>Policy:</u> The Tree Board acts in its capacity to approve or deny the appeal with information submitted from both the resident and Village staff. The Tree Board may approve or deny the appeal based on merit of the appeal.

If the appeal is denied staff will continue to work with the resident to moderate their concerns as possible, with the long-term viability of the tree as the guiding principal.

If the appeal is approved the resident would be responsible for the cost of the removal of the tree, including any permitting and permission required by the Director of Public Services. The resident would be responsible for planting of replacement trees at a ratio of one caliper inch of replacement for every two diameter inches (dbh at 4.5') of the tree to be removed. The minimum caliper of the replacement trees would be 3" caliper, and the minimum replacement would be one 3" caliper tree. All replacement trees will be planted under Village guidelines to the approval of the Village Forester and guaranteed for one-year. Replacement trees will meet ANSI 300 Standards for balled and burlap trees and planting methodology. Shade trees are required, unless there are utility or

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location issues that would limit the natural growth of the tree. The final approval of tree selection is determined by the Village Forester.

Preference would be given to planting the replacement trees on or near parkways close to the location of the removed tree. If there is inadequate spacing, the Village Forester will select planting sites available in other areas of the Village.

Additionally, with agreement from the Tree Board and the resident, the resident may opt to pay for replacement inches in lieu of trees. The Village Forester would then coordinate the planting of replacement trees in conjunction with Village planned tree planting. This option allows the Village to have control over species selection and ensure the trees are planted in a timely manner. The latest edition of the Illinois Arborist Association's "Species Rating Guide" is used to determine the cost of furnishing the tree, tree planting, and post planting tree care. The resident is required to provide the total cost for each tree to be planted. Currently, the latest edition has a 3.0" tree at \$513.00.



20 N. Wacker Drive, Ste 1660 Chicago, Illinois 60606-2903 T 312 984 6400 F 312 984 6444

www.ktilaw.com

15010 S. Ravinia Avenue, Ste 10

Orland Park, Illinois 60462-5353

T 708 349 3888 F 708 349 1506

DD 312 984 6437 jhkaraca@ktjlaw.com

March 6, 2012

VIA E-MAIL: dcook@villageofhinsdale.org
Mr. David Cook
Villageofhinsdale.org

Village Manager Village of Hinsdale

Re: Proposals to Tree Body Policy

Dave:

Pursuant to your questions regarding a proposed policy to be adopted by the Tree Body regarding replacement of damaged or removed trees on Village rights-of-way, please find the attached document with my redlined suggestions and comments.

Please especially note the following:

- 1. The Village Code, Section 7-2-2(B), contains provisions for the replacement of Village trees:
 - 2. Any person who removes or cuts down any tree in any public street or parkway or other public place without a permit from the village shall:
 - a. Replace the tree with a tree of the same size and species, or another species approved by the director of public services, and shall maintain said replacement tree in a safe and healthy condition for two (2) years after the replacement tree is planted. Replacement of the tree that is removed without a permit shall occur not more than six (6) months after the date of removal of such tree; and
 - b. Reimburse the village in an amount equal to the greater of three (3) times the value of the tree, as determined by an expert in valuation of trees selected by the village, or one thousand dollars (\$1,000.00).
- 2. The proposed policy attempts to alter these provisions a bit, namely the number of inches required for replacement and the time for guaranteeing viability. We recommend that, to the extent the Village wants to change the

replacement amounts and timing specifications, that these numbers be changed in ordinance form by the Village Board.

3. Moreover, the proposed policy references a right to appeal the Forester's determination to the Tree Body. The Village Code makes no reference to this. If the Village wants to give residents this appeal option, it should be delineated in Article 7, Chapter 2 of the Village Code, outlining the Tree Body's authority to hear and act on such matters. We would be happy to assist the Village in this matter.

Please call Lance or me with any questions.

Sincerely,

KLEIN, THORPE and JENKINS, Ltd.

Jacob Karaca

cc: Lance C. Malina

TO: CHAIRMAN LAPLACA AND THE EPS COMMITTEE

FROM: GEORGE FRANCO, DIRECTOR OF PUBLIC SERVICES

SUBJECT: PROPOSED PARKWAY TREE REMOVAL AT 702 SOUTH MONROE

DATE: MARCH 28, 2012

Mr. Steve Sobkowiak, from Oakley Home Builders, Inc. is the builder for the new home construction at 702 S. Monroe Street. He has requested permission to remove a honeylocust tree located in the 7th Street parkway. The request to remove the tree is due to the location of the driveway in the new construction. Mr. Sobkowiak agreed to transplant the tree to another Village location; however the tree has been determined to be too large to be transplanted by a tree spade.

The tree is a honeylocust that has a 9.0" trunk diameter at 4.5' above grade. The tree has an estimated height of 40' and the canopy has an estimated spread of 25'. The tree's condition is good. The tree has good canopy has moderate imbalance due to shading effects of the larger tree located to the east, and from utility pruning due to the utility lines to the west. The tree is not spaced well with the other parkway trees and on-going utility pruning will continue to impact the appearance of the tree. There are no significant visible structural defects in the trunk, or scaffold branches.

Mr. Sobkowiak is requesting the EPS committee per their function as the Village's "Tree Board" to allow the removal of this tree. Mr. Sobkowiak has indicated in the attached letter that he is willing to compensate the Village for the loss of the tree. If committee is agreeable to this, staff would recommend that agreement be made to cover removal of the tree and replacement of the tree in inches as determined by the committee from the list of approved parkway trees. Staff is requesting direction from the Committee in responding to this request presented by Mr. Sobkowiak.



3/21/12

John Finnell Village of Hinsdale

Dear John, after review of the parkway tree at 702 S. Monroe with Kevin Devries from Big Tree he has determined that by trying to relocate the Locust Tree it would not survive. The trees current condition according to Kevin is "sub-par".

Oakley Home Builders would like to figure out a way to compensate the Village of Hinsdale for the loss of this Parkway Locust Tree. Let us know your thoughts.

Sincerely,

Steve Sobkowiak

TO:

ROBB MCGINNIS, COMMUNITY DEVELOPMENT DIRECTOR

FROM:

JOHN FINNELL, VILLAGE FORESTER

CC:

GEORGE FRANCO, DIRECTOR OF PUBLIC SERVICES

SUBJECT:

TREE PROTECTION - 702 S MONROE STREET

DATE:

NOVEMBER 2, 2011

Please find below my comments regarding tree protection for new construction at 702 S Monroe St. Please be sure these issues are addressed or corrected on the plans.

• Several parkway trees should be pruned to provide construction clearance. Please contact the Village Forester at 630 789 7043, to schedule the pruning.

Please note the following on the plans:

1. Install Tree Protection Fence and perform root pruning per plan for all protected trees prior to any construction activity.

2. Fence the public portion (parkways) of the *entire* Tree Protection Zone(s) with a 6' chain-link fence to prevent wounds to the parkway trees(s) as well as soil compaction. Post the fence with a sign stating "Tree Protection Zone – Keep Out". The Village no longer allows wood-slat fencing.

3. No trenching should be done within the Tree Protection Zones for any construction activity including the installation of silt fencing unless pre-

approved by Building Department staff

4. It appears a portion of the driveway apron may be within 10' of the parkway tree(s). New driveways should be a *minimum* of 10' from existing trees. Please confirm the driveway apron meets this requirement. Another consideration would be to request permission from the Environment and Public Services Committee to transplant the 8" locust to another Village property, and have a straight drive from the garage to the street.

*Tree Protection Zone (TPZ) is the designated area that encompasses an entire tree canopy. However, for practical purposes the Village of Hinsdale requires that the public portion be delineated with chain link fencing.

TO: CHAIRMAN LAPLACA AND THE EPS COMMITTEE

FROM: GEORGE FRANCO

SUBJECT: TREE REMOVAL BUDGET FOR FY 2012-13

DATE: 04/4/12

The proposed budget for FY 2012-13 currently has \$60,000.00 budgeted for contractual tree removal services, which is an increase of \$9,000.00 from FY 2011-12. With the Village's tree inventory completed, Public Services staff is preparing for tree removals due to EAB. Staff would like to discuss the possibility of increasing the budgeting for this service before approval at the end of the month. Items to consider include:

- Per the tree inventory, there are approximately 556 ash trees in fair to poor condition. If ½ of these trees are to be removed this year (278 trees), staff believes that "in house crews" will be able to remove approximately 70% of these trees. This leaves approximately 83 trees to be contractually removed.
- A 28" dbh tree removal per the upcoming contract would cost approximately \$756.00. A tree 37" dbh or over would cost approximately \$1,202.50. The majority of trees which would be contractually removed fall into these categories.
- Stump removal and restoration costs are \$4.00 per dbh. A 28" tree would cost \$112.00 and a 37" tree would cost \$148.00.
- While dutch elm disease has shown favorable numbers over the past years, staff does have concerns that some trees which were not treated in FY 2010-11 through the 50/50 program with residents may show signs of decline.

Public services staff, barring any unforeseeable storms/projects/etc, would like to add \$25,000.00 to \$30,000.00 to the proposed FY 2012-13 budget to cover potential removals and restoration costs due to EAB.

TO: CHAIRMAN LAPLACA AND THE EPS COMMITTEE

FROM: GEORGE FRANCO, DIRECTOR OF PUBLIC SERVICES

SUBJECT: EMERALD ASH BORER – TREATMENT UPDATE

DATE: MARCH 28, 2012

Per direction from committee staff at the March meeting staff has inspected additional trees to add to the list of public ash trees to be treated this fiscal year. The goal is to treat these trees with insecticide to slow the rate of decline due to emerald ash borer and forestall the need for tree removal.

There are several factors weighed in determining if a tree is viable for this pilot project:

- 1. <u>Population density:</u> The percentage of ash trees on a given block. Staff is hoping to treat trees in areas where, due to the amount of ash trees and lack of other species, the loss of ash trees would cause a significant downward alteration in the streetscape. Unfortunately, many of these areas have already been heavily infested and do not have many remaining trees in a viable condition for treatment. Priority was given to ash trees in these areas
- 2. <u>Tree Condition Excellent:</u> The Village's grant sponsored tree inventory identified approximately 1/3 of the ash population or 556 ash trees in fair or poor condition; these trees are in poor health or are structurally weak and are not considered viable candidates for treatment. 103 trees in excellent will be targeted for treatment.
- 3. <u>Tree Condition Good:</u> The grant identified 891 ash trees in good condition. Staff is identifying ash trees is areas with high population density and in good condition to treat and then dispersing the remaining funds to treat trees as even as possible throughout the Village.

Staff has treated 303 trees for the first stage of the project. This represent an increase of 100 trees proposed at the last meeting and treating just over 20% of the public ash population. Staff will review tree condition on the remaining ash population after leaf-out and make additional recommendations for treatment for trees that are in viable condition and will adjust treatment selections if tree condition deteriorates.

Again, there are only a few brief years left in this species' viability, and due to our recent discoveries within the Village, we are losing fair numbers of them already. Residents beginning to prepare now both emotionally and monetarily for the loss of these specimens would make good sense.

The following is a list of trees to be considered for this project:

${\bf SOIL~INJECTION-APRIL~2012}$	TOTAL INCHES	\$/INCH	COST
103 Village Trees rated excellent condition throughout the Village	1,073	\$1.29	\$1,384.17
200 Village Trees rated good condition throughout the Village	4,041	\$1.29	\$5,212.89
COST			\$6,597.06
TRUNK INJECTION – MAY 2012			e e
Garfield Street from 55 th to 59 th (29 of 47 ash trees)	910	\$9.00	\$8,190.00
TOTAL COST			\$14,787.06

This total cost uses the chemical product "Xytect" in a soil injection at the base of the tree for selected trees in excellent and good condition. There would be minimal exposure due to the fact that the product would be injected below grade. Xytect has been found to be effective in reducing EAB populations in infested trees in several recent scientific studies. The ash trees south of 55th Street on Garfield Street would be treated through trunk injections with the chemical product "TREE-age". These are large diameter trees. In some studies, trunk injection of larger trees has shown increased efficacy. This method is more expensive (\$9.00 per inch), but is labeled as two year control. Trees identified in this program that are treated by soil injection, could be completed by May 1, 2012, weather dependent. Trees treated by trunk injection would need to be delayed into the next fiscal year.

Staff welcomes additional input, comments, and or questions from Committee regarding this program.

TO: CHAIRMAN LA PLACA AND THE EPS COMMITTEE

FROM: GEORGE FRANCO

SUBJECT: 2012 PUBLIC SERVICES ROADWAY GRINDING AND

PATCHING PROJECT

Date: 3/30/12

The Public Service Department has identified areas throughout the Village in which the roadway grinding and patching crews will be able to grind and remove deteriorating roads and patch with asphalt. This project helps improve roadway conditions and leave a more permanent patch as opposed to a temporary cold-patch. Public Services staff has attached the locations targeted for roadway grinding and patching as well as an approximate number of patches and tons of material to complete these. Currently, there are 24 locations listed which would use approximately 405 tons of asphalt to complete patching. The current rate for asphalt is \$55.00 per ton, which equates to approximately \$22,275.00 for material on the listed patches. Staff welcomes any additions or deletions from the attached list as well as any questions or comments.

Cc: Dave Cook, President Cauley, and Board of Trustees

Roadway Patching 2012

LOCATION	TONS
Fuller Road from York to County Line	24
Elm St from Hampton to Ogden Ave	48
Second St from Vine to Monroe	16
Hickory St from Adams to Bruner	16
Alley apron off 4 th between Madison and Thurlow	32 .
Alley apron off 7 th between Stough and Jackson	16
Warren Court	8
Wedgewood Court	4
Ninth St from Madison to Grant	6
Minneola St from Washington to York	30
Elm St from Seventh to Ninth	32
Birchwood East of Madison	16
Lincoln St from Hinsdale to Third	8
Warren Terrace	24
Ninth from Washington to Park	24
Sixth St from Madison to Adams	10
Madison St from Hickory to North	5
Walnut St from Grant to Vine OVERLAYS	16
Vine St from Center to Ogden OVERLAYS	24
The Lane from York to Elm	24
Ravine from Oak to County Line	8
Stough St from Quincy to Culdesac	
Stough St from Town Place to Railroad Ave	6
N. Lincoln St from Maple to Ogden Misc Overlays	
TOTAL TONS	405

TO: Chairman LaPlaca and Dave Cook

FROM: Dan Deeter

DATE: April 9, 2012

RE: Engineering Monthly Report

The Engineering Division has continued to work with the Building Division in order to complete site inspections, as well as responding to drainage complaint calls. In total, three Engineering employees performed 118 site inspections for the month of March. The following capital improvement projects and engineering studies are underway.

Veeck Park Wet Weather Facility

Due to the recent fair weather, Twin Oaks Landscaping mobilized their equipment on 03/19/12 after halting work during the winter. They will be restoring the drain tile trenches, placing bio-solids placement, conducting final landscaping, and sod placement this spring. They have disposed of the drain tile trench spoil on site. Due to the early spring, they are waiting on the availability of bio-solids and sod. The Parks Department will monitor the grass growth through 2012 to open the fields for play as soon as possible.

Oak Street Bridge Replacement Engineering Phase 1/Environmental Assessment

March 2012 Activities

- Wang Engineering conducts soil borings at north and south end of bridge.
- Perform additional traffic count.
- Conduct survey of completed improvements at Adventist Hinsdale Hospital and at Chicago & County Line Road intersection
- Continue development of roadway and intersection improvement concept designs.

April 2012 Proposed Activities

- Continue traffic counts.
- Continue development of roadway and intersection improvement concept design.
- Present current status of Phase 1 at Community Working Group late Apr early May

Chestnut Street Sewer Separation Project

March 2012 Activities

•	Mobilize for Phase 2 – 4 improvements (west of Monroe)	03/26/12
•	Mobilize for Phase 1 final improvements	03/26/12

April 2012 Proposed Activities

•	Begin Phase 2-4 improvements (west of Monroe)	04/02/12
•	Begin Phase 1 final improvements	04/02/12
•	Phase 1 surface course paving	mid-Apr 2012
•	Completion of Phase 1 final improvements	04/30/12
•	Final Completion of Phase 2 – 4	09/26/12

Other Engineering Activities

Woodlands Green Infrastructure Improvements

•	HR Green 90% phase 1 plan review by VOH	03/29/12
	Bidding/Award of Construction Contract	May 2012
•	Construction Starts	June 2012

2012 Resurfacing

 Plans sent to IEPA & IDOT for permitting 	February 2012
 IDOT Bid Advertisement 	04/05/12
Bid Opening	04/19/12
• EPS (special meeting?) recommends award	05/01/12 (est.)
 BOT approves bids 	05/01/12 (est.)
 Notice of Award 	05/02/12 (est.)
 Notice to Proceed after full documentation 	05/21/12 (est.)
Site soils testing	05/28/12 (est.)
 Construction starts 	06/01/12 (est.)

2012 Reconstruction (N. Washington/N. Grant Street)

•	Pre-bid meeting	03/06/12
•	Bid Opening.	03/13/12
•	BOT approves JJ Benes for Construction Observation	03/20/12
•	BOT approves John Neri Construction	04/03/12
•	John Neri signs contract, constr. docs, insurance	04/04/12
•	Notice to Proceed once Neri presents full documentation	04/12/12 (est.)
•	Pre-construction meeting	04/12/12 (est.)
•	Neri mobilizes on site	04/16/12 (est.)
•	Construction Starts	EOM April 2012

2013 Resurfacing and 2013 Reconstruction (W. Fourth Street Improvements)

•	Request for Proposals for engineering services	02/28/12
•	Engineering proposals opened	03/28/12
•	Staff review of proposals	April 2012
•	EPS Recommendation of award	05/14/12
•	BOT approves engineering awards	05/15/12
•	Design Engineering & Permitting	May – December 2012
•	Bidding	January 2013
•	Bid and Construction Observation Services Awarded	February 2013
•	Construction Starts	April 2013 (weather permitting)

State and Federal Funding Opportunities

A summary of the Grant Funds Awarded to or Applied for by the Village of Hinsdale is attached.

Cc: President and Board of Trustees
Dave Cook

Page 3 of 3

Veeck Park Wet Weather Facility Hinsdale, Illinois

	Bar			
	Screen			Precipitation
	Channel	Overflow	Storage	(inches of
	Down	Height	Tank	water or
	Stream	Above	Elevation	water
Date	(feet)	Weir (feet)	(feet)	equivalent)
03/01/12	0.00		2.05	
03/02/12	0.01		2.30	0.19
03/03/12	0.00		2.95	
03/04/12	0.00		2.03	
03/05/12	0.00		2.82	
03/06/12	0.02		2.03	
03/07/12	0.01		2.10	
03/08/12	0.00		1.99	0.28
03/09/12	0.00		2.28	
03/10/12	0.00		2.62	
03/11/12	0.00		2.92	
03/12/12	0.00		1.98	0.19
03/13/12	0.00		2.13	
03/14/12	0.00		2.43	
03/15/12	0.00		2.75	
03/16/12	0.00		3.09	
03/17/12	0.00		2.05	
03/18/12	0.00		2.23	
03/19/12	0.00		1.96	0.03
03/20/12	0.00		2.29	
03/21/12	0.00		2.56	
03/22/12	0.00		2.78	0.16
03/23/12	0.00		2.17	1.25
03/24/12	0.00		2.64	
03/25/12	0.04		1.99	
03/26/12	0.01		1.93	
03/27/12	0.02		1.97	
03/28/12	0.02		2.94	
03/29/12	0.02		2.94	
03/30/12	0.02		2.05	0.58
03/31/12	0.01		3.09	
Total Precip	itation in N	/larch:		2.68
Departure fr	rom Norma	al:		0.18

Notes:

^{1.} Minimum tank elevation is 2.0 feet to avoid running the pumps dry and damaging them.

^{2.} Rain data from NOAA, National Climatic Data Center for Chicago, O'Hare

Village of Hinsdale Grant Funds Awarded in 2009 - 2012

Source	Program	Purpose	Funds Available	Amount
Illinois Commerce Commission	Crossing Safety Improvement Program Oak Street Bridge - 60% Funding	Oak Street Bridge - 60% Funding	2015 Capital Budget	\$10,200,000
Senator Dillard	State Capital Bill	Oak Street Bridge	Effective January 1, 2011	\$825,000
West Suburban Mass Transit	Car Sale Proceeds	Oak Street Bridge Eng/Construction 50/50 Reimbursement	50/50 Reimbursement	\$395,000
Illinois Dept of Transportation	Federal Highway Bridge Program	Oak Street Bridge Phase I	July 2010 - 80/20	\$680,000
DuPage Mayors & Managers	Federal Stimulus	S. Garfield Reconstruction	Paid Through IDOT	\$1,632,000
Senator Dillard & Rep Bellock	Emergency Repair Program	Street resurfacing	Upon Project Completion	\$300,000
Representative Bellock	State Capital Bill	N. Washington Reconstruction	Upon issuance of bonds	\$340,000
New Local Transportation Projects	State Capital Bill	Road Improvements	20% released October, 2010	\$389,540
Lyons Township	Bond Proceeds	KLM Park Pavilion	Upon Project Completion	\$150,000
DuPage Mayors & Managers	STP Program	Oak Street Bridge	2015 Capital Budget	\$3,830,000
IDNR	OSLAD	Improvements to KLM	Awarded	\$150,000
IEPA	ARRA/State Revolving Loan	Garfield Sewer Separation	Loan docs received 7/05/11	\$444,160
IEPA	ARRA/State Revolving Loan	Chestnut Sewer Separation	Loan docs received 8/16/11	\$3,728,196
DuPage Mayors & Managers	Surface Transportation Projects	Hinsdale Avenue Resurfacing		\$311,627
DuPage Mayors & Managers	Surface Transportation Projects	Chicago Avenue Resurfacing	Approved by DMMC	\$203,291
DuPage Mayors & Managers	Surface Transportation Projects	York/Garfield Resurfacing	11/16/11 for FY 2017	\$293,442
DuPage Mayors & Managers	Surface Transportation Projects	Madison Resurfacing		\$317,765
Total				\$24,190,021

Village of Hinsdale Grant Applications Under Consideration

		4	24 - 4	[,
Source	Frogram	Lurbose	Status	Amount
IDOT	Federal Highway Bridge Grant	Oak Street Bridge Phases II & III	Committed to by IDOT	\$4,895,000
IEPA	Illinois Green Infrastructure Grant	Woodlands Phase 1	Submitted 12/12/11	\$750,000
Total			, "	\$5,645,000

DATE: April 9, 2012

REQUEST FOR BOARD ACTION

AGENDA	ORIGINATING DEPARTMENT
SECTION NUMBER	Community Development
ITEM Cases A-05-2012 - Applicant: Tiziana Buzzi - Request: Special	
Use Permit for a Physical Fitness Facility (Pilates Studio) above the 1 st	APPROVAL
Floor at 49 S. Washington Street	

The applicant is proposing a Pilates studio to be located on the second floor of the commercial building located at 49 S. Washington Street in the B-2 Central Business District and is requesting approval of a special use to allow the business. According to Paragraph 5-105C(11), physical fitness/personal training facilities must be located above the first floor of any structure in the B-2 district and is a special use. Please note that while this application would normally be heard by the ZPS, the request is coming before the EPS due to the cancellation of the March ZPS meeting.

ZONING HISTORY/CHARACTER OF AREA

The site is located in the B-2 Central Business District. The properties to the east, west and south are located in the B-2 Central Business District and improved with commercial buildings. The building is generally located on the east side of Washington Street between Hinsdale Avenue and First Street.

GENERAL STAFF COMMENTS

The applicant is proposing a Pilates studio in one of the tenant spaces on the second floor of the subject property. According to the applicant, the classes will range from individual appointments to classes of no more than 4 students at one time. It should be noted that on March 6, 2012, the applicant was approved for a temporary use from the Board of Trustees to begin operation of the requested use while she went through the Special Use process to obtain the appropriate approvals.

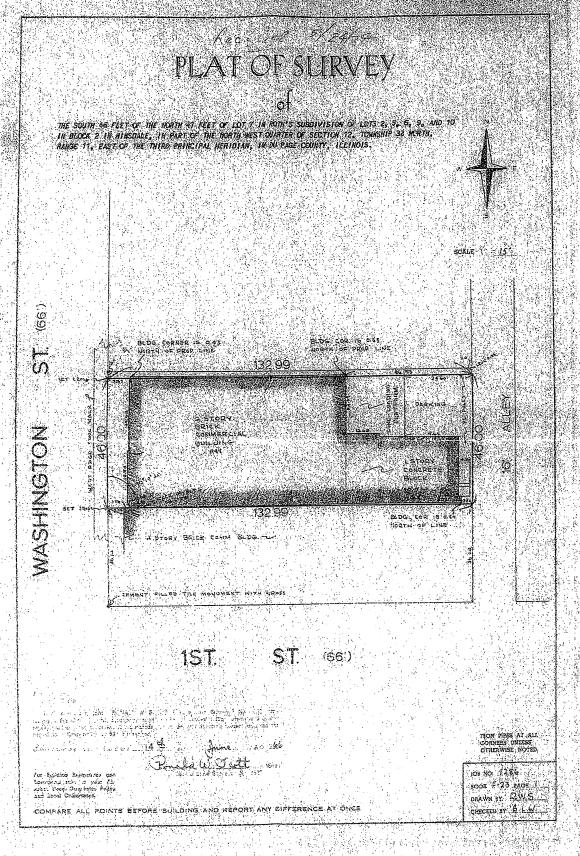
Section 9-104J(v) establishes required parking for physical fitness facilities however as past Village policy has dictated, no additional off-street parking is typically required when a new tenant is located within an existing commercial building in the B-2 Central Business District.

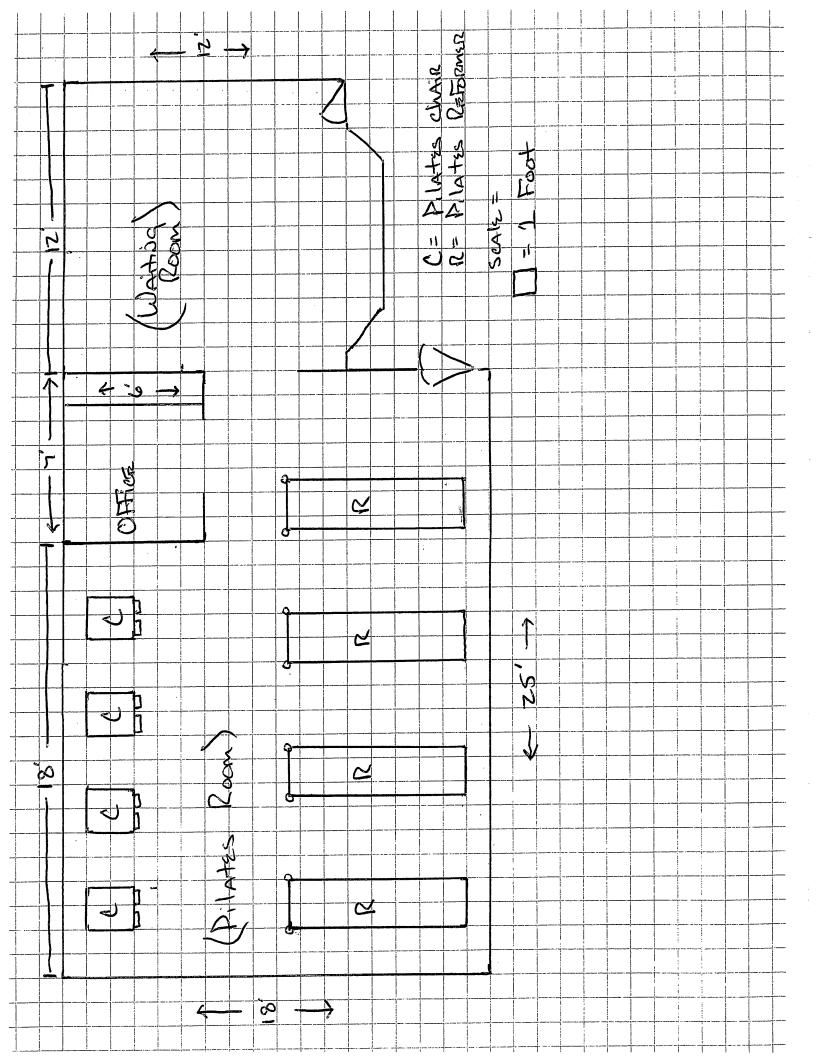
At the Plan Commission meeting of March 14, 2012, it was recommended unanimously (7-0), to approve a Special Use Permit for a Physical Fitness Facility (Pilates Studio) above the 1st Floor at 49 S. Washington Street.

Attached are the draft findings and recommendations from the Plan Commission and the draft ordinance.

MOTIONS:

Washington Street."			MANAGER'S APPROVAL
APPROVAL	APPROVAL	APPROVAL	APPROVAL //
COMMITTEE ACTION:			





DRAFT

HINSDALE PLAN COMMISION

Re: Case A-05-2012 – Tiziana Buzzi – 49 S. Washington - Request: Special Use Permit for a Physical Fitness (Pilates) Studio to be located above the first floor.

DATE OF PLAN COMMISSION REVIEW:

March 14, 2012

DATE OF ENVIRONMENT & PUBLIC SERVICES REVIEW:

April 9, 2012

FINDINGS AND RECOMMENDATION

I. FINDINGS

- 1. The Applicant, Tiziana Buzzi, submitted an application for a Special Use to operate a pilates studio at 49 S. Washington Street.
- 2. The property is located within the B-2, Central Business District and improved with a two-story building, where physical fitness studios are listed as a Special Use.
- 3. The Plan Commission heard testimony from the applicant regarding the proposed request, including proposed hours and class size, at the Plan Commission meeting of March 14, 2012.
- 4. The Commissioners asked the applicant a few general questions regarding the proposed use.
- 5. The Commissioners agreed that the proposed use was a good fit for the location.
- 6. The Plan Commission specifically finds that the Application satisfies the standards in Section 11-602 of the Zoning Code applicable to approval of a special use permit.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of six (6) "Ayes," 0 "Nay," and three (3) "Absent" recommends that the President and Board of Trustees approve the Application for a special use permit to allow a pilates studio, at 49 S. Washington Street.

THE HINSDA	LE PLAN COMMISSIO	N
Ву:	Chairman	
Dated this	day of	, 2012.



VILLAGE OF HINSDALE

0	RDI	NAN	ICE	NO.	

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A PHYSICAL FITNESS FACILITY (PILATES STUDIO) ABOVE THE 1ST FLOOR AT 49 S. WASHINGTON STREET (Plan Commission Case No. A-05-2012)

WHEREAS, an application seeking a special use permit to operate a physical fitness facility (pilates studio) on the second floor of the property located at 49 S. Washington Street, Hinsdale, Illinois, (the "Subject Property"), in the B-2 Central Business District, was filed by Petitioner Tiziana Buzzi with the Village of Hinsdale; and

WHEREAS, physical fitness facilities are permitted as special uses in the B-2 Central Business District when located above the first floor of any structure; and

WHEREAS, the Subject Property, which is improved with a two-story building, is legally described in **Exhibit A** attached hereto and made a part hereof; and

WHEREAS, the application has been referred to the Plan Commission of the Village and has been processed in accordance with the Hinsdale Zoning Code ("Zoning Code"), as amended; and

WHEREAS, on March 14, 2012, the Plan Commission held a public hearing on the Application pursuant to notice thereof properly published in The Hinsdalean on February 23, 2012, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application by a vote of 6 in favor, 0 against and 3 absent, all as set forth in the Plan Commission's Findings and Recommendation for Plan Commission Case No. A-05-2012 ("Findings and Recommendation"), a copy of which is attached hereto as **Exhibit B**; and

WHEREAS, the Environment and Public Services Committee of the Board of Trustees of the Village, at a public meeting on April 9, 2012, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village have duly considered the Findings and Recommendation of the Plan Commission, recommendation of the Environment and Public Services Committee and all of the materials, facts and circumstances affecting the Application, and find that the Application satisfies the standards set forth in Section 11-602 of the Zoning Code relating to special use permits.

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

<u>Section 1</u>: <u>Incorporation</u>. The foregoing recitals are incorporated into this Section 1 by reference as findings of the President and Board of Trustees;

Section 2: Approval of Special Use for a Physical Fitness Facility. The President and Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and the Zoning Code, hereby approves a special use permit for a physical fitness facility (pilates studio) in the B-2 Central Business District on the second floor of the Subject Property located at 49 S. Washington Street, legally described in **Exhibit A**.

<u>Section 3</u>: <u>Violation of Condition or Code</u>. Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the Board of Trustees of the approvals made in this Ordinance.

Section 4: Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

<u>Section 5</u>: <u>Effective Date</u>. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this day of	2012.
AYES:	
NAYS:	
ABSENT:	
APPROVED this day of _	2012.
	Thomas K. Cauley, Jr., Village President
ATTEST:	
Christine M. Bruton, Village Cle	erk

EXHIBIT A

THE SOUTH 46 FEET OF THE NORTH 47 FEET OF LOT 7 IN ROTH'S SUBDIVISION OF LOTS 2, 5, 6, 9 AND 10 IN BLOCK 2 IN HINSDALE, IN PART OF THE NORTH WEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS

COMMONLY KNOWN AS: 49 S. WASHINGTON, HINSDALE, ILLINOIS

DATE: April 9, 2012

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER	ORIGINATING DEPARTMENT
ENVIRONMENT AND PUBLIC SERVICES	Community Development
ITEM 336 E. Ogden Avenue - Request: Approval of a Temporary	
Use for a Nursery/Garden Center	APPROVAL

The Village has received a request by Good Earth Greenhouse to allow a garden/nursery center as a temporary use at 336 E. Ogden Avenue. The Hinsdale Zoning Code provides for *Permitted Temporary Uses* subject to the specific regulations and time limits as provided for in Section 9-103D of the zoning code and to the other applicable regulations of the district in which the use is permitted. The total period of time granted by such temporary use shall not exceed the period of time as specifically identified for that specific use. Where such uses are not specifically permitted, the Board of Trustees <u>may</u> approve such use, subject to the following regulations:

9. Others: In any district, any other temporary use consistent with the purposes of this code and with the purposes and intent of the regulations of the district in which such use is located; provided, however, that any such use shall require the specific prior approval of the board of trustees. The board of trustees shall establish a limitation on the duration of every temporary use approved pursuant to this subsection D9. Any approval granted hereunder shall be deemed to authorize only the particular use for which it was given, and shall not be construed to be any right or entitlement to any subsequent approval hereunder for the applicant or any other person.

As identified in the attached letter, the applicant is proposing to sell garden plants and ancillary nursery items and also provide a temporary greenhouse for storage of plant material, along the north property line of the subject property. As illustrated in the attached site plan, the applicant is proposing to locate the proposed sales area in the parking lot adjacent to Ogden Avenue and would be required to meet all necessary setback requirements. The applicant has indicated that the proposed sales area would be fenced off with temporary structures for safety and the remainder of the parking lot could be utilized for parking. The applicant will be present at the EPS meeting to answer any questions. Should the EPS and Village Board find the temporary use request to be satisfactory, the following motion would be appropriate:

MOTION: Move to approve a permit for a temporary use at 336 E. Ogden Avenue for the period 4/18/12 thru 10/31/12 subject to conditions to be set forth by the Building Commissioner.

APPROVAL	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL
COMMITTEE ACT	ION:			
		,		
BOARD ACTION:				

VILLAGE OF HINSDALE

Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in <u>Plan Commission File for 336 E. Ogden Avenue, regarding a Temporary Use in 2012</u>, for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

Bill Hogan, Good Earth Greenhouse

Address or description of subject property:

336 E. Ogden Avenue, Hinsdale, IL 60521

Use or proposal for subject property for which certificate is issued: Temporary Greenhouse/Nursery Center at 336 E. Ogden Avenue.

Plans reviewed, if any: See attached plans, if any - See File for 336 E. Ogden Avenue, regarding a Temporary Use in 2012.

Conditions of approval of this certificate:

• Section 9-103D of the Hinsdale Zoning Code pertaining to Permitted Temporary Uses.

Note: other conditions may be attached to approval of any pending zoning application.

NOTE ALL OF THE FOLLOWING CAREFULLY:

This approval granted in this certificate has been granted based on the information provided to the Village and the Village's understanding of the facts and circumstances related to the proposal at this time. If (a) any information provided to the Village changes, (b) any new information is becomes available or is discovered, or (c) the Village's understanding of the facts and circumstances otherwise changes, then this certificate may be rescinded.

This certificate does not signify Building Code Review or approval and is not authorization to undertake any work without such review and approval where either is required. See the Hinsdale Building Code for details.

Before any structure to which this certificate is applicable may be occupied or used for any purpose, a Certificate of Occupancy must be obtained. See Section 11-402 of the Hinsdale Zoning Code and the Hinsdale Building Code for details.

Subject to an extension of time granted pursuant to the Hinsdale Zoning Code, this certificate shall become null and void six months after the date on which it was issued unless construction, reconstruction, remodeling, alteration, or moving of a structure is commenced or a use is commenced.

If this certificate is issued in violation of the provisions of the Hinsdale Zoning Code, whether intentionally, negligently, or innocently, then it shall be void *ab initio* and shall give rise to no rights whatsoever.

By:	Allon		
	Village Manager	//	
Date	ed:	7/2	, 2012

VILLAGE OF HINSDALE APPLICATION FOR TEMPORARY USE

Address of proposed request:

APPLICATION FOR TEMPORARY USE

336 ogden Ane. Hinsdale

The Hinsdale Zoning Code provides for <i>Permitted Temporary Uses</i> subject to the specific regulations and time limits as provided for in Section 9-103D of the zoning code and to the other applicable regulations of the district in which the use is permitted. The total period of time granted by such temporary use shall not exceed the period of time as specifically identified for that specific use. Where such uses are not specifically permitted, the Board of Trustees <i>MAY</i> approve such use, subject to the following regulations:
9. Others: In any district, any other temporary use consistent with the purposes of this code and with the purposes and intent of the regulations of the district in which such use is located; provided, however, that any such use shall require the specific prior approval of the board of trustees. The board of trustees shall establish a limitation on the duration of every temporary use approved pursuant to this subsection D9. Any approval granted hereunder shall be deemed to authorize only the particular use for which it was given, and shall not be construed to be any right or entitlement to any subsequent approval hereunder for the applicant or any other person.
Owner: book Bart Greenhouse 630. 279. 5550
Date:March_12, 2012
Temporary Use Period Requested:
From: April , 20 12 through Oction , 20 12
Nature of Temporary Use Request:
seasonal one and garden conter retailing
bedding flower and rulated garden produce
James gamin promo
Signature of Owner:
Date: , 20
Village Manager <u>For Office Use Only</u>
OR \$100 Fee Paid
Date of Village Board Approval:

March 2,201 12

Zoning and Public Safety Village of Hinsdale

RE: Proposal for Temporary Use of 336 Ogden Ave., Hinsdale, IL

I write to express my desire to establish Good Earth Greenhouse, a seasonal, high-end garden center, at the former GM Training Facility owned by the Napleton Group, per contemplated three to six month leasehold of the above-referenced site. We wish to establish a temporary garden center in the Ogden Ave. parking lot, abutting Ogden Ave. and bordered by Oak Street.

I have enclosed a site plan for the proposed garden center which will be a 100 foot by 60 foot space in the Ogden Ave. parking lot. The greenhouse edifice, which appears in total compliance with existing zoning regulations, shall take up 70 feet by 28 feet of the premises.

We contemplate the structure would be anchored into asphalt via drilling to the limestone, and refilling the same with blacktop fill upon close of the season. Alternatively, we may also anchor our greenhouse with the use of attractive platforms. That aspect may be determined by the landlord in concert with the Village of Hinsdale. We double poly cover and clip our greenhouse with fireproof poly per the Village of Hinsdale code.

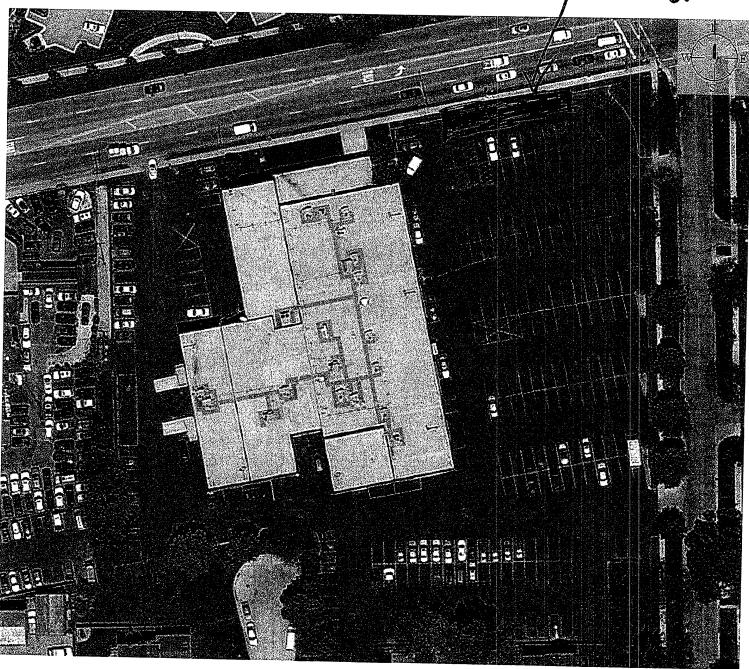
Please contact me at: 630.279.5550 312.933.2470 bill.hogan@gmail.com

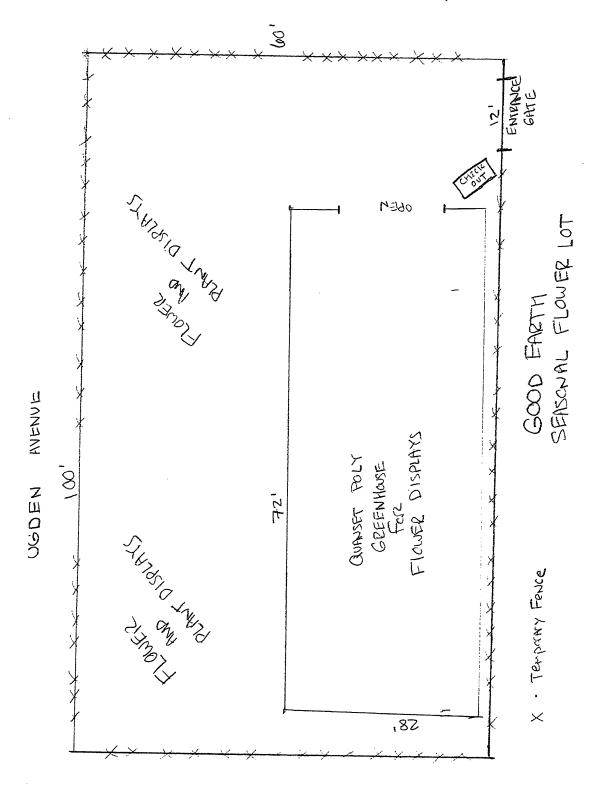
with any questions prior to the next scheduled meeting.

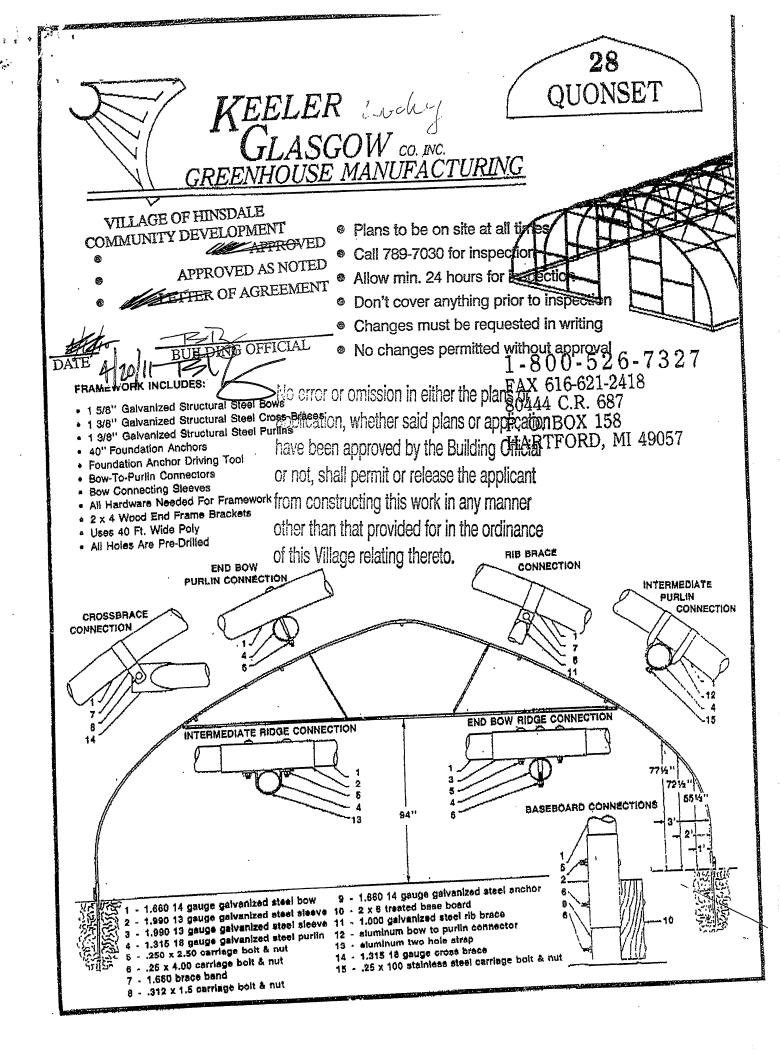
Respectfully Submitted,

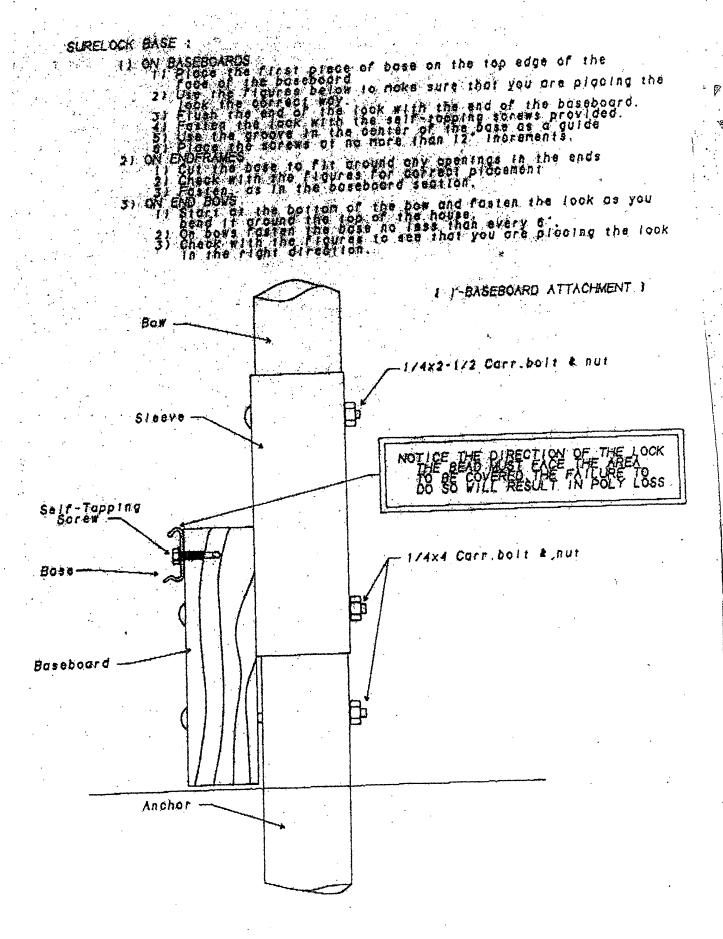
Bon Hogan

Proposal Garden
Cantill
100×60







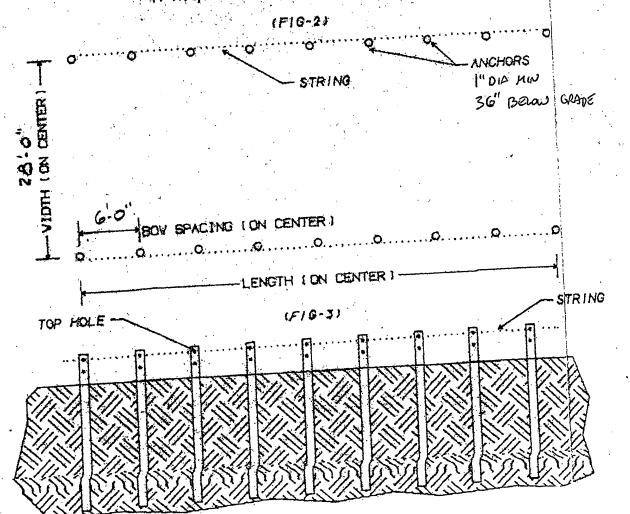


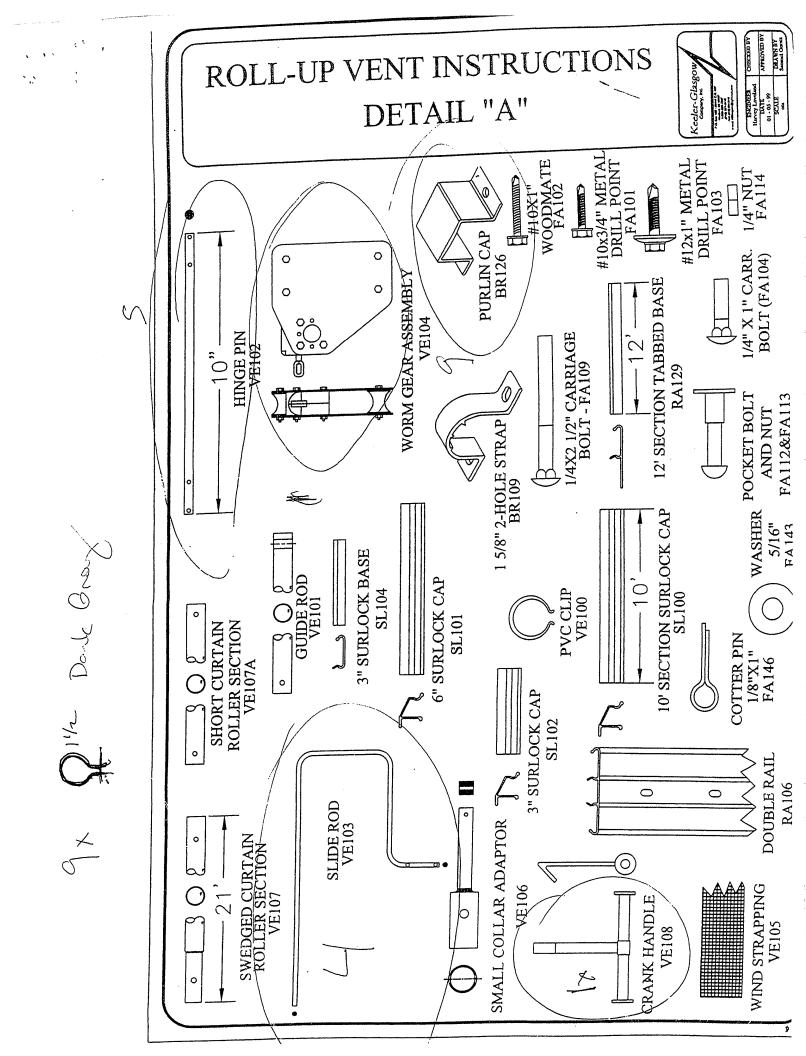
C) FOUNDATION ANOHOR INSTALLATION

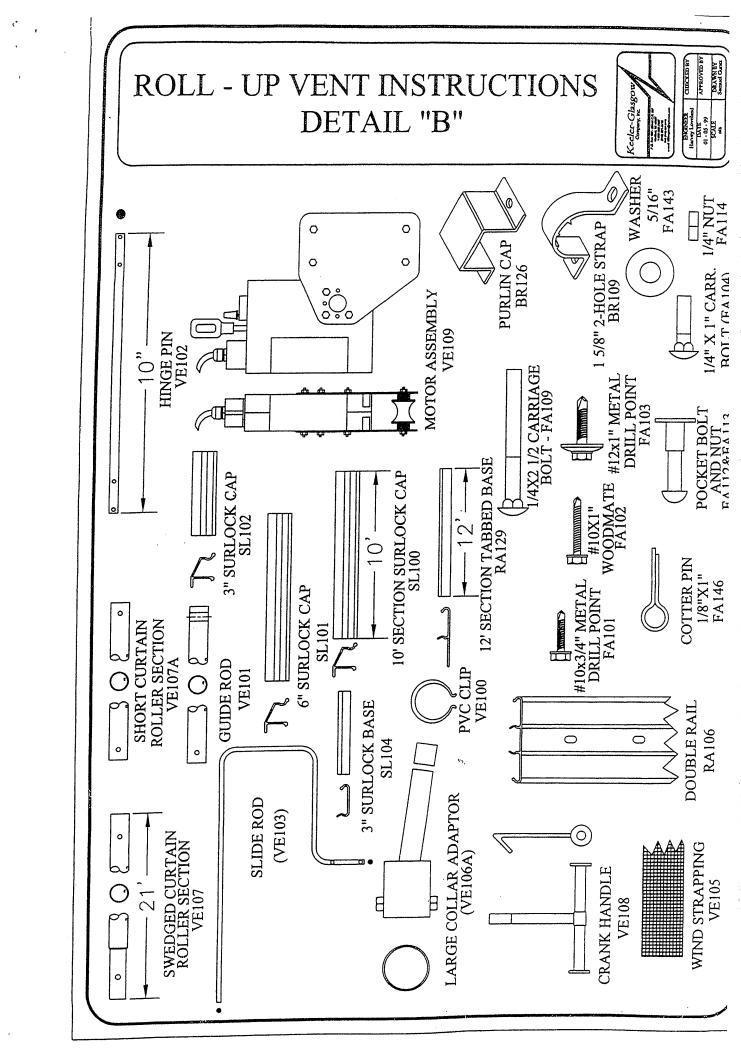
NOTE: please proceed to the next section:

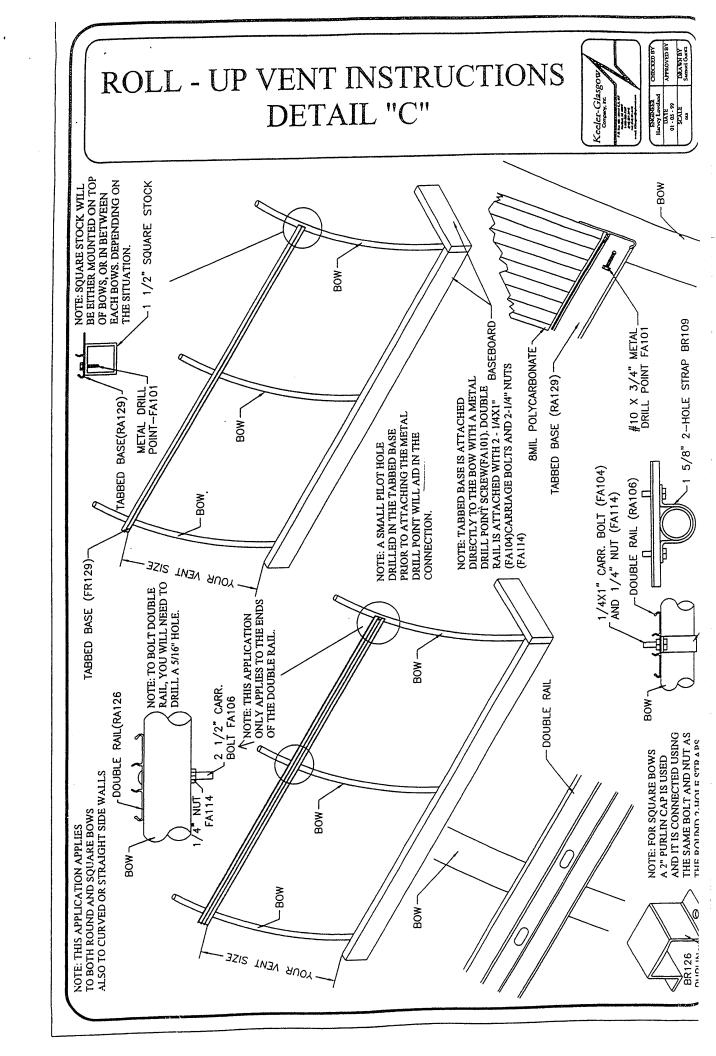
If your sell is extremely soft or sendy you may be required to set your sean or in concrete Consult your local building NOTE: IF

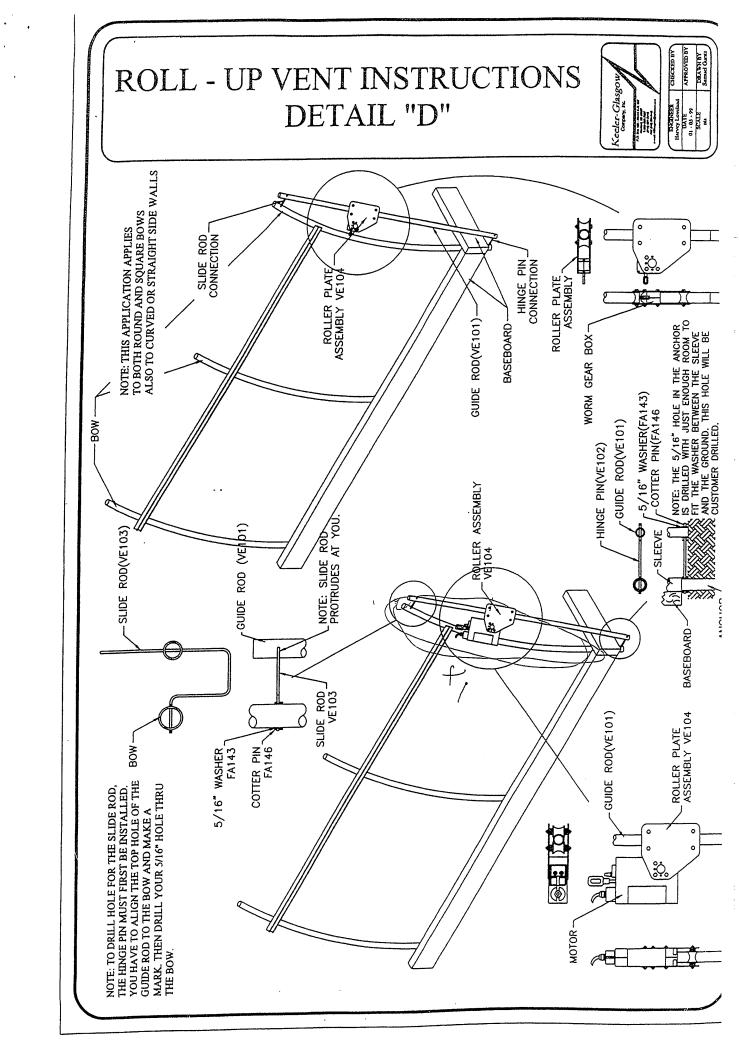
- Like conches on the same side of the string.
- - 21 All the holes in the anchors should face across the
 - 31 Att distances are center to center
 - 4) Keep all photoes plumb while driving.



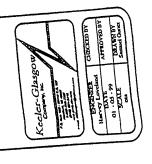


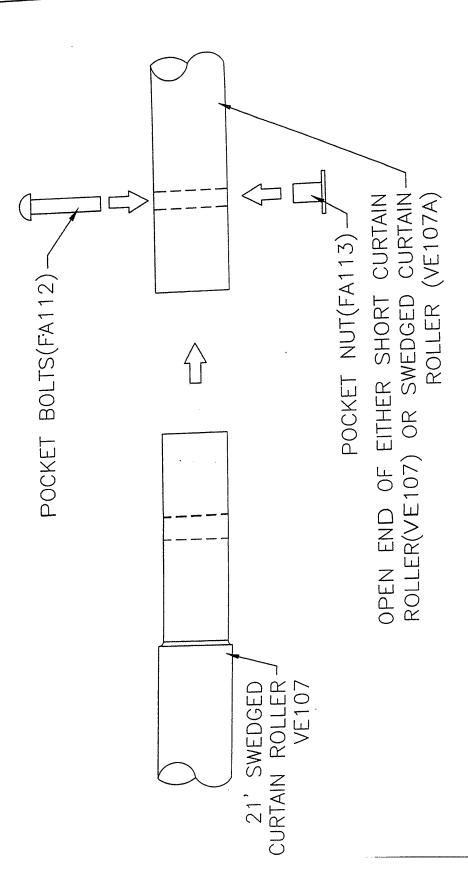






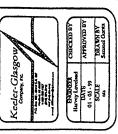
ROLL - UP VENT INSTRUCTIONS DETAIL "E"

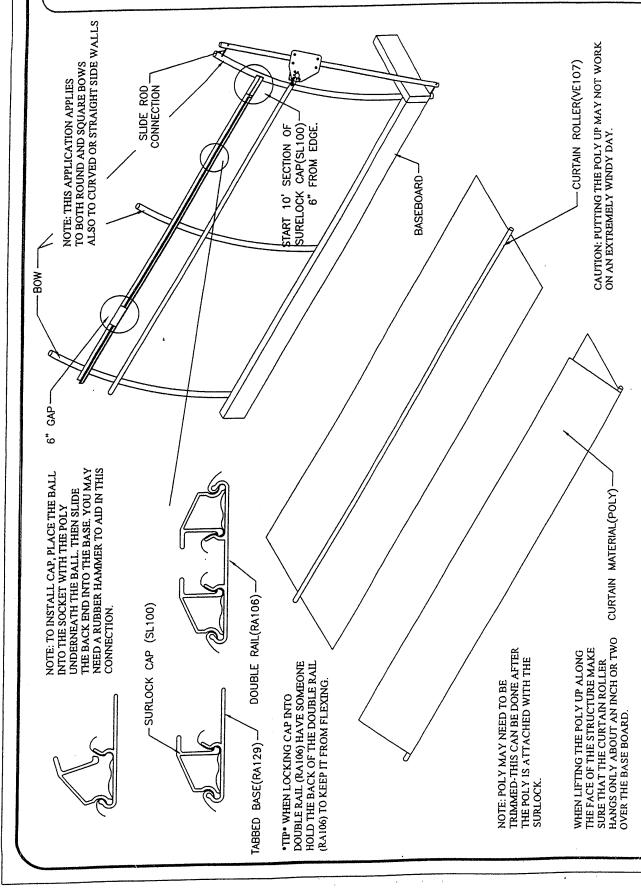


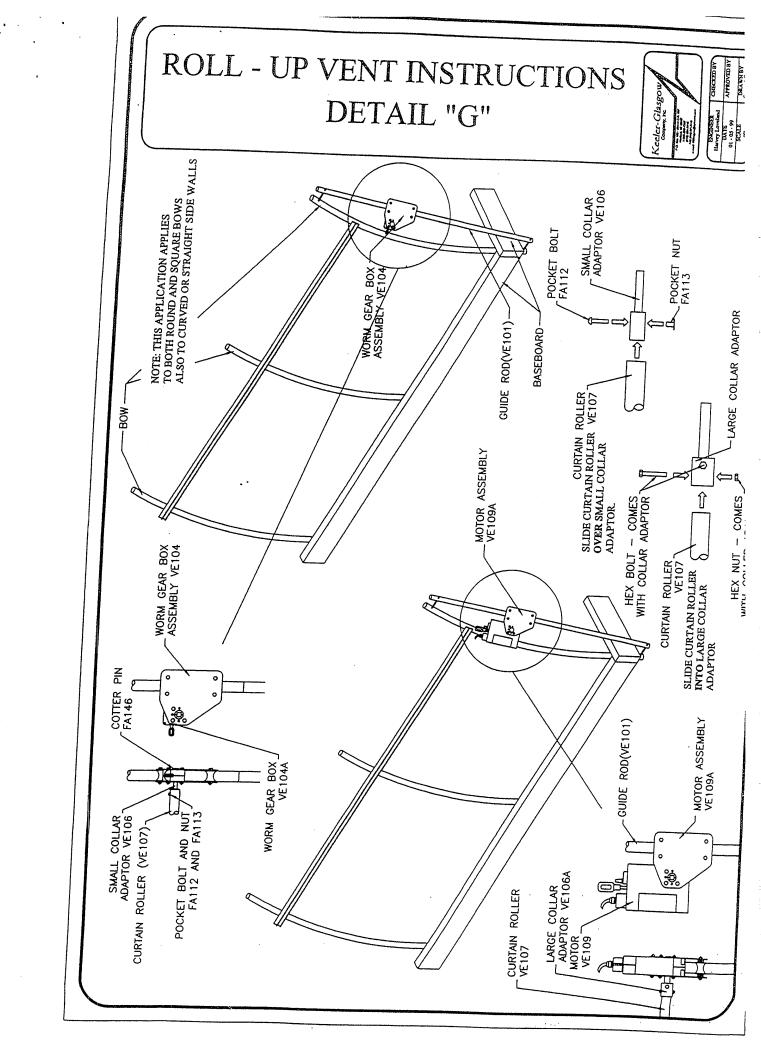


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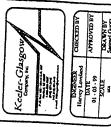
ROLL - UP VENT INSTRUCTIONS DETAIL "F"

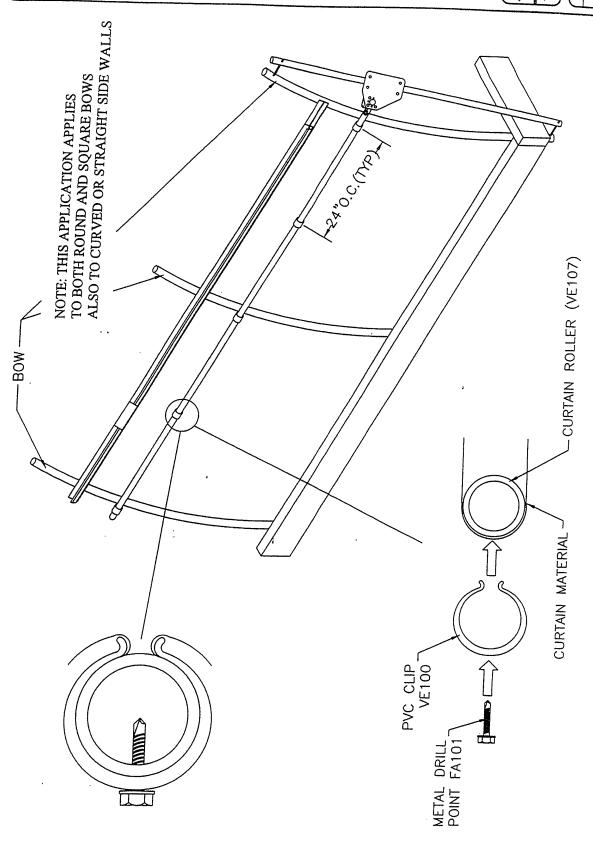






ROLL - UP VENT INSTRUCTIONS DETAIL "H"







TESTING GROUP www.bodycote.com www.bodycotetesting.com

NFPA 701-2004 Test Method 2 - Flame Propagation of "DFFRW-60" Plastic Film

A Report To:

AT Films Inc.

PO Box 428

Edmonton, AB

T5J 2K1

Telephone:

(780) 468-0882

Fax:

(780) 468-8311

Attention:

Peter Gilbody

Submitted By:

Fire Testing

Report No.

08-002-500

2 pages + appendix

Date:

June 11, 2008, 2008

Bodycote Testing Group 2395 Speakman Drive • Mississauga • Ontario • Canada • L5K 1B3 • Tel: +1 (905) 822-4111 • Fox: +1 (905) 823-1446 **Bodycote Testing Group**

NFPA 701-2004 Test Method 2 - Flame Propagation of "DFFRW-60" Plastic Film

Page 2 of 2

For: AT Films Inc.

Report No. 08-002-500

ACCREDITATION

Standards Council of Canada, Registration #1.

REGISTRATION

ISO 9001:2000, registered by QMI, Registration #001109.

SPECIFICATIONS OF ORDER

Determine flame resistance in accordance with Test Method 2 of NFPA 701, 2004 Edition, as per our Quotation No. 08-002-6045 dated June 5, 2008.

IDENTIFICATION

Plastic film identified as "DFFRW-60".

(Bodycote sample identification number 08-002-80500)

TEST RESULTS

NFPA 701 - 2004 Test Method 2 Standard Methods of Fire Tests for Flame Propagation of Textiles and Films

Tested "as received" and in flat sheet configuration.	Length of Char (mm)	Afterflame <u>Time (s)</u>	Flaming <u>Dripping Time (s)</u>	
Trial 1:	250	0.0	0.0	
2:	261	0.0	0.0	
3:	255	0.0	0.0	
4 .	242	0.0	0.0	
5:	262	0.0	0.0	
6;	238	0.0	0.0	
0. 7:	246	0.0	0.0	
8:	266	0.0	0.0	
9:	252	0.0	0.0	
10:	234	0.0	0.0	•
Maxima Specified by NFPA 701 Test Method 2:	435	2.0	2.0 (indivi	dual)

CONCLUSIONS

When tested "as received" and in flat sheet configuration, the material identified in this report meets the flame propagation requirements of Test Method 2 of NFPA 701, 2004 Edition.

Fire Testing.

Lederle, Fire Vesting.

Note: This report consists of 2 pages, including the cover page, that comprise the report "body". It should be considered incomplete if all pages are not present. Additionally, the Appendix of this report comprises a cover page, plus I page.

Bodycote Testing Group

NFPA 701 - 2004 Edition Standard Methods of Fire Tests for Plame Propagation of Textiles and Films

Test Method 2

For conducting flame tests of fabrics hung in folds, at least four specimens 610 mm by 1.20 m (24 x 47 in.) are required. Each specimen is folded longitudinally to form four folds. Those specimens that cannot be folded are tested in the flat configuration.

For conducting flame tests of fabrics in the flat configuration, Test Method 2 of NFPA 701 specifies at least ten specimens, 125 mm by 1.2 m (5 in x 47 in). The specimens are conditioned at 105°C (220°F) for 1 to 3 hours.

Each specimen is removed from the conditioning chamber individually, and immediately suspended in a steel stack, 305 mm (12 in.) square and 2.13 m (84 in.) high, the said stack being open both top and bottom and supported 305 mm above the floor. The lower edge of the specimen is positioned 100 mm (4 in.) above the tip of a gas burner which is inclined at 25° to the vertical. The burner, which has been adjusted to yield a flame 280 mm (11 in.) in height is ignited and inserted directly beneath the specimen for 2 minutes. Char length is measured from the tip of the flame, upwards.

Flame Resistance Requirements:

Specimen Configuration	Maximum Char Length or Destroyed Material Length (mm)	Maximum Afterflame <u>Time (s)</u>	Duration of Flaming Drips on Floor of Tester (s)
Folded	· 1050	2.0	2.0
Flat	435	2.0	2.0

DATE: April 9, 2012

REQUEST FOR BOARD ACTION

AGENDA	ORIGINATING
SECTION NUMBER	DEPARTMENT Community Development
ITEM Plat of Consolidation – 5501 S. Park and 206 E. 55 th Street – Eckrich's Consolidation	APPROVAL Daniel Deeter Village Engineer

Staff has received a request from Nancy Eckrich to consolidate two parcels at 5501 S. Park and 206 E. 55th Street. The subject properties currently exist as two separate lots with homes on each and the petitioner is proposing to tear down both homes, consolidate the two lots and build a single residence on the property. The consolidation of the property would result in a single lot totaling approximately 28,325 square feet. Attached please find the reduced plat of consolidation as well as the Sidwell map identifying the areas to be consolidated.

The subject property is zoned R-3 Single Family Residential and requires a minimum lot size of 15,000 square feet per lot. The applicant is not proposing to change the size or dimensions of the lots, but is simply looking to consolidate into one lot of record to build the proposed home. As such, staff respectfully requests the following motion.

MOTION: To approve "A Resolution Approving and Accepting A Plat of Consolidation To Consolidate The Properties Commonly Known As 5501 S. Park Street and 206 E. 55th Street In The Village of Hinsdale, County of DuPage".

APPROVAL	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL		
COMMITTEE ACTION:						
BOARD ACTION:						
Bornes retroiv.						

SUBDIVISION APPLICATION

Date Filed.

PUBLIC SERVICES CO c/o Engineering Departme 19 E. Chicago Avenue Hinsdale, Illinois 60521 (630) 789-7033	nt		Dan Fried.	, 20, 20
Subdivision Title:	- Eck	Richs	Cansolidat	100
Street Address:	<u>5501</u> 39 24	S Park	206 E 55th	0 STO
Existing Square Footage: 2		Proposed Square Fo	potage: $\frac{28.325}{}$	Zoning District R-4
Permanent Index Number(s):	0913	201 001	, 0913	201002
Name of Applicant:	Nanc	u Ec	Krich	
Address of Applicant:	206 E	55th 5	T , 5501	SPark
Applicant's Phone/Fax Numbe	er: (63 <u>x</u>	325-	1535	
Applicant's E-Mail:	eckri	ch @ +	-rust mark	Ins. Om
Applicant's Signature:	max	Echuci		
Property Owner:	Sov	ul as	aboue,	
Owner's Address:				
Owner's Signature:	Marcy	Echnic		

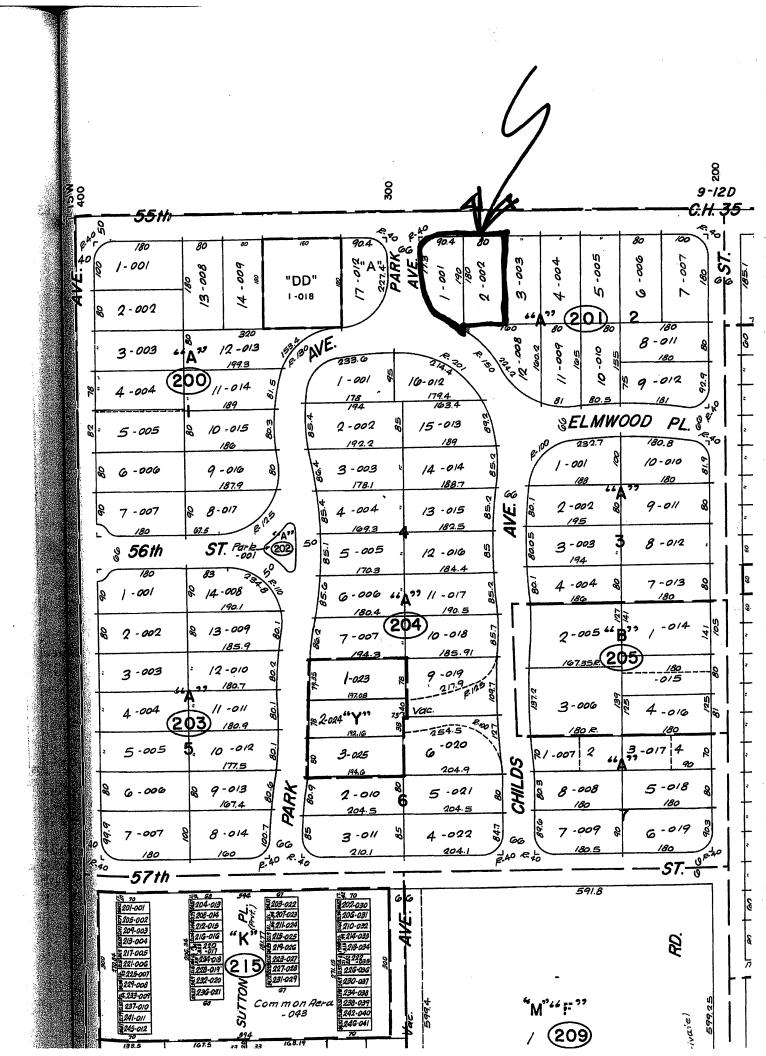
FOR OFFICE USE ONLY

Accompanying this application are the following:

ENVIRONMENTAL &

TO:

- Subdivision Application
- 3 Folded Copies of Plat of Subdivision (Do Not Sign Copies) Applicant Keeps Original
- Current Folded Plat of Survey
- Proof of Ownership
- Letter Allowing Village to Record Plat of Subdivision
- Letter from the School Districts (or plat block signed by property owner) identifying all school districts
- Processing Fee in the Amount of \$ 600.00





VILLAGE OF HINSDALE

RESOLUTION NO.	
----------------	--

A RESOLUTION APPROVING AND ACCEPTING A PLAT OF CONSOLIDATION TO CONSOLIDATE THE PROPERTIES COMMONLY KNOWN AS 5501 S.PARK STREET AND 206 E. 55TH STREET IN THE VILLAGE OF HINSDALE, COUNTY OF DUPAGE

WHEREAS, the owner of those properties commonly known as 5501 Park Street and 206 E. 55th Street, legally described in <u>Exhibit A</u> attached hereto and incorporated herein (hereinafter "Subject Property"), has petitioned the Village of Hinsdale (hereinafter "Village") to approve a Plat of Consolidation to consolidate the Subject Property; and

WHEREAS, a Plat of Consolidation has been prepared and filed with the Village depicting the consolidated Subject Property, and a copy of the Plat of Consolidation is attached hereto and incorporated herein as <u>Exhibit B</u>; and

WHEREAS, on April 9, 2012, the Village of Hinsdale Environment and Public Services Committee approved the Plat of Consolidation for the Subject Property; and

WHEREAS, the President and Board of Trustees have determined to approve and accept the Plat of Consolidation attached as <u>Exhibit B</u>.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Hinsdale, DuPage County and State of Illinois, as follows:

- Section 1. Recitals Incorporated. The above recitals are incorporated into this Resolution and shall have the same force and effect as though fully set forth herein.
- Section 2. Plat of Consolidation Approval. The Plat of Consolidation, dated February 27, 2012, and attached as Exhibit B, is hereby approved and accepted.
- Section 3. Authorization to Record Plat of Consolidation. The owner of the Subject Property is authorized to record the Plat of Consolidation with the Recorder of Deeds of Dupage County, at the owner's expense.
- Section 4. Severability and Repeal of Inconsistent Resolutions and Ordinances. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any of the other provisions of

this Resolution.	All resolutions as	nd ordinances	in conflict	herewith	are ł	nereby
repealed to the e	extent of such con	flict.				

Section 5. from and after its		his Resolution shall be in full force and effect val.
PASSED this	_ day of	, 201
AYES:		
NAYES:		
ABSENT:		
APPROVED this _	day of _	, 201
		Thomas K. Cauley, Jr., Village President
ATTEST:		
Christine M. Brute	on Village Clerk	

EXHIBIT A

LOTS 1 AND 2 IN BLOCK 2 IN SOUTH TERRACE, A SUBDIVISION OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1927 AS DOCUMENT 235094, IN DU PAGE COUNTY, ILLINOIS.

PIN: 09-13-201-001

09-13-201-002

909 EAST 31st STREET
GRANGE PARK, ILLINOIS 60526
GRANGE PARK, ILLINOIS 60526

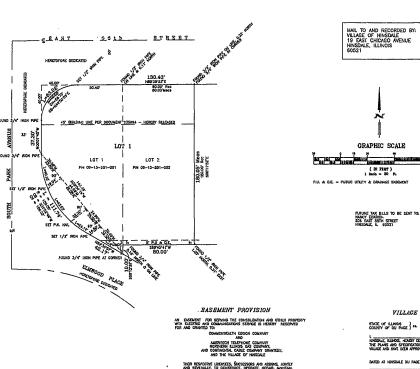
RUSSELL W. SCHOMIG, FLS WILLIAM K. SCHOMIG

BOUNDARY • TOPOGRAPHICAL • SUBDIMISIONS • ALTA/ACSN • CONDOMINIUMS • SITE PLANS • CONSTRUCTION • FEMA CERTIFICATES •

SCHOMIG LAND SURVEYORS LTD.

PLAT OF ECKRICH'S CONSOLIDATION

LOTS 1 AAD 2 IN BLOCK 2 IN SOUTH PARK TERRACE, A SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHWAST 1/4 OF THE NORTHWAST 1/5 AND PRINCIPAL BERDAN, ACCORDING TO THE PART TRETOF RECORDED MAY 7, 1927 AS DOCUMENT 23504, N DU PARE COUNTY, BLUDWIS.



DU PAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS COUNTY OF DU PAGE } **.

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS) 29.

, COUNTY CLERK OF DU PAGE COUNTY THERE ARE NO DELINOUS CREDIL DUCK, NO HAND ROSELING TAXES, NO NO REDELINGUE TAX SALES AGAINST NAY OF THE LAND HIZUDED IN THE VANDER PLAT. by the anexed play, (Furnier Certey that I have recent all statutory fees in convection with the anexeld play. Given Under My Hang and Seal at DU page County, Illinois.

VILLAGE PRESIDENT OF HINSDALE CERTIFICATE

STATE OF ILLINOIS COUNTY OF DU PAGE } 44.

THIS PLAT OF CONSOLIDATION WAS EXCEPTED FROM THE PROCEDURE AND REQUIREMENTS OF THE VICLAGE OF MINSOLE SUBRIVISION CONTROL ORGINANCE PURSUANT TO SECTION 11-1-4 OF THE VILLAGE CODE OF MISSOLE, BECAUSE IT WEETS THE FOLLOWING COMMINION.

1. THE CONSOLIDATION WILL NOT RESULT IN REDUCING ANY SIDE OR REAR YARD BELOW MINIMUM ZONING REQUIREMENTS. 2. THE CONSOLIDATION WILL NOT REDUCE FRONTAGE, DEPTH, OR AREA OF ANY LOT OR PARCEL OF LAND BELLUY WINDHUM ZONING REQUIREMENTS. 3. THE CONSOLIDATION WILL NOT RESULT IN THE CREATION OF AN ADDITIONAL BUILDABLE LOT OR PARCEL OF LAND, 4. IF AT ANY TIME ONE OF THESE COMMITIONS IS NOT MET, THEN COMPLIANCE WITH THE PROCEDURES AND REQUIREMENTS OF THE VILLAGE OF HINSOALE SUBMISSION CONTINUE ORDINANCE SHALL BE RECEIRED.

VILLAGE ENGINEER'S CERTIFICATE

STATE OF ILLINOIS COUNTY OF DU PAGE } 19.

OWNERS CERTIFICATE

STATE OF ELINOIS SOUNTY OF DU PAGE

____DAY OF___ _AD. 2012

OWNER'S NOTARY

STATE OF BLINOIS COUNTY OF DU PAGE }

SURVEYORS CERTIFICATE

STATE OF ILLINOIS } ...

, RUSSELL W. SCHOMO, A HUNOIS LICENSED PROFESS CERTIFY THAT I HAVE SURVEYED:

PROFESSIONAL LAND SURVEYOR NO 035-002448 PLAT NUMBER: 111122-C, FC-2456, 106-1660



DATE: April 9, 2012

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER EPS Agenda	ORIGINATING DEPARTMENT Community Development	
ITEM Contract Change Order #1	APPROVAL Dan Deeter	
2012 Resurfacing Program Village Engineer		
James J. Benes and Associates		

Staff is recommending approval of the attached change order 1. This change order includes additional professional engineering services to design and specify the replacement of an existing water main on Garfield Street between 55th and 57th Streets. This length of water main is rated by the Public Services Water Division as the worst length of water main in the Village. It has averaged more than six water main breaks per year. Should the Trustees approve this design, staff recommends that the replacement of this water main should be included in the 2012 or the 2013 construction seasons as time and funds become available.

The 2012 Resurfacing Program budget is \$2,079,033 for engineering and construction. Current engineering costs are listed below:

Design Engineering (w/change order)	\$ 71,71	5
Construction Observation (JJ Benes)	\$ 42,37	19
Construction	\$1,964,93	<u>9</u>
Total	\$2,079,03	3

MOTION: To Approve a Resolution for the 2012 Resurfacing Program Contract Change Order Number 1 in the amount of \$8,523.00 to James J. Benes and Associates.

APPROVAL	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL
COMMITTEE A	CTION:			
BOARD ACTIO		· · · · · · · · · · · · · · · · · · ·		

RESOL	UTION NO.	

A RESOLUTION APPROVING THE 2012 RESURFACING PROGRAM CONTRACT CHANGE ORDER NUMBER 1 IN THE AMOUNT OF \$8,523.00 TO JAMES J. BENES AND ASSOCIATES

WHEREAS, the Village of Hinsdale (the "Village") and James J. Benes and Associates ("Benes") has entered into that certain Contract (the "Contract") providing for the design of the 2012 Resurfacing Program; and

WHEREAS, the President and Board of Trustees of the Village hereby find that the circumstances said to necessitate this Change Order were not reasonably foreseeable at the time the Contract was signed, the Change Order was germane to the original Contract as signed, and the Change Order is in the best interest of the Village of Hinsdale and authorized by law;

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

Section 1. Recital. The foregoing recitals are incorporated herein as findings of the President and Board of Trustees.

Section 2. Approval of Change Order. The Change Order is hereby approved in the form attached (Exhibit A) to this Ordinance and by this reference incorporated herein.

Section 3. Final Determination. This Resolution shall constitute the written determination required by Section 33E-9 of the Article 33E of the Criminal Code of 1961, as amended and shall be retained in the Contract file as required by said Section.

<u>Section 4.</u> <u>Execution of Change Order.</u> The Village Manager is authorized to execute the Change Order on behalf of the Village.

<u>Section 5.</u> <u>Effective Date.</u> This resolution shall be in full force and effective from and after its passage and approval.

PASSED: this	day of	_ 2011.	•
AYES:			
NAYS:			
ABSENT:			
APPROVED this	day of	_2011.	
	-	Village President	
ATTEST:			
			•
Village Clerk			:

Exhibit A VILLAGE OF HINSDALE CHANGE ORDER

Project Locat Contr	ion:	2012 Resurfacing Program Various Streets James J. Benes and Associat	Change Order No. 1 Contract No N/A Date: 04-09-2012	
I.	A.	Description of Changes Involution 1. Design and specify the rep 57 th Streets.		Sarfield between 55 th and
	В.	Reason for Change: 1. Worst water main in the Vyear.	$^{\prime}$ illage causing multiple un	der pavement repairs each
	C.	Revision in Contract Price: 1. Addition \$8,523.00	Total: Addition \$8,523.00	0
II.	Adjus	tments in Contract Price:		
 1. 2. 3. 4. 5. 	Net (a to all p No Contra this Cl (Addit Price of Contra this Cl)	nal Contract Price ddition) (reduction) due corevious Change Orders act Price, not including hange Order tion) (Reduction) to Contract due to this Change Order act Price including this ge Order	\$ 63,192.00 \$.00 \$ 63,192.00 \$ 8,523.00 \$ 71,715.00	
		umes J. Benes and Associates:		
By:	Signat	ure of Authorized Representat	tive Da	te
Villag	e of Hir	nsdale:		
Ву:				
•	Signat	ure of Authorized Representat	tive Da	te

SUPPLEMENTAL ENGINEERING SERVICES AGREEMENT

Design of Water main replacement on Garfield Avenue from 55th Street to 57th Street - Hinsdale, Illinois

This AGREEMENT supplements the June 21' 2011 agreement between the Village of Hinsdale and James J. Benes and Associates, Inc. per the request of the Village of Hinsdale. This supplement addresses an identified need for additional Professional Engineering Services to design and specify the replacement of an existing water main on Garfield between 55th and 57th Streets. The preliminary estimate of cost for the water main improvement is \$280,000.

Attached as "EXHIBT A" is an Estimate of Manhours and Costs to perform the required engineering to prepare the required engineering documents including plans, specifications, and estimate and permitting for the improvement.

The professional fee for completing the work is based on current hourly rates and is not to exceed \$8,523.00

This SUPPLEMENTAL ENGINEERING SERVICES AGREEMENT by reference incorporates all terms and conditions of the AGREEMENT FOR ENGINEERING CONSULTANT SERVICES BETWEEN THE VILLAGE OF HINSDALE AND JAMES J. BENES & ASSOCIATES – 2012 RESURFACING PROJECT made and entered into on June 21, 2011 with no additional conditions stipulated by the parties.

Date:

ACCEPTANCE:

JAMES J. BENES AND ASSOCIATES, INC.

if this proposal is acceptable, p	lease sign and ret	turn one copy f	or our records.
-----------------------------------	--------------------	-----------------	-----------------

by: Jeffery C. Ziegler Vice President

Accepted for ______

EXHIBIT A 28-Dec-11

ESTIMATE OF MANHOURS AND COSTS VILLAGE OF HINSDALE 2012 Infrastructure Improvements

PHASE 2 FINAL ENGINEERING

CATEGORY OF SERVICE	PRINC.	SR. ENGR.	PROJ. ENG.	TECH	TOTAL HOURS	TOTAL COST
PHASE 2 ENGINEERING - GARFIELD WATER MAIN						
A. FINAL DESIGN						
Survey Clean-up & Base Sheets	7	01	2	32 I	35	\$:2,550
Horizontal Alignment, Geometrics-Pavement Striping	0	0	4	16	20	\$1,544
3. Plot Utilities and Final Utility Coordination	0	Ö	1	1	2	\$184
Water Main Design	1	2	16	8	27	\$2,806
Quantity take off and Cost Estimate	0	0	2.	1	3	\$301
6. Special Provisions, Summary of Quantities	1	0	2	0	• 3	\$396
B. COORDINATION		***************************************		······································	***************************************	
IEPA Water Permit	01	2]	0 1	2	41	\$371
Cook County Highway Permit	0	2	0	2	4	\$371
TOTALS	3	6)	27	62	98 1	\$8,523

DATE: April 4, 2012

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER EPS	ORIGINATING DEPARTMENT Administration
ITEM Approval of an Ordinance Authorizing	APPROVAL Darrell Langlois,
Aggregation of Electrical Load and Adopting an Electric	Assistant Village Manager/
Aggregation Plan of Operation and Governance.	Finance Director
	11/

At the March 20, 2012 election, Hinsdale residents overwhelmingly approved the referendum that would allow the Village to aggregate electric load for the purpose of obtaining lower power rates than currently charge by ComEd. It is the Village's intention to create this program as an "opt out" program, meaning that those Village residents and small businesses, except those currently purchasing electric supply from an alternative supplier, would be included unless they elect to "opt out". In order to implement this program, the Village will be taking these legally required steps:

April 9, 2012-Public Hearing to take public comment on the Electric Aggregation Plan of Operation and Governance

April 17, 2012- Public Hearing to take public comment on the Electric Aggregation Plan of Operation and Governance

April 17, 2012- Village Board approval of the Ordinance authorizing aggregation of electrical load and adopting an Electric Aggregation Plan of Operation and Governance.

The required public notice was published in the *Hinsdalean* on March 29, 2012 and on April 5, 2012. In addition, we have made the proposed Electric Aggregation Plan of Operation and Governance (contained as "Exhibit A" on the attached Ordinance) available on the Village website since April 4, 2012. If the Board adopts the attached ordinance, we will initiate the actual bid process as soon as possible, hopefully fast enough so that we can award the bid for electric aggregation at the Village Board meeting on May 1, 2012.

Should the Village Board wish to create an "opt out" electric aggregation electric program, the following motion would be appropriate:

Motion: To Approve the attached Ordinance Authorizing Aggregation of Electrical Load and Adopting an Electric Aggregation Plan of Operation and Governance.

APPROVAL	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL
COMMITTEE A	CTION:			
BOARD ACTION	N:			

VILLAGE OF HINSDALE

ORDINANCE NO. O2012-

AN ORDINANCE AUTHORIZING AGGREGATION OF ELECTRICAL LOAD AND ADOPTING AN ELECTRIC AGGREGATION PLAN OF OPERATION AND GOVERNANCE

WHEREAS, the Illinois Power Agency Act, Chapter 20, Illinois Compiled Statutes, Act 3855, recently added Section 1-92 entitled "Aggregation of Electrical Load by Municipalities and Counties" (the "Act"); and

WHEREAS, under the Act, the Village may operate an aggregation program under the Act as an opt-out program for residential and small commercial retail customers, if a referendum is passed by a majority vote of the residents pursuant to the requirements under the Act; and

WHEREAS, the Village submitted the question in a referendum on March 20, 2012, and a majority of the electors voting on the question voted in the affirmative; and

WHEREAS, the Village President and Board of Trustees hereby find that it is in the best interest of the Village to operate the electric aggregation program (the "Electric Aggregation Program") under the Act as an opt-out program and to implement the program according to the terms of the Act; and

WHEREAS, the Act requires that prior to the implementation of an opt-out electrical aggregation program by the Village, the Village must adopt an electrical power aggregation plan of operation and governance (the "Plan of Governance") and hold not less than two (2) public hearings; and

WHEREAS, the Village held the required public hearings for the Plan of Operation and Governance on April 9, 2012 and on April 17, 2012 after providing the public notices required under the Act.

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

Section 1. The above recitals are incorporated herein as though fully set forth.

- Section 2. The Village President and Board of Trustees find and determine that it is in the best interests of the Village to operate the Electric Aggregation Program under the Act as an opt-out program.
- Section 3. The Electric Aggregation Program shall be administered as follows:
- A. The Village is herby authorized to aggregate, in accordance with the terms of the Act, all residential and small commercial retail electrical loads located within the corporate limits of the Village, and for that purpose may solicit bids and enter into service agreements to facilitate for those loads the sale and purchase of electricity.
- B. The Village President and Board of Trustees are granted the authority to exercise such authority jointly with any other municipality or county and, in combination with two or more municipalities or counties, may initiate a process jointly to authorize aggregation by a majority vote of each particular municipality or county as required by the Act.
- C. The Electric Aggregation Program for the Village shall operate as an opt-out program for residential and small commercial retail customers.
- D. The Village, with the assistance from the Illinois Power Agency, shall develop a Plan of Governance for the Electric Aggregation Program and shall conduct such public hearings and provide such public notice as required under the Act. The Plan of Governance shall provide for universal access to all applicable residential customers and equitable treatment of applicable residential customers, shall describe demand management and energy efficiency services to be provided to each class of customers and shall meet any requirements established by law concerning aggregated service offered pursuant to the Act.
- E. As an opt-out program, the Village shall inform residential and small commercial retail customers in advance that they have the right to opt-out of the Electric Aggregation Program as required by the Act
- F. The electric aggregation shall occur automatically for each person owning, occupying, controlling, or using an electrical load center proposed to be aggregated in the corporate limits of the Village, subject to a right to opt-out of the program as described under this ordinance and the Act.
- G. The Village President and Board of Trustees may grant the Village Manager or his designee in writing the specific authority to execute a contract without further action by the Village Board and shall have authority to bind the Village.

Electric Power Aggregation Pla Exhibit "A" attached hereto an reference.	lan of Operation and Governance as set forth in and made a part hereof as if fully set forth by this
Section 5. This Ordinar	nce shall be in full force and effect after its passage, mphlet form in the manner provided by law.
PASSED this day of	2012.
AYES:	
NAYS:	
ABSENT:	
APPROVED this day of	2012.
	Thomas K. Cauley, Jr., Village President
ATTEST	
Christine M. Bruton, Village Cl	loulz
Unrisume M. Druwn, vinage Or	ICI K

The Village President and Board of Trustees hereby adopt the

Exhibit A

VILLAGE OF HINSDALE

ELECTRIC POWER
AGGREGATION
PLAN OF OPERATION
AND GOVERNANCE

April 17, 2012

Village of Hinsdale Electric Power Aggregation Plan of Operation and Governance

I. <u>DEFINITIONS</u>

In addition to terms otherwise defined in this Plan of Operation and Governance (sometimes "Plan"), the following terms as used in this Plan shall have the meanings set forth below:

"Act" shall mean the Illinois Power Agency Act, 20 ILCS 3885/1, et seq.

"Aggregation Group" shall mean all the residential and small commercial retail customers of ComEd in the corporate limits of the Village that have not opted out of the Program and are permitted under the terms of the Act to participate in the Program.

"Corporate Authorities" shall mean the Board of Trustees of the Village of Hinsdale.

"Municipal Aggregator" shall mean the Village operating an Aggregation Program under the legislative authority granted the Village to act as an aggregator to provide a competitive retail electric service to residential and small commercial retail customers of ComEd in the Village. Pursuant to the Act, an Aggregator is not a public utility or an alternative retail electric supplier.

"Member" means a person or legal entity enrolled in the Village of Hinsdale Municipal Electric Power Aggregation Program for competitive retail electric services and a member of the Aggregation Group.

"Power Supply Agreement" means an agreement between the Village of Hinsdale and an electric Provider to provide electric supply services to the Village's residential and small commercial retail customers.

"Retail Electric Supplier" or "RES" or "Provider" shall mean an entity certified by all required authorities of the State of Illinois to provide competitive retail electric supply service(s), and which is duly selected by the Village to be the entity responsible to provide the required retail electrical supply service related to an Aggregation Program as defined in the Act, Village ordinances and applicable rules and regulations of any authorized agency of the State of Illinois and has duly executed a Power Supply Agreement with the Village.

"Village of Hinsdale Electric Power Aggregation Program" or "Aggregation Program" or "Program" shall mean the program developed and implemented by the Village of Hinsdale ("Village" or "Hinsdale"), as a Municipal Aggregator under the Act, to provide ComEd residential and small commercial retail customers in the Village with retail electric generation services.

Any capitalized terms not defined in this Plan shall have the meaning given to them under the Act.

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II. INTRODUCTION

Public Act 96-1076 amended the Illinois Power Agency Act by adding Section 1-92 to Chapter 20, Act 3855 of the Illinois Compiled Statutes ("the Act") and allowed the corporate authorities of a municipality to adopt an ordinance in accordance with the Act to aggregate electrical loads for residential and small commercial retail customers within the corporate limits of the Village on an opt-in or opt-out, after a successful referendum, program. The Act further authorized a municipality to select suppliers of retail electric supply, solicit bids and enter into service agreements to facilitate the sale and purchase of electricity and related services. The legislation authorized the Illinois Power Agency ("IPA") to assist a municipality in developing a plan of operation and governance.

Large industrial and commercial consumers with sophisticated electric operations use their size and expertise to obtain lower electric power rates. Individual residential and small commercial retail consumers are typically unable to obtain significant price reductions because they lack bargaining power akin to large industrial and commercial electric users, and because they lack the expertise and economies of scale of larger electric consumers. Aggregation, the combining of multiple electric loads, provides the benefits of retail electric competition for electricity consumers with lower electric usage.

Municipal aggregation, the combining of multiple retail electric loads of customers by a municipality, provides the means through which municipal residential and small commercial retail customers may obtain economic benefits of Illinois' competitive retail electric market. This Village of Hinsdale Electric Power Aggregation Program combines the electric loads of residential and small commercial retail customers to form a buying group ("Aggregation Group"). The Village will act as purchasing agent for the Aggregation Group. The Village of Hinsdale will be a Municipal Aggregator, as described by the Act and the rules established by authorized agencies, and shall act on behalf of Commonwealth Edison Company, an affiliate of Exelon Corporation (herein referred to as "ComEd" or "Commonwealth Edison") in the Village to obtain the best Aggregation Program for the Members of the Aggregation Group.

III. PROCESS

As required by state law, the Corporate Authorities of the Village duly passed an Ordinance which authorized submitting to the Village's electorate the determination whether or not the Aggregation Program shall operate as an opt-out program on December 12, 2011. On March 20, 2012 Village voters approved a referendum to operate an Aggregation Program as an "opt-out" program. Under the opt-out program, all ComEd residential and small commercial retail customers in the Village are automatically included as participants in the Program unless they opt-out of the Program by providing written notice of their intention not to participate as a part of the Aggregation Group. Following the approval of the referendum by the electorate, the Village passed Ordinance number _____ on April 17, 2012 authorizing the Village to aggregate electric loads for residential and small commercial retail customers in the Village and implement an opt-out program.

In addition to passing the required ordinances by the Corporate Authorities, the Village may also be required to comply with various rules and regulations established by authorized agencies of the State of Illinois. The Village will promptly file any application and comply with any applicable rules and regulations that may be required by Illinois law for certification as a Municipal Aggregator and to operate the Aggregation Program under the Act. As required by the Act, the Corporate Authorities developed and approved this Plan. Before adopting this Plan and as required by the Act, the Village duly published a notice in the *Hinsdalean*, a newspaper of general circulation in the Village, of public hearings to be held on April 9, 2012 at 7:15 p.m. and April 17, 2012 at 7:30 p.m. The public hearings were held at the Memorial Building and provided the residents of the Village an opportunity to be heard regarding the Aggregation Program and this Plan. The Village considered the concerns of the residents and information disclosed at the hearings in the development of this Plan.

The opt-out notice for the Program shall be provided in advance to all eligible electric customers in the Village upon approval of this Plan according to the opt-out disclosure program developed by the Village. The opt-out notice and disclosures shall comply with the Act and all applicable rules and regulations of any authorized agency in the State of Illinois and shall fully inform such customers in advance that they have the right to opt-out of the Program. The opt-out notice shall disclose all required information including but not limited to the rates, terms and conditions of the Program and the specific method to opt-out of the Program.

The Village will select a Provider to provide the electric power for the Program according to the terms of a written service agreement entered into by and between the Provider and the Village. The Village may determine not to enter into a service agreement with any Provider and in such event the Aggregation Group shall continue to purchase electric power through Commonwealth Edison. If the Village enters into a service agreement with a Provider, Commonwealth Edison will continue to provide delivery of the electricity purchased from the Provider, and metering, repairs and emergency service will continue to be provided by Commonwealth Edison. The Village has determined that each participant in the Aggregation Group shall receive a single monthly bill from Commonwealth Edison under applicable tariffs.

IV. OPERATIONAL PLAN

A. Aggregation Services

1. Provider: The Village of Hinsdale will use a competent entity as a Provider to perform and manage aggregation services for Members of the Aggregation Program. The Provider shall provide adequate, accurate, and understandable pricing, terms and conditions of service, including but not limited to no switching fees and the conditions under which a member may opt-out without penalty. The Provider must provide the Village, upon request, an electronic file containing Members' usage, charges for retail supply service and such other information reasonably requested by the Village.

- 2. Database: The Provider shall create and maintain a secure database of all Members. The database shall include the name, address, Commonwealth Edison account number, and Provider's account number of each active member, and other pertinent information such as rate code, rider code (if applicable), most recent 12 months of usage and demand, and meter reading cycle. The database shall be updated at least quarterly. Accordingly, the Provider shall develop and implement a program to accommodate Members who (i) leave the Aggregation Group due to relocation, opting out, etc. (ii) decide to join the Aggregation Group; (iii) relocate anywhere within the corporate limits of the Village, or (iv) move into the Village and elect to join the Aggregation Group. This database shall also be capable of removing a member from the Aggregation Group who has duly opted out of the Program. The Provider shall use this database to perform audits for clerical and mathematical accuracy of member electric supply bills. The Provider shall make the database available to the Village at any time upon the Village's request.
- 3. Member Education: The Provider shall develop and implement, with the assistance of the Village, as the Village may determine in its sole discretion, an educational program that explains the Aggregation Program to all residential and small commercial retail customers in the Village and the Aggregation Group, provides updates and disclosures mandated by Illinois law and applicable rules and regulations, and implements a process to allow any member the opportunity to opt out of the Aggregation Program according to the terms of the Power Supply Agreement. See Appendix A for further details.
- 4. Customer Service: Provider shall hire and maintain an adequate customer service staff and develop and administer a written customer service process plan that will accommodate Member inquiries and complaints about billing and answer questions regarding the Aggregation Program. The customer service process plan shall include a description of how telephone inquiries will be handled, either internally or externally, how invoices will be prepared, how Members may remit remittance payment, and how collection of delinquent accounts will be addressed. The Provider and the Village shall enter into a separate customer service process plan agreement, or the terms of such plan shall be included in the Power Supply Agreement.
- 5. Billing: Commonwealth Edison shall provide a monthly billing statement to each member which shall include the charges of the Provider, and the Provider shall not charge any additional administrative fee.
- 6. Compliance Process: The Provider shall develop internal controls and processes to ensure that the Village remains in good standing as a Municipal Aggregator and ensure that the Village and the Program complies with the Act and all applicable laws, rules and regulations, as they may be amended from time to time. It shall be the Provider's responsibility to timely deliver reports at the request of the Village that include (i) the number of Members participating in the Program; (ii) a savings estimate or increase from the previous year's baseline; (iii) such other information reasonably requested by the Village; (iv) comparison of the Members' charge for the supply of electricity from one designated period to another identified by the Village. The Provider shall also develop a process to monitor and shall promptly notify the Village in writing of any changes or amendments to the Act or any laws, rules or regulations applicable to the Aggregation Program.

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- 7. Notification to Commonwealth Edison: The residential and small commercial retail customers of ComEd in the Village that do not opt-out of the Aggregation Program will be enrolled automatically in the Aggregation Program by a Provider. Members of the Aggregation Group will not be asked to take affirmative steps to be included in the Aggregation Group. To the extent that ComEd requires notification of participation; the Provider shall provide such notice to ComEd. The Provider shall inform ComEd from time to time through electronic means any new Members that enroll in the Program.
 - 8. Plan Requirements: Pursuant to the Act, the Provider and the Village shall:
 - a. Provide for universal access to all applicable residential customers and equitable treatment of applicable residential customers;
 - b. Describe demand management and energy efficiency services to be provided to each class of customers;
 - c. Meet any requirements established by law concerning aggregated service offered pursuant to the Act.
- 9. Solicitation of Bids: Pursuant to the requirements of the Act, the process of soliciting bids for electricity and related services and awarding power supply agreements for the purchase of electricity and other related services by the Village, shall be conducted in the following manner:
 - a. The Village may solicit bids for electricity and other related services.
 - b. Notwithstanding Section 16-122 of the Public Utilities Act and Section 2HH of the Consumer Fraud and Deceptive Business Practices Act, an electric utility that provides residential and small commercial retail electric service in the Village must, upon request of the Village, submit to the requesting party, in an electronic format, those names and addresses of residential and small commercial retail electrical retail customers in the Village that are reflected in the electrical utilities records at the time of the request and such other information required by the Act or any applicable rule or regulation of an authorized Illinois agency.
 - c. The Village, upon receiving customer information from an electric utility shall be subject to the limitations on the disclosure of that information described in Section 16-122 of the Public Utilities Act and Section 2HH of the Consumer Fraud and Deceptive Practices Act, and an electric utility providing such information shall not be held liable for any claims arising out of the provision of information pursuant to this Section and the Act.

B. <u>Power Supply Agreement</u>

The Village and the Provider shall enter into a Power Supply Agreement to serve the Aggregation Group.

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C. <u>The Village of Hinsdale's Electric Provider</u>

The Village may require the Provider to satisfy each of the following requirements in the Power Supply Agreement:

- Have sufficient sources of power to provide retail power to the Aggregation Group.
- Maintain a license as a federal power marketer with the Federal Energy Regulatory Commission.
- Maintain a certification from the State of Illinois as a certified retail electric supplier and any and all other licenses or certifications required by Illinois law.
- Register as a retail electric supplier with ComEd.
- Maintain a Service Agreement for Network Integration Transmission Service under The Open Access Transmission Tariff.
- Maintain a Service Agreement under an Illinois market-based Rate Tariff.
- Maintain the necessary corporate structure to sell retail firm power to the ComEd residential and small commercial retail customers in the Village and the Aggregation Group.
- Maintain an Electronic Data Interchange computer network that is fully functional at all times and capable of handling the ComEd residential and small commercial retail electric customers in the Village and the Aggregation Group.
- Maintain the marketing ability to reach all ComEd residential and small commercial retail customers in the Village to educate them on the terms of the Aggregation Program and the Act.
- Maintain a call center capable of handling calls from Members of the Aggregation Group.
- Maintain a local or toll-free telephone number for customer service and complaints related to the Village Aggregation Program.
- Agree to hold the Village harmless and fully indemnify the Village from any and all financial obligations arising from supplying power to the Aggregation Group.
- Satisfy the credit requirements of the State of Illinois and the Village.
- Have the binding authority (to the satisfaction of legal counsel for the Village) to execute the Power Supply Agreement with the Village and be fully bound by all of its terms and conditions.
- Assist the Village in filing all reports required by the Act and any applicable law, rule
 or regulation, as may be amended form time to time.
- Assist the Village in developing a consumer education plan, as set forth in Appendix A of this Plan (the "Consumer Education Plan").
- Assist the Village in developing a smart-meter program.
- Provide a supply of electricity that costs less than that provided by ComEd.

D. Activation of Service

After a notice is mailed to all residential and small commercial retail electric customers in the Village providing an opportunity to opt out of the Program within a specific period of time, all customers who do not opt out in writing will be automatically enrolled in the Program. Customer enrollment with the Provider will occur thereafter without further action by the customer on terms set forth in the Power Supply Agreement and according to the retail tariffs of Commonwealth Edison.

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E. Changes, Extension or Renewal of Service

The Power Supply Agreement with the Provider will provide when service shall begin and end. If the Power Supply Agreement is extended or renewed, Members will be notified as to any change in rates or service conditions and other information required by law. The Power Supply Agreement shall describe the terms upon which a member or non-member will be given an opportunity to opt into or out of the Program, and reasonable notice will be provided as required by the Act or any applicable law. Members who opt-out will also be notified of their right to select an alternate retail electric supplier and of their ability to return to ComEd provided supply service.

F. <u>Termination of Service</u>

In the event that any Power Supply Agreement is terminated for any reason prior to the end of the scheduled term, each member of the Aggregation Group will receive prompt written notification of termination of the Program at least sixty (60) days prior to termination of service under the Agreement. If the Agreement is not extended or renewed, Members will be notified in a manner determined by the Village and any applicable law, prior to the end of any service. Members will also be notified of their right to select an alternate retail electric supplier and of their ability to return to ComEd provided supply service upon termination of the Agreement.

G. Opt-In Procedures

ComEd residential and small commercial retail customers will be automatically enrolled in the Aggregation Program after any opt-out period has expired, unless they timely call the Provider and/or return in writing a form to be provided notifying the Provider that they do not want to participate in the Aggregation Program. The Provider may provide special notice directly to categories of ComEd customers as the Village may direct, and inform such customers of specific potential consequences of their change from existing service from ComEd to the Program, including but not limited to (i) space heating customers, (ii) Real Time (Hourly) pricing customers, (iii) customers using an electrical supplier other than ComEd or the Provider. ComEd residential and small commercial retail customers in the Village may request to join the Aggregation Group after the expiration of any enrollment period by contacting the Provider, who shall accept them into the Aggregation Program, subject to written policies mutually agreed upon between the Village and the Provider in the Power Supply Agreement. The agreed upon policy shall be consistent with ComEd's supplier enrollment requirements. Members of the Aggregation Group who move from one location to another within the corporate limits of the Village shall continue as a member of the Aggregation Group.

H. Opt-Out Procedures

ComEd residential and small commercial retail customers in the Village may opt-out of the Aggregation Program at any time during the opt-out period. Whether or not the Provider may or may not charge an early termination fee is subject to the terms of the contract with the Provider. Members of the Aggregation Group shall be allowed to switch to a different electric supplier after the expiration of the opt-out period on the terms set forth in the Power Supply Agreement, and at least once every three years without cost.

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Requirements for notification of intent to opt-out of the Aggregation Group shall be set forth in the Power Supply Agreement. Consumers who opt-out of the Aggregation Group shall not be switched from their current supplier or their applicable to ComEd's Standard Service Offer, until the consumer selects an alternate generation supplier. As required by the Act, it shall be the duty of the Village or the Provider if so provided in the Power Supply Agreement, to fully inform residential and small commercial retail customers in the Village in advance that they have the right to opt-out of the Aggregation Program. Such disclosure shall prominently state any charges to be made and shall include full disclosure of the cost to obtain service pursuant to Section 16-103 of the Public Utilities Act, how to access it, and the fact that it is available to them without penalty, if they are currently receiving services under that section. As further required by the Act, the IPA shall furnish, without charge, to any resident of the Village, a list of all supply options available to them in a format that allows comparison of prices and products.

Bid Process

The Village may elect to hold an individual bid or participate in a group bid. If the Village elects to participate in a group bid , the Village may use the Northern Illinois Municipal Electric Collaborative Inc. ("NIMEC") to assist with the group bid . The Village shall not delegate any signing authority to NIMEC or other entity, but shall make its own decision to accept or reject their individual bid resulting from the group bid . Suppliers shall present individual bids s to each community participating in the bid group. NIMEC shall create an advisory group, representing and consisting of those communities participating in the bid , to determine the bid winner(s) on the day of the bid . The Village shall decide whether to accept or reject the bid .

V. LIABILITY

THE VILLAGE SHALL NOT BE LIABLE TO THE PROVIDER, PROGRAM PARTICIPANTS OR MEMBERS OF THE AGGREGATION GROUP, OR ANY OTHER PERSON OR ENTITY FOR ANY CLAIMS, HOWEVER STYLED, ARISING OUT OF THE AGGREGATION PROGRAM OR THE PROVISION OF AGGREGATION SERVICES BY THE VILLAGE OR THE PROVIDER. PARTICIPANTS OR MEMBERS IN THE AGGREGATION GROUP SHALL ASSERT ANY SUCH CLAIMS SOLELY AGAINST THE PROVIDER PURSUANT TO THE POWER SUPPLY AGREEMENT, UNDER WHICH SUCH PARTICIPANTS ARE EXPRESS THIRD-PARTY BENEFICIARIES.

VI. INFORMATION AND COMPLAINT NUMBERS

Copies of this Plan shall be available from the Village of Hinsdale free of charge. Members and residential and small commercial retail customers of ComEd may call the Village (630) 789-7000 for a copy of the Plan or for more information.

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Appendix A - Consumer Education Plan

The Provider shall develop an educational program in conjunction with the Village, the content of such program to be determined by the Village it its sole discretion. Its purpose will be to explain the Aggregation Program to its Members, provide updates and disclosures as mandated by State law and the rules and regulations of any applicable Illinois agency, and provide the opportunity for the Members to Opt-out of the Aggregation Program. The following are components of the education program:

- 1. Each residential and small commercial retail customer of ComEd within the corporate limits of the Village will receive notification by U.S. Mail stating: describing the Aggregation Program, the procedure to be followed to opt-out of the Aggregation Program, the estimated price of electricity for member of the Aggregation Program, and the deadline for returning the opt-out form. See sample letter attached.
- 2. The Provider shall cooperate with the Village to provide opportunities for educating residential and small commercial retail ComEd customers in the Village about the Program and their rights under the applicable law and rules and regulations. In addition, the Provider and Village will cooperate to provide education about opportunities for energy efficiency measures to help Members reduce energy consumption.
- 3. The Provider will provide updates and disclosures to the Village and Members as mandated by State law and applicable rules and regulations as amended from time to time.

Sample Letter

Dear Village of Hinsdale resident,

The Village of Hinsdale is providing you the opportunity to join other residents to save money on the electricity you use. Savings are possible through governmental aggregation, where Village officials bring together citizens to gain group buying power for the purchase of electricity from a retail electric generation provider certified by the Public Illinois Utilities Commission. Village Hinsdale voters approved this program on March 20, 2012.

After researching competitive electricity pricing options for you, we have chosen to provide you with savings on your electric generation
to provide you with savings on your electric generation costs through 20 There is no cost for enrollment and you will not be charged a switching fee. You do not need to do anything to participate.
As a member of this aggregation, you will likely save percent off your electricity bill by participating in this program. Your electricity bill consists of the price you pay for electric generation and consists of generation and transmission related components, which are the costs associated with generating the power and delivering it through the transmission system.
You will see your electric savings from days after your enrollment has been completed and your switch has been finalized, approximately 30-45 days, depending upon your meter read date. Of course, you are not obligated to participate in the Village's program. If you wish to be excluded from the program and remain a full-service customer of Commonwealth Edison you have until, 2012 to return the attached opt-out form.
If you do not opt out at this time, you will receive a notice at least every asking if you wish to remain in the program. If you leave the program at any other time, you could be subject to a cancellation fee from
If you become a participant in this governmental aggregation program, Commonwealth Edison will send you a letter confirming your selection of as your electric generation provider. As required by law, this letter will inform you of your option to rescind your enrollment with with adequate notice prior to the scheduled switch. To remain in the Village's governmental aggregation program, you don't need to take any action when this letter arrives.
Commonwealth Edison will continue to maintain the system that delivers power to your home - no new poles or wires will be built by You will continue to receive a single, easy-to-read bill from your local electric utility with your charges included.
If you have any questions, please calltoll-free at Monday through Friday, 8 a.m. to 5 p.m.
Sincerely,
Village of Hinsdale

P.S. To receive these savings, you should not respond. Return the opt-out form only if you do not want to participate in the Village/City's electric governmental aggregation

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program.

Option 1: Do nothing and save. If you want to participate in this program and save, you do not need to return this form. Your enrollment is automatic.



Option 2: Opt out by returning this form. If you do not want to participate in this program, you must return this form before the due date.

12

Service address (City, state and zip):	 		
Phone number:		• • • • • • • • • • • • • • • • • • • •	
Account holder's signature:		Date:	

13

DATE M	rch 5, 2012
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REQUEST FOR BOARD ACTION

AGENDA EPS Agenda SECTION NUMBER	ORIGINATING DEPARTMENT PUBLIC SERVICES		
ITEM AWARD – GASOLINE	APPROVAL		

On March 2, 2012 one bid was received for purchase and delivery of gasoline. A fixed handling fee (delivery) is negotiated as the price of petroleum varies. The bid received was from Warren Oil Company. The price of gasoline and diesel is a fixed price per the OPIS (Oil Price Information Service) Index. A bid summary is attached on which the Suburban Purchasing Cooperative pricing for gasoline and diesel was added. Mark ups are as follows:

	<u>Unleaded</u>	<u>Diesel</u>
Suburban Purchasing Cooperative	\$0.2495/gal	\$0.3019/gal
Warren Oil Company	\$0.1800/gal	\$0.2250/gal

The Public Services staff would like to recommend that Bid #1506 for the service of delivery of gasoline, which does not include pricing for fuel which is fixed per the OPIS index, be awarded to Warren Oil Company and if committee concurs, the following motion would be appropriate:

MOTION: To award Bid #1506, the service of gasoline delivery, to Warren Oil Company with the fuel delivery bid comparison quantity of \$11,574.00 plus the cost of gasoline and diesel per the Oil Price Information Service Index.

STAFF APPROVALS

APPROVAL	APPROVAL	APPROVAL	APPROVAL	APPROVAL
COMMITTEE A	CTION:			
BOARD ACTIO	N•			
DOME ACTIO	L 1 •			

BID NUMBER PROJECT NAME: DATE:

1506 Fuel 02-Mar-12

m ¥		۵ ۵ ۵		N G C D D		а с с п	Item No.	
Extended Totals	TOTAL	No. 2 diesel fuel Nov-March OPIS GAL markup GAL Federal tax GAL State tax GAL	TOTAL	No. 2 diesel fuel April-Oct OPIS GAL markup GAL Federal tax GAL State tax GAL	TOTAL	Unleaded gasoline a OPIS G. b markup G. c Federal tax G. d State tax G.	Description	
		GAL GAL GAL GAL		el April-Ou GAL GAL GAL		oline GAL GAL	Unit	Name: Address:
		2,700 2,700 2,700 2,700 2,700		5,300 5,300 5,300		54,300 54,300 54,300 54,300	Qty Est	<u>,,</u>
	0.2350	varies 0.0200 0.0000 0.2150	0.2350	varies 0.0200 0.0000 0.2150	0.2000	varies 0.0100 0.0000	Unit Price	2011
12,740.00	634.50	0.00 54.00 0.00 580.50	1,245.50	0.00 106.00 0.00 1,139.50	10,860.00	0.00 543.00 0.00 10.317.00	Extended Total	2011 pricing
	0.2250	varies 0.0100 0.0000 0.2150	0.2250	varies 0:0100 0:0000 0:2150	0.1800	veries -0.0100 0.0000 0.1900	\$1,500,00 check Unit Exter	WARREN OIL 111 E 142nd St. Hemmond, IN 46327
11,574.00	607.50	0.00 27.00 0.00 580.50	1,192.50	0.00 53.00 0.00 1,139.50	9,774.00	0.00 (543.00) 0.00 10.317.00	check Extended Total	St. N 46327
	0.3019	varies 0.0869 0.0000 0.2150	0.3019	varies 0.0869 0.0000	0.2495	varies 0.0595 0.0000 0.1900	Unit Price	SPC Contract
15,963.05	815.13	0.00 234.63 0.00 580.50	1,600.07	0.00 460.57 0.00 1,139.50	13,547.85	0.00 3,230.85 0.00 10,317.00	Extended Total	
	0.0000							
0.00	0.00							

REQUEST FOR BOARD ACTION

AGENDA EPS Agenda	ORIGINATING
SECTION NUMBER	DEPARTMENT PUBLIC SERVICES
ITEM Sewer Cleaning, Televising, and Root Cutting	APPROVAL

In the proposed FY 2012-13 budget, there is \$50,000 budgeted in the Water & Sewer Department operations and maintenance fund (6103-7399) to contract sewer cleaning, televising, and root cutting within the Village. Staff received 3 bids on March 2, 2012 for this service. The low bidder was Hydrovision Technology, LLC, with a contract bid of \$37,150.00. A bid comparison is attached.

Public Services staff would like to recommend to Committee, upon approval of the FY2012-13 budget, the award of bid #1507 for the services of sewer cleaning, televising, and root cutting to Hydrovision Technology, LLC, in the amount of \$37,150.00, and if Committee concurs the following motion would be appropriate:

MOTION: To approve the award of bid #1507 to Hydrovision Technology, LLC, in the contract price of \$37,150.00.

STAFF APPROVALS

				MANAGER'S
APPROVAL	APPROVAL	APPROVAL	APPROVAL	APPROVAL V
COMMITTEE	ACTION:			

BOARD ACTION:

PROJECT NUMBER: BID NUMBER

PROJECT NAME:

1507

Sewer cleaning/televising/root cutting

PROJECT DATE

March 2, 2012

ACCOUNT: BUDGET: DATE:

ACCOUNT BUDGET Address: Name: 2011 Bid 6103-7399

9014 Thomas Ave

1593 Aster Dr Romeoville, IL '60496

Hydrovision Technology LL C

Natl Power Rodding 2500 W Arlington St. Chicago IL 60612

Visu-Sewer of Illinois, LLC

Bridgeview IL 60455

Bid Security:

Bond 10%

Bond 10%

Bond 10%

No.	Item						w	2	-	No.	Item
Description					Estimated Daily Production	Extended Total	Root Cutting	Photography of Sewer	Hydrojet Cleaning up to 14" diam.	Description	
				Televising	Cleaming						
_				ising	ing					Umit	
_			 				20,000	5,000	70,000	Est	€
							0.47	1.08	0.32	Price	Unit
				3000.00	6000.00	37200.00	9400.00	5400.00	22400.00	Total	Extended
							1.49	1.66	0.76	Price	Unit
				1650.00	3000.00	91300.00	29800.00	8300.00	53200.00	Total	Extended
								111		Price	Unit
				1000.00	3000.00	37150.00	9200.00	5550.00	22400.00	Total	Extended
							1.00	1.50	0.40	Price	Unit
				1500.00	3500.00	55500.00	20000.00	7500.00	28000.00	Total	Extended
	- "									Price	Unit
										Total	Extended

Hydrojet Cleaning up to 14" diam.

Photography of Sewer

Root Cutting

Extended Total

Estimated Daily Production

DATE	March 28, 2012
	1,101,011,00,010

REQUEST FOR BOARD ACTION

AGENDA EPS Agenda	ORIGINATING
SECTION NUMBER	DEPARTMENT PUBLIC SERVICES
ITEM Leak Detection Survey	APPROVAL

In the proposed FY 2012-13 budget, there is \$13,600 budgeted in the Water & Sewer Department operations and maintenance fund (6103-7399) to complete the annual water main leak detection survey within the Village. Staff received 2 bids on March 1, 2012 for this service. The low bidder was Water Services with a contract bid of \$8,200.00. A bid comparison is attached.

Public Services staff would like to recommend to Committee, upon approval of the FY2012-13 budget, the award of bid #1509 for the services of water main leak detection to Water Services in the amount of \$8,200.00, and if Committee concurs the following motion would be appropriate:

MOTION: To approve the award of bid #1509 to Water Services in the contract price of \$8,200.00.

STAFF ADDDONALS

APPROVAL	APPROVAL	APPROVAL	APPROVAL	MANAGER'S
COMMITTEE AC	CTION:			
BOARD ACTION	[:			

PROJECT NUMBER: PROJECT NAME:

ANNUAL LEAK DETECTION SURVEY March 1, 2012

DATE: BUDGET:

Bid Security:		Address:	Name:
			2011 price
10% bond	Valparaiso, IN 46384-1995 Elgin, IL 60120-802	PO Box 1995	ME Simpson Co., Inc.
\$820.00 check	Elgin, IL 60120-8027	848 Olive St.	Water Services

	2		No.	Item
Extended Totals	mobilization	leak detection	Description	
	23	F	Unit	
	-	422,000	Est	Q g
	0.000	0.0194	Price	Unit
8200.00	0.00	8200.00	Total	Extended
	0.00	0.0303	Price	Unit
12799.26	0.00	12799.26	Total	Extended
	0.000	0.0194	Price	Unit
8200.00	0.00	8200.00	Total	Extended

DATE	April 2, 2012	

REQUEST FOR BOARD ACTION

AGENDA EPS Agenda SECTION NUMBER	ORIGINATING DEPARTMENT PUBLIC SERVICES
ITEM Elm Tree Inoculation Contract #	41510 APPROVAL

In the proposed Fiscal Year 2012-2013 budget there is a projected \$140,000.00 budgeted in the Elm Tree Preservation Maintenance Fund to contract Elm Tree Inoculations within the Village. Staff received 2 bids on March 30, 2012 for this service. The low bidder is Landscape Concepts Management with a comparative bid of \$10.25 per diameter inch. The company has completed contractual services for the Village in past with favorable results. A bid comparison is attached.

Staff would recommend to Committee the award of bid #1510 to Landscape Concepts Management. If Committee concurs with this recommendation, the following motion would be appropriate:

MOTION: To award bid #1510, Elm Tree Inoculation, to Landscape Concepts Management with a comparative bid price of \$10.25 per diameter inch not to exceed the final budgeted amount.

APPROVAL	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL
COMMITTEE A	CTION:			
BOARD ACTION	I•			
I BUAKD ACTION	N:			

STAFF APPROVALS

	no bid	Extended	lotal	00.00		•		
Winkler's Tree & Landscape PO Box 1154 LaGrange IL 60526		Unit	Price	0.00				
	10% pond	Extended	Total	214,500.00	100	201		
Autumn Tree Care 550 Bedford Road Bedford Hills,NY 10507		Unit	Price	16.50				
	10% bond	Extended	Total	133,250.00	00,002,001	00		
Landscape Concepts Mgt 31745 N Alleghany Grayslake IL 60030	1		Price	10.25				
		I		136,500.00	150,500.00	07		
2011 bid		Oty Unit	st Price	500 10.50				
1510 Elm Tree Fungicide 30-Mar-12			Unit	inch diameter 50	70 mcnes			
BID NUMBER: PROJECT NAME: DATE:	BUDGET:		Description	1 fungiciding	tended Lotals	ections per week		
		Item	Š.	1 fur	Ë	Ē		