VILLAGE OF UNIVERSITY PARK

BOARD OF TRUSTEES

Regular Board Meeting Agenda

Tuesday, July 9, 2019
7:00 p.m.
90 Town Center Drive, University Park, Illinois

Visitors are always welcome to all public meetings of the Board of Trustees. To comment on an issue, persons wishing to speak will be called upon by the Mayor during Section E, General Public Comment. The interested party will stand, identify themselves and make their comment.

In order to give proper consideration to all items on this agenda, the Mayor will limit participants in a debate and will close off protracted, repetitive, irrelevant or abusive remarks.

A. CALL TO ORDER.

B. ROLL CALL.

C. PLEDGE OF ALLEGIANCE.

D. APPROVAL OF MINUTES

E. GENERAL PUBLIC COMMENT.

This is a comment forum, and if response is necessary, Board members may elect to respond formally at the next regular Board meeting.

F. ACTION ITEMS.

F-1. UNFINISHED BUSINESS

None.
F-2: NEW BUSINESS

F-2a: 1st, 2nd, and 3rd Readings - An Ordinance of The Village Of University Park, Amending Part Ten Title Six Chapter 1060 Section 1060-06 Of The Village Of University Park Code Of Ordinances

F-2b: Appointment To MOSE (Mayors Office of Special Events)

F-2c: Motion To Approve The Appointment of Stanley Pagorek As Village Prosecutor and Hearing Officer

F-2d: Discussion - An Ordinance Amending Part Eight Title Four Of The Village Of University Park Code Of Ordinances Creating A Motor Fuel Tax

F-2e: Discussion - Resolution Of The Village Of University Park, Will And Cook Counties, Illinois . An Ordinance Approving Jurisdictional Transfer Of Certain Property And Authorizing The Execution Of A Jurisdictional Transfer Agreement By And Between The Village Of University Park And Will County

F-2f: Discussion - A Resolution Approving And Authorizing The Execution Of Intergovernmental Agreement By And Between The Village Of University Park And Will County Maintenance Of Appurtenances

F-2g: Discussion - A Resolution Approving And Authorizing The Execution Of Intergovernmental Agreement By And Between The Village Of University Park And Will County Allocation Of Funding

F-2h: Bills Payable

G-: REPORT OF BOARD OF TRUSTEES, VILLAGE CLERK, MANAGER, APPOINTED OFFICIALS, COMMITTEES, AND COMMISSIONS

H. ANNOUNCEMENT OF SCHEDULED MEETINGS

I. EXECUTIVE SESSION (Appointment, employment, compensation, discipline, performance or dismissal of certain employees; Litigation, pending and probable, sale/lease/disposal of Village Property).

J. ADJOURNMENT.
VILLAGE OF UNIVERSITY PARK

Request For Board Action

AGENDA SECTION: APPROVAL OF MINUTES    DOCKET NUMBER: D
ITEM: Minutes of the Board of Trustees

SUMMARY OF REQUESTED ACTION FOR THE MEETING OF: July 9, 2019

Attached For Your Consideration And Approval Are Minutes Of The Regular Meeting Held Tuesday, April 23, 2019, And The Special Meetings Held Tuesday, May 28, 2019, June 1, 2019 And Committee Of Whole Held Tuesday, June 11, 2019.

APPROVED: ____________________________
Dorothy R. Jones
Dorothy R. Jones, MMC
Village Clerk

BOARD ACTION: Motion By: ____________________________ Seconded By: ____________________________
Ordinance Number: ____________________________ Resolution Number: ____________________________
Comments: ____________________________
Minutes Of The Regular Meeting Of The Board Of Trustees For The Village Of University Park, Will And Cook Counties Illinois, Held Tuesday, April 23, 2019 At #90 Town Center Drive In The Village Of University Park

A. CALL TO ORDER

Mayor Covington called this regular meeting of the Board of Trustees to order at 7:06 p.m.

B. ROLL CALL

Mayor: Vivian E. Covington Present
Trustees: Elizabeth Williams Present
Paula C. Wilson Present
Theaplispe Brooks Present
Curtis McMullan II Present
Milton C. Payton Present
Oscar H. Brown, Jr. Absent (arrived at 7:40)

Also present were Village Manager John Pate, Village Attorney John Wise, Fire Chief Brian Chellios, Deputy Police Chief Deborah Wilson, Public Works Director Darrell Byther, Village Communications & Community Engagement Specialist Neva Jenkins, and Village Clerk Dorothy R. Jones.

C. PLEDGE OF ALLEGIANCE

Mayor Covington led the audience in the Pledge Of Allegiance to the Flag of the United States of America.

D. APPROVAL OF MINUTES

Trustee Brooks moved, Trustee McMullan seconded a motion to approve minutes of the special meeting held Tuesday, April 9, 2019, and minutes of the Committee of the Whole held Tuesday, April 9, 2019.

Ayes: Trustees Williams, Brooks, McMullan, Payton, and Mayor Covington.
Nays: None.
Absent: Trustee Brown.
Abstained: Trustee Wilson.

Motion to approve carried.
E: General Public Comments

Mrs. Mary Truss addressed the Board and congratulated the newly elected officials, and stated that now the election is over she wants to see the political signs removed. She further stated that the Community Block will be doing a clean-up and removal of debris in the Village.

Public Works Director Darrell Byther responded that cleanup of the debris has begun, and the objective is to keep the Village clean, and that they are prioritizing Village projects beginning with filling potholes, and branch pick up will begin soon.

Mrs. MaryAnn Griffin Voiced concerns with a problem she is experiencing with her neighbors parking their vehicles in front of her door.

Deputy Police Chief Wilson responded that if the vehicle is on the roadway, and not in a parking space reserved for residents it might not be a violation.

Mr. William Paine, representative of Force Energy Group gave a brief presentation on energy procurement, LED Lighting, Solar, Renewable & Sustainable Technology could benefit the Village with low out of pocket cost to the Village and residents.

Mayor Covington responded that she had obtained a grant from ComEd for installation of LED Lights throughout the Village at no cost to residents.

F-1: UNFINISHED BUSINESS

F-1a: Third Readings - An Ordinance of The Village Of University Park, Will and Cook Counties, Illinois Establishing A Tax Upon The Use And Privilege Of Renting A Motel Or Hotel Room In The Village Of University Park, Will And Cook Counties, Illinois And Providing Penalties For The Violation Thereof.

Trustee Brooks moved, Trustee Wilson seconded a motion to approve third reading of this ordinance.

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton, and Mayor Covington.

Nays: None.

Absent: Trustee Brown.

Motion To Approve Carried  Ordinance Number O2019 – 14.
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F-1b:  Second Reading – Ordinance Providing For The Annual Budget For The  
Fiscal Year Commencing May 1, 2019 And Ending April 30, 2020 For The  
Village Of University Park, Cook And Will Counties, Illinois

Trustee Brooks moved, Trustee Payton seconded a motion to approve, second reading of  
this ordinance.

Motion To Amend  
Trustee Payton moved, Trustee Brooks seconded a motion to amend page 6, to replace  
Names of outgoing elected officials and replace with newly elected officials, and to remove  
Social Service Coordinator position from the budget.

Ayes:  Trustees Wilson, Brooks, McMullan, Payton, Brown and Mayor  
Covington.
Nays:  None.
Abstained:  Trustee Williams.
Absent:  None.

Motion To Amend Main Motion Carried.

Roll Call On Main Motion As Amended:

Nays:  Trustee Wilson, and Mayor Covington.
Absent:  None.
Abstained:  Trustee Williams.

Motion To Approve Carried.

Motion To Consolidate For Consideration Items F-2b, F-2c, F-2d, F-2e,  
F-2f, F-2i And F-2j Under New Business

Ayes:  Trustees Williams, Wilson, Brooks, McMullan, Payton, Brown  
and Mayor Covington.
Nays:  None.
Absent:  None.

Motion To Approve Carried.

F-2:  NEW BUSINESS

F-2a:  First, Second, and Third Readings – An Ordinance of The Village Of  
University Park, Will And Cook Counties, Illinois, Authorizing The  
Execution Of A Lease Of Commercial Property By And Between The  
Village Of University Park, and Risan Foods, LLC For Town Center  
Unit 30 Town Center Drive.
F-2a continued:

Trustee Wilson moved, Trustee Payton seconded a motion to approve first, second, and third reading of this ordinance

Ayes: Trustees Wilson, Brooks, McMullan, Payton, Brown and Mayor Covington.
Nays: None.
Abstained: Trustees Williams.
Absent: None.

Motion To Approve Carried

Ordinance Number O2019-15.

Trustee Brown moved, Trustee Williams seconded a motion to Consolidate the following items for consideration:

F-2b: 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Readings - An Ordinance Authorizing The Execution Of A Lease Of Commercial Property By And Between The Village Of University Park, Will And Cook Counties, Illinois And PK's Christian Learning Site, Inc. For Town Center Unit 82.

F-2c: 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Readings - An Ordinance Authorizing The Execution Of A Lease Of Commercial Property By And Between The Village Of University Park, Will And Cook Counties, Illinois And Gloria J. Taylor Foundation For Town Center Units 38 And 40.

F-2d: 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Readings - An Ordinance Authorizing The Execution Of A Lease Of Commercial Property By And Between The Village Of University Park, Will And Cook Counties, Illinois And Zep Tepi LLC II For Town Center Units 22 And 26.

F-2e: 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Readings - Ordinance Authorizing The Execution Of A Revised Lease Of Commercial Property By And Between The Village Of University Park, Will And Cook Counties, Illinois And Leukemia Research Foundation, Inc. For Town Center Unit 6

F-2f: 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Readings - An Ordinance Authorizing The Execution Of A Lease Of Commercial Property By And Between The Village Of University Park, Will And Cook Counties, Illinois And Primp And Paint Beauty Lounge Inc. For Town Center Unit 8

F-2g: 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Readings - An Ordinance Authorizing The Execution Of An Addendum To The Lease Of Commercial Property By And Between The Village Of University Park, Will And Cook Counties, Illinois And Primp And Paint Beauty Lounge Inc. For Town Center Unit 8
F-2h: 1ST, 2nd, and 3rd Readings - An Ordinance Authorizing The Execution Of An Addendum To The Lease Of Commercial Property By And Between The Village Of University Park, Will And Cook Counties, Illinois And United Dental Resources Corporation For Town Center Unit 70.

F-2i: 1ST, 2nd, and 3rd Readings - An Ordinance Authorizing The Execution Of An Addendum To The Lease Of Commercial Property By And Between The Village Of University Park, Will And Cook Counties, Illinois And United Dental Resources Corporation For Town Center Unit 80.

F-2j: 1ST, 2nd, and 3rd Readings - An Ordinance Authorizing The Execution Of A Lease Of Commercial Property By And Between The Village Of University Park, Will And Cook Counties, Illinois And A Class Act Barber Shop, Inc. For Town Center Unit 36

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton, Brown and Mayor Covington.
Nays: None.
Absent: None.

Motion To Approve Carried.

Motion To Table Items F-2b, 2c, 2d, 2e, 2f, 2g, 2h, 2i, and 2j.

Trustee Wilson moved, Trustee McMullan seconded a motion to table the aforementioned agenda items.

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton, Brown
Nays: Trustee Wilson and Mayor Covington.
Absent: None.

Motion To Table Carried.

F-2k: Bills Payable

Trustee Brooks moved, Trustee McMullan seconded the motion to approve the following Bills payable from March 26, 2019 through April 23, 2019.
The funds will be charged to the following Accounts:

<table>
<thead>
<tr>
<th>Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund Account</td>
<td>$277,655.28</td>
</tr>
<tr>
<td>Road and Bridge Fund</td>
<td>$8,822.13</td>
</tr>
<tr>
<td>Town Center Fund</td>
<td>$6,280.68</td>
</tr>
<tr>
<td>Motor Fuel Tax Fund</td>
<td>$35,000.88</td>
</tr>
<tr>
<td>Payroll Fund</td>
<td>$5,506.99</td>
</tr>
</tbody>
</table>

Total $333,265.96
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Roll Call On Bills Payables:

Ayes: Trustees Williams, Brooks, McMullan, Payton, Brown, and Mayor Covington.

Nays: Trustees Wilson.

Absent: None.

Motion To Approve Bills Payable Carried.

G. Reports of the Mayor, Board of Trustees, Clerk, Manager, Appointed Officials, And Committees\Commissions

G-1: Reports Of Appointed Officials

Public Works Director Darrell Byther reported that the Public Works Department has begun the process of grass cutting and branch pick up which will continue until October. He urged residents to call the Public Works Department with any concerns that they have relating to branch pick up and any concerns they have that his department can address.

G-2: Report Of Village Manager

Village Manager Pate reported that the new financial consultants are moving faster than expected, noting that the 2018 financial work is almost finished; He reported that at the meeting schedule for May 14th, 2019 there will be an awards presentation and a reception for the outgoing elected officials. He congratulated the new Director of Public Works Darrell Byther, and stated that they are working on several shovel ready projects; He commended Deputy Police Chief Wilson, and the Police Department for the excellent job they're doing. He also commended the Board Of Fire and Police Commissioners for the excellent job they are doing in bringing on public safety officers, noting that this is not an overnight process and asked the community to be patient. Additionally, he stated that the University Park Parkway Project Is being moved forward with an 80/20 match, and that the cost to the Village is being funded by SSMMA.
G-3: Report Of The Village Clerk

Village Clerk Dee Jones stated that in lieu of her report she would read an Open Letter Of Appeal that was distributed to the Village Board earlier this evening from a 37 Year resident of the Vista Subdivision. The letter is as follows: Now that the election has been certified and a newly elected mayor has been selected, I am hopeful that we all can lay aside divergent views where possible for the mutual advancement of our Village. The election results exposed obvious differences among our electorate relative to leadership preferences, but we should not be blinded by these contrasting preferences to future growth opportunities.

Let us now strive to pursue avenues of agreement while holding our public officials accountable. We should expect and insist that all decisions made by our elected officials are executed in the best interest of our Village. Let University Park set the standard by which all others are measured.

G-4: Report Of The Board of Trustees

Trustee Oscar Brown congratulated newly elected Trustees Sonia Jenkins-Bell, Shirley Bolding, and Donzell Franklin; congratulated Village Clerk Dee Jones on her historic 5th consecutive elected term, and Mayor Roudez for staying the course and finally taking his seat as Mayor. He thanked all the people who ran for office, and thanked Trustees Wilson and Payton for their service, and thanked Mayor Covington for her many years of service and for being the first black female ever elected Mayor in University Park and Eastern Will County. Trustee Brown thanked all residents who voted in favor of the 201-U Referendum, noting that with their votes, the referendum passed. He also commented that he feels ALNAC should be brought back and that the Village should seriously consider adopting a crime free housing ordinance. In closing, he stated that it had been a pleasure serving the residents of University Park for many years.

G-5: Report Of The Mayor

Mayor Covington reported that during her tenure as Mayor She has worked with mayors and the Governor addressing ALNAC and the 3rd Airport, capital budget for projects; and stated that she has brought in 3 million dollars for METRA improvements; 1.5 million dollars for the Cicero Avenue Project; Audits are being completed, and bills are being paid on time. And that she will be accepting positions on two new Boards.

H. ANNOUNCEMENT OF SCHEDULED MEETINGS

None.
Minutes of The Regular Meeting  
The Board Of Trustees

I. EXECUTIVE SESSION

None.

J. ADJOURNMENT

Trustee Wilson moved, Trustee Williams seconded a motion to adjourn the regular meeting of the Board of Trustee at 8:51 pm.

Motion to Adjourn Carried by Unanimous Voice Vote.

Respectfully Submitted,

______________________________
Dorothy R. Jones, MMC  
Village Clerk
Minutes Of The Special Meeting Of The Board Of Trustees For The Village Of University Park, Will And Cook Counties Illinois, Held Tuesday May 28, 2019 At #90 Town Center Drive In The Village Of University Park

A. CALL TO ORDER

Mayor Roudez called this special meeting of the Board of Trustees to order at 6:38 p.m.

B. ROLL CALL

Mayor: Joseph E. Roudez III Present

Trustees: Elizabeth Williams Present
          Theaplise Brooks Present
          Sonia Jenkins-Bell Present
          Donzell Franklin Present
          Shirley A. Bolding Present
          Curtis McMullan Present

Also present were Village Manager John Pate, Village Attorneys John Wise, Fire Chief Brian Chellios, Deputy Police Chief Deborah Wilson, Cable/Communication Specialist Neva Jenkins, and Village Clerk Dorothy R. Jones.

Mayor Roudez led the audience in the pledge of allegiance to the flag of the United States of America.

C: General Public Comments

Mrs. Bridgette Franklin Addressed the Board and public and announced that the Boys Varsity Track Team won the State Championship, and the younger team did great. She also Noted that all of the athletes are also great academic students.

Mrs. Gina Williams voiced her objections to this meeting stating that Manager Pate is doing A great job, and the individual they propose to replace him with is a former employee of Ford Heights and Robbins, both dysfunctional communities.

D: EXECUTIVE SESSION (Appointment, employment, compensation, discipline, performance or dismissal of certain employees; Litigation, pending and probable, sale/lease/disposal of Village Property; Contract Negotiations).
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Trustee Brooks moved, Trustee Bolding seconded a motion to move into executive session for purposes of Appointment, Employment, Compensation, Discipline, Performance Or Dismissal Of Certain Employees; Litigation, Pending And Probable, Sale/Lease/Disposal Of Village Property; Contract Negotiations) at 6:44 p.m.

Ayes: Trustees Williams, Brooks, Jenkins-Bell, Franklin, Bolding, McMullan (electronically) and Mayor Roudez.
Nays: None.
Absent: None.

Motion To Approve Carried.

The Board returned from executive session at 7:38 p.m., resumed the special meeting and took the following action.

D-2: ACTION ITEM

D-2" 1st, 2nd & 3rd Readings – Ordinance Of The Village Of University Park, Will And Cook Counties, Illinois Approving, Authorizing And Making The Appointment Of Village Manager Of The Village Of University Park.

Trustee Jenkins-Bell moved, Trustee Bolding seconded a motion to table this item.

Ayes: Trustees Williams, Brooks, Jenkins-Bell, Franklin, Bolding, McMullan and Mayor Roudez.
Nays: None.
Absent: None.

Motion To Approve Table Carried.

F: ADJOURNMENT

Trustee Brooks moved, Trustee Williams seconded a motion to adjourn this special meeting of the Board of Trustees at 7:44 pm.

Motion To Adjourn Carried By A Unanimous Voice Vote.

Respectfully Submitted,

______________________________
Dorothy R. Jones, MMC
Village Clerk
Minutes Of The Special Meeting Of The Board Of Trustees For The Village Of University Park, Will And Cook Counties Illinois, Held Saturday, June 1, 2019 At #90 Town Center Drive In The Village Of University Park

A. CALL TO ORDER

Mayor Roudez called this special meeting of the Board of Trustees to order at 10:56 a.m.

Prior to the roll call Village Clerk Dee Jones noted that a quorum was present and informed the Mayor and Board of Trustees that she had received a request from Trustee McMullan to attend the meeting electronically. With no objections to the electronically attendance of Trustee McMullan he was connected by telephone at a number he provided.

B. ROLL CALL

Mayor: Joseph E. Roudez III Present

Trustees: Elizabeth Williams Present
          Theaplise Brooks Present
          Sonia Jenkins-Bell Present
          Donzell Franklin Present
          Shirley A. Bolding Present
          Curtis McMullan Present (Electronically)

Also present were Village Manager John Pate, Village Attorneys John Wise, and Matthew Welch, Deputy Police Chief Deborah Wilson, Public Works Director Darrell Byther, Cable/Communication Specialist Neva Jenkins, and Village Clerk Dorothy R. Jones.

Mayor Roudez led the audience in the pledge of allegiance to the Flag of the United States of America.

C. General Public Comments

Dr. Nakia Hall District 201-U School Board Member addressed the Mayor and Board and congratulated the graduating class of 2019 with special congratulations to Tamara Wright who was Salutatorian of that graduating class and noted that she would be attending Princeton University. She congratulated the newly elected officials and stated that 201-U School Board is looking into how to better recognize our kids both athletically and academically. She congratulated our track team for taking 1st place in the regional finals. Dr. Hall also commented on the need for better communication, and alerts on things that are happening in the Village and asked to know what plans the Village has for summer activities.
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Mrs. Mildred Morgan commented on the need for more communication and transparency on items being discussed by the Board stating that the public needs full agenda packets so, they can follow along and better understand what is being voted on.

Mrs. Paula Wilson addressed the Board and voiced her concerns with the proposed appointment of the new attorney and stated that FOX News reported that Attorney Castaldo had been accused of overbilling the Village of Bellwood. She referred to the hourly rate as proposed by the new law firm and stated that she wants to have a cap on the amount of money that firm can be paid. She attempted to poll the Board on the items in the letter of engagement, but was instructed by Mayor Roudez that she was to address the Chair, and he would, if necessary, defer to the Board members.

Trustee Bolding stated that she had not seen the contract.

Attorney Joe Miller stated that there is no cap on their fees, and he is not aware of any law firm having a cap. However, they bill by the hour and the total cost is determined by the amount of work being requested. He also stated that the fee proposed for the Village of University Park is lower than some of their other clients, because they understand some of the financial constraints, and they want to be of service.

Attorney Welch responded that there is no cap on their fees for services.

D: ACTION ITEMS

D-1: A Resolution Of The Village Of University Park, Will And Cook Counties, Illinois Authorizing The Execution Of A Local Public Agency Agreement By And Between The Illinois Department Of Transportation And The Village Of University Park, And A Construction Engineering Services Agreement By And Between Robinson Engineering, Ltd. And The Village Of University Park For University Parkway Resurfacing.

Trustee Brooks moved, Trustee Bolding seconded a motion to approve this resolution.

Ayes: Trustees Williams, Brooks, Jenkins-Bell, Franklin, Bolding, McMullan (electronically) and Mayor Roudez.

Nays: None.

Absent: None.

Motion To Approve Carried Resolution Number R2019-15.
D-2: Manager's Report – Appointments

Village Manager Pate stated that he wanted the public to be aware that he does not agree with the proposal of removing the current Village attorney, but he was directed to do so by Mayor Roudez, which he feels violates his statutory authority. He added the following report: The Village of University Park is a Manager form of government. Under this form of government, the Board chooses its Manager. The Board then makes policy and the Manager puts together an administration to implement that policy. During my tenure as Manager, my administration has made meaningful gains toward putting the Village’s fiscal house in order and ensuring that the Village’s government puts the people that matter to it most first: the residents of University Park. It is my wish that we be afforded the opportunity to continue this progress.

That being said, as Your Manager I will always be responsive to and mindful of the residents’ and the Board’s concerns. Certain members of the Board are seeking the personnel changes reflected in today’s agenda. If a majority of the Board - 4 members, including the Mayor - vote in favor of the changes, I will make them.

D-2a: Motion To Approve The Appointment Of The Law firm of Ottosen Britz Kelly Cooper Gilbert & DiNolfo, LTD as Village Attorneys

Trustee Jenkins-Bell moved, Trustee Williams seconded the motion to approve the appointment Of The Law firm of Ottosen Britz Kelly Cooper Gilbert & DiNolfo, LTD as Village Attorneys.

The Board discussed this item, and for clarity, Trustee Franklin asked if the current attorney’s fee was $175.00 per hour, and the proposed attorney’s fee is $140.00; is it true that there is no cap on the current attorney fee, nor the proposed attorney, and if they will be able to stay within the budgeted amount.

The response to those questions was yes, and Mayor Roudez stated that there would be guidelines relating to contact with the attorney.

Trustee Brooks stated that he was aware of the Fox News investigation, and he opposes this contract.

Trustee Jenkins-Bell asked if it was true that the current attorney had billed the Village for more than $650,000.00 for services from May 2015 to August 2015, and from May 2017 to present.

Village Manager Pate responded that those figures were inadequate, because they did not show the value of the services such as TIF work, etc. that they performed.
Roll Call:

Ayes: Trustees Williams, Jenkins-Bell, Franklin, and Mayor Roudez.

Nays: Trustee Brooks, Bolding, McMullan (electronically).

Absent: None.

Motion To Approve Carried.

D-2b: Motion To Accept The Letter Of Engagement From The Law firm of Ottosen Britz Kelly Cooper Gilbert & DiNolfo, LTD as Village Attorneys.

Trustee Jenkins-Bell moved, Trustee Williams seconded the motion to approve the Letter Of Engagement From The Law firm of Ottosen Britz Kelly Cooper Gilbert & DiNolfo, LTD as Village Attorneys.

Ayes: Trustees Williams, Jenkins-Bell, Franklin, and Mayor Roudez.

Nays: Trustee Brooks, Bolding, McMullan (electronically).

Absent: None.

Motion To Approve Carried.

E: Adjournment

Trustee Brooks moved, Trustee Williams seconded a motion to adjourn this special meeting of the Board of Trustees at 11:23 a.m.

Motion To Adjourn Carried By A Unanimous Voice Vote.

Respectfully Submitted,

Dorothy R. Jones, MMC
Village Clerk
Minutes Of The Committee Of The Whole Meeting Of The Board Of Trustees For The Village Of University Park, Will And Cook Counties Illinois, Held Tuesday, June 11, 2019 At #90 Town Center Drive In The Village Of University Park

1. CALL TO ORDER

Mayor Roudez called this committee of the whole meeting of the Board of Trustees to order at 7:02 p.m.

2. ROLL CALL

Mayor: Joseph E. Roudez III Present
Trustees: Elizabeth Williams Present
Theapilse Brooks Present
Sonia Jenkins-Bell Present
Donzell Franklin Present
Shirley A. Bolding Present
Curtis McMullan II Present

Also present were Village Manager John Pate, Village Attorney Miller, Village Treasurer James H. Ellis, Communications Specialist Neva Jenkins, Deputy Police Chief Deborah Wilson, Public Works Director Darrell Byther, and Village Clerk Dorothy R. Jones.

3. PLEDGE OF ALLEGIANCE

Mayor Roudez led the audience in the Pledge of Allegiance to the Flag of the United States of America.

4. GENERAL PUBLIC COMMENTS

Mrs. Deborah Taylor thanked the Public Works Department for the tree removal and thanked the Police Department for their patrol in the Russet Oaks Subdivision. She also requested a report from the officials who attended the conference in Las Vegas, and asked if the new Village Treasurer is licensed and bonded.

Mr. Keith Griffin voiced concern with the way Mayor Covington and some residents are talking about Village Attorney Diamond and the cost to the Village. He noted that that law firm is the one that writes and publishes the Illinois Municipal Handbook which is used by most municipalities in the State of Illinois. He further stated that the excessive cost of the attorneys was due to unwarranted calls from Mayor Covington.
General Public Comments – continued:

Mrs. Patricia Burton voiced her concerns with the lack of, or breakdown in communications of criminal activity with the 911 Communication Center and Police Department. She noted that she was disappointed with the lack of information she was given when she called in and reported sounds of gunfire. And that she feels that there should be a communications tool in place to better address resident concerns.

Mayor Roudez responded that he would definitely take a look at development of a tool to keep the residents better informed of activities in the community.

Village Manager Pate commented that currently information related to Major Crimes in the community is sent to the Village Board and supplied to the media.

Mr. Milton Payton addressed the Board and gave a synopsis related to the 2012 proposed Youth Development Center In the Town Center. He stated that this project began in 2012 and was the concept of community members and their input was used to attempt to make this a multipurpose project to include homework center, athletic programs, heating and cooling center, and he would like to see the area extended into the building that was once the cleaners to accommodate all ages, to develop Healthy bodies, Healthy Minds, Healthy Lives, and create Healthy Lifestyle Changes. And he would like to see a collaboration between the Village of University, School District 201-U and Governors State University.

Mrs. Mary Truss commented that The Community Block Club would be hosting a “Daddy’s Cook Too” Event on Saturday June 15, 2019 to honor the men in our lives at Riegel Farm beginning at 9:00 a.m. She is asking for participation from the residents, and commended the Public Works Department for a great job with the cleanup.

Mr. Devon Dilworth voiced his concerns with Village finances and the lack of proper accounting from the general ledger and fund accounts.

Ms. Deborah Stroud addressed the Mayor, Board and all present and thanked and congratulated Keely Childress for hosting a fantastic Career Empowerment Program on Saturday June 3rd, 2019. She gave a list of powerful women who came out and gave presentations to mentor young women in our community on how to be successful and to give back.

Ms. Cynthia Hudson Commended all who participated in the Torch Run For Special Olympics.
5-1: DISCUSSION ITEMS:

5-a1: Discussion — An Ordinance Amending Part Ten Title Six Chapter 1060 Sec. 1060-99 Of The Village Of University Park Code Of Ordinances.

The Board briefly discussed this item, and the concurrence of the Mayor and Board of Trustees was to move this item to the next regular agenda.

5-a2: Discussion An Ordinance Amending Part Six Chapter 674 Of The Village Of University Park Code Of Ordinances

The Board briefly discussed this item, and the concurrence of the Mayor and Board of Trustees was to move this item to the next regular agenda.

5-a3: Discussion - A Resolution Approving and Authorizing The Execution Of an Agreement By And Between The Village Of University Park And JMA Architects For Certain Services Pertaining To The Town Hall At Town Center Project.

The Board briefly discussed this item, and the concurrence of the Mayor and Board of Trustees was to move this item to the next regular agenda.

5-a4: Discussion - A Resolution Approving and Authorizing The Execution Of An Agreement By And Between The Village Of University Park And JMA Architects For Design And Engineering Services For A Youth Development Center Project

The Board briefly discussed this item, and the concurrence of the Mayor and Board of Trustees was to place this item on hold.

5-a5: Discussion - A Resolution Approving and Authorizing The Execution Of An Agreement By And Between The Village Of University Park And JMA Architects For The Assessment And Feasibility For The Renovation Of Village Owned Facilities.

Village Manager Pate stated that the assessment would be of the Hickok Pool, Riegel Farm and Town Center properties to ascertain the value of these properties. He also stated that he would be meeting with the Clorox Company to discuss the feasibility of using funds from that settlement for the project.

The Board briefly discussed this item, and the concurrence of the Mayor and Board of Trustees was to move this item to the next regular agenda.
5-a6: **Discussion - Agreement Between Len Gar Media Consultants and the Village of University Park.**

Mr. Michael Peery gave a lengthy presentation on the scope of his business and the Potential advantages for the Village to obtain his services.

The Board briefly discussed this item, and the concurrence of the Mayor and Board of Trustees was to place this item on hold.

6. **ADJOURNMENT**

Trustee Brooks moved, Trustee Williams seconded a motion to adjourn the Committee Of The Whole meeting of the Board of Trustees at 8:39 pm.

*Motion to Adjourn Carried by Unanimous Voice Vote.*

Respectfully Submitted,

______________________

Dorothy R. Jones, MMC
Village Clerk
AGENDA SECTION: NEW BUSINESS

DOCKET NUMBER: F-2a:

1st, 2nd, and 3rd Readings - An Ordinance of The Village Of University Park, Amending Part Ten Title Six Chapter 1060 Section 1060-06 Of The Village Of University Park Code Of Ordinances

SUMMARY OF REQUESTED ACTION FOR THE MEETING OF: July 9, 2019

Presented For Your Consideration And Approval Is An Ordinance Amending Par:
Ten Title Six Chapter 1060 Section 1060-06 Of The Village Of University Park
Code Of Ordinances.

APPROVED:

John E. Pate,
Village Manager

BOARD ACTION: Motion By: ___________________________ Seconded By: ___________________________
THE VILLAGE OF UNIVERSITY PARK
WILL AND COOK COUNTIES, ILLINOIS

ORDINANCE
NUMBER _____

AN ORDINANCE AMENDING
PART TEN TITLE SIX
CHAPTER 1060 SECTION 1060-06
OF THE VILLAGE OF UNIVERSITY PARK
CODE OF ORDINANCES

JOSEPH E. ROUDEZ III, Mayor
DOROTHY R. JONES, MMC Village Clerk

ELIZABETH WILLIAMS
THEAPLISE BROOKS
CURTIS MCMULLAN II
SHIRLEY A. BOLDING
SONIA JENKINS-BELL
DONZELL FRANKLIN

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of University Park
on this the 9th day of July, 2019
ORDINANCE NO. ______

AN ORDINANCE AMENDING
PART TEN TITLE SIX
CHAPTER 1060 SECTION 1060-06
OF THE VILLAGE OF UNIVERSITY PARK
CODE OF ORDINANCES

WHEREAS, the Village of University Park (hereinafter referred to as the “Village”) is an Illinois Municipal Corporation organized pursuant to the laws of the State of Illinois;

WHEREAS, the Village of University Park is a home rule unit of local government with authority granted pursuant to the Illinois Constitution of 1970, to exercise certain powers and perform certain functions pertaining to its local government and affairs;

WHEREAS, the Village has adopted and codified the Village of University Park Code of Ordinances (hereinafter referred to as the “Village Code”), as amended;

WHEREAS, the Village is interested in amending its Village Code setting forth additional rules and regulations relating to garbage pickup; and

WHEREAS, the Corporate Authorities of the Village of University Park are of the opinion that it is in the best interests of the safety, health and welfare of the residents to amend the village’s code of ordinances as referenced herein.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of University Park, Will and Cook Counties, Illinois, in open meeting assembled, pursuant to the Village of University Park’s “Home Rule Powers” that Part Ten Title Six Chapter 1060 Section 1060-06 of the Village of University Park Code of Ordinances be amended and restated pursuant to the following revisions of said code which are adopted and made a part of and hereby restated as follows:
Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section Two – Amendment to Part Ten Title Six Chapter 1060 Section 1060-06

Part Ten Title Six Chapter 1060 Section 1060-06 shall be amended and restated as follows:

(a) All single-family residence refuse shall be collected at least once each week, on either Tuesday or Wednesday.
(b) All institutional, commercial and industrial refuse shall be collected at least once each week or as often as necessary to prevent accumulation.
(c) It shall be the duty of the person having household garbage or refuse to place the garbage, refuse or recycling on the day of collection on the curb in front of the residential premise receiving disposal services no earlier than 7 pm on the day preceding the designated collection day. All containers shall be removed by 7 pm on the date of collection.
(d) All garbage, refuse and recycling containers shall not be stored in the front yards on non-trash days. All garbage, refuse, recycling containers shall be stored behind a privacy fence or out of view from the curbside.

Section Three – Codification

The title, chapter(s) and section(s) adopted by this Ordinance shall be numbered and placed in an appropriate title, chapter(s), and sections(s) sections when and during the codification of the University Park Municipal Code.

Section Four – Home Rule Preemption

This ordinance represents an exercise of the home rule powers conferred upon the Village of University Park by the Constitution of the State of Illinois. This ordinance is specifically intended to preempt any state law provision that it conflicts with to the extent permitted under the Constitution of the State of Illinois.

Section Five - Conflict Clause

That all ordinances or parts of ordinances in conflict with the terms of this Ordinance shall be repealed to the extent of said conflict.

Section Six - Constitutionality Clause
Any part or parts of this Ordinance declared by a court of law to be invalid or unconstitutional shall not affect the validity of the remaining provisions of the University Park Municipal Code.

Section Seven - Passage Clause

That this Ordinance shall take full force and effect from and after its passage, approval and publication as provided by law.

Section Eight - Publication

This Ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Nine - Recording

This Ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of University Park.
**DECIDED** pursuant to a Roll Call Vote:

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**PASSED AND APPROVED** by the Village of University Park Board of Trustees on the 9th day of July, 2019:

__________________________
Joseph E. Roudez III
Mayor

ATTEST:

__________________________
Dorothy R. Jones, MMC
Village Clerk
STATE OF ILLINOIS )
COUNTIES OF WILL AND COOK )

CLERK’S CERTIFICATION

I, Dorothy R. Jones, MMC do hereby certify that I am the duly elected and qualified Village Clerk in and for the Village of University Park, Will and Cook Counties, Illinois; that I am the keeper of the files, records, and seal of said Village, and that the following is a true and correct copy of Ordinance No. ________

AN ORDINANCE AMENDING
PART TEN TITLE SIX CHAPTER 1060 SECTION 1060-06
OF THE VILLAGE OF UNIVERSITY PARK
CODE OF ORDINANCES

adopted and approved by the Mayor and the Board of Trustees at an official meeting held on July 9, 2019 and that the vote on the motion for adoption was as follows:

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I do further certify that the deliberations of the Board on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Village Code of the Village of University Park, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

I further state that this Certification is issued under my hand and the seal of the Village of University Park as required in the Illinois Compiled Statutes 65 ILCS 5/1-2-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Corporate Seal of said Village of University Park, Will and Cook Counties, Illinois on the date set forth herein.

Dorothy R. Jones, MMC
Village Clerk
VILLAGE OF UNIVERSITY PARK

Request For Board Action

AGENDA SECTION: NEW BUSINESS

DOCKET NUMBER: F-2b:

Appointments To Mayors Office Of Special Events (MOSE)

SUMMARY OF REQUESTED ACTION MEETING OF: July 9, 2019

With the concurrence of the Board of Trustees, I am appointing the following

Individuals to the Mayors Office of Special Events:

Voting Members:

Roosevelt Martin – Full 3 Year Term. Expires December 31, 2022
Linda Roudez - Full 3 Year Term. Expires December 31, 2022
Deborah J. Stroud - Full 3 Year Term. Expires December 31, 2022
Natalia Hill – Full 2 Year Term. Expires December 31, 2021
Torrian Moore - Full 2 Year Term. Expires December 31, 2022.

Associate Members:

Anthony Peplar, Karen Lewis, Reginald Hill, Cynthia Hill, Vanessa Lawson,
Steve Harris and Tamika Harry.

APPROVED: _______________________________________

John E. Pate,
Village Manager

BOARD ACTION:  Motion By: ____________________________ Seconded By: ____________________________

Ordinance Number: ____________________________ Resolution Number: ____________________________

Comments:
VILLAGE OF UNIVERSITY PARK

Request For Board Action

AGENDA SECTION: NEW BUSINESS    DOCKET NUMBER: F-2c:

Motion To Approve A Letter Of Engagement of Stanley Pagorek As Village Prosecutor and Hearing Officer

SUMMARY OF REQUESTED ACTION MEETING OF: July 9, 2019

Presented For Your Consideration and Approval is a Letter Of Engagement To Approve The Appointment of Stanley Pagorek As Village Prosecutor and Hearing Officer.

APPROVED: ____________________________

John E. Pate,
Village Manager

BOARD ACTION: Motion By: __________________________ Seconded By: __________________________

Ordinance Number: __________________________ Resolution Number: __________________________

Comments:
July 2, 2019

Mayor Joseph E. Roudez  
Village of University Park  
698 Burnham Drive  
University Park, IL 60484  

John E. Pate  
Village of University Park  
698 Burnham Drive  
University Park, IL 60484  

Re: Village Prosecutor and Hearing Officer Engagement Letter

Gentlemen:

Please let this letter serve as a formal acknowledgment and engagement as the Prosecutor and Municipal Hearing Officer for the Village of University Park.

1. **Engagement and Assumption of Duties:** The undersigned, Stanley W. Pagorek, hereby agrees to undertake the obligations and responsibilities of Village Prosecutor and Municipal Hearing Officer/Adjudicator for the Village of University Park commencing on August 1, 2019.

2. **Compensation:** The retainer fee shall compensate the Village Prosecutor/Hearing Officer for routine matters of prosecutorial and acting as a hearing officer. The compensation for the aforesaid duties shall be a monthly flat retainer of two thousand five hundred dollars ($2,500.00) payable within thirty (30) days after the month of service. I shall submit monthly statements as soon as practical after the month of service. This compensation shall commence on August 1, 2019 until termination or otherwise mutually agreed upon.

3. **Cooperation with Village Attorneys:** The Prosecutor shall cooperate, consult with and work with the Village Attorneys and advise them of any potential conflicts or potential litigation that the Village Prosecutor becomes aware of.

4. **Independent Contractor Status:** The parties acknowledge that the Village Prosecutor/Hearing Officer shall not be considered to be an employee of the Village for any purposes whatsoever. The Village Prosecutor/Hearing Officer shall consult with the Mayor and/or the Village Manager as authorized agent of the Village as to the result of legal services rendered only and not as to the means by which legal services are rendered. This agreement shall not be construed as a partnership or a joint venture and neither party shall be liable for any obligation incurred by the other as except as provided herein. The Village shall not pay or withhold from compensation any amounts of taxes or any amounts of federal insurance contributions, Social Security, Workers Compensation or Unemployment Compensation Acts and/or any other payments, deductions or withholdings for any federal, state or local statute or ordinance pertaining to employees unless requested by the Village Prosecutor/Hearing Officer.

Dated the ______ day of _______________ 2019.

Village of University Park

By:

______________________________  
Joseph E. Roudez, Mayor

______________________________  
Stanley W. Pagorek, Village Prosecutor/Hearing Officer

______________________________  
John E. Pate, Village Manager
AGENDA SECTION: NEW BUSINESS  DOCKET NUMBER: F-2d:

DISCUSSION - An Ordinance Amending Part Eight Title Four Of The Village Of University Park Code Of Ordinances Creating A Motor Fuel Tax

SUMMARY OF REQUESTED ACTION MEETING OF:  July 9, 2019

Presented For Discussion Is An Ordinance Amending Part Eight Title Four Of The Village Of University Park Code Of Ordinances Creating A Motor Fuel Tax.

Attorney Castaldo states that Upon the request of the Village Manager his office has begun the research into the implementation of a motor fuel tax. Attached is a DRAFT for discussion purposes ------ He still want to review a couple of things and may change parts of the ordinance but this will provide the board with the opportunity to have the requisite discussion at the July 9 board meeting so that a final DRAFT may be adopted at the August meeting

APPROVED:_______________________________________________________

John E. Pate,
Village Manager

BOARD ACTION:  Motion By: ______________________  Seconded By: ________________________

Ordinance Number: ______________________  Resolution Number: ______________________

Comments:
THE VILLAGE OF UNIVERSITY PARK
WILL AND COOK COUNTIES, ILLINOIS

ORDINANCE
NUMBER _____

AN ORDINANCE AMENDING
PART EIGHT TITLE FOUR
OF THE VILLAGE OF UNIVERSITY PARK
CODE OF ORDINANCES
CREATING A MOTOR FUEL TAX

JOSEPH E. ROUDEZ III, Mayor
DOROTHY R. JONES, MMC Village Clerk

ELIZABETH WILLIAMS
THEAPLISE BROOKS
CURTIS McMULLAN II
SHIRLEY A. BOLDING
SONIA JENKINS-BELL
DONZELL FRANKLIN

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of University Park
on this the 9th day of July, 2019
ORDINANCE NO. ___

AN ORDINANCE AMENDING
PART EIGHT TITLE FOUR
OF THE VILLAGE OF UNIVERSITY PARK
CODE OF ORDINANCES
CREATING A MOTOR FUEL TAX

WHEREAS, the Village of University Park (hereinafter referred to as the "Village") is a "Home Rule Unit" under the 1970 Illinois Constitution;

WHEREAS, the Illinois Constitution of 1970 provides that a Home Rule Unit may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license, to tax; and to incur debt;

WHEREAS, the Village has in full force and effect a codified set of those ordinances of the Village which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of University Park, as amended;

WHEREAS, the Village Board is of the opinion that additional revenues are needed to assist in defraying the growing costs of associated with the operation of the various municipal departments and in further support of services provided to the residents of the Village in support of their respective health, safety and welfare;

WHEREAS, Part Eight Title Four provides for the taxation of certain services and/or goods and related regulations;

WHEREAS, the Village Board finds that the best interest of the Village is served by adopting a tax upon the retail purchase of motor fuel and/or diesel fuel within the Village; and

WHEREAS, the Village Board finds it necessary and proper to amend said Code as follows, which this Board finds is in the best interests the health, welfare and safety of the residents of the Village of University Park.
NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of University Park, Will and Cook Counties, Illinois, in open meeting assembled, pursuant to the Village of University Park’s “Home Rule Powers” that the Village of University Park Code of Ordinances be amended and restated as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section Two – Part Eight Title Four

Part Eight Title Four shall be amended by the creation and insertion of Chapter 901 Motor Fuel Tax as follows:

CHAPTER 901 - LOCAL MOTOR FUEL TAX

Section 901-01 - Definitions

For purposes of this Chapter, the following words and phrases shall have the meaning ascribed to them in this Section:

Motor Fuel - All volatile liquids compounded or used for fueling motor vehicles, including gasoline, gasohol, compressed natural gas and diesel fuel.

Motor Fuel Retailer - Any person, firm or corporation engaged in the business of selling motor fuel at retail, and not for resale.

Section 901-02 - Tax Imposed

There is hereby imposed and levied a tax upon the retail purchase within the village of motor fuel at the rate of ($0.03) per gallon or fraction thereof. This tax shall be in addition to any and all other taxes. The ultimate incidence and liability for payment of such tax shall be upon the retail purchaser of motor fuel. Nothing herein shall be construed to impose a tax upon the occupation of selling motor fuel.

Section 901-03 - Collection of Tax
Each motor fuel retailer in the Village shall have the duty to collect the motor fuel tax from each purchaser and to pay it over to the Village, along with an accounting therefor, on return forms provided by the Village. The return and tax payment shall be filed with the Comptroller on the same filing dates as are established for filing with the Illinois Department of Revenue of the Retailer’s Occupational Tax Return Form RR-1-A.

Section 901-04 - Maintenance of Records

Each licensee shall have a duty to maintain complete and accurate books, records and accounts showing the gross receipts for the sale of motor fuel and the taxes collected from the purchaser thereof, which shall be available in the village for examination and for audit by the village upon reasonable notice during customary business hours.

Section 901-04 - Late Payment Penalty

If any tax imposed by this subchapter is not paid over to the village when due, a late payment penalty equal to 1% of the unpaid tax is added for each month, or any portion thereof, that such tax remains unpaid and the total of such late payment penalty shall be paid along with the tax imposed hereby.

Section 901-05 - Penalty for violation

In addition to the remaining provisions of this chapter, any person found, in a court of competent jurisdiction of violating, disobeying, omitting, neglecting or refusing to comply with or resisting or opposing the enforcement of any provision of this chapter, shall be fined not less than $50.00 nor more than $1,000.00.

Section 901-06 - License suspension, revocation.

Payment and collection of the local motor fuel tax and any payment penalty may be enforced by action in any court of competent jurisdiction and failure to collect, account for, and pay over said tax shall be cause for suspension or revocation of any village license issued for such facility applicable to the premises thereof, in addition to any other penalties in this article.
Section Three – Codification

The title, chapter(s) and section(s) adopted by this Ordinance shall be numbered and placed in an appropriate title, chapter(s), and sections(s) sections when and during the codification of the University Park Municipal Code.

Section Four - Direction

Village staff, if necessary, is hereby directed to contact and record this ordinance with the respective State of Illinois agencies and/or departments which may include but not be limited to the Illinois Department of Revenue in order to implement said tax.

Section Five – Home Rule Preemption

This ordinance represents an exercise of the home rule powers conferred upon the Village of University Park by the Constitution of the State of Illinois. This ordinance is specifically intended to preempt any statutory provision that it conflicts with to the extent permitted under the Constitution of the State of Illinois.

Section Six - Conflict Clause

That all ordinances or parts of ordinances in conflict with the terms of this Ordinance shall be repealed to the extent of said conflict.

Section Seven - Constitutionality Clause

Any part or parts of this Ordinance declared by a court of law to be invalid or unconstitutional shall not affect the validity of the remaining provisions of the University Park Municipal Code.

Section Eight - Passage Clause

That this Ordinance shall take full force and effect from and after its passage, approval and publication as provided by law.

Section Nine - Publication

This Ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.
Section Ten - Recording

This Ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of University Park.
DECIDED pursuant to a Roll Call Vote:

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PASSED AND APPROVED by the Village of University Park Board of Trustees on the 9th day of July, 2019:

______________________________
Joseph E. Roudez III
Mayor

ATTEST:

______________________________
Dorothy R. Jones, MVC
Village Clerk
STATE OF ILLINOIS  )
)   SS
COUNTIES OF WILL AND COOK   )

CLERK'S CERTIFICATION

I, Dorothy R. Jones, MMC do hereby certify that I am the duly elected and qualified Village Clerk in and for the Village of University Park, Will and Cook Counties, Illinois; that I am the keeper of the files, records, and seal of said Village, and that the following is a true and correct copy of Ordinance No. ________

AN ORDINANCE AMENDING
PART EIGHT TITLE FOUR
OF THE VILLAGE OF UNIVERSITY PARK
CODE OF ORDINANCES CREATING A MOTOR FUEL TAX

adopted and approved by the Mayor and the Board of Trustees at an official meeting held on July 9, 2019 and that the vote on the motion for adoption was as follows:

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I do further certify that the deliberations of the Board on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Village Code of the Village of University Park, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

I further state that this Certification is issued under my hand and the seal of the Village of University Park as required in the Illinois Compiled Statues 65 ILCS 5/1-2-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Corporate Seal of said Village of University Park, Will and Cook Counties, Illinois on the date set forth herein.

______________________________  (SEAL)

Dorothy R. Jones, MMC
VILLAGE OF UNIVERSITY PARK

Request For Board Action

AGENDA SECTION: NEW BUSINESS

DOCKET NUMBER: F-2e:

DISCUSSION - Resolution Of The Village Of University Park, Will And Cook Counties, Illinois. An Ordinance Approving Jurisdictional Transfer Of Certain Property And Authorizing The Execution Of A Jurisdictional Transfer Agreement By And Between The Village Of University Park And Will County

SUMMARY OF REQUESTED ACTION MEETING OF: July 9, 2019

Presented For Discussion Is A Resolution Of The Village Of University Park, Will And Cook Counties, Illinois Approving Jurisdictional Transfer Of Certain Property And Authorizing The Execution Of A Jurisdictional Transfer Agreement By And Between The Village Of University Park And Will County

APPROVED: John E. Pate, Village Manager

BOARD ACTION: Motion By: Seconded By: Ordinance Number: Resolution Number: Comments:
THE VILLAGE OF UNIVERSITY PARK
WILL AND COOK COUNTIES, ILLINOIS

ORDINANCE
NUMBER

AN ORDINANCE
APPROVING JURISDICTIONAL TRANSFER OF
CERTAIN PROPERTY AND
AUTHORIZING THE EXECUTION OF
A JURISDICTIONAL TRANSFER AGREEMENT
BY AND BETWEEN
THE VILLAGE OF UNIVERSITY PARK AND
WILL COUNTY

JOSEPH E. ROUDEZ III, Mayor
DOROTHY R. JONES, MMC Village Clerk

ELIZABETH WILLIAMS
THEAPLISE BROOKS
CURTIS McMULLAN II
SHIRLEY A. BOLDING
SONIA JENKINS-BELL
DONZELL FRANKLIN

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of University Park
on this the 9th day of July, 2019
ORDINANCE NO._____

AN ORDINANCE
APPROVING JURISDICTIONAL TRANSFER OF
CERTAIN PROPERTY AND
AUTHORIZING THE EXECUTION OF
A JURISDICTIONAL TRANSFER AGREEMENT
BY AND BETWEEN
THE VILLAGE OF UNIVERSITY PARK AND
WILL COUNTY

WHEREAS, the Village of University Park (hereinafter referred to as the “Village”) is a
home rule unit of local government with authority granted pursuant to the Illinois Constitution of
1970, to exercise certain powers and perform certain functions pertaining to its local government
and affairs;

WHEREAS, Article VII, Section 10 of the Illinois Constitution of 1970 authorizes units of
local government, including municipalities, to contract to exercise, combine or transfer any power
or function not prohibited to them by law or ordinance;

WHEREAS, the “Intergovernmental Cooperation Act”, 5 ILCS 220/1 et seq., provides that
any power or powers, privileges or authority exercised or which may be exercised by a unit of
local government may be exercised and enjoyed jointly with any other unit of local government;

WHEREAS, the parties hereto are units of local government as defined by the Constitution
of the State of Illinois, 1970, Article VII, Section 10, and the Intergovernmental Cooperation Act;

WHEREAS, the Village of University Park has requested the County of Will to accept
jurisdiction of University Park/Exchange Street (FAU 1638) to the County’s Street System;

WHEREAS, pursuant to 605 ILCS 5/4-409 the Illinois Department of Transportation has
the authority to approve this jurisdictional transfer of University Park/Exchange Street (FAU 1638);
and
WHEREAS, the Corporate Authorities of the Village of University Park have determined that it is in the best interests of the health, safety and welfare of the residents of the Village of University Park to enter into an Intergovernmental Agreement for the purposes referenced herein.

NOW, THEREFORE, BE IT RESOLVED by the Village President and Board of Trustees of the Village of University Park, Will and Cook Counties, Illinois pursuant to the Village of University Park’s “Home Rule Powers” as follows:

Section One - Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section Two – Jurisdictional Transfer

The Village Board of University Park hereby approves the Jurisdictional Transfer of the property referenced in the Location Map which is attached hereto and made a part hereof as Exhibit B and requests that the County of Will accept University Park/Exchange Street (FAU 1638) from the east edge of pavement of Old Monee Road (CH 48) to the west edge of pavement of Wester Avenue (CH 53), in its entirety and that upon approval of the Illinois Department of Transportation and the Will County Board, the County of Will accepts the jurisdictional transfer of the above described portions of University Parkway/Exchange Street.

Section Three – Approval of Jurisdictional Transfer Agreement

The Village hereby approves the Jurisdictional Agreement substantially in the form attached hereto and made a part hereof as Exhibit A and directs the Village President or his designee to negotiate final terms, if any, with the advice of the Village Attorney.

Section Four – Authorization and Direction

The Village President is hereby authorized to execute, and the Village Clerk is hereby authorized to attest the Intergovernmental Agreements, and affix the Seal of the Village to all such documents as are deemed necessary to effectuate the intent of this Ordinance, substantially in
the form of such Intergovernmental Agreement attached hereto as Exhibit A, with such changes therein as shall be approved by the Village Attorney and the officials of the Village executing the same, their execution thereof to constitute exclusive evidence of their approval to any and all changes or revisions therein from and after the execution and delivery of such Intergovernmental Agreements, whether or not such other documents are attached hereto.

Section Five - Other Actions Authorized

The officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this Ordinance and otherwise to consummate the transactions contemplated herein, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

Section Six - Acts of Village Officials

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this Ordinance are hereby, in all respects, ratified, approved, authorized and confirmed.

Section Seven - Effective Date

This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section Eight - Publication

This Ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Nine - Conflict Clause

All Ordinances in conflict herewith are hereby repealed to the extent of such conflict.
Section Ten - Saving Clause

If any section, paragraph, clause or provision of this Ordinance is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of any other provisions of this Ordinance, which are hereby declared to be separable.

Section Eleven - Recording

This Ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of University Park.
DECIDED pursuant to a Roll Call Vote:

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PASSED AND APPROVED by the Village of University Park Board of Trustees on the 9th day of July, 2019:

Joseph E. Roudez III
Mayor

ATTEST:

Dorothy R. Jones, MVC
Village Clerk
STATE OF ILLINOIS )
COUNTIES OF WILL AND COOK )

CLERK’S CERTIFICATION

I, Dorothy R. Jones, MMC do hereby certify that I am the duly elected and qualified Village Clerk in and for the Village of University Park, Will and Cook Counties, Illinois; that I am the keeper of the files, records, and seal of said Village, and that the following is a true and correct copy of Ordinance No. _________

AN ORDINANCE APPROVING JURISDICTIONAL TRANSFER OF CERTAIN PROPERTY AND AUTHORIZING THE EXECUTION OF A JURISDICTIONAL TRANSFER AGREEMENT

BY AND BETWEEN THE VILLAGE OF UNIVERSITY PARK AND WILL COUNTY

adopted and approved by the Mayor and the Board of Trustees at an official meeting held on July 9, 2019 and that the vote on the motion for adoption was as follows:

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I do further certify that the deliberations of the Board on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Village Code of the Village of University Park, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

I further state that this Certification is issued under my hand and the seal of the Village of University Park as required in the Illinois Compiled Statutes 65 ILCS 5/1-2-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Corporate Seal of saic Village of University Park, Will and Cook Counties, Illinois on the date set forth herein.

____________________________     (SEAL)
Dorothy R. Jones, MMC
Village Clerk
Exhibit A

Jurisdictional Transfer Agreement
Jurisdictional Transfer Agreement  
(Local Public Agency to Local Public Agency)

CONVEYOR  
Local Public Agency No. 1  County  
University Park  Will

RECIPIENT  
Local Public Agency No. 2  County of Will  

In accordance with authority granted in Section 4-409 of the Illinois Highway Code, this agreement is made and entered into between the above Local Public Agency No. 1 hereinafter referred to as "Conveyor" and the above Local Public Agency No. 2, hereinafter referred to as "Recipient", to transfer the jurisdiction of the designated location from the Conveyor to the Recipient.

Location Description

<table>
<thead>
<tr>
<th>Road Name</th>
<th>Route(s)</th>
<th>Length</th>
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<tbody>
<tr>
<td>University Parkway/Exchange Street</td>
<td>FAU 1638</td>
<td>1.6</td>
</tr>
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</table>

Key Route(s) Information

Termini

from the east edge of pavement of Old Monee Road (CH 48) to the west edge of pavement of Western Avenue (CH 53), in its entirety.

This transfer  ☒ does not  ☐ does include  NBIS Structure No(s).

Include for Municipalities Only

WHEREAS, the authority to make changes to the Municipal Street System is granted to the Municipality of Section 7-101 of the Illinois Highway Code. NOW THEREFORE IT IS AGREED that the corporate authority of said municipality will pass an ordinance providing for the transfer of the above location and shall attach hereto and make a part thereof a copy of a location map as Addendum No. 1 and an original of the ordinance as Addendum No. 2 and

Include for Counties Only

WHEREAS, the authority to make changes to the County Highway System is granted to the County by Section 5-105 of the Illinois Highway Code. NOW THEREFORE IT IS AGREED that the County Board of said County will pass a resolution providing for the transfer of the above location and shall attach hereto and make a part thereof a copy of such location map as Addendum No. 1 and an original of the resolution as Addendum No. 2, and

Include for Township/Road Districts Only

WHEREAS, the authority to make changes to the Township/Road District System is granted to the Highway Commissioner under Section 6-201.3 of the Illinois Highway Code. The Conveyor Agrees to prepare a map of the above location and attach a copy of such location map hereto. IT IS MUTUALLY AGREED, that this jurisdictional transfer will become effective (check one):

☐ Upon IDOT approval  ☐ calendar days after  ☐ other

Upon County acceptance of the completed improvements under section 18-00028-00-RS
Attachments
Additional information and/or stipulations, if any, are hereby attached and identified below as being a part of this agreement.

☐ Location Map (Addendum No. 1)
☐ Ordinance/Resolution (Addendum No. 2)

IT IS FURTHER AGREED, that the provisions of this agreement shall be binding upon and insure to the benefit of the parties hereto, their successor and assigns.

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<th>APPROVED BY CONVEYOR</th>
<th>APPROVED BY RECIPIENT</th>
<th>APPROVED</th>
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<tbody>
<tr>
<td>Name of Local Public Agency Official</td>
<td></td>
<td></td>
<td>STATE OF ILLINOIS</td>
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<tr>
<td>Title</td>
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<td>DEPARTMENT OF TRANSPORTATION</td>
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<tr>
<td>Local Public Agency Official</td>
<td>Date</td>
<td>Local Public Agency Official</td>
<td>Date</td>
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<td>Office of Program Development</td>
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Printed 06/21/19
BLR 05212

This form shall be used when a Local Public Agency (LPA) and another Local Public Agency desire a jurisdictional transfer of a roadway. For more information see Chapter 5 of the Bureau of Local Roads and Street Manual (BLRS Manual). For signature requirements, refer to Chapter 2, Section 3.05(b) of the BLRS Manual.

**Conveyor**

Local Public Agency No. 1 Insert the name of LPA who is the conveyor for the jurisdictional transfer

County Insert the name of the county in which the LPA is located.

**Recipient**

Local Public Agency No. 2 Insert the name of LPA who is the recipient for the jurisdictional transfer

County Insert the name of the county in which the LPA is located.

**Location Description**

Local Name Insert the local(common) name of the roadway involved in the transfer.

Route Insert the route number of the roadway involved in the transfer.

Length Insert the length of the transfer in miles to the nearest hundredth.

**Key Route Information**

Insert the key route(s) information of the roadway involved in the transfer. This information will need to be obtained from the Department of Transportation. It will be a 14 digit code.

**Termini**

Insert the beginning and ending termini of the transfer. When describing the limits of the jurisdictional transfer the wording of the termini description should be consistent between the agreement itself and any ordinances, or resolutions that may be included with the agreement. If not enough room insert page.

**Structure Transfer**

Check the appropriate box as to the status of the transfer of any structures located within termini of the roadway transfer. List structures on the line provided. If no structure exists then insert N/A on the line. Any structure not specifically excluded is considered part of the jurisdictional transfer. The number must be the NBIS number. If there is not enough room to list all NBIS structures, then attach list of structures on a separate piece of paper as an addendum.

**Effective Jurisdictional Transfer Date**

Check the appropriate box as to when the jurisdictional transfer will become effective. For a number of calendar days transfer insert the number of calendar days and the date after. For other check the box and insert when effective, example upon final acceptance.

**Attachments**

List any additional information and/or stipulations that are part of this agreement.

**Signatures**

Local Public Agency (Conveyor) The LPA shall insert their name, title then sign and date.

Local Public Agency (Recipient) The LPA shall insert their name, title then sign and date.

State of Illinois Upon approval the Department of Transportation shall sign and date here.

Attachments: Attach as required a location map of the jurisdictional transfer as Addendum No. 1, and if required a resolution or ordinance as Addendum No. 2, along with any other required attachments. All attachments must be legible and in black and white.

A minimum of three (3) signed originals must be submitted to the Regional Engineer's District office.

Following the IDOT's Approval, distribution will be as follows:

Local Public Agency Clerk (one for each LPA)

District File (Electronically after execution)

Bureau of Local Roads and Streets Central Office

Bureau of Operations District Office (Electronically after execution)

District Roadway Inventory (Electronically after execution)
AGENDA SECTION: NEW BUSINESS

DISCUSSION - Resolution Approving And Authorizing The Execution Of Intergovernmental Agreement By And Between The Village Of University Park And Will County Maintenance Of Appurtenances

SUMMARY OF REQUESTED ACTION MEETING OF: July 9, 2019

Presented For Discussion Is A Resolution Approving And Authorizing The Execution Of Intergovernmental Agreement By And Between The Village Of University Park And Will County Maintenance Of Appurtenances

APPROVED: ____________________________

John E. Pate,
Village Manager

BOARD ACTION: Motion By: ____________________________ Seconded By: ____________________________

Ordinance Number: ____________________________ Resolution Number: ____________________________

Comments:
THE VILLAGE OF UNIVERSITY PARK
WILL AND COOK COUNTIES, ILLINOIS

RESOLUTION
NUMBER——

A RESOLUTION
APPROVING AND AUTHORIZING
THE EXECUTION OF
INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN
THE VILLAGE OF UNIVERSITY PARK AND
WILL COUNTY
MAINTENANCE OF APPURTENANCES

JOSEPH E. ROUDEZ III, Mayor
DOROTHY R. JONES, MMC Village Clerk

ELIZABETH WILLIAMS
THEAPLISE BROOKS
CURTIS MCMULLAN II
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SONIA JENKINS-BELL
DONZELL FRANKLIN

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of University Park
on this the 9th day of July, 2019
RESOLUTION NO. _____

A RESOLUTION
APPROVING AND AUTHORIZING
THE EXECUTION OF
INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN
THE VILLAGE OF UNIVERSITY PARK AND
WILL COUNTY
MAINTENANCE OF APPURTENANCES

WHEREAS, the Village of University Park (hereinafter referred to as the “Village”) is a
home rule unit of local government with authority granted pursuant to the Illinois Constitution of
1970, to exercise certain powers and perform certain functions pertaining to its local government
and affairs;

WHEREAS, Article VII, Section 10 of the Illinois Constitution of 1970 authorizes units of
local government, including municipalities, to contract to exercise, combine or transfer any power
or function not prohibited to them by law or ordinance;

WHEREAS, the “Intergovernmental Cooperation Act” (5 ILCS 220/1 et seq.) authorizes
units of local government to exercise jointly with any public agency of the State, including other
units of local government, any power, privilege or authority which may be exercised by a unit of
local government individually, and to enter into contracts for the performance of governmental
services, activities and undertakings;

WHEREAS, the “Intergovernmental Cooperation Act”, 5 ILCS 220/1 et seq., provides that
any power or powers, privileges or authority exercised or which may be exercised by a unit of
local government may be exercised and enjoyed jointly with any other unit of local government;

WHEREAS, Section 5 of the “Intergovernmental Cooperation Act”, 5 ILCS 220/5, provides
that any one or more public agencies may contract with any one or more public agencies to
perform any governmental service, activity or undertaking which any of the public agencies
entering into the contract is authorized by law to perform, provided that such contract shall be
authorized by the governing body of each party to the contract;

WHEREAS, the parties hereto are units of local government as defined by the Constitution
of the State of Illinois, 1970, Article VII, Section 10, and the Intergovernmental Cooperation Act;

WHEREAS, the respective parties are interested in facilitating the free flow of traffic and
insuring the safety to the motoring public and as a result of which inspect the various roadways
and thoroughfares within their respective jurisdictions;

WHEREAS, as part of certain improvements the Village has existing appurtenances and
is desirous of locating additional appurtenances in the future which include but are not limited to
sidewalks, bike paths, streetlights and crosswalks for the purpose of promoting public safety
located at various locations along the County Highway System within the Village municipal limits;

WHEREAS, it is necessary that portions of the appurtenances be located on Will County
roads and/or rights of way;

WHEREAS, the Village and Will County are interested in cooperating with each other and
determining the rights and responsibilities of each party regarding the location, construction and
maintenance of the said appurtenances; and

WHEREAS, the Corporate Authorities of the Village of University Park have determined
that it is in the best interests of the health, safety and welfare of the residents of the Village of
University Park to enter into an Intergovernmental Agreement for the purposes referenced herein.

NOW, THEREFORE, BE IT RESOLVED by the Village President and Board of Trustees
of the Village of University Park, Will and Cook Counties, Illinois pursuant to the Village of
University Park’s "Home Rule Powers” as follows:

Section One - Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as
contained in the preamble to this Resolution are full, true and correct and do hereby, by reference,
incorporate and make them part of this Resolution as legislative findings.
Section Two – Approval of Intergovernmental Agreement

The Village hereby approves the Intergovernmental Agreement substantially in the form attached hereto and made a part hereof as Exhibit A and directs the Village President or his designee to negotiate final terms, if any, with the advice of the Village Attorney.

Section Three – Authorization and Direction

The Village President is hereby authorized to execute, and the Village Clerk is hereby authorized to attest the Intergovernmental Agreements, and affix the Seal of the Village to all such documents as are deemed necessary to effectuate the intent of this Resolution, substantially in the form of such Intergovernmental Agreement attached hereto as Exhibit A, with such changes therein as shall be approved by the Village Attorney and the officials of the Village executing the same, their execution thereof to constitute exclusive evidence of their approval to any and all changes or revisions therein from and after the execution and delivery of such Intergovernmental Agreements, whether or not such other documents are attached hereto.

Section Four - Other Actions Authorized

The officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this Resolution and otherwise to consummate the transactions contemplated herein, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

Section Five – Authorization of Expenditures

The Corporate Authorities hereby authorize and direct the expenditure of all costs related to the execution of the Intergovernmental Agreement, additionally, the Village is authorized and directed to allocate and spend all necessary funds to fulfill the requirements of the Intergovernmental Agreements and of this Resolution.
Section Six - Acts of Village Officials

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this Resolution are hereby, in all respects, ratified, approved, authorized and confirmed.

Section Seven - Effective Date

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

Section Eight - Publication

This Resolution shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Nine - Conflict Clause

All Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section Ten - Saving Clause

If any section, paragraph, clause or provision of this Resolution is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of any other provisions of this Resolution, which are hereby declared to be separable.

Section Eleven - Recording

This Resolution shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of University Park.
DECIDED pursuant to a Roll Call Vote:

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PASSED AND APPROVED by the Village of University Park Board of Trustees on the 9th day of July, 2019:

__________________________
Joseph E. Roudez III
Mayor

ATTEST:

__________________________
Dorothy R. Jones, MMC
Village Clerk
STATE OF ILLINOIS  )
COUNTIES OF WILL AND COOK )

CLERK’S CERTIFICATION

I, Dorothy R. Jones, MMC do hereby certify that I am the duly elected and qualified Village Clerk in and for the Village of University Park, Will and Cook Counties, Illinois; that I am the keeper of the files, records, and seal of said Village, and that the following is a true and correct copy of Resolution No. __________

A RESOLUTION APPROVING AND AUTHORIZING
THE EXECUTION OF INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN THE VILLAGE OF UNIVERSITY PARK AND
WILL COUNTY MAINTENANCE OF APPURTENANCES

adopted and approved by the Mayor and the Board of Trustees at an official meeting held on July 9, 2019 and that the vote on the motion for adoption was as follows:

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I do further certify that the deliberations of the Board on the adoption of said Resolution were conducted openly, that the vote on the adoption of said Resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Village Code of the Village of University Park, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

I further state that this Certification is issued under my hand and the seal of the Village of University Park as required in the Illinois Compiled Statutes 65 ILCS 5/1-2-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Corporate Seal of said Village of University Park, Will and Cook Counties, Illinois on the date set forth herein.

__________________________________________
Dorothy R. Jones, MMC
Village Clerk

(SEAL)
Exhibit A

Intergovernmental Agreement
INTERGOVERNMENTAL AGREEMENT
BETWEEN THE COUNTY OF WILL
AND
VILLAGE OF UNIVERSITY PARK

This Intergovernmental Agreement is made and entered into this ___ day of
____________, 2019, by and between the COUNTY OF WILL, a unit of local Government
(hereinafter referred to as the “COUNTY”) and VILLAGE OF UNIVERSITY PARK

WITNESSETH:

WHEREAS, The VILLAGE OF UNIVERSITY PARK has appurtenances (both existing
and future) within said rights of way including but not limited to sidewalk, bike paths, streetlights,
crosswalks, and the Traffic Signal at Burnham Drive for the purpose of promoting public safety
located at various locations along the County Highway System within the VILLAGE OF
UNIVERSITY PARK municipal limits; and

WHEREAS, it is necessary that portions of the appurtenances be located on Will County
roads and / or rights of way and

WHEREAS, the COUNTY and the VILLAGE OF UNIVERSITY PARK have elected to
cooperate with each other and determine the rights and responsibilities of each party regarding the
location, construction and maintenance of the above said appurtenances; and

WHEREAS, this agreement is entered into pursuant to the Intergovernmental Cooperation
Act (5 ILCS 220/1 et seq.).

NOW THEREFORE, in consideration of the mutual promises, obligations and undertakings
set forth herein, the parties agree as follows:

1. The above Recitals are substantive and are incorporated herein by reference as if fully set
forth.

2. COUNTY shall permit portions of said appurtenances to be located on COUNTY roads and
rights of way.

3. The VILLAGE OF UNIVERSITY PARK shall be responsible for payment of all expenses
for the construction and maintenance of said appurtenances, including restoration of the
premises or any disturbed landscaping.

4. The VILLAGE OF UNIVERSITY PARK shall be responsible for 100% of all future
maintenance, operation, and replacement costs of the Traffic Signal at Burnham Drive.
5. If the State of Illinois adopts any amendment, addition, deletion or other change to the "STATE OF ILLINOIS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS", VILLAGE OF UNIVERSITY PARK, at their sole expense, shall make the necessary alterations to the Traffic Signal at Burnham Drive to bring it into conformance with current standards.

6. The VILLAGE OF UNIVERSITY PARK agrees to indemnify and hold harmless the COUNTY from any liability, action, claim, judgement or award arising from this agreement or the construction, maintenance or use of said appurtenances.

7. That, in the event the COUNTY finds it necessary to repair, reconstruct, widen, realign, lower, modify, or in any way alter the location or conditions of any county highways or facilities on or within county right of way, VILLAGE OF UNIVERSITY PARK shall upon written notice to so do and as often as so notified raise, lower, move, replace, repair, or rework said appurtenances and adapt the same to comply, as directed by the County Engineer, with the new County conditions and functions, and all expenses required to raise, lower, move, replace, repair, or rework said appurtenances shall be at the grantees expense with no liability or expense whatsoever being imposed upon the County of Will. In the event said notice shall not be complied with within ninety (90) days after any aforesaid notice, the COUNTY may cause the same to be done at the expense of the VILLAGE OF UNIVERSITY PARK, provided, however, that in directing to reconstruct its facilities underground the VILLAGE OF UNIVERSITY PARK may, at its option, in lieu of taking such action, wholly remove its facilities from lands of the COUNTY as described herein, at which time the right granted herein shall cease, but the restoration obligation set forth herein shall remain.

8. This document shall be the final embodiment of the Agreement by and between the COUNTY, and VILLAGE OF UNIVERSITY PARK. No oral changes or modifications for this Agreement shall be permitted or allowed. Changes or modification to this Agreement shall be made only in writing and upon the necessary and proper signature of the COUNTY, and VILLAGE OF UNIVERSITY PARK.

9. In the event that any court of competent jurisdiction shall hold any provisions of this Agreement invalid or unenforceable, such holdings shall not invalidate or render unenforceable any other provision hereto.

10. This Agreement shall be binding upon and inure to the benefits of the parties hereto, their successors and assigns.

11. Venue for any dispute arising out of this agreement shall be in the courts of the Twelfth Judicial Circuit, Will County, Illinois. This agreement shall be governed by the laws of the State of Illinois, without regards to choice of law principles.
12. Any notices under this Agreement shall be sent as follows:

If to the County:

Will County Engineer
Will County Division of Transportation
16841 West Laraway Road
Joliet, IL  60433

Will County State’s Attorney
Attorn Civil Division
57 N. Ottawa Street, 5th Floor
Joliet, Illinois  60432

If to VILLAGE OF UNIVERSITY PARK:

698 Burnham Dr.
University Park, IL 60484

The PARTIES agree that each shall be responsible to notify the other of any changes in notification procedures.

13. This AGREEMENT may be executed in one or more counterparts, each of which will be deemed an original, but all of which will constitute one instrument.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed this ___ day of _, 2020.

COUNTY OF WILL

VILLAGE OF UNIVERSITY PARK

BY: ____________________________
County Executive

BY: ____________________________
Village Mayor

ATTEST: ________________________
County Clerk

ATTEST: ________________________
Village Clerk

(Seal)                          (Seal)
ATTEST:

By ___________________________ By ___________________________
Will County Clerk Will County Executive

Dated at University Park, Illinois, this _____ day of _____________, 2019.

ATTEST:

By ___________________________ By ___________________________
City Clerk Village Mayor
EXHIBIT “A”

Project Estimated Cost Breakdown
University Parkway Resurfacing

<table>
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<tr>
<th></th>
<th>Total Cost</th>
<th>Federal Funding (80%)</th>
<th>Village Share (10%)</th>
<th>County Share (10%)</th>
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AGENDA SECTION: NEW BUSINESS  DOCKET NUMBER: F-2f:

DISCUSSION - Resolution Approving And Authorizing The Execution Of Intergovernmental Agreement By And Between The Village Of University Park And Will County Allocation Of Funding

SUMMARY OF REQUESTED ACTION MEETING OF: July 9, 2019

Presented For Discussion Is A Resolution Approving And Authorizing The Execution Of Intergovernmental Agreement By And Between The Village Of University Park And Will County Allocation Of Funding

APPROVED: __________________________________________

John E. Pate,
Village Manager

BOARD ACTION:  Motion By: ___________________________  Seconded By: ___________________________

Ordinance Number: ___________________________  Resolution Number: ___________________________

Comments:
RESOLUTION
NUMBER

A RESOLUTION
APPROVING AND AUTHORIZING
THE EXECUTION OF
INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN
THE VILLAGE OF UNIVERSITY PARK AND
WILL COUNTY
ALLOCATION OF FUNDING

JOSEPH E. ROUDEZ III, Mayor
DOROTHY R. JONES, MMC Village Clerk
ELIZABETH WILLIAMS
THEAPLISE BROOKS
CURTIS MCMULLAN II
SHIRLEY A. BOLDING
SONIA JENKINS-BELL
DONZELL FRANKLIN

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of University Park
on this the 9th day of July, 2019
RESOLUTION NO._____

A RESOLUTION
APPROVING AND AUTHORIZING
THE EXECUTION OF
INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN
THE VILLAGE OF UNIVERSITY PARK AND
WILL COUNTY
ALLOCATION OF FUNDING

WHEREAS, the Village of University Park (hereinafter referred to as the "Village") is a home rule unit of local government with authority granted pursuant to the Illinois Constitution of 1970, to exercise certain powers and perform certain functions pertaining to its local government and affairs;

WHEREAS, Article VII, Section 10 of the Illinois Constitution of 1970 authorizes units of local government, including municipalities, to contract to exercise, combine or transfer any power or function not prohibited to them by law or ordinance;

WHEREAS, the "Intergovernmental Cooperation Act" (5 ILCS 220/1 et seq.) authorizes units of local government to exercise jointly with any public agency of the State, including other units of local government, any power, privilege or authority which may be exercised by a unit of local government individually, and to enter into contracts for the performance of governmental services, activities and undertakings;

WHEREAS, the "Intergovernmental Cooperation Act", 5 ILCS 220/1 et seq., provides that any power or powers, privileges or authority exercised or which may be exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government;

WHEREAS, Section 5 of the "Intergovernmental Cooperation Act", 5 ILCS 220/5, provides that any one or more public agencies may contract with any one or more public agencies to perform any governmental service, activity or undertaking which any of the public agencies
entering into the contract is authorized by law to perform, provided that such contract shall be authorized by the governing body of each party to the contract;

  WHEREAS, the parties hereto are units of local government as defined by the Constitution of the State of Illinois, 1970, Article VII, Section 10, and the Intergovernmental Cooperation Act;

  WHEREAS, the respective parties are interested in facilitating the free flow of traffic and insuring the safety to the motoring public and as a result of which inspect the various roadways and thoroughfares within their respective jurisdictions;

  WHEREAS, the Village has identified the roadway identified herein to be in need of certain repairs and resurfacing;

  WHEREAS, the parties desire to enter into an agreement providing for the resurfacing of identified roadway, specifically, University Parkway from Steger Monee Road to Western Avenue, and allocating the costs associated thereto to the responsible parties; and

  WHEREAS, the Corporate Authorities of the Village of University Park have determined that it is in the best interests of the health, safety and welfare of the residents of the Village of University Park to enter into an Intergovernmental Agreement for the purposes referenced herein.

  NOW, THEREFORE, BE IT RESOLVED by the Village President and Board of Trustees of the Village of University Park, Will and Cook Counties, Illinois pursuant to the Village of University Park’s “Home Rule Powers” as follows:

  Section One - Recitals

  The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this Resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this Resolution as legislative findings.

  Section Two – Approval of Intergovernmental Agreement

  The Village hereby approves the Intergovernmental Agreement substantially in the form attached hereto and made a part hereof as Exhibit A and directs the Village President or his designee to negotiate final terms, if any, with the advice of the Village Attorney.
Section Three – Authorization and Direction

The Village President is hereby authorized to execute, and the Village Clerk is hereby authorized to attest the Intergovernmental Agreements, and affix the Seal of the Village to all such documents as are deemed necessary to effectuate the intent of this Resolution, substantially in the form of such Intergovernmental Agreement attached hereto as Exhibit A, with such changes therein as shall be approved by the Village Attorney and the officials of the Village executing the same, their execution thereof to constitute exclusive evidence of their approval to any and all changes or revisions therein from and after the execution and delivery of such Intergovernmental Agreements, whether or not such other documents are attached hereto.

Section Four - Other Actions Authorized

The officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this Resolution and otherwise to consummate the transactions contemplated herein, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

Section Five – Authorization of Expenditures

The Corporate Authorities hereby authorize and direct the expenditure of all costs related to the execution of the Intergovernmental Agreement, additionally, the Village is authorized and directed to allocate and spend all necessary funds to fulfill the requirements of the Intergovernmental Agreements and of this Resolution.

Section Six - Acts of Village Officials

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this Resolution are hereby, in all respects, ratified, approved, authorized and confirmed.
Section Seven - Effective Date

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

Section Eight - Publication

This Resolution shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Nine - Conflict Clause

All Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section Ten - Saving Clause

If any section, paragraph, clause or provision of this Resolution is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of any other provisions of this Resolution, which are hereby declared to be separable.

Section Eleven - Recording

This Resolution shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of University Park.

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DECIDED pursuant to a Roll Call Vote:

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<th>ABSENT</th>
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PASSED AND APPROVED by the Village of University Park Board of Trustees on the 9th day of July, 2019:

__________________________
Joseph E. Roudez III
Mayor

ATTEST:

__________________________
Dorothy R. Jones, MMC
Village Clerk
STATE OF ILLINOIS)  
COUNTIES OF WILL AND COOK)

Clerk's Certification

I, Dorothy R. Jones, MMC do hereby certify that I am the duly elected and qualified Village Clerk in and for the Village of University Park, Will and Cook Counties, Illinois; that I am the keeper of the files, records, and seal of said Village, and that the following is a true and correct copy of Resolution No. ________

A Resolution Approving and Authorizing
The Execution of Intergovernmental Agreement
By and Between the Village of University Park and
Will County Allocation of Funding

adopted and approved by the Mayor and the Board of Trustees at an official meeting held on July 9, 2019 and that the vote on the motion for adoption was as follows:

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I do further certify that the deliberations of the Board on the adoption of said Resolution were conducted openly, that the vote on the adoption of said Resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Village Code of the Village of University Park, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

I further state that this Certification is issued under my hand and the seal of the Village of University Park as required in the Illinois Compiled Statutes 65 ILCS 5/1-2-4.

In Witness Whereof, I have hereunto set my hand and caused to be affixed the Corporate Seal of said Village of University Park, Will and Cook Counties, Illinois on the date set forth herein.

__________________________  __________________________
Dorothy R. Jones, MMC       (SEAL)
Village Clerk

7
INTergovernmental Agreement for roadwaY resurfacing of
uNIVERSITY pArkWay from SteGer-Monee Road to Western
aVenuE in the County of WIlL

WHEREAS, the County of Will is a body corporate and politic (hereinafter
referred to as the “COUNTY”); and

WHEREAS, the Village of University Park is a Municipal Corporation and home
rule unit of local government situated in Will County, (hereinafter referred to as
“VILLAGE”) under and by virtue of the Constitution and laws of the State of Illinois, and
has acted in the exercise of its legal authority in the exercise of this Agreement; and

WHEREAS, Article VII, Section 10, of the Constitution of the State of Illinois of
1970 provides that units of local government may contract or otherwise associate among
themselves to obtain or share services and to exercise, combine or transfer any power or
function in any manner not prohibited by law or by ordinance; and

WHEREAS, The Illinois Intergovernmental Cooperation Act, (Illinois Compiled
Statutes, Chapter 5, Section 220/1 et seq.), authorizes municipalities to exercise jointly with
any public agency of the State, including other units of local government, any power,
privilege, or authority which may be exercised by a unit of local government individually,
and to enter into contracts for the performance of governmental services, activities, and
undertakings; and

WHEREAS, the COUNTY, and VILLAGE, in order to facilitate the free flow of
traffic and insure safety to the motoring public, are desirous of resurfacing the roadway of
University Parkway from Steger-Monee Road to Western Avenue (hereinafter referred to
as “IMPROVEMENT”).

NOW THEREFORE, in consideration of the mutual promises, obligations and
undertakings set forth herein, the COUNTY, and VILLAGE (hereinafter collectively
referred to as “PARTIES”) AGREE AS FOLLOWS:

1. The above Recitals are substantive and are incorporated herein by reference as if
fully set forth.

2. All PARTIES agree that the IMPROVEMENT shall be constructed by the
VILLAGE under section 18-00028-00-RS.

3. VILLAGE agrees to indemnify and hold harmless the COUNTY from any liability,
action, claim, judgment, award and/or costs, including reasonable attorneys’ fees,
arising from any negligence or intentional actions on the part of VILLAGE
occurring out its execution of the duties found in this Agreement.
4. The VILLAGE will invoice the COUNTY upon award of the project for 10% ($61,700.00) of the COUNTY’s share of the construction costs for the IMPROVEMENT as outlined in Exhibit A. This will be a onetime amount and will not vary based on the final costs of the IMPROVEMENT. The COUNTY shall make payment under COUNTY section 19-00086-23-GM.

5. This document shall be the final embodiment of the Agreement by and between the COUNTY, and VILLAGE. No oral changes or modifications for this Agreement shall be permitted or allowed. Changes or modification to this Agreement shall be made only in writing and upon the necessary and proper signature of the COUNTY, and VILLAGE.

6. In the event that a court of competent jurisdiction shall hold any provisions of this Agreement invalid or unenforceable, such holdings shall not invalidate or render unenforceable any other provision hereof.

7. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

8. Venue for any dispute arising out of this agreement shall be in the courts of the Twelfth Judicial Circuit, Will County, Illinois. This agreement shall be governed by the laws of the State of Illinois, without regard to choice of law principles.

9. Any notices under this Agreement shall be sent as follows:

   If to the County:
   Will County Engineer
   Will County Division of Transportation
   1841 West Laraway Road
   Joliet, IL 60433

   If to VILLAGE OF UNIVERSITY PARK:
   698 Burnham Dr.
   University Park, IL 60484

The PARTIES agree that each shall be responsible to notify the other of any changes in notification procedures.

10. This AGREEMENT may be executed in one or more counterparts, each of which will be deemed an original, but all of which will constitute one instrument.

Dated at Joliet, Illinois this ___ day of __________, 2019.
VILLAGE OF UNIVERSITY PARK

Request for Board Action

AGENDA SECTION: NEW BUSINESS

ITEM: Bills Payable (Paid & Payable)

DOCKET NUMBER: F-2h:

SUMMARY OF REQUESTED ACTION FOR THE MEETING OF: July 9, 2019

BILLs PAYABLE WILL BE SENT UNDER SEPARATE COVER

APPROVED: __________________________

John E. Pate
Village Manager

BOARD ACTION: Motion By: __________________________  Seconded By: __________________________
Ordinance Number: __________________________  Resolution Number: __________________________