



## Village of Elburn

301 E. North Street  
Elburn, IL 60119  
(630) 365-5060  
Fax: (630) 365-5063  
www.elburn.il.us

### VILLAGE OF ELBURN VILLAGE BOARD MEETING AGENDA TUESDAY SEPTEMBER 6, 2016 6:45 P.M.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. PUBLIC COMMENT, AWARDS & PRESENTATIONS
5. Omnibus Agenda (Omnibus Vote)

All Items listed with an asterisk (\*) are considered to be routine by the Village Board or were recommended unanimously by the Committee of the Whole and will be enacted by one motion. There will be no separate discussion on these items unless a Board Member or citizen so requests in which event the item will be removed from the Omnibus (Consent) Agenda and considered in its normal sequence on the Agenda.

**\*MINUTES:**

*\*Village Board August 15, 2016*

*\*Committee of the Whole August 15, 2016*

*\* Easement to the Village of Elburn from Gates Street to Alley*

6. MAYOR
  - a. Consider and Approve the appointment of the Interim Village Administrator
7. VILLAGE ATTORNEY
8. VILLAGE CLERK
9. BUILDING AND ZONING
10. FINANCE DEPARTMENT
  - a. BlueCross BlueShield Insurance Premiums
11. POLICE DEPARTMENT
  - a. Consider and Approve Ordinance 2016-14 Disposal of Obsolete Personal Property for the Village of Elburn
12. PUBLIC WORKS DEPARTMENT
  - a. Consider and Approve Ordinance No. 2016-15 Prohibiting the Use of Groundwater as a Potable Water Supply by the Installation or Use of Potable Water Supply Wells or by Any Other Method at or Directly Adjacent to the Property Located at 121 S. Main Street in the General Vicinity of the Intersection of Route 47 and East North Street and Extending Along the East Side of Route 47 (an Amendment to Village of Elburn Street, Utilities, and Public Service Code 1046.02)
13. VILLAGE ADMINISTRATOR
  - a. Consider and Approve Resolution 2016-08 Amending the Village of Elburn Personnel Manual to Incorporate Child Bereavement Leave Policy
14. BILLS - Approve Bills List
15. OTHER BUSINESS
16. ADJOURN

MINUTES  
VILLAGE OF ELBURN BOARD OF TRUSTEES  
AUGUST 15, 2016

Board Members Present: President Dave Anderson, Trustees: Ken Anderson, Bill Grabarek, Dave Gualdoni, John Krukoff, Patricia Schuberg, Jeff Walter

Board Members Absent:

Staff Members Present: Village Admin Erin Willrett, Finance Director Doug Elder, Village Attorneys Britz & Bill Thomas, Police Chief Nick Sikora; Public Works Director John Nevenhoven

Others Present: Residents Wayne Byerhof, LeRoy Herra, Brian McCarty, Ed Karr, Elburn Herald Reporter Susan O'Neill

1. Call to Order – Village President Dave Anderson called the meeting to order at 6:45 p.m.
2. Pledge of Allegiance – Trustee Ken Anderson led the assembly in the Pledge of Allegiance.
3. Roll Call – A roll call vote ensued.
4. Public Comment, Awards & Presentations – Resident Brian McCarty (Lakin Ave) – With school starting soon, McCarty inquired if there is a maintenance schedule to repaint school cross walks because they are in need. Public Works Director Nevenhoven stated the cross walks are OK for now and they will be repainted next spring so they won't get torn up over the winter. The dirt mound in Blackberry Creek was also discussed and asked when it will be gone. Nevenhoven said he is not certain how long until the dirt mound is gone, perhaps 3-5 years if the building trend continues. McCarty said many residents are interested in finishing the park where the dirt mound is located and he said he would be interested in serving on a committee for planning. He continued he knows developers who would donate substantial funds in return for being the namesake of the park. It was suggested the Blackberry Creek HOA be contacted because they are more in touch with Blackberry Creek residents; although any parks would benefit all Elburn residents and will be maintained by the Village of Elburn.

Resident Ed Karr (lives in Blackberry Creek) – The bike path near the water tower does not connect to other paths and those who use it must go through weeds, gravel and grass. Karr inquired if the paths could be connected with blacktop. Mayor Anderson agreed the paths should be connected and explained the property is currently private property and does not belong to the Village of Elburn. It will be a while before this is rectified.

5. Omnibus Agenda (Omnibus Vote) – All items listed with an asterisk (\*) are considered to be routine by the Village Board or were recommended unanimously by the Committee of the Whole and will be enacted by one motion. There will be no separate discussion on these items unless a Board Member or citizen so requests in which event the item will be removed from the Omnibus (Consent) Agenda and considered in its normal sequence on the Agenda.

\*Minutes

<i>*Village Board</i>	<i>August 1, 2016</i>
<i>*Committee of the Whole</i>	<i>August 1, 2016</i>

A motion was made by Trustee Ken and seconded by Trustee Gualdoni to approve the Omnibus Agenda. A roll call vote ensued. Ayes: Ken Anderson, Grabarek, Gualdoni, Krukoff, Schuberg, Walter. Nays: None. Motion carried.

6. Village Attorney – Attorney Thomas gave an update on SB318 which has had several extensions. The original Bill was to freeze PTEL extension of 0% over various years. Significant amendments were made to the Bill on June 29 and signed by the Governor on June 30. The signed Bill is a shell of its original form and what was passed contains no effect on any local unit of government. The Bill will go into effect June 30, 2017.
7. Village Clerk – No report
8. Building and Zoning – No report
9. Finance Department
  - a. Finance Director Elder reported BS&A will be onsite tomorrow and Wednesday working with Building Commissioner Brennan on the permitting section of software the Village purchased. The entire migration to the new system is on schedule and will be complete by the end of the year.
  - b. Final invoices to Whittaker for work on the WWTP have been approved and we are waiting on the final two disbursements from the IEPA loan program (\$416-\$417K). Loan repayment starts in December which the Village has been planning for several years. Payments will occur twice a year and the loan term is 20 years.
10. Police Department
  - a. Chief Sikora contacted IDOT regarding a speed study on Route 38 near the new fire station. IDOT will review previous speed studies conducted in the vicinity and will reach out to Sikora to advise previous findings and what next steps the Village should do, if any.
  - b. The police department is preparing for Elburn Days this coming weekend.
  - c. Police officers received public gestures of support recently which was coordinated by a local Girl Scout group. The department is very grateful and a posting has been placed on Facebook acknowledging.
  - d. Two police bicycles will be back in service for the Elburn Days parade this year for more visibility.
  - e. Sikora will attend the Illinois Chiefs Expo and training tomorrow in Tinley Park.
  - f. Trustee Grabarek received a call from a resident regarding truck traffic continuing on First Street. Sikora said the department is still doing extra patrols and he will remind officers about truck traffic. Extra patrols will continue for a while.
11. Public Works Department
  - a. Consider and Approve Engineer's Payment Estimate No. 2 for the First Street EWST – Nevenhoven stated approximately \$42K will be left in retainage. The tower has been back in service for a couple of weeks. A motion to Approve Engineer's Payment Estimate No. 2 for the First Street EWST was made by Trustee Schuberg and seconded by Trustee Gualdoni. A roll call vote ensued. Ayes: Ken Anderson, Grabarek, Gualdoni, Krukoff, Schuberg, Walter. Nays: None. Motion carried.
  - b. Consider and Approve Water Bill Dispute 110 Read Street – Village Admin Willrett presented the request to forgive the entire bill in question—no payment plan was requested. After reviewing the bill history, it was noted the July/August bill has been historically high. There is also a pool on the property. There was consensus by the Board to offer a payment plan due to bill history during the same time period every year.
12. Village Administrator
  - a. Consider and Approve BWCSI Support Service Agreement and Mutual Non-Disclosure Agreement – Willrett stated this was discussed at the last COW meeting and stated IT costs for the last several years has been provided. This is for a retainer and a 5% discount on project work. A motion to Approve BWCSI Support Service Agreement and Mutual Non-Disclosure Agreement was made by Trustee Ken Anderson and seconded by Trustee Schuberg. Trustee Grabarek said he will vote no because he is not sufficiently clear on the contract and thought it should be put out for bid and include web development. Willrett said other vendors were not considered at this time because we are in the middle of a fiscal year. This contract will expire at the end of this fiscal year and it is recommended the Village go out for proposal at that time. A roll call vote ensued. Ayes: Ken Anderson, Gualdoni, Krukoff, Schuberg, Walter. Nays: Grabarek. Motion carried.

13. Mayor – No report

14. Bills

- a. Approve the Bills List – A motion was made by Trustee Grabarek and seconded by Trustee Walter to approve the bills for Monday, August 15, 2016 for \$301,813.90. A roll call vote ensued. Ayes: Ken Anderson, Grabarek, Gualdoni, Krukoff, Schuberg, Walter. Nays: None. Motion carried.

15. Other Business – None

16. Executive Session – Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees of the Public Body [5 ILCS 120/2(c)(1)] – A motion was made by Trustee Gualdoni and seconded by Trustee Schuberg to leave regular session and enter into executive session at 7:21 p.m. A roll call vote ensued. Ayes: Ken Anderson, Grabarek, Gualdoni, Krukoff, Schuberg, Walter. Nays: None. Motion carried. It was announced that there would be no announcements after the meeting.

At 7:39 p.m., a motion was made by Trustee Grabarek and seconded by Trustee Gualdoni to leave executive session and re-enter regular session. The motion carried by unanimous voice vote.

17. Adjourn - Trustee Walter motioned to adjourn the meeting at 7:40 p.m. with Trustee Schuberg seconding the motion. The motion passed by a unanimous voice vote.

Respectfully Submitted,



Diane McQuilkin  
Village Clerk

MINUTES  
VILLAGE OF ELBURN COMMITTEE OF THE WHOLE (COW)  
AUGUST 15, 2016

Board Members Present: President Dave Anderson, Trustees: Ken Anderson, Bill Grabarek, Dave Gualdoni, John Krukoff, Patricia Schuberg, Jeff Walter

Board Members Absent:

Staff Members Present: Village Admin Erin Willrett, Finance Director Doug Elder, Village Attorneys Britz & Bill Thomas, Police Chief Nick Sikora; Public Works Director John Nevenhoven

Others Present: Residents Wayne Byerhof, LeRoy Herra, Elburn Herald Reporter Susan O'Neill

1. Call to Order – Mayor Anderson called the meeting to order at 7:40 PM.
2. Roll Call – A roll call vote ensued.
3. Public Comment – None
4. Discuss Grant of Easement to the Village of Elburn on Gates Street – Public Works Director Nevenhoven described the property (which will go through the Legion parking lot) and explained the plan to connect to the water main on Gates. Water quality issues will improve as a result. There will be no cost to the Legion. Nevenhoven will report back on the engineer's cost estimate. This will be rolled into the Pierce Street 12" main work. There was consensus to place this on the next consent agenda.
5. Discuss Kane County Rezoning Request to Amend the Existing F-2 to Allow Public Horse Boarding and Horse Related Activities at 45W050 Beith Road, Maple Park, IL – Mayor Anderson stated this is not within the Village but is within the Village's jurisdictional boundary. It is the old Curtis Breeding facility. The property is currently private but will become a public facility. There was consensus from the Board not to oppose the proposal. Willrett will send letter to the County stating same.
6. Discuss Blackberry Creek HOA's Request for Bike Path Mile Markers – Trustee Ken Anderson suggested painting markers on paths is not necessary because cell phones and watches measure distance—the funds could be used for other parks in desperate need of a bridge and pavilion. When Heritage Park is complete, it will have an oval track that could be easily marked. It would behoove the HOA to compile a prioritized list and present to the Board. The idea of an adhoc committee with the HOA was brought up which would include public meetings. The Village's comprehensive plan shows what is planned for the entire Village. Trustees Walter and Schuberg said they would be interested in participating in any committees which can be appointed by the Mayor under his term.
7. Other Business – Mayor Anderson attended a Blackberry Township meeting recently where Dave Patzelt from Shodeen made a presentation. The Township is taking the presentation under advisement.  
  
Mayor Anderson stated this will be Village Administrator Willrett's last meeting before taking a new position elsewhere. The Board wished her the best in her future endeavors.
8. Adjourn – Trustee Gualdoni moved to adjourn the meeting at 7:57 p.m. The motion was seconded by Trustee Krukoff and passed by a unanimous voice vote.

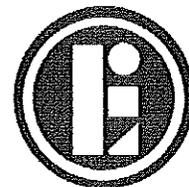
Respectfully Submitted,

A handwritten signature in cursive script that reads "Diane McQuilkin". The signature is written in black ink and includes a long horizontal flourish at the end.

Diane McQuilkin  
Village Clerk



Village of Elburn  
Finance Department  
301 E. North Street Elburn, IL 60119  
Phone 630-365-5060



## MEMO

To: Board of Trustees

From: Doug Elder, Finance Director *D. Elder*

Subject: BlueCross BlueShield Renewal Rates

Date: August 31, 2016

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The Village of Elburn's health insurance coverage with BlueCross BlueShield of Illinois will renew on 11/01/2016. I am happy to report a small decrease of 1.4% in the renewal premium. This is the second year in a row that the rates have decreased. The Village of Elburn pays 100% of the premium for employees and 50% of the premium for dependent coverage.

	Employee (9)	Empl + Spouse (1)	Empl + Children (3)	Family (5)	Total Monthly Health Cost (18)
Current Plan	\$673.55	\$1,367.01	\$1,331.44	\$2,024.89	\$21,547.73
Renewal Plan	\$658.12	\$1,349.34	\$1,314.62	\$2,005.85	\$21,245.53

The renewal premiums for the ancillary coverages will remain the same:

- Life Insurance
- Dependent Life Insurance
- Accidental Death & Disability
- Short Term Disability

## Deductible / HSA / HRA

Individual		Family	
\$1,100 HSA Paid by Village	\$2,500 Deductible	\$1,100 HSA paid by Village	\$5,000 Deductible
\$900 Employee Share		\$1,900 Employee Share	
\$500 HRA Paid by Village		\$2,000 HRA Paid by Village	
100% of eligible expenses paid by BCBS after deductible is met		100% of eligible expenses paid by BCBS after deductible is met	

HSA: Health Savings Account - paid by Village into employee's HSA account in January

HRA: Health Reimbursement Account - paid by Village as claims are incurred after the employee meets their share of deductible

BCBS: BlueCross BlueShield of Illinois

VILLAGE OF ELBURN

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ORDINANCE NO. 2016-XX

AN ORDINANCE AUTHORIZING AND APPROVING THE DISPOSAL OF OBSOLETE  
PERSONAL PROPERTY FOR THE VILLAGE OF ELBURN, ILLINOIS.

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ADOPTED BY  
THE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF ELBURN

This \_\_\_\_ day of \_\_\_\_\_, 2016

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Published in Pamphlet Form

this \_\_\_\_ day of \_\_\_\_\_, 2016

**ORDINANCE NO. 2016 – XX**

**AN ORDINANCE AUTHORIZING AND APPROVING THE DISPOSAL OF OBSOLETE PERSONAL PROPERTY FOR THE VILLAGE OF ELBURN, ILLINOIS.**

**WHEREAS**, pursuant to Section 11-76-4 of the Illinois Municipal Code (65 ILCS 5/11-76-4), whenever a municipality owns any personal property, which in the opinion of a simple majority of the corporate authorities then holding office is no longer necessary or useful to, or for the best interests of the municipality, such a majority of the corporate authorities then holding office may: (1) authorize, by ordinance, the sale of that personal property in such manner as they may designate, with or without advertising the sale; (2) authorize any municipal officer to convert that personal property into some other form that is useful to the municipality by using the material in the personal property; or (3) authorize any municipal officer to convey or turn in any specified article of personal property as partial payment on a new purchase of any similar article; and

**WHEREAS**, the Village's Police Department (the "Department") has requested that the Village dispose of or discard certain obsolete personal property that no longer has value to the Village (the "Personal Property"), which is described in a certain document (the "Document"), attached hereto and incorporated herein as Exhibit A; and

**WHEREAS**, the Department intends to dispose of the Personal Property in a fair and reasonable manner; and

**WHEREAS**, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") have reviewed the Document and have determined that retaining the Personal Property, which is obsolete, is no longer usable or repairable, or is surplus property or rubbish, is no longer necessary or useful to or for the best interests of the Village; and

**WHEREAS**, to ensure that the Village operates in an efficient and economical manner, it is necessary for the Village and Village employees to have adequate space and functional equipment and personal property; and

**WHEREAS**, based on the foregoing, the Corporate Authorities find that it is necessary for conducting Village business, the effective administration of government, and in the best interests of the Village and its residents to authorize the Head of the Department (the "Department Head"), or his or her designee, to sell, dispose of or discard the Personal Property;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF ELBURN, COUNTY OF KANE, STATE OF ILLINOIS**, as follows:

**SECTION 1. INCORPORATION CLAUSE.**

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles 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 2. PURPOSE.**

The purpose of this Ordinance is to authorize the Department Head or his or her designee to dispose of or discard the Personal Property to help ensure that the Village and Village employees have adequate space and functional equipment and personal property, and to take all necessary steps to effectuate the intent of this Ordinance.

**SECTION 3. AUTHORIZATION.**

The Village Board hereby authorizes and directs the Department Head or his or her designee to dispose of or discard the Personal Property in accordance with the terms of this Ordinance and ratifies any and all previous action taken to effectuate the intent of this Ordinance. The Village Board authorizes and directs the President and the

Department Head, or designees of the same, to execute any and all documentation that may be necessary to carry out the intent of this Ordinance. The Village Clerk is hereby authorized and directed to attest to and countersign any documentation as may be necessary to carry out and effectuate the purpose of this Ordinance. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary.

#### **SECTION 4. HEADINGS.**

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

#### **SECTION 5. SEVERABILITY.**

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

#### **SECTION 6. SUPERSEDER.**

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

#### **SECTION 7. PUBLICATION.**

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

**SECTION 8. EFFECTIVE DATE.**

This Ordinance shall be effective and in full force immediately upon passage and approval.

<b>Trustee Name</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>	<b>Abstain</b>
Ken Anderson				
Bill Grabarek				
Dave Gualdoni				
John Krukoff				
Patricia Schuberg				
Jeff Walter				
Mayor David Anderson				

PRESENTED to the Board of Trustees of the Village of Elburn, Kane County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

PASSED by the Board of Trustees of the Village of Elburn, Kane County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

SIGNED by the President of the Board of Trustees of the Village of Elburn, Kane County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

(SEAL)

\_\_\_\_\_  
David L. Anderson  
Village President  
Village of Elburn, Kane County, Illinois

ATTEST:

\_\_\_\_\_  
Diane McQuilkin  
Village Clerk  
Village of Elburn, Kane County, Illinois

## EXHIBIT A

### Recommended property of the Village of Elburn Police Dept. to be disposed of:

2006 Ford Crown Victoria Police Interceptor, VIN: 2FAFP71W16X114218 (This unit has been taken out of service already due to a bad radiator, condenser, and leaking transmission cooling lines, 148,717 miles.)

2009 Ford Crown Victoria Police Interceptor, VIN: 2FAHP71V89X120120 (This unit is still in service but most emergency equipment will be stripped to use in our new replacement vehicle. This unit has 161,645 miles on it.)

Three (3) Polaroid Spectra AF instant cameras, each within its own black canvas bag, each having its own close-up magnification lenses and adaptor to take pictures of pictures.

Serial #L77 J6WD7 VHBE

Serial #K7B J4KYL VHBE

Serial #D8B JAELD VHBE

Sony FD Mavica 1.6 megapixel camera with 3 ¼" floppy disc drive

Model # MVC-FD92

Serial # 365535

Sony FD Mavica 2.0 megapixel camera with 3 ¼" floppy disc drive

Model # MVC-FD200

Serial # 1333945

Sony Digital Mavica camera with 3 ¼" floppy disc drive

Model # MVC-FD83

Serial # 192804

Sony Digital Mavica camera with 3 ¼" floppy disc drive

Model # MVC-FD73

Serial # 1236218

Cannon Powershot A430 4.0 megapixel camera, with carrying case, original box, instructions, USB cord and AV cord (shattered view screen, unable to see images)

Serial # 2126000229

Royal brand electronic cash register with keys

Model # 8160nt

Serial # T80614944

Kustom Signal Pro-1000 in-car radar, with corded remote (Failed last calibration test by Municipal Electronics, malfunctioning display)

Serial # DS18360

Kustom Signal Pro-1000 in-car radar, with corded remote (Audio no longer works)  
Serial # DS3523

Kustom Signal radar antennae and cords (4 total), used with Kustom Signal Pro-1000  
radar

Serial # LA33954  
Serial # LA33956  
Serial # LA33957  
Serial # LA13532

Two (2) Motorola Visar portable radios, with four (4) batteries, duo battery charger and  
two (2) belt clip holders (marking indicate radios acquired from Carol Stream PD these  
are not narrowband compliant and are unable to be used):

Radio model #'s: H05SDD9AA4AN (same on both)

Radio serial #'s: 720AUG0745 & 720AUG0767

Charger serial #: 1312034759

\*Batteries and belt clip holder have no unique serial numbers

Motorola VRM 600

Serial # 508SYL0891

Two (2) Motorola VRM 650's

Serial #: 508SZE0G07 & 508SZQ1011

STATE OF ILLINOIS     )  
  )SS  
COUNTY OF KANE     )

**CLERK'S CERTIFICATE**

I, Diane McQuilkin, the duly qualified and acting Village Clerk of the Village of Elburn, Kane County, Illinois, do hereby certify that attached hereto is a true and correct copy of an ordinance entitled:

**AN ORDINANCE AUTHORIZING AND APPROVING THE DISPOSAL OF OBSOLETE PERSONAL PROPERTY FOR THE VILLAGE OF ELBURN, ILLINOIS.**

which ordinance was duly adopted by said Board of Trustees at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, and that said Ordinance has been duly published in pamphlet form in accordance with Section 1-2-4 of the Illinois Municipal Code.

I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board of Trustees complied with all the requirements of the Illinois Open Meetings Act.

**IN WITNESS WHEREOF**, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

(SEAL)

\_\_\_\_\_  
Diane McQuilkin  
Village Clerk  
Village of Elburn, Kane County, Illinois

VILLAGE OF ELBURN

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ORDINANCE NO. 2016 – \_\_\_\_\_

“AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD AT OR DIRECTLY ADJACENT TO THE PROPERTY LOCATED AT 1-21 SOUTH MAIN STREET IN THE GENERAL VICINITY OF THE INTERSECTION OF ROUTE 47 AND EAST NORTH STREET AND EXTENDING ALONG THE EAST SIDE OF ROUTE 47”

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ADOPTED BY  
THE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF ELBURN

---

Passed and Approved by the authority of the Board of Trustees  
Of the Village of Elburn, Kane County, Illinois  
this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ORDINANCE NUMBER 2016 -- \_\_\_\_\_

“AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD AT OR DIRECTLY ADJACENT TO THE PROPERTY LOCATED AT 1-21 SOUTH MAIN STREET IN THE GENERAL VICINITY OF THE INTERSECTION OF ROUTE 47 AND EAST NORTH STREET AND EXTENDING ALONG THE EAST SIDE OF ROUTE 47”

WHEREAS, certain properties in the Village of Elburn, Illinois have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the Village of Elburn may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the Village of Elburn desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents;

THEREFORE, Be it Ordained by the President and Board of Trustees of the Village of Elburn, Kane County, Illinois, as follows:

**Section One.** Use of groundwater as a potable water supply prohibited.

The use or attempt to use groundwater as a potable water supply by the installation or drilling of wells or by any other method is prohibited from within the following parcels, streets and rights-of-way, as depicted on Exhibit A, attached hereto and incorporated herein:

PIN(s):

Parcel 1: 1 – 5 South Main Street, Elburn, IL 11-05-151-001;

Parcel 2: 13-17 South Main Street, Elburn, IL 11-05-151-002;

Parcel 3: 21 South Main Street, Elburn, IL 11-05-151-008;

The street and right-of-way of East North Street adjacent to the above properties; and

The street and right-of-way of South Main Street (Il Route 47) adjacent to the above properties.

**Section Two.** Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of up to \$750 for each violation.

**Section Three.** Definitions.

“Person” is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns and includes the Village of Elburn.

“Potable Water” is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

**Section Four.** Prohibition applies to the Village of Elburn

The prohibition set forth in Section One of this Ordinance shall also apply to the Village of Elburn.

**Section Five.** Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

**Section Six.** Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

**Section Seven.** Effective Date.

This ordinance shall be in full force and effect from and after its passage and approval by the President and Board of Trustees and publication as required by law.

Trustee Name	Aye	Nay	Absent	Abstain
Kenneth N. Anderson Jr.				
Bill Grabarek				
David Gualdoni				
John Krukoff				
Patricia Schuberg				
Jeffrey D. Walter				
President David L. Anderson				

PRESENTED to the President and Board of Trustees of the Village of Elburn, Kane County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

PASSED by the President and Board of Trustees of the Village of Elburn, Kane County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

SIGNED by the President and Board of Trustees of the Village of Elburn, Kane County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

PUBLISHED in pamphlet form on \_\_\_\_\_ day of \_\_\_\_\_, 2016.

(SEAL)  
Illinois

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David L. Anderson  
Village President  
Village of Elburn, Kane County

ATTEST:

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Diane McQuilkin  
Village Clerk  
Village of Elburn, Kane County, Illinois

STATE OF ILLINOIS        )  
  )SS  
COUNTY OF KANE         )

**CLERK’S CERTIFICATE**

I, DIANE McQUILKIN, the duly qualified and acting Village Clerk of the Village of Elburn, Kane County, Illinois, do hereby certify that attached hereto is a true and correct copy of an ordinance entitled:

ORDINANCE NUMBER 2016 – \_\_\_\_\_

“AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD AT OR DIRECTLY ADJACENT TO THE PROPERTY LOCATED AT 1-21 SOUTH MAIN STREET IN THE GENERAL VICINITY OF THE INTERSECTION OF ROUTE 47 AND EAST NORTH STREET AND EXTENDING ALONG THE EAST SIDE OF ROUTE 47”

which ordinance was duly adopted by said Board of Trustees at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

I do further certify that a quorum of the Corporate Authorities was present at said meeting, and that the Corporate Authorities complied with all the requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

(SEAL)

\_\_\_\_\_  
Diane McQuilkin  
Village Clerk  
Village of Elburn, Kane County, Illinois



**VILLAGE OF ELBURN**

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**RESOLUTION NO. 2016 - \_\_\_\_\_**

**RESOLUTION AMENDING VILLAGE OF ELBURN PERSONNEL  
MANUAL TO INCORPORATE CHILD BEREAVEMENT LEAVE POLICY**

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**ADOPTED BY  
THE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF ELBURN**

**This \_\_\_\_\_ day of \_\_\_\_\_, 2016**

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RESOLUTION NO. 2016 - \_\_\_\_\_

**RESOLUTION AMENDING VILLAGE OF ELBURN PERSONNEL  
MANUAL TO INCORPORATE CHILD BEREAVEMENT LEAVE POLICY**

**WHEREAS**, Public Act 099-0703 "Child Bereavement Leave Act" effective July 29, 2016, mandates employers provide child bereavement leave; and

**WHEREAS**, to comply with current law, the President and Board of Trustees desire to amend the Village of Elburn Personnel Manual to incorporate a child bereavement leave policy.

**THEREFORE, BE IT RESOLVED** by the President and Board of Trustees of the Village of Elburn, Kane County, Illinois, as follows:

**SECTION ONE:** That Village of Elburn Personnel Manual is hereby amended to add Section 6.15 "Child Bereavement Leave Policy" to hereinafter read as follows:

Child Bereavement Leave Policy

**A. Definitions.** In this Policy:

"Child" means an employee's son or daughter who is a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis.

"Employee" means eligible employee, as defined by Section 101(2) of the federal Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.).

"Employer" means employer, as defined by Section 101(4) of the federal Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.).

**B. Bereavement Leave.**

(a) All employees shall be entitled to use a maximum of 2 weeks (10 work days) of unpaid bereavement leave to:

- (1) attend the funeral or alternative to a funeral of a child;
- (2) make arrangements necessitated by the death of the child; or
- (3) grieve the death of the child.

(b) Bereavement leave under subsection (a) of this Section must be completed within 60 days after the date on which the employee receives notice of the death of the child.

(c) An employee shall provide the employer with at least 48 hours' advance notice of the employee's intention to take bereavement leave, unless providing such notice is not reasonable and practicable.

(d) An employer may require reasonable documentation. Documentation may include a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency.

(e) In the event of the death of more than one child in a 12-month period, an employee is entitled to up to a total of 6 weeks of bereavement leave during the 12-month period. This Policy does not create a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.).

**C. Existing leave usable for bereavement.** An employee who is entitled to take paid or unpaid leave (including family, medical, sick, annual, personal, or similar leave) from employment, pursuant to federal, State, or local law, a collective bargaining agreement, or an employment benefits program or plan may elect to substitute any period of such leave for an equivalent period of leave provided under B above.

**SECTION TWO:** That if any part or portion of this Resolution shall be declared invalid by a court of competent jurisdiction, such partial invalidity shall not affect the remainder of this Resolution.

**SECTION THREE:** This Resolution shall be in full force and effect from and after the date of its passage and approval.

<b>Trustee Name</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>	<b>Abstain</b>
Ken Anderson				
Bill Grabarek				
Dave Gualdoni				
John Krukoff				
Patricia Schuberg				
Jeff Walter				
Mayor Dave Anderson				

PRESENTED to the President and Board of Trustees of the Village of Elburn, Kane County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

PASSED by the President and Board of Trustees of the Village of Elburn, Kane County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

SIGNED by the President of the Board of Trustees of the Village of Elburn, Kane County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
David L. Anderson  
Village President  
Village of Elburn, Kane County,

(SEAL)  
Illinois

ATTEST:

\_\_\_\_\_  
Diane McQuilkin  
Village Clerk  
Village of Elburn, Kane County, Illinois

STATE OF ILLINOIS        )  
                                  )  
COUNTY OF KANE         )

SS

**CLERK'S CERTIFICATE**

I, Diane McQuilkin, the duly qualified and acting Village Clerk of the Board of Trustees of the Village of Elburn, Kane County, Illinois, do hereby certify that attached hereto is a true and correct copy of a Resolution entitled:

**RESOLUTION NO. 2016 - \_\_\_\_\_**

**RESOLUTION AMENDING VILLAGE OF ELBURN PERSONNEL  
MANUAL TO INCORPORATE CHILD BEREAVEMENT LEAVE POLICY**

which Resolution was duly adopted by said Board of Trustees at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board of Trustees complied with all the requirements of the Illinois Open Meetings Act.

**IN WITNESS WHEREOF**, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**[SEAL]**

\_\_\_\_\_  
Diane McQuilkin  
Village Clerk  
Village of Elburn, Kane County, Illinois