

3/16/17

**ORDINANCE NO. CO-2017-03**

**AN ORDINANCE AUTHORIZING CERTAIN EXPENDITURES  
FROM THE MADISON STREET / 5TH AVENUE TAX INCREMENT FINANCING  
REDEVELOPMENT PROJECT AREA FUND TO PAY FOR  
THE 40 MADISON STREET SANITARY SEWER  
AND PUBLIC DRIVE IMPROVEMENTS PROJECT**

**(Project: Replacement Of A Collapsed Sanitary Sewer Service Line  
And Installation Of Structural Concrete Pavement On The South End Of The  
West Access Driveway, The Public Driveway That Serves The Village Hall / Public  
Works Garage, And Related ADA Accessible Pedestrian Crossings, Landscape  
Restoration, Sidewalk, Curb And Gutter Replacement And Pavement Markings)**

**WHEREAS**, the President and Board of Trustees (the "Corporate Authorities") of the Village of Maywood, Cook County, Illinois (the "Village"), in an effort to revitalize the Village's local economy and provide for the comprehensive and coordinated development of an underutilized and blighted area within the Village, have adopted a redevelopment plan and project, designated a redevelopment project area, and adopted the use of tax increment financing ("TIF") in accordance with the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as amended (the "Act"), for the Madison Street / 5th Avenue Tax Increment Financing Redevelopment Project Area (the "Project Area"); and

**WHEREAS**, the Corporate Authorities have determined that, in order to encourage private investment and restore and enhance the tax base of the Village and affected taxing districts, certain blighting and adverse conditions within the Project Area must be removed, certain infrastructure improvements must be made, and the Project Area must be redeveloped; and

**WHEREAS**, the removal of blight and adverse conditions, the completion of infrastructure improvements and the redevelopment of the Project Area require the expenditure of redevelopment project costs as defined in the Act, as summarized in the Madison Street / 5th Avenue Tax Increment Financing Redevelopment Project and Plan (the "Plan") by the Village; and

**WHEREAS**, under Ordinance No. CO-2013-12, approved at a public meeting on March 13, 2013, the Corporate Authorities extended the estimated date of completion of the Original Plan and Project, and the estimated date of the retirement of all obligations incurred to finance redevelopment project costs as defined by the Original Plan and Project, to December 31, 2020, subject to receipt of year 2020 incremental real estate tax revenues during calendar year 2021; and

**WHEREAS**, it is necessary to consider and approve the use of TIF Funds during calendar year 2017 to complete certain infrastructure improvement projects in order to

stimulate reinvestment in the Project Area. The Corporate Authorities have identified and approved the completion of the following infrastructure improvement project(s) within the Project Area (collectively, the "Infrastructure Improvement Projects"), using TIF funds to pay for such Infrastructure Improvement Projects, in whole or in part:

**40 Madison Street Sanitary Sewer / Pavement Improvements Project.**

This Project involves the replacement of a collapsed sanitary sewer service line and installation of structural concrete pavement on the south end of the west access driveway, the public driveway that serves the Village Hall / Public Works Garage, and related ADA accessible pedestrian crossings, landscape restoration, sidewalk, curb and gutter replacement and pavement markings. The Village will also hire Edwin Hancock Engineering Company to perform preliminary and design engineering services and construction engineering services associated with the Project. The estimated construction cost of the Project is Two Hundred Sixty-Five Thousand and No/100 Dollars (\$265,000.00). The fee for the Preliminary and Design Engineering Services for the Project is Thirty-Six Thousand and No/100 Dollars (\$36,000.00), and the "not to exceed" fee for the Construction Engineering Services for the Project is Twenty-One Thousand and No/100 Dollars (\$21,000.00). The overall estimated cost of the Project, including construction costs and professional engineering services, is Three Hundred Twenty-Two Thousand and No/100 Dollars (\$322,000.00); and

**WHEREAS**, it is desirable and in the best interests of the residents of the Village to authorize the Corporate Authorities to cause the expenditure of TIF Funds in the completion of the Infrastructure Improvement Projects within the Project Area, which expenditures will be paid on or after the date of passage of this Ordinance (the "Expenditures").

**BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, THAT:**

**SECTION 1: Recitals.** The statements set forth in the preambles of this Ordinance are found to be true and correct and are adopted as part of this Ordinance.

**SECTION 2: Authority.**

(a) The Village is a duly constituted and organized home rule municipality, as described in Division 6 of Article VII of the Illinois Constitution of 1970, and, as such, may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to tax and incur debt.

(b) This Ordinance is adopted in connection with implementing the Plan in accordance with the Act.

(c) This Ordinance is a declaration of official intent under Treasury Regulation Section 1.150-2.

**SECTION 3: Estimate of Expenditures.**

(a) The Village intends to incur Expenditures in connection with the Infrastructure Improvement Projects within the Plan and Project Area including, but not limited to, the following:

1. Professional services including legal, zoning, redevelopment, consulting, architectural and engineering services, landscape architectural services, design guidelines, appraisals, surveys, market studies, traffic studies, and environmental and geotechnical services; and
2. Costs for the construction of the Project.

(b) A Preliminary Estimate of Expenditures to be incurred and reimbursed, in connection with the Infrastructure Improvement Projects, as provided by the Village Engineer and/or the Village Manager, is as follows:

**40 Madison Street Sanitary Sewer / Pavement Improvements Project.**

Estimated Total Project Cost: **\$322,000.00**. The estimated construction cost of the Project is Two Hundred Sixty-Five Thousand and No/100 Dollars (\$265,000.00). The fee for the Preliminary and Design Engineering Services for the Project is Thirty-Six Thousand and No/100 Dollars (\$36,000.00), and the “not to exceed” fee for the Construction Engineering Services for the Project is Twenty-One Thousand and No/100 Dollars (\$21,000.00). The overall estimated cost of the Project, including construction costs and professional engineering services, is Three Hundred Twenty-Two Thousand and No/100 Dollars (\$322,000.00); and

The Preliminary Project Cost Estimate, as set forth in a Memorandum dated January 11, 2017 and prepared by the Village Engineer for the Project, is attached hereto as **Exhibit “A”** and made a part hereof.

**SECTION 4: Authorization of Expenditures.** The expenditure of funds from the TIF Fund is authorized up to the amounts set forth in Section 3, or such additional amounts necessary to complete any of the specified projects as subsequently approved or authorized by the Corporate Authorities.

**SECTION 5: Public Inspection.** This Ordinance shall be immediately available for inspection by the public at the office of the Village Clerk.

**SECTION 6: Repealer.** All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

**SECTION 7: Severability.** Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

**SECTION 8: Ratification.** All actions of the Corporate Authorities, agents and employees of the Village that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption of this Ordinance, are ratified, confirmed and approved.

**SECTION 9: Effective Date.** This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as required by law.

**ADOPTED** this 24<sup>th</sup> day of January, 2017, pursuant to a roll call vote as follows:

**AYES:** Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, Sr., I. Brandon, A. Dorris, M. Rogers, M. Lightford and R. Rivers.

**NAYS:** None

**ABSENT:** None

**APPROVED** by me as Village President, and attested to by the Village Clerk, on the 26<sup>th</sup> day of January, 2017.



*Edwenna Perkins*

Village President

**ATTEST:**

*Viola Minsky*  
Village Clerk

*John A. Minsky*  
Deputy Clerk

Published by me in pamphlet form this 26<sup>th</sup> day of January, 2017.

*Viola Minsky*  
Village Clerk

*John A. Minsky*  
Deputy Clerk

**Exhibit "A"**

**Preliminary Cost Estimate for the Project**

**Memorandum dated January 11, 2017  
and prepared by the Village Engineer (Edwin Hancock Engineering Company)**

(attached)



# MEMO

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Date: January 11, 2017

To: Village of Maywood

Attn: Willie Norfleet, Jr., Village Manager

cc: David Myers, Assistant Village Manager  
John West, Director of Public Works

From: Bill Peterhansen, P.E., CFM

Re: 40 Madison Street Sanitary Sewer and Public Drive Improvements  
Madison Street TIF  
Engineering Agreement

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Attached is our proposed engineering agreement to provide preliminary, design and construction engineering services related to the referenced project. The project consists of the replacement of a collapsed sanitary sewer service and the placement of a structural pavement in the drive west of the building at 40 Madison Street.

The project presents a unique scope of work due to the history of the property at 40 Madison Street. The site previously was operated as an incinerator, and much of the site is constructed over cinder/fill. In the area of the incinerator's stack, the compaction appears to have been completed poorly and the resulting poor structural capacity is likely the ultimate reason for the sanitary sewer collapse. Additionally, the poor soil condition has led to continued pavement settlement and undermining near the south portion of the west drive. As a result of these observations and historical knowledge, the project design will include geotechnical soil testing and the design of a concrete structural slab with grade beams to eliminate the settlement issues on a long term basis.

The improvements will include the installation of sanitary sewer inspection manholes, sanitary sewer service piping with a connection to the MWRD sewer, a structural concrete slab with concrete grade beams and possible caissons in the area around the old incinerator stack on the along the west side of the building, intermittent replacement of deteriorated curb and gutter with adjoining sidewalk, placement of ADA compliant roadway crossings, milling of the existing pavement, pavement patching, placement of asphalt level and surface course mixes, landscape restoration, and pavement markings.

The Preliminary & Design Engineering Fee for this project is \$36,000, which represents the time to collect and draft existing topographical survey information of the site; design a new sanitary sewer service and underground utility improvements; perform geotechnical testing of existing soils and design a structural concrete slab and system; design ADA accessible crossings; prepare detailed proposed plans

of the improvements; prepare specifications and bid documents in accordance with respective policies and procedures of the Village of Maywood and IDOT; the submittal and obtaining of permits to the MWRD regarding sewer improvements in a combined sewer area; assisting the Village staff in reviewing received proposals and making a recommendation of award to the Village Board; and the preparation of contract documents upon award by the Village Board.

The Construction Engineering Services are proposed to be completed as an hourly rate, which includes an upper limit not to exceed of \$21,600. The Construction Engineering Services include attending a preconstruction conference; administration of the construction and documentation per IDOT requirements; layout of the improvements; construction inspection of proposed improvements noting compliance and deficiencies in work; documentation of quantities completed; preparation of pay estimates; review of contractor's submittal of invoices and waivers; final closeout documentation; final walk through with Village staff and creation of a punchlist (if necessary) of items requiring further attention; and the making of a recommendation of final acceptance of the project upon conclusion.

The Village will fund the project utilizing funds from the Madison Street TIF. The project has been included in the Village's 2016/2017 Budget. The project is anticipated to be let for Bid in April of 2017, with construction beginning in June of 2017 and final construction completed by the end of July 2017.

